

Bond Case Briefs

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LIABILITY - WYOMING

Memorial Hospital of Converse County - Advanced Medicine, Hometown Care v. Gates

Supreme Court of Wyoming - April 22, 2026 - 2026 WL 1084490 - 2026 WY 45

Patient who suffered complications following routine appendectomy brought medical malpractice action under Wyoming Governmental Claims Act against county hospital and two hospital-employed physicians.

The District Court denied patient's motion for partial summary judgment challenging constitutionality of the Government Claims Act's limitation on waiver of governmental immunity, and after jury returned \$3.2 million verdict apportioning 40 percent fault to one physician, the District Court entered judgment for full \$3.2 million despite \$1 million statutory limitation and the District Court denied hospital and physician's motion for relief from judgment. Hospital and physician appealed, and patient filed cross-appeal.

The Supreme Court held that:

- Supreme Court had jurisdiction over patient's cross appeal arguing that county hospital was not entitled to \$1 million limitation on liability under the Government Claims Act;
- County hospital system's operation of a statewide commercial healthcare enterprise did not waive Government Claims Act's \$1 million limit on liability; and
- Court could not enter judgment against county hospital in an amount greater than \$1 million limit on liability in the absence of any non-speculative showing by patient that hospital maintained an insurance policy providing coverage in excess of that amount.