

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

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COMPLETE TITLE OF CASE:

DOROTHEA LEBLANC

Appellant

v.

RESEARCH BELTON HOSPITAL

Respondent

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DOCKET NUMBER **WD69248**

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

DATE: December 9, 2008

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Appeal From:

Circuit Court of Jackson County, MO  
The Honorable Jay A. Daugherty, Judge

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Appellate Judges:

Division Four: Thomas H. Newton, C.J., Victor C. Holliger and Alok Ahuja, JJ.

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Attorneys:

Herbert W. McIntosh, Kansas City, MO

Counsel for Appellant

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Attorneys:

P. John Brady, Kansas City, MO

Counsel for Respondent

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**MISSOURI APPELLATE COURT OPINION SUMMARY  
MISSOURI COURT OF APPEALS, WESTERN DISTRICT**

DOROTHEA LEBLANC, Appellant, v.  
RESEARCH BELTON HOSPITAL, Respondent

**WD69248**

**Jackson County**

Before Division Four Judges: Newton, C.J., Holliger and Ahuja, JJ.

Ms. Dorothea LeBlanc sued her surgeons and Research Belton Hospital under a theory of negligence for injuries resulting from surgery at the hospital. Ms. LeBlanc alleged that Research Belton negligently performed several duties including assuring that her surgeons had the credentials to perform a specific surgery. Research Belton moved to dismiss that specific claim, alleging negligent credentialing was not a recognized cause of action in Missouri. The trial court granted the motion to dismiss. Ms. LeBlanc appeals.

**REVERSED AND REMANDED.**

**Division Four holds:**

Missouri precedent recognizes a claim of corporate negligence against a hospital for injuries caused by independent doctors authorized to practice in that hospital under certain circumstances. Negligent credentialing is a specific type of corporate negligence claim. Although our legislature has granted qualified statutory immunity to specific persons who rely on recommendations from peer review committees to credential doctors, Research Belton did not allege that it was entitled to this immunity. Because we recognize a corporate negligence claim and Ms. LeBlanc alleged the elements of negligence in the petition, her claim should not have been dismissed. Therefore, we reverse the trial court's decision and remand the case to the trial court for further actions consistent with this opinion.

**Opinion by Thomas H. Newton, C. J.**

December 9, 2008

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