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Corradino & Papa, LLC

A Personal Injury Law Firm

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Your Biggest Accident Could Be Your Choice of Attorney

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. •



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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. •

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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. ●

Report Minor Accidents to Your Insurance Company

Contractually speaking, nearly all auto insurance companies require a driver to report any accident they're involved in, no matter how "minor." However, in a seemingly minor accident, the parties might agree to work things out amongst themselves. It's less hassle and they believe their insurance rates won't go up. Bad idea...and here's why.



After an accident, some injuries may take days or weeks to manifest. If you don't report the accident to your insurance company right away, your account of the situation later may come into question.

If you were ticketed or issued a citation at the scene of a minor fender bender, word will get back to your insurance company. Don't drag your feet in reporting it. An unreported accident might cause your premiums to not just rise, but skyrocket. Worse, your coverage may be discontinued.

Even if you were not at fault and decide to work things out with the other driver, the other driver may size up the situation differently once they're at home. If they decide to file a claim days or weeks later, your insurance company may deny you certain protections since you failed to report the accident to them.

The only time it might make sense to avoid reporting an accident is if it occurs on your own property, no injuries are involved, and the only damage is to property you own (e.g., backing into your garage door). In this scenario there are no disputes about fault or cost of repairs.

If you are involved in an auto accident, contact an auto accident attorney for guidance and to protect your rights. ●

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FREE BOOK



Get Jack Corradino and Robert Papa's **New Ultimate Guide to Accident Cases in NJ**, written by Jack and RC. It will explain "Why your biggest accident could be your choice of attorney", and what to do in the event you are injured.

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.



So, What's My Injury Case Really Worth?

The value of a personal injury case that goes to trial is determined by the jury. They are given evidence to evaluate and a list of items they may take into consideration before making their decision.

When settling a case prior to trial, various factors play a role in establishing the worth of a case. A good personal injury attorney makes their evaluation based upon all the doctor's reports, present and future medical bills, and a comprehensive discussion with your doctor. Information covered should include the invasiveness of, pain associated with, and duration of treatment; future pain and discomfort; and loss of enjoyment of life. Employment considerations include lost wages and future lost wages.

Insurance companies influence the landscape, too. They keep track of cases nationwide and can crunch the numbers. They know which doctors are "overtreaters" whose bills can more easily be challenged at trial, and which doctors make poor or excellent witnesses.

Insurance companies keep tabs on attorneys who are willing to go to trial, and those who settle in every circumstance. They also know which attorneys have expertise in a specific area of law, and those who are general practitioners. Insurance companies lick their chops when an attorney sends most of his/her clients to the same doctor, which they may exploit at trial by insinuating that the doctor is shading their testimony to favor the attorney.

There is no magic formula in determining the value of a personal injury case, but hiring the right personal injury attorney can go a long way toward winning your case or achieving a fair settlement. ●

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