



MICHELLE M. GARZON

Michelle “Shelly” Garzon advises and defends hospitals, medical clinics and health care providers. She has represented healthcare clients in state and federal courts in medical malpractice, behavioral health, and premises liability litigation. Shelly has also represented physicians, nurses, and other healthcare providers in administrative settings. She also provides advice to health care providers, businesses and individuals who contract with healthcare providers on a variety of legal issues including privacy, HIPAA, risk management, behavioral health, guardianship and medical decision making.

Practice

- Medical Professional Liability Defense
- Licensing and Disciplinary Actions
- Behavioral Health/Guardianships
- Healthcare Risk Management

Representative Cases

- Unanimous defense verdict in a wrongful death case where plaintiff claimed the cardiothoracic surgeon employed by the firm’s client, a health care system, was negligent in deciding to perform a triple bypass surgery on the decedent without completely working up various other health issues before surgery.
- Directed verdict for defense in a case where plaintiff claimed hospital and emergency medicine physician were negligent for failing to suspect and report child abuse, resulting in infant’s death.
- Dismissal after discovery in case where plaintiff claimed hospital and physicians negligently managed sickle cell anemia, resulting in patient’s death.
- Successful defense in case where plaintiff claimed hospital emergency providers improperly treated sting ray injury, resulting in permanent injury.
- *Multiple Involuntary Treatment Act cases.* Western State Hospital refused to accept involuntarily committed patients from acute care hospitals, alleging that patients had medical needs preventing their admission to Western. Result: Western admitted the patients; in one instance, court awarded sanctions.

Education

- Northwestern School of Law of Lewis & Clark College, J.D., *cum laude*, 2001
- Reed College, B.A. Anthropology, 1996

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Admitted to Practice

- Washington State
- Oregon State
- U.S. District Court, Western District of Washington and District of Oregon

Professional Experience

- Fain Anderson VanDerhoef Rosendahl O'Halloran Spillane, PLLC, Principal, February 2015 – Present
- Williams, Kastner & Gibbs PLLC, Associate, 2004 – 2015
- Assistant Attorney General, Labor & Personnel Division, 2003 – 2003
- Judicial Law Clerk to Judge David Armstrong, Washington State Court of Appeals, Div. II, 2001 – 2003
- Law Clerk, Attorney General of Washington, 1999 – 2001

Professional Memberships

- Washington State Bar Association
- Oregon State Bar Association
- Tacoma-Pierce County Bar Association
- Washington Healthcare Risk Management Society
 - President 2012-2015
- American Society for Healthcare Risk Management
 - Chapter Leader 2012-2015
- Washington Defense Trial Lawyers
- Defense Research Institute

Publications & Presentations

- Co-Presenter “Guardianships and Common Legal Issues for Hospital Systems,” Puget Sound In-House Counsel Forum, February 2019
- Contributor, “Keep in Mind Legal Risks When Transferring ED Psychiatric Patients,” ED Legal Letter, November 2016
- Co-presenter, “Spillover: Legal, Regulatory, and Risk Consequences of Psychiatric Boarding,” American Society for Healthcare Risk Management Annual Conference, Indianapolis, October 19, 2015
- Moderator, “Triage for the Healthcare Lawyer,” Washington State Society of Healthcare Attorneys Spring Health Law Conference, April 2015
- “The Washington Supreme Court’s Boarding Ban, and What Comes Next,” Williams Kastner Health Care Alert, December 24, 2014
- Presenter, “You’re Fired! Why, When, and How to End the Patient-Provider Relationship,” Williams Kastner Health Care Seminar, December 2014
- Contributor, “EMR Charting and Shortcuts,” and “E-Discovery,” Physician Risk Management, July 2014
- Presenter, “Guardianships” and “QI/QA/Peer Review: Protecting the Privileges,” Williams Kastner Health Care Seminar, February 2013

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- Presenter, “Charting Issues in Litigation: Common Mistakes and Things to Avoid,” Hospital Grand Rounds, August 2011
- Presenter, “Falls Risk Reduction,” Washington Health Care Association, May 24, 2011
- Presenter, “Medical Records Law,” Lorman Education Services, Tacoma, WA, June 11, 2010
- Presenter, “Witnesses 101: Effective and Ethical Witness Interviews,” Williams Kastner Health Care Seminar, November 2009
- Presenter, “HIPAA, ADA and FMLA,” *Legal & Regulatory Issues for Employers and Counsel*, The Seminar Group, Seattle, WA, April 22, 2009
- “It’s Over: The Who, When, Why and How of Ending the Physician-Patient Relationship,” *WSMGMA E-Update*, December 2008
- Presenter, “Interpreting Medical Information: Finding the Clues for Your Case,” National Business Institute, Seattle, WA, November 20, 2008
- Presenter, “Prescription Narcotics: Legal Issues and Why it Matters,” Williams Kastner Health Care Seminar, May 2008
- Presenter, “Medical Records Law in Washington,” Lorman Education Services, Tacoma, WA, August 22, 2007

Honors & Awards

- Washington Defense Trial Lawyers Community Leadership Award, 2018
- Named a Rising Star for 2009 – 2012 by *Washington Super Lawyers*.

Community Involvement

- Tacoma-Pierce County Volunteer Legal Services
 - Pro Bono Services Volunteer
- L’Arche Tahoma Hope Community
 - Associate Member