

ROBERT A. WEIN and ELLEN HARRIS,	:	IN THE COURT OF COMMON PLEAS OF
Individually and as Co-Administrators of the	:	LYCOMING COUNTY, PENNSYLVANIA
Estate of CHRISTIAN A. WEIN, Deceased	:	
DAWN MARIE WEIN COUNTS and	:	
ERIC ALLEN WEIN,	:	
Plaintiffs	:	
	:	
vs.	:	NO. 96-01,744
	:	
THE WILLIAMSPORT HOSPITAL AND	:	CIVIL ACTION - LAW
MEDICAL CENTER and	:	
MICHAEL J. DIXON, M.D.,	:	
Defendants	:	MOTION TO COMPEL

**Date: June 28, 2002**

**MEMORANDUM OPINION AND ORDER**

Before the Court is the continuing Motion of Plaintiffs to require Defendant Williamsport Hospital and Medical Center to furnish to Plaintiffs copies of minutes of the Pharmacy and therapeutic Committee of the Hospital from October 1996 to the present which contain any reference to Ativan/Loracepam, or their pharmaceutical equivalents. By an Order of January 7, 2002 (incorrectly typed as 2001) this Court was furnished the minutes in question to conduct an in-camera review to determine whether any information contained therein is subject to Peer Review Protection or as such should be disclosed to Plaintiffs in response to Plaintiffs' Eleventh Request for Production of Documents. The Court's review of this material was commenced prior to a stay relating to the insolvency of PHICO. The Court took no action during that stay. Since the stay has been vacated the Court has completed its review.

Upon reviewing the minutes the Court is satisfied that the minutes reflect Committee action which involved the evaluation of the quality and efficiency of the services of the Hospital and its staff in

connection with Ativan/Loracepam and as such are protected by the specific language of the Peer Review Protection Act. Accordingly, the request of Plaintiffs for disclosure of these minutes will be refused.

**ORDER**

The Motion of Plaintiffs to discover the minutes of the Pharmacy and Therapeutic Committee of Defendant Williamsport Hospital and Medical Center as relate to Ativan/Loracepam is DENIED. Counsel for the Hospital may send an appropriate representative to obtain return of the records.

BY THE COURT,

William S. Kieser, Judge

cc: C. Scott Waters, Esquire  
Richard F. Schluter, Esquire  
Darryl R. Wishard, Esquire  
Robert A. Seiferth, Esquire  
Judges  
Paul J. Petcavage, Law Clerk  
Gary L. Weber, Esquire (Lycoming Reporter)