

Have You Been the Victim of Medical Malpractice?

Medical malpractice is one of the leading causes of death in the state of Ohio. If you are a victim of medical malpractice, it is important to employ the services of a dedicated attorney to stand up for you and help you recover some of your losses. Determining whether you have a claim requires highly experienced attorneys with a firm understanding of human anatomy, as well as how that anatomy responds to injury.

Doctors and medical staff are required to treat patients with each person's individual health and interests in mind. When a doctor fails to give proper medical care, it can result in permanent debilitating injury or even death. Common medical negligence can include failure to disclose, surgical errors, birth injuries, cerebral palsy, Erb's palsy, medication errors, improper use of anesthesia and failure to treat an illness.

Medical malpractice can occur anywhere in the health system and a victim can be left in the dark about what has happened to them. For this reason it is imperative to work with a dedicated [medical malpractice lawyer](#) to determine if your claim should be pursued. Malpractice claims can be difficult, so victims need experienced and knowledgeable lawyers to fight for them.

There are four elements of a malpractice case that must be present for the case to be successful. All four elements must be present for a negligence claim to continue.

1. Duty was owed – This means a legal duty exists when a hospital or health care provider undertook the care or treatment of a patient.
2. Duty was breached – In this case, the provider failed to conform to what is considered a relevant standard of care. The standard of care can be opined by an expert witness.
3. The breach caused an injury – The breach of duty was a cause of the patient's injury.
4. Damages occurred – Without damages or loss, either pecuniary or emotional, there is no basis for a claim.

There are several types of damages that can be recovered from medical malpractice. Compensatory – either economic or non-economic and possibly punitive damages. Economic compensatory damages can include lost wages, medical expenses and life care expenses. These damages can be assessed for both past and future losses. Non-economic compensatory damages reflect the injury itself. They cover physical and psychological injuries, such as loss of vision, loss of a limb, loss of an organ, reduced enjoyment of life due to a disability, severe pain, and emotional distress. Punitive damages are only awarded if wanton or reckless conduct is proven.

There are strict time limits on your ability to make a medical malpractice claim. Contact a dedicated [medical malpractice lawyer](#) as soon as you or a loved one has been affected by medical malpractice. The attorney can start working on your case while you recover and take necessary steps to make sure your claim is made in time. Medical malpractice lawyers understand you and your loved ones may still be in shock after the incident, so they make sure to take care of the small details you may overlook.

About the Author:

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