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Medical Malpractice and Cosmetic Procedures

Typically, cosmetic surgeries such as face-lifts, tummy tucks, breast augmentation, liposuction, and rhinoplasty, among others, are elective procedures aimed at enhancing one's appearance. In the eyes of the law, an error committed during cosmetic surgery is on a level equal to those that occur with other types of surgeries—in some cases rising to the level of medical negligence when a patient is harmed.

To pursue a medical malpractice claim in a cosmetic surgery case, the following elements must come into play:

- **The existence of a doctor-patient relationship.** In the case of cosmetic surgery, the doctor-patient relationship is generally not in dispute. To have surgery performed, there is an implied relationship.
- **A breach of the "medical standard of care,"** which is defined as the kind of care that a similarly skilled cosmetic surgeon would have provided under comparable circumstances. Establishing the medical standard of care—and how it wasn't followed—will require expert medical testimony.
- **Injury to the patient.** This is not always as clear-cut as it sounds. A surgeon has the duty to explain the risks and possible complications of any medical procedure. If the patient was properly informed and one of these complications arose, causing the patient harm, it does not necessarily mean medical malpractice occurred. In addition, being unhappy with the surgery results does not equate to "injury." Common injuries include infection, nerve damage, anesthesia complications, and aesthetic damage.

Medical malpractice cases are complicated and have statutes of limitations that vary from state to state. If you have suffered injury due to medical negligence, contact a medical malpractice attorney to protect your rights. •



Strive to Be an Ideal Patient After an Accident



If you have the misfortune of suffering injuries as a result of a motor vehicle accident, one of your first priorities is going to be recovering as quickly and fully as possible. The best way to accomplish that goal is to strive to be an ideal patient. Here's what we mean when we say that:

- Be sure to report all of your symptoms and be completely honest with your doctor. The key is to not downplay any symptoms (that headache or nagging depression may not seem like a big deal to you, but it could be a sign of a more serious injury), but to also not exaggerate or inflate any symptoms or injuries when discussing them with your doctor. Just be accurate and candid.
- When it comes to your appointments, medicines and any treatments, stay on top of things and be inquisitive. Don't be afraid to ask questions about why a particular medicine is being prescribed or why a certain treatment is recommended. Be fully engaged in your recovery.
- Carefully follow and adhere to your doctor's instructions and suggestions. If you are prescribed medicine, take it as scheduled and at the proper dosages. If you have physical therapy appointments, make sure you go to them. Gaps in treatment or ignoring your doctor's orders can not only affect your recovery but also can negatively impact your ability to collect full and fair compensation for your injuries.
- Be an active participant in your recovery and genuinely strive to get better. It can be easy to get down about your injuries, but it's important to push through and fight as hard as you can to recover. •

April 2017 Important Dates

April 9 – Palm Sunday **April 11-18** – Passover
April 13 – Holy Thursday **April 14** – Good Friday **April 16** – Easter **April 18** – Tax Day
April 22 – Earth Day **April 26** – Administrative Professionals' Day **April 28** – Arbor Day



Did You Hear? **The Thimble is No More**



As part of a Hasbro Inc. worldwide contest to select the next generation of Monopoly game pieces, voters have rejected the thimble, meaning that the classic game piece won't be a part of the famous board game for the first time since 1935.

The new game pieces, which may include such items as hashtags or emojis, are expected to be in Monopoly games hitting shelves by August of this year.

It is estimated that more than 1 billion people have played Monopoly worldwide, making it one of the most popular and iconic games in history. •



Why Autism Strikes More Boys than Girls

In recent years, research has ramped up to get to the bottom of the striking disparity between genders when it comes to the incidence of autism spectrum disorders (ASD). ASD affects approximately four times as many boys as girls.

In one theory, the PTCHD1 gene on the X chromosome plays a pivotal role. PTCHD1 is a protein coding gene that helps to deliver information to cells during brain development. If it has mutated or is missing altogether, there is an elevated risk of autism or an intellectual disability.

Boys inherit one X chromosome from their mother and one Y chromosome from their father. Girls carry two X chromosomes. If one X chromosome carries a mutated PTCHD1 gene, or is missing it altogether, the second X chromosome provides backup, shielding a girl from ASD. However, the genetic abnormality can still be passed on to a future son.

Other research is examining the role that brain cortex thickness has on the development of ASD. The cortex is the brain's outer layer that is host to nerves involved in memory, language, thinking, and other complex cognitive functions. Males tend to have thinner cortexes; women generally have thicker ones. One study found that the thinner the cortex, the more susceptible a person was to developing ASD. Women aren't invulnerable to ASD, since some women have thinner cortexes than normal—in other words, more male-like thickness.

The hope with the research is to find ways to diagnose ASD earlier, allowing behavioral therapies to commence sooner, and to let prospective parents know if either of them carries a defective PTCHD1 gene that may result in autism. ●

Herbert Hoover Did Something Right

Herbert Hoover is not looked upon kindly in the annals of American presidents, but prior to becoming president played an integral role leading to the construction of the Hoover Dam (originally the Boulder Dam), located on the Arizona-Nevada border.

At the turn of the 20th century, the Colorado River wreaked havoc with budding, downstream farming communities. Melting snow from the Rocky Mountains sometimes caused flooding. Inadvertent new channels were formed as well as an inland sea. The river did whatever it darn well pleased.

Herbert Hoover led the effort to come up with a plan to combat the situation that was agreeable to the seven states of the Colorado River Basin: Colorado, Wyoming, Utah, New Mexico, Arizona, Nevada, and California. The Hoover Dam was conceived as a flood-control project, an irrigation system, and a hydroelectric power generator. Construction began in 1931 and was completed in 1935, serving as a source of highly-sought-after jobs in the Depression Era.

Workers dealt with various dangers, including 140-degree tunnels choked with carbon monoxide and dust, and working on the high canyon cliffs, suspended at heights of nearly 800 feet while wielding jackhammers, dynamite, and metal poles. Nearly 100 "official" construction-related deaths were recorded; unofficially, the number was significantly higher.

At its completion, the Hoover Dam was the tallest dam in the world. Its 6.6 million tons of concrete is enough to pave a road from San Francisco to New York. It's capable of irrigating approximately 2 million acres of land and provides electricity to 1.3 million homes. It's even considered a vanguard of art deco styling...something Herbert Hoover probably was not. ●





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This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

Major Advance in Stroke Treatment

Nearly 800,000 Americans each year suffer from strokes. According to the American Heart Association, strokes are the fourth-leading cause of death and a major source of disabilities among adults.

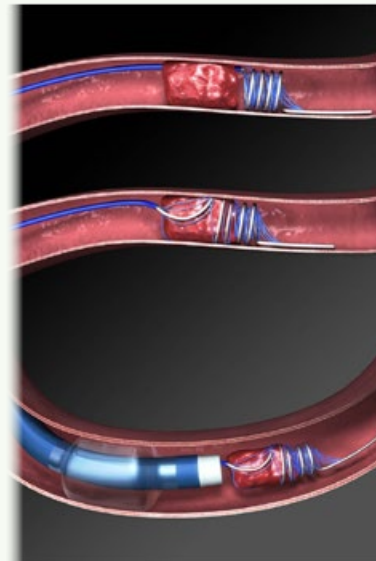
Time is of the essence in stroke treatment. A recent one-year study conducted by UCLA researchers showed that those who suffered strokes had a roughly 80 percent chance of a successful outcome—able to live independently within three months—when treated within four hours of the onset of symptoms. The percentage drops significantly beyond four hours.

For the past 20+ years, the first-line therapy for strokes has been an injection of tPA (tissue plasminogen activator), a blood-thinning medication. It is very effective on small blood clots but frequently fails to break up larger ones. However, a new therapy is proving to be a game-changer.

Stent retriever therapy involves a catheter that consists of a thin mesh column that is inserted into a blood vessel in the groin. It is guided up into the brain and through the blocked vessel/artery. The wire mesh opens and grabs onto the clot, which is then removed, restoring blood flow. The patient is awake throughout the procedure and can interact with doctors.

This new therapy can remove clots more quickly, including larger ones that are problematic for tPA, improving a patient's outlook. The only drawback associated with stent retriever therapy is that not enough medical centers offer it yet.

Stroke symptoms include a drooping of one side of the face, sudden numbness or weakness in any part of the body, blurry vision, severe headaches, and slurred speech, among others. Don't delay in calling 9-1-1—*time lost equals brain lost*. •



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