

# What to Do if You Are a Victim of Medical Negligence

Lynn White December 20, 2017



**Medical malpractice is hard to deal with. Here are a few tips on what to do if you are a victim of medical negligence.**

([Newswire.net](#) -- December 20, 2017) -- Medical negligence is horrifying because you're dealing with a medical problem that was caused or made worse by a failure on behalf of medical staff. The situation is typically compounded by confusion since you may not know

what to do. Pain, discomfort, fear, and frustration dealing with the medical bureaucracy only make it worse. However, we're here to remedy that. Here are a few tips on what to do if you are a victim of medical negligence.

## Get Your Medical Records

First and foremost, get copies of your medical records. Do this before complaining of medical malpractice to them since they may then try to stonewall a records request or alter records to protect themselves. Seek copies of all related records from lab test results to X-rays to specialists' notes.

If you see another medical professional, get copies of their records as well. What if the hospital says those are the doctors' notes? In reality, the Data Protection Act says your medical records are yours, though the facility can charge you a modest fee for the labour costs in replicating them. This is true of both public and private medical facilities.

## Don't Wait on the NHS

There have been cases when the NHS has made people wait for weeks to see primary care doctors and months to see specialists. Bloated bureaucracy, misplaced priorities, and [mal-investment](#) make things far worse. Never wait for the NHS to resolve matters when you're considering a clinical negligence claim.

You might have to wait months to see someone else for a second opinion or delay care to correct another medical practitioner's mistakes. This causes delays in a proper diagnosis of the condition (and your care), while the three-year statute of limitations may be running down. This is a tactic that is often used when cases are filed years after the fact. Making sure that you deal with the issue as fast as possible would be a solution, but there are cases where symptoms start manifesting themselves much later.

You should also know that cases involving the NHS very rarely go to court. As a matter of fact, an estimated 2% of all cases filed against the NHS are either settled out of court or dropped. This is another reason why it's essential to file as soon as possible, or else, they might drag the process when it could've been solved much more quickly.

However, that doesn't mean that you should accept any offer that is given. Good medical negligence solicitors like [The Medical Negligence Experts](#), with experience dealing with the NHS, may be able to give you better tips on how to negotiate with them, and provide clients with a range of guides and advice to help them through their claim. Unless you're 100% confident in your capabilities, you shouldn't deal the NHS without medical negligence lawyers present.

If you're dealing with the same medical facility as the one that committed the error in the first place, it is in their best interest to delay the second opinion, give you minimal care to say they dealt with it, or blame you for the issue. And that's assuming you aren't a smoker, so you're not even going to be considered for non-essential care. In a few cases, hospitals and medical trusts have discredited those publicising poor care they or their family members received.

## Get the Right Legal Advice

If you think you are a victim of medical negligence UK, contact the best medical negligence solicitors in your area. Don't assume that any personal injury lawyer is qualified to handle a medical negligence claim. A medical negligence claims UK expert already has a network of medical experts available to examine your records and build a case you're likely to win.

Note that you can seek to file a claim on behalf of a family member who was left incapacitated by medical mistakes or neglect, a child who is disabled, or someone who died. In fact, the three-year statute of limitations that normally applies to medical negligence is actually longer if the medical negligence contributed to the death of the individual. For example, if someone was left with serious complications due to [botched surgery](#) and died several months later, the three-year clock probably starts at the time of death, not the date of injury. However, you should not wait to seek legal advice in case the clock is running down.

## Don't Accept Just an Apology

One mistake some sufferers make is to accept an apology for the issue and an offer of medical care to resolve the immediate issue. This hurts you in several ways. First, it could be construed as a settlement, barring you from financial compensation for all the medical bills you may have to pay when you seek private care or go abroad to have the work done in a timely manner. Second, they may only offer palliative care like pain relief and physical rehabilitation instead of a second surgery to fix the root cause.

In one particularly bad case, a plumber had his arm broken in several places and the surgery to fix it was repeatedly delayed. His arm was twisted out of place while the surgery to fix it was delayed again and again, while the inability to use the arm cost him his ability to earn a living.

If you accept an apology and wait for the same people who caused the issue to fix it when they get around to it, you risk suffering again until they do (assuming they do). And they have a good reason to delay as long as possible since they could avoid a larger, full settlement of your medical negligence claim if they run you past the three-year limit. In a worst-case scenario, years of run-around and partial measures like pain pills are used to justify refusing to pay your medical negligence claim because you accepted their offer of other types of care.

## Don't Be Afraid

Don't be afraid of what might happen. Most cases are settled outside of the courts. If you're yet another case of medical negligence against the NHS, the odds the case is settled out of court is a whopping 98%. In almost every situation, most cases are still settled outside of court. If the issue does go to court, medical negligence solicitors will handle most of the questions and all of the paperwork.

You need to go through the legal procedure to receive payment for lost wages, pain, and suffering, modification of your home to live with after the disability, ongoing treatment or corrective treatment you sought outside of the system. Nor should you be afraid to pursue a matter because of the cost since most solicitors operate on a no win-no fee basis.

## Conclusion

Get copies of all your medical records before you do anything else. Don't wait for NHS or the private medical facility to resolve the issue. Seek legal advice regarding your medical negligence case, whether it happened at a public or private facility, in the UK, or abroad. Do not accept an apology or minor measures of care by those who caused the injury, much less rely on them to fix the harm they caused in the first place. Don't be afraid to pursue your case.

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