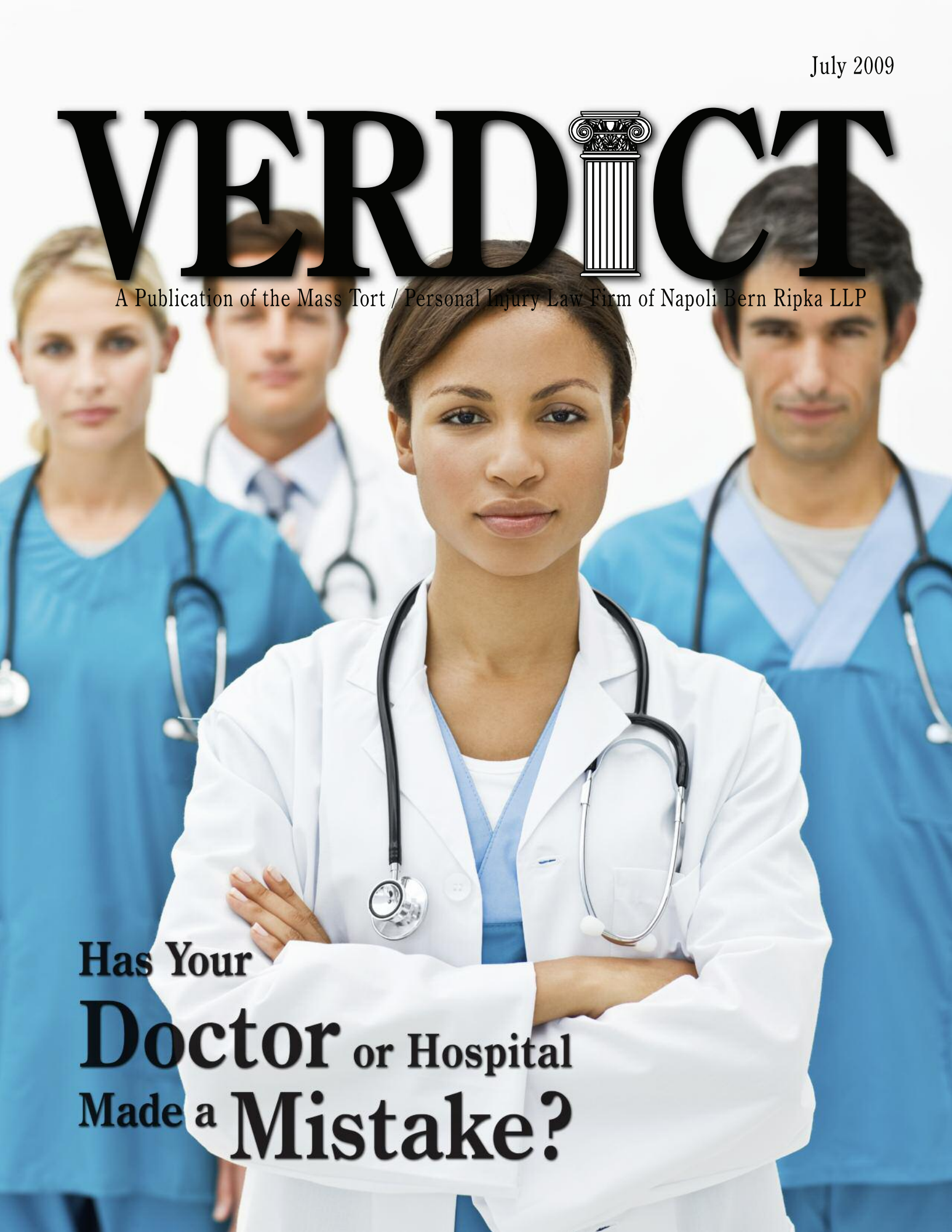


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VERDICT



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Has Your
Doctor or Hospital
Made a **Mistake?**

VERDICT

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Hospital Negligence

Hospital negligence can result in serious injuries and even deaths. If you have been injured as the result of negligence while you were a patient in a hospital, or if a loved one died due to hospital negligence, you may be able to file a claim and collect compensation for pain and suffering, lost wages, medical expenses and other losses. Some of the most common forms of hospital negligence include wrong-site surgeries, medication errors, surgical errors, development of hospital-acquired infections, improper use of anesthesia, improper treatment of a diagnosed medical condition, failure to monitor or stabilize a patient, or improper use of a medical device.

Wrong-site surgeries are when a physician removes the wrong limb during an amputation or removes the wrong organ during a surgical procedure. For example, removing the left kidney when it is the right kidney that was diseased would be an example of a wrong-site surgery. Medication errors can happen because of errors at the hospital pharmacy or because of errors at the patient care level. Medication errors can involve giving the incorrect medication to a patient or giving too much or too little of the correct medication. Surgical errors include the improper use of medical instruments, failure to remove sponges and other supplies from a surgical site, and failure to use proper surgical techniques on a patient.

While not all infections are due to hospital negligence, hospital-acquired infections can be very severe. In someone whose immunity is compromised by illness or weakened due to recent surgery, these infections can quickly become life-threatening. Hospital negligence can contribute to the development of infections if care providers failed to follow proper infection control procedures or did not respond quickly to signs of a developing infection. Patients in intensive care units are particularly at risk for these infections because they are often on ventilators. Ventilators bypass normal breathing mechanisms that work to keep out

infection, so it is easier for bacteria to enter these patients.

Improper use of anesthesia can include using too much anesthesia, not giving enough anesthesia, using the wrong anesthetic drugs, or making an error in administering epidural anesthesia. These errors can lead to serious effects on a patient. Too much anesthesia can cause a patient to become confused or disoriented and may even lead to death. Not enough anesthesia can cause a patient to feel the pain of medical procedures. Epidural errors can lead to serious consequences such as paralysis or painful bruising of the spine.

Hospital negligence cases often come down to the documentation available in the form of medical records and the statements of witnesses to the negligence. As a result, it's important to have an attorney who is experienced in handling hospital negligence claims and can work to gather evidence and interview nurses, technicians, and other witnesses. At Napoli Bern Ripka LLP, we have the experience you need to pursue a hospital negligence claim and see it through. Contact us today to discuss your injury with one of our professional and experienced attorneys. ●





Birth Injury

Giving birth should be one of the most joyous times of a family's life. Bringing a new baby into the world is a unique experience and it should be a positive one. Unfortunately, some newborns are injured due to delivery room errors or errors on the part of physicians and other medical care providers. These injuries can include fractures, oxygen deprivation, or development of cerebral palsy and other serious medical conditions. Birth injuries can lead to a lifelong need for expensive medical equipment and care. If your child's birth injury was due to the negligence of a medical care provider, you should seek the compensation needed to defray the costs of the care your child will need.

Birth injuries differ from birth defects because birth defects are not caused by the medical care providers who deliver a baby. Birth defects can be caused by genetics or by medications or supplements the mother took during her pregnancy. Birth injuries are caused by errors or negligence on the part of doctors, nurses, and other care providers. When you consult with an experienced personal injury attorney, you'll be able to discuss your case and have the attorney determine if your child's medical condition is the result of a birth defect or a birth injury.

There are many delivery room errors that can have catastrophic consequences for an infant. Care providers can give the

wrong medication or the wrong dosage of the correct medication and cause injury to the fetus. Epidurals can be administered improperly, leading to birthing complications and subsequent birth injuries. If a nurse fails to monitor the mother's vital signs or the fetal heart monitor, or fails to respond to signs of distress on a fetal monitor, many serious consequences can result. Other examples of delivery room errors include forced delivery, improper extraction of an infant, and miscalculation of contractions.

When you file a birth injury claim, much of the information presented in court is scientific or medical in nature. It's important that you have an experienced personal injury who can provide access to expert medical witnesses and legal nurse consultants who can help gather evidence and interview witnesses. If you consult with an attorney about a birth injury, you should bring all available medical records and documentation with you to your appointment so the information can be reviewed. It will be used to determine if you have a valid claim and can also be used to begin preparing for your case.

Here at Napoli Bern Ripka LLP, we have experience in handling birth injury cases and can work with you to file a claim for medical expenses and other losses that you have suffered as a result of your child's birth injury. We can provide medical experts to give testimony on your behalf and have the experience and knowledge needed to review medical evidence and use it in negotiating a settlement or preparing for a jury trial. Don't let the statute of limitations run out on your right to file a birth injury claim. Contact us today to get the legal help you need. ●

MEDICAL MALPRACTICE

Medical malpractice occurs when a physician or other medical care provider does not follow the "reasonable standard of care" for a patient in a similar medical situation. This standard of care is based on what other people in similar professions would do when faced with the same situation. Emergency room doctors have different standards of care to uphold than specialists such as plastic surgeons and podiatrists. This makes proving a breach of the standard of care difficult in a medical malpractice case. Malpractice liability can be classified as failure to diagnose, improper treatment, or the failure to warn a patient of known risks.

Failure to diagnose does not mean that a doctor is liable for medical malpractice if simply any condition was not diagnosed. Some conditions are almost impossible to detect until they have progressed so far that a patient's chances of survival are drastically reduced. That is why doctors are not held to the standard of finding every medical condition as soon as it starts. However, they are held to the standard of diagnosing a condition if another trained doctor would be able to diagnose the same condition. If a condition could have been diagnosed with diagnostic or laboratory tests, and these tests were not ordered, then a doctor could be held liable for failure to diagnose.

Improper treatment can be defined in a number of ways, from removing the wrong organ during surgery or amputating the wrong limb. Administering a treatment that results in injury or harm when the possible complications of such a treatment were not justified can also be a form of medical malpractice. In order to prove that a medical care provider is liable for medical malpractice for improper treatment, you must show that the provider acted negligently in administering the treatment and that the treatment itself caused the subsequent harm.

Failure to warn a patient of known risks is when a doctor does not disclose all of the possible risks of a procedure to a patient before the patient gives consent for that procedure. This is also called negligent nondisclosure. When proving this type of medical malpractice claim, a plaintiff must demonstrate that a reasonable person would not have consented to the procedure if all of the risks were disclosed before consent was given. If a reasonable person would have had the procedure, even after being informed of all the risks, then the claim is invalid.

Medical malpractice claims involve complicated medical evidence and testimony from expert witnesses who have experience working in the medical field. You need to have an experienced medical malpractice lawyer at your side. At Napoli Bern Ripka, LLP, we have the experience and knowledge needed to interview expert witnesses, gather medical evidence, and work to negotiate settlements or prepare for jury trials on behalf of our clients. If you have been the victim of medical malpractice, contact us today to discuss your claim. We will determine the best way to proceed with your case and immediately begin working on your behalf to gather information.

Cerebral Palsy

Cerebral palsy is a group of disorders that can affect the motor skills and muscle tone of a person, causing difficulty with movement. While this condition can be the result of brain damage that occurred during fetal development, some cases of cerebral palsy can be caused by brain injury that occurs during birth. If your child has cerebral palsy as the result of negligence on the part of a medical care provider, it's important to take immediate action. Children with cerebral palsy can need extensive medical care that is costly. Filing a claim against the medical provider can help you get compensation that can help pay your child's expenses.

There are three types of cerebral palsy that can cause difficulty in controlling muscle movements. Spastic cerebral palsy causes difficulty in relaxing the muscles, which makes it difficult to move the muscles due to their tightness. This is the most common form of cerebral palsy. Athetoid cerebral palsy can lead to uncontrolled movements because it causes an inability to control muscle movements. Ataxic cerebral palsy can cause tremors or shaky movements because it can lead to trouble with depth perception and



maintaining balance. These three types of cerebral palsy can cause mild effects or they may more profoundly affect movement.

While cerebral palsy can be diagnosed shortly after birth, many parents do not realize something is wrong with their children until several months or over a year have passed. Symptoms of cerebral palsy may include lack of facial expressions, lack of response to sounds, inability to lift the head, inability to sit up without support or assistance, drooling, muscle tremors, and difficulty in feeding. Parents may notice abnormal behavior or a delay in reaching important developmental milestones. Evaluation by a medical professional is important to determine if your child's developmental delays are due to cerebral palsy or another medical condition.

Medical care providers can contribute to the development of cerebral palsy in several ways. Delivery mistakes can include using faulty fetal monitoring equipment, failing to diagnose fetal distress while a

mother is in labor, waiting too long to perform a C section if one is indicated, administering the wrong drug or too much of the right drug, or failing to act in a timely manner. If any of these mistakes have occurred, it is important to contact an experienced personal injury lawyer immediately. The longer you wait to seek out legal assistance, the more opportunity there is for you to forget important details or lose documentation that may be needed to file a claim.

Here at Napoli Bern Ripka LLP, we understand that having a child with cerebral palsy can be difficult. Medical expenses and physical therapy services can quickly add up and become overwhelming. If your child's condition is the result of a birth injury caused by a medical care provider, we can help you file a claim to seek the compensation you need to cover these expenses. Our caring and compassionate staff members will work with you to determine how to best proceed with filing a cerebral palsy claim. ●



Brain Injury

Brain injuries can be caused by a wide variety of accidents including falls, automobile accidents, being hit with falling equipment or debris, sports injuries, and assaults. These injuries can be very serious because they compromise the safety of the brain, which is responsible for controlling necessary functions such as breathing. Some examples of brain injuries include subdural hematoma, concussion, and loss of oxygen to the brain tissue. If you or a loved one has experienced

Erb's Palsy

Erb's Palsy is a condition that affects the nerves that extend from the neck and shoulder area to the upper extremities. These nerves control the muscles in the arms and hands, so it can lead to a lifetime of difficulty if Erb's Palsy occurs as the result of nerve damage during birth. One of the most common causes of this condition is shoulder dystocia, which happens when a baby's shoulders get stuck on the pelvic bone of the mother. Doctors can contribute to the development of Erb's Palsy if they use excessive force or force that is misdirected when repositioning a baby in the birth canal.

Four types of Erb's Palsy can affect a newborn baby. The mildest form is neuropraxia, which is also the most common form. This form of the condition results in a block of nerve impulse conduction, but does not result in an anatomical deformity. Newborns may recover from this form of the condition within six weeks. Another form of Erb's Palsy is a neuroma, which is an area of scar tissue that has formed around a nerve injury. While nerve damage has occurred, the nerve has not been torn and improvement can be seen in as little as three months.

Ruptures and avulsions are more serious forms of Erb's Palsy. A rupture means that the nerve has torn, but not at the point of attachment to the spine. An

avulsion means that the nerve is torn from the spine. Both of these are very serious and can lead to lifelong complications for newborns who are born with this condition. Function of the arm may not be possible or it may be severely limited. The arm may appear limp and weak. Even if the condition resolves within the first year of life, many children with Erb's Palsy need to have physical therapy to keep their joints functional.

Erb's Palsy can usually be detected visually because the baby can be seen lying with the affected arm at the side. Symptoms of this condition can include lack of control over arm movements, inability to use the shoulder or elbow, paralysis of the entire arm, limpness of the hand and fingers, facial paralysis on the affected side of the baby, an inability to sit up without help, and an inability to crawl without assistance from family members or medical devices. Treatment for the condition can include physical therapy and daily exercises that can help to improve joint and muscle function. Surgery can also benefit some children with Erb's Palsy.

If your child developed Erb's Palsy as the result of inappropriate delivery actions on the part of a physician or care provider, you need to consult with a personal injury attorney to discuss getting the compensation you need to cover physical therapy and other medical expenses. At Napoli Bern Ripka LLP, we can review the records of your child's delivery to determine if you have an actionable claim. If you decide to file suit, we will work with you every step of the way to ensure that you understand what is happening. ●



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