
HOSPITAL DISTRICTS - FLORIDA

Harrison v. South Broward Hospital District

District Court of Appeal of Florida, Fourth District - November 8, 2023 - So.3d - 2023 WL 73679 - 2048 Fla. L. Weekly D2154

Former general counsel for hospital district board of commissioners brought action against board members, asserting claims for defamation, tortious interference with advantageous business relationship, outrage, and gross negligent infliction of emotional distress for their actions in holding meeting and voting to terminate her.

Members moved for summary judgment based on summary judgment. The Circuit Court entered nonfinal order denying the summary judgment motion. Members appealed that order and separately filed petition for writ of certiorari for review the denial of their summary judgment motion. Cases were consolidated for resolution.

The District Court of Appeal held that members were entitled to absolute immunity as to general counsel's claims.

Members of hospital district board of commissioners were acting within scope of their duties when they held meeting to review general counsel's performance and voted for her discharge, and thus members were entitled to absolute immunity as to general counsel's tort claims for defamation, tortious interference with advantageous business relationship, outrage, and gross negligent infliction of emotional distress, even if members were acting in bad faith and maliciously; district's bylaws gave board broad authority to employ personnel, and even if only the chief executive officer (CEO) could terminate general counsel's employment because she reported only to the CEO, the bylaws recognized board's authority to vote for her discharge and direct CEO to terminate her.

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