

Some Facts To Remember When Pursuing a Medical Malpractice Case

For general information, medical malpractice is commonly associated with doctors and medical providers who make mistakes through action or inaction in treating their patients. There are several types of medical malpractice not just only mistakes in treating patients such as:

1. Failure to diagnose a patient's medical condition
2. Delay in the delivery or performance of treatments
3. Failure to perform necessary surgery or other medical procedures
4. Failure to properly explain the medical procedures to be performed on a patient or the potential side effects post-surgery
5. Prescription errors

If you or anyone of your family members happens to be a medical malpractice victim, know now that claiming damages is very difficult. First, it is very difficult to get admissions from treating doctors or staff of medical providers that negligence was committed. Second, it is very hard to find witnesses who will be willing to testify that negligence was indeed committed resulting to the patient's injury. Third, the process is very expensive because the victim needs to involve expert medical witnesses to testify as to the medical procedures done and the negligence committed in relation to the treatments and evaluations made.

If, however, you are bent in pursuing a claim for damages as a result of a medical malpractice committed against you, you must remember that there are three (3) elements you need to satisfy to prove medical malpractice.

First element is injury. You must prove that your injury is caused by your health care provider or your doctor. This will be hard to prove because you are obviously not at your best health wise that's why you went for evaluation or treatments in the first place.

Second element is negligence. You must show that negligence was committed by the doctor, health care provider or their staff. You must be able to show that the standard of care given to you falls below what is generally accepted in the field of health care professionals.

Last element is statute of limitations. You must show that your action is not yet barred by the statute of limitations. This is statute or law based and the time starts from the date the negligence happened.

If you want to claim for malpractice, weigh the costs and troubles if it is worth it. Better yet, seek the services of an expert lawyer for advise in order to have an informed decision on the matter.

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