

# Texas Jurisprudence Exam Questions and Answers

## (Verified Answers)

1. How can one terminate a physician-patient relationship, without abandonment, if there is ongoing treatment

**ANS** 30 days written notice, must provide for emergency

2. What is "proximate cause" **ANS** Prove that negligence caused harm and that the cause was not too remote; what is required to hold a defendant liable in a civil lawsuit

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3. What are the two components of proximate cause

**ANS** Cause-in-fact (but-for test) and foreseeability

4. In a medical malpractice setting, what two instances do not need expert testimony **ANS** Res ipsa loquitur (e.g. amputation of wrong leg) and negligence per se (a law was broken)

5. Is there a cap to noneconomic damages? How much

**ANS** 250K for physicians, 500K for hospitals

6. If the claimants proportionate responsibility is more than what %, then he/she may not recover damages

**ANS** If >50%, no damages awarded.

7. How long is the statute of limitations for adults? For minors

**ANS** 2 years; for minors, 2 years after becoming 18yo

8. In a criminal proceeding, is the physician-patient privilege communication confidential

**ANS** No, except for mental health and substance abuse records; judicial ruling should be obtained.

9. What is "therapeutic privilege", when can it be used, who has access to the information, and what is the protocol the physician must follow

**ANS** If physician thinks that information would be harmful to the patient, it can be withheld; in writing, copy in the chart; films or tests must be released to patient representative.

10. How many years does a physician have to keep records for adults? For minors

**ANS** 7 years for adults; 7 years or until age 21 for minors; hospital must keep 10 years