



Medical malpractice is the failure of a doctor or other licensed medical professional to provide a patient with treatment equal to the customary standard of care, which results in an injury or loss to the patient.

Injured persons may sue for an injunction to prevent the continuation of the conduct or for monetary damages. Injured parties may recover the following damages, and they include both present and future expected losses.

- » Lost wages
- » Pain and suffering
- » Medical expenses
- » Punitive damages in extraordinary cases

There are many particulars about medical malpractice that one should be aware of before filing a medical malpractice claim.

An expert doctor witness is required throughout the case. This not only has to be paid for, but makes the case usually take longer than other personal injury cases.

Pennsylvania does not limit the amount of damages that can be awarded in medical malpractice case. Due to the timeframes required, the degree of coordination with other individuals such as the expert doctor witness, and the state by state nature of laws governing medical malpractice cases, it is highly recommended that anyone seeking to file a medical malpractice claim retain a lawyer rather than try to bring the case to court without proper counsel and understanding of what is required.

What should I do if I am a victim of medical malpractice?

Baby Birth Injury / Cerebral Palsy

Despite medical advances, birth injuries still occur in nearly one quarter of all births. During the birth, if the baby is injured in any way, the injury is defined as a "birth injury." Birth injuries can occur for a variety of reasons, but most commonly are associated with complicated labor. The injuries that a newborn can receive during the birth range from minor to severe and can even result in death. We can help victims of baby birth injury receive compensation for physician negligence.



Some common traumas that newborns suffer are fractured limbs and bones, oxygen deprivation and brain damage. The most severe brain damage can result in mental retardation, infant death and Cerebral Palsy. Often, we find that these injuries are the result of neglect on the part of doctors or hospitals.

Cerebral Palsy is a crippling disease that can be acquired during birth. If the baby is deprived of oxygen during the birth or if it receives trauma to the brain, Cerebral Palsy can develop. The effects of this disease last throughout life and can result in minor or major handicaps for the victim. Minor cases notice only a slight handicap, but more severe cases result in the complete disability of the victim.

Not all infant birth injuries are the result of medical malpractice, but if you question the care you or your infant received during childbirth, contact the Law Offices of Jason A. Jenkins today. Medical malpractice lawyers can help you receive compensation if you or your child was a victim of medical negligence.

Surgical Mistakes

Despite training and other precautions, surgical mistakes are fairly common in America. Surgical mistakes can range from easily identifiable, such as a doctor performing surgery on the wrong part of the body, to difficult to recognize. They can also involve incorrect administration of anesthesia and the failure of the doctor or medical staff to recognize patient distress.

Some common injuries resulting from surgical mistakes include paralysis, spinal and brain injuries and unnecessary amputation. It is important that clients be aware that not all unsuccessful surgeries in Pennsylvania are the result of medical malpractice. Usually, our medical malpractice lawyers must assess many factors before deciding that an injury is a result of medical malpractice. Usually, malpractice cases can be identified because the resulting injuries sustained by the victim are complications not normally associated with the surgery.

If you question the care you or a loved one received during surgery, we encourage you to contact the Law Offices of Jason A. Jenkins today.

Hospital Negligence

It is the responsibility of the hospital to provide adequate care for its patients. Unfortunately, in today's society lawyers are often retained because hospitals fail to provide this basic care. If a hospital is negligent and a victim suffers injuries as a result, the victim is eligible to receive monetary compensation.

Medical staff including doctors, dentists, nurses, clinical technicians and any other hospital employees are responsible to provide adequate care. Under law in Pennsylvania, medical malpractice attorneys and their clients can hold hospitals liable for negligence or mistakes made by hospital staff.

Despite continuing medical education and training, the Medical Institute recently reported that medical errors are responsible for at least 44,000 deaths each year in the United States. This number is probably higher, but many cases go unreported. At the Law Offices of Jason A. Jenkins, we are committed to assessing your malpractice case and helping you receive the compensation you need to move forward from your injuries.

Not all unsuccessful medical treatments or patient injuries are the result of hospital negligence. However, if you question the care you or a loved one received from a hospital, we encourage you to contact the Law Offices of Jason A. Jenkins today. We remind you that medical malpractice lawyers can help you receive compensation you might otherwise not receive if you or a loved one was a victim of negligence.

Cancer Misdiagnosis

Misdiagnosis or failure to diagnose cancer is more common than most patients know. When a doctor fails to recognize early signs or falsely diagnoses cancer, the physical and emotional trauma that a victim experiences can be disastrous.

The most common form of this malpractice is the failure to diagnose cancer in its early stages. Commonly, doctors fail to diagnose breast cancer, colon and rectal cancer, skin cancer, prostate cancer and hemopoietic cancer. When the victim is not informed of his or her condition until after the cancer is terminal, severe psychological and physical damage is sustained. Juries in Pennsylvania are aware of the damage misdiagnosis can inflict upon the victim. We want to ease the effects of these injuries as much as possible by assisting and supporting our clients throughout the entire litigation process.

Another mistake physicians can make is to misdiagnose cancer. This occurs when the doctor gives the victim a diagnosis of cancer when the patient does not have the disease. In these instances, the victim can be subjected to unnecessary medical testing and even undergo painful medical procedures, such as chemotherapy. These cases have occurred in Pennsylvania and we encourage you to call us today if you have been the victim of this unfortunate circumstance. We will work with the victim to ascertain compensation for the medical procedures and for the physical and mental pain and suffering caused as a result of a false diagnosis.

If you or a loved one is a victim of cancer misdiagnosis, we encourage you to contact the Law Offices of Jason A. Jenkins today. Medical malpractice attorneys can help you receive compensation if you or a loved one was a victim of misdiagnosis.

What to Do if You Believe You are a Victim of Medical Malpractice

We recommend that you take several important steps if you believe that you have received insufficient care from a hospital or medical provider. First, question the doctor. If he or she is unable to give you a good answer for the unexpected results or injuries, it is possible that medical malpractice has occurred. To strengthen your case for court in Pennsylvania, we also encourage you to document every conversation you have or have had with your medical provider. It is important to document the risks your physician did or did not inform you of. Under no circumstances should you sign any documents or agree to any interviews that could potentially be used against your case in the future.

Remember, time is of the essence and it is possible that your attorney can gain valuable information soon after the injury that he or she might not be able to gather later. Call for a FREE consultation at (610) 432-7040 or [click here](#) for a FREE case evaluation.