

# Federal Appeals Court Rules Against Veteran With Hep B

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Carl Huddleston, who claims he contracted hepatitis B from a Veterans Affairs (VA) hospital in Tennessee, missed the deadline to file a medical malpractice lawsuit, according to a federal appeals court ruling reported by The Associated Press. Huddleston says he contracted hep B from improperly cleaned equipment at the Murfreesboro VA hospital during a 2006 colonoscopy. In 2009, Huddleston was one of more than 10,000 veterans in three cities notified that they needed to be tested for hepatitis B and C and HIV—13 veterans tested positive for hep B, 34 tested positive for hep C, and six for HIV. He filed an administrative tort claim, which is the first step to filing a medical malpractice lawsuit, against the VA in December 2009, about 10 months after learning he had contracted hep B. But a district court in Nashville ruled Tennessee law bars medical malpractice claims more than three years after the date of the negligent act. Huddleston missed the deadline by two months.

To read the AP article, [click here](#).

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