

McGRATH LAW FIRM

A Professional Association

Former federal prosecutor, Peter McGrath, and his team of lawyers will fight for you.

Newsletter

Summer 2017

www.mcgrathlawfirm.com and www.mcgrathlawfirm.com

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Medical Misdiagnosis Can Cause Devastating Harm to Patients

When you visit a doctor with a health problem, you trust that they will make an accurate diagnosis of your condition based on their expertise and experience. Their diagnosis will determine a course of treatment - but what if the diagnosis is wrong?

Misdiagnosing an illness or injury is one type of medical

malpractice. Medical malpractice refers to negligence by a doctor or other health care provider in which treatment was substandard and caused injury, harm or death to a patient.

Medical malpractice is an ever increasing problem. The National Practitioner Data Bank reported more than 61,000 cases of malpractice in the U.S. in 2016, resulting in more than \$3.6 billion in medical malpractice payouts.

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....continued from page 1 **Medical Misdiagnosis Can Cause Devastating Harm....**

What Is Medical Misdiagnosis?

Misdiagnosis is the most common cause of malpractice complaints. When a doctor misdiagnoses a condition, or fails to diagnose a condition, the patient misses treatments that may have prevented serious harm or even death.

A misdiagnosis may also lead to harmful prescribed treatments because they are incorrect for that patient.

Some commonly misdiagnosed conditions include Celiac disease, Chronic Fatigue Syndrome, Fibromyalgia, Lyme disease, Lupus and Multiple Sclerosis.

Not All Doctor Errors Are Malpractice

Not all misdiagnosis errors are truly negligence or medical malpractice.

A claimant must prove 3 things to be successful in a medical malpractice suit based on a wrong diagnosis:

- That a doctor-patient relationship existed,
- That the doctor acted negligently, meaning the doctor did not provide treatment in a reasonably competent and skillful manner according to standard medical practice, **and**
- That the negligence caused harm to the patient.

In other words, the case must prove that a different doctor in the same field **and** under similar circumstances would **not** have misdiagnosed the condition. Examples of misdiagnosis are if your doctor neglected ordering critical lab tests; your doctor did not consider your full medical history; your doctor diagnosed a benign tumor where it really was malignant; your doctor misinterpreted lab tests.

In a successful misdiagnosis malpractice case, the claimant must prove that the cause of the worsening illness or injury is a direct result of the doctor's negligence in misdiagnosing and that it would not have otherwise happened.

McGrath Law Firm has collected over 15 million dollars for its clients.

Important Steps To Take If You Are in a Car Accident

If you are in a car accident, it is important to stay calm and act deliberately for your safety, your passengers' safety, and to protect your legal rights. This may be difficult in a hectic auto accident scene, especially if you are injured.



- Do not leave the accident site unless it becomes unsafe such as flooding or a fire.
- Call 911 right away for medical help. Call the police, even in minor accidents because often soft tissue injuries do not become apparent until a day after the accident.
- Even if you feel that you are not injured, go to an emergency room or your own doctor to get checked out as soon as possible.
- Cooperate with the police and answer all questions. Avoid discussing the accident with anyone else at the scene and never apologize.
- Write down name and contact information of other involved drivers, as well as their driver's license and insurance information and plate number.
- Take photos of your car and others involved in the accident. Get a shot of your injuries as well as the scene including traffic signals and street signs.
- Jot down a quick diagram of the accident showing the cars' locations before, during and after the accident. Make a note of weather and road conditions.
- Gather witness names and contact information.
- Report the accident to your insurance company right away, but do not make a statement.continued on page 3

....continued from page 2 **Important Steps To Take If You Are in a Car Accident**

- Get a copy of the police accident report.
- Keep a file of all documents related to the accident including medical care, missed work and expenses for car repairs or rental.
- Avoid posting any updates or photos on social media about the accident, your car and your injuries.

Importantly, do not accept any settlement until you meet with an attorney experienced in auto accidents in your state.

If you or a family member has been harmed by a medical misdiagnosis or has been injured in an auto accident or any other type of personal injury, or needs help with any type of family law issue, it is important to get an attorney experienced in these types of cases involved immediately. Call the McGrath Law Firm South Carolina office at 843-606-2755 or the New Hampshire office at 603-224-7111 for your free case review. The McGrath Law Firm's team of personal injury attorneys will help you pursue this type or any other personal injury claim.

Recipe of the Month

Banana Split Kebabs



Here's a great fresh summer dessert -- fresh fruit kebabs. Make it fun with a drizzle of chocolate and crushed peanuts (if there are no allergies!).

Ingredients

- 2 bananas, cut into 1" pieces
- 24 1" pieces pineapple
- 12 large strawberries, rinsed, dried, and halved

Optional:

- 2 c. chocolate chips
- 1/2 c. peanuts, chopped

Directions

1. Make kebabs: Thread two pieces each banana, pineapple, and strawberry onto skewer. Repeat process to assemble all skewers. Place all on parchment-lined baking sheet.

Chocolate and peanut option:

2. In a microwave-safe bowl, melt chocolate in the microwave in 30-second intervals, stirring in between, until completely smooth.
3. Drizzle chocolate over fruit kebabs and top with chopped peanuts. Freeze until ready to serve.

Recipe courtesy of Delish.com

What's Happening in Concord, NH & Mt Pleasant, SC

Aug 9 - 13

Cirque du Soleil: OVO
North Charleston Coliseum and PAC
North Charleston, SC
<https://goo.gl/6Sutr9>

Aug 27

Charleston Wedding Festivals
Charleston Convention Center
Charleston, SC
<https://goo.gl/CjniQW>

Sep 6 - 7

Freedom Festival Strings Orchestra
The Charleston Music Hall
Charleston, SC
<https://goo.gl/Tbmr5d>

Aug 19 - 20

2017 River Valley Run Trail Festival
River Valley Ranch
Manchester, NH
<https://goo.gl/rHcbk5>

Sept 16

Canterbury Artisan Festival
Canterbury Shaker Village
Canterbury, NH
<https://goo.gl/eUneUK>

Sep 30

5K Run/Walk, Janice Coburn 1.5 Mile
Memory Walk & Kids'
Gould Hill Farm - Contoocook NH
Concord, NH
<https://goo.gl/rtRojf>

Aug 20

Henniker Rotary Chili Festival
Pats Peak Ski Area
Henniker, NH
<https://goo.gl/8dFV4V>

Sep 1 - 3

Low Country Jazz Festival
North Charleston Coliseum and PAC
North Charleston, SC
<https://goo.gl/feHn47>

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