

Final Product Assessment #3

Date: February 12th, 2024

Subject: First Steps In a Medical Malpractice Claim

MLA Citation:

Zaki, Hanan. "First Steps in a Medical Malpractice Claim." *Find Law*, 20 Nov. 2023, www.findlaw.com/injury/medical-malpractice/first-steps-in-a-medical-malpractice-case.html.

Assessment:

Continuing my research for the creation of my final product, I read an article on the first steps a patient should take when faced with a possible medical malpractice claim. This article will assist me in the creation of the following pamphlet: *How to Sue for Medical Malpractice*. I modified the title of this how-to page from: *How to Understand The Process of Taking a Med. Mal. Case to Court*. Last mentor visit, I asked my mentor for his suggestions in creating this pamphlet. Upon reading, I made several connections between the article and the conversation I had with my mentor. I will address those connections in this assessment.

The first step the article advises to take is contacting the medical professional involved. It says that in some cases, after explaining the situation, the medical professional may be able to correct the mistake free of charge. Of course, this won't work in every scenario as some mistakes are irreversible. Nevertheless, I believe it is a smart first step to take if the doctor is able to provide a solution. Hearing the medical malpractice cases my mentor had and is currently handling, this solution is not a viable option for most of his clients. The second step the article suggests is contacting the medical licensing board. While the board does not have the authority to make a medical professional compensate a patient, it can discipline the doctor by issuing warnings. I probably will not include this step in my pamphlet because this seems like a

step that requires an attorney. Since my pamphlets are targeted at the average person, I want the last step to be contacting an attorney. The next step the article highlights is knowing how long one has to file a claim. It is referring to the statute of limitations. My mentor also talked about how important it is to know medical laws, such as the four elements of a medical malpractice case. Since this topic has crossed my path twice, I will definitely include it in my pamphlet as a step to sue for malpractice. The article then mentions getting a medical assessment to see if one's case has merit. Obtaining an expert opinion is a prerequisite to filing a claim, but is typically obtained with the help of an attorney to my understanding. For that reason, I will probably include it in a section titled: what happens after you find an attorney? Which brings me to the final step the article recommends, which is finding an attorney. It highlights the difficulty of fighting insurance companies alone and the difference having a qualified attorney can make.

Overall, this article as well as my conversation with my mentor about this topic will guide me in the creation of my how-to pamphlet on bringing a medical malpractice case to court. In conclusion, for the layout of the page, I want to include three steps a patient should take: 1) Talk to their doctor; 2) Familiarize themselves with medical laws; and 3) Contact an attorney. I will also add extra information my mentor informed me about in our meeting.