

BOISE, WEDNESDAY, JUNE 17, 2020 AT 8:50 A.M.

IN THE SUREME COURT OF THE STATE OF IDAHO

**DEBRA DLOUHY, individually, and as)
surviving spouse of Duane Dlouhy; DUSTIN)
DLOUHY, individually, and as Personal)
Representative of the Estate of Duane)
Dlouhy; DRUE HATFIELD, individually;)
and DEMI DLOUHY, individually,)**

Plaintiffs-Appellants,)

v.)

**KOOTENAI HOSPITAL DISTRICT, doing)
business as KOOTENAI HEALTH,)
KOOTENAI CLINIC, LLC,)**

Defendants-Respondents,)

and)

**JEFFREY M. ZUROSKY, M.D., HENRY)
G. AMON, M.D., ROBERT C. SEELEY,)
M.D., WESTERN MEDICAL)
ASSOCIATES, PLLC, NICOLE S.)
BURBANK, M.D., JOHN DOE I-X, JANE)
DOE I-X, and UNKNOWN BUSINESS)
ENTITIES I through X,)**

Defendants.)

Docket No. 47165

Appeal from the District Court of the First Judicial District, State of Idaho,
Kootenai County. Cynthia K.C. Meyer, District Judge.

Pedersen and Whitehead, Twin Falls, for Appellants.

Witherspoon Kelley, Coeur d'Alene, for Respondents.

Debra Dlouhy, Dustin Dlouhy, individually and as Personal Representative of the Estate
of Duane Dlouhy, Drue Hartfield, and Demi Dlouhy (“the Dlouhys”) appeal from a district
court’s order granting summary judgment in favor of Kootenai Hospital District d/b/a Kootenai

Health and subsequently dismissing their medical malpractice claim. The Dlouhys filed their medical malpractice claim in May 2017 alleging that Kootenai Health failed to diagnose Duane Dlouhy with colorectal cancer. Duane Dlouhy died shortly after the initial Complaint was filed and the Dlouhys amended their complaint alleging that Kootenai Health's delay in diagnosing the colorectal cancer caused his death. The district court granted summary judgment after ruling that the Dlouhys had failed to produce sufficient evidence to demonstrate that their expert witnesses had actual knowledge of the applicable local standard of care. On appeal, the Dlouhys argue that the district court erred in concluding that they failed to show that their experts were familiar with the local standard of care and in granting Kootenai Health's motion for summary judgment.