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a surgical outcome

YOU NEVER THOUGHT COULD HAPPEN

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Did you know?



It didn't seem to make sense. You had gone through surgery two months earlier, your doctor had said it was a success and yet you were still feeling pain – a lot of pain. In fact, if anything, the pain seemed worse than it was before the surgery.

After repeated trips to your primary doctor and multiple CT scans, the source of your ongoing pain was finally revealed – your surgeon had left a surgical sponge in you during the procedure which caused a massive infection and other serious health issues.

Sound farfetched? Not as much as you might think. Truth is, foreign objects are left in patients fairly regularly – as many as 1,500 times a year in the United States alone, according to the New England Journal of Medicine.

Foreign objects can cause pain, infection, bowel problems (depending on the location of the surgery), additional and/or emergency surgeries, longer hospital stays, and in some cases, even death.

Some of the objects most commonly left behind after a surgery include:

- Sponges and gauze
- Needles
- Broken pieces of equipment
- Surgical tubing
- Clamps

Sponges and gauze are the most frequent culprits. For one thing, they compact easily into incisions which can make them easy to overlook during a procedure. Also, they tend to absorb and take on the color of fluids, helping them blend in with surrounding tissues. Some surgeries can require hundreds of sponges, making it difficult to account for and keep track of each of them.

Recent technologies such as radio-frequency identification (RFID) strips have emerged which allow sponges to be identified and removed before an incision is closed. However, because the technology is expensive, many hospitals have not yet adopted it.

If you or a loved one has suffered injuries as a result of a surgeon leaving a foreign object in your body, you may be entitled to compensation. Contact an experienced medical malpractice attorney to discuss your case. ■

MORE INSURANCE COMPANY **tricks** and **tactics**

It's unfortunate, but insurance companies and their representatives have a whole bunch of tricks and tactics at their disposal to try to deny injury claims or limit the amount of money they pay.

The best way to protect your rights after an accident is to make sure you are aware of some of the insurance industry's most common tactics, such as:

1. Suggesting that you go through the other driver's insurance company to get your car appraised or fixed. If the accident was the other driver's fault, don't be surprised if your own insurance company tries this approach. The bottom line, though, is that it is often much quicker to have your car fixed through your own coverage.
2. Secretly videotaping you. At times, insurance companies will hire private investigators to videotape accident victims during their day-to-day lives. Their hope is that they will catch you doing something that can be used against you during settlement negotiations.
3. Tracking your activity on social media sites such as Facebook, Twitter and YouTube. There's a good chance that insurance companies will be taking a look at your activities and postings on social media sites after you've had an accident. The insurer may even try to befriend you online and get you to admit to certain facts.
4. Not settling claims for a fair amount. The insurance company might jeopardize your financial well being by not offering a fair settlement or by delaying your claim.
5. Trying to discourage you from talking to a personal injury lawyer. Insurance companies know (and their own studies show) that injury victims on average receive higher settlements if they retain the services of a personal injury lawyer.

the gift card

*Careful, some strings
may be attached.*

Loved by some, loathed by others, the ubiquitous gift card is as popular as ever, with an estimated \$24 billion in sales during the 2010 holiday season.

If you did receive a gift card recently, the Federal Trade Commission (FTC) has some pointers for you:

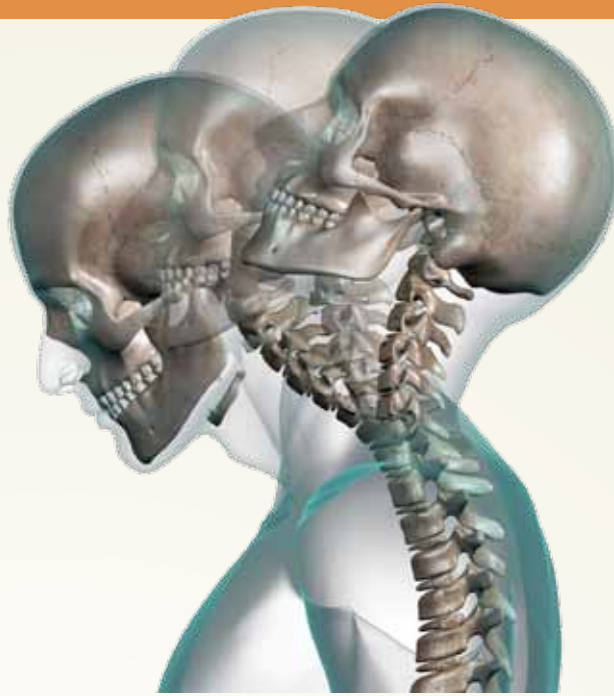
- Read the card and all the terms and conditions. Check for an expiration date or fees.
- If the card's value has expired or fees have been deducted, contact the company that issued the card. They may still honor the card or reverse the fees.
- Check with the person who gave you the card to see if you can get the original purchase receipt or the card's ID number and then keep that information in a safe place.
- Use your card as soon as you can. It's easy to misplace them. Plus, using them early will help you get the full value.
- Treat your card like cash. If your card is lost or stolen, report it to the issuer immediately. Some issuers will not replace cards that are lost or stolen, but other issuers will, for a fee.

Despite stricter guidelines for gift cards that went into effect in August of 2010 aimed at protecting buyers and recipients, problems can still occur with gift cards. If you run into a problem with a gift card, your first step should be to contact the company that issued the card.

If you are unable to resolve your complaint with the issuing company, you can contact the FTC at www.ftc.gov or call them at 1-877-FTC-HELP. You can also report the problem and file a complaint with our state Attorney General. ■

whiplash

NOT JUST FROM MOTOR VEHICLE WRECKS



Most people have heard the term “whiplash” and almost automatically associate it with a neck injury suffered in a vehicle wreck, which makes sense given that whiplash-type injuries often occur when a car or truck is rear-ended. The sudden impact causes victims necks to extend and flex in an unnatural whipping motion causing damage to muscles and other soft tissues in the cervical area.

But what many people don’t know is that whiplash is often caused by much less extreme impacts, and can include:

- Winter-related accidents such as slipping on ice or falling while skiing or snowboarding.
- Injuries in contact sports such as basketball, football or hockey.
- Any assault that involves head trauma.
- Child abuse, including shaken baby syndrome.
- Repetitive stress injuries resulting from a poorly designed non-ergonomic work area.
- Accidents in stores or restaurants that result from unattended spills on the floor or other unsafe conditions.

Whiplash is a serious injury and can result in long term medical implications if it is not diagnosed and properly treated. If you believe that you have whiplash, the key is to promptly seek medical treatment. Be aware of the symptoms of whiplash, which can include:

- Neck, shoulder or back pain
- Headache
- Dizziness and/or blurred vision
- Tingling in your extremities, particularly arms and hands
- Unexplained fatigue or difficulties concentrating

If you have a whiplash injury and you believe it is due to another person’s negligent actions, please contact a personal injury attorney to discuss your potential claim. ■

January Important Dates

January 18 – Martin Luther King Day

January 17 – Ben Franklin’s Birthday

January 1 – New Year’s Day

If you are an Alabama resident and have been involved in a car accident, you may or may not need an attorney.

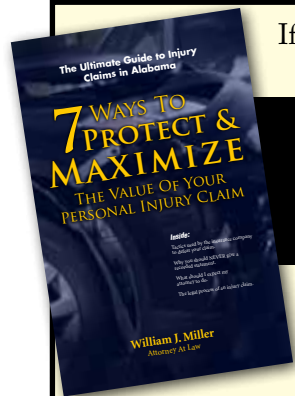
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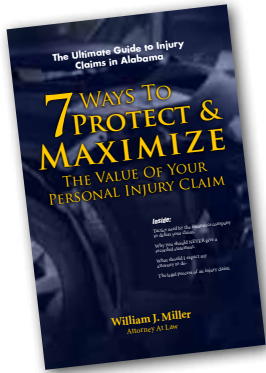
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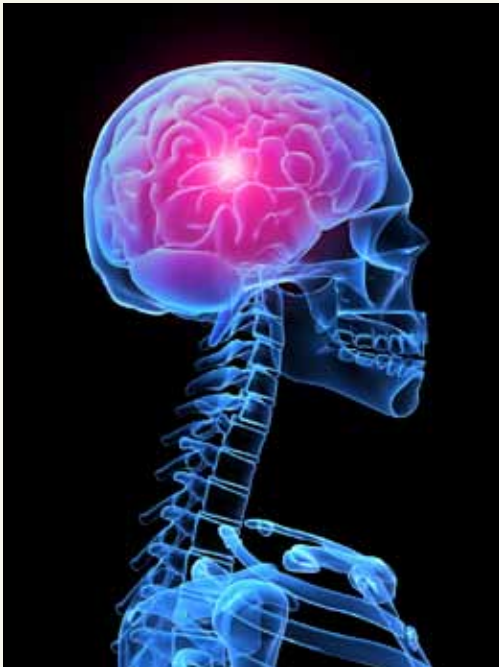
free book offer



SEE PAGE ONE.

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did you know?



Motor vehicle accidents are the leading cause of traumatic brain injury (TBI) in people under the age of 75 and result in the largest percentage of TBI-related deaths overall. A TBI, which is caused by a blow or bump to the head or a penetrating head injury that disrupts the normal function of the brain, is sustained by approximately 1.7 million people each year.

The most common types of TBI resulting from motor vehicle accidents are closed brain injuries in which the skull is not broken or penetrated. Unfortunately, a closed brain injury

can be difficult to diagnose at first since symptoms may not be readily apparent. In some cases, it can take several weeks before symptoms (including headaches, fatigue, nausea and vomiting, confusion, slurred speech, etc.) appear.

As a result, it is vitally important that you get a thorough medical examination if you've been involved in a motor vehicle accident. If you or a loved one has suffered a TBI as the result of someone else's carelessness or negligence, you should contact an experienced brain injury attorney. ■

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