



WHAT'S IN THIS
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HOLIDAY SAFETY TIPS FROM THE NATIONAL SAFETY COUNCIL

In the hustle and bustle of the holidays, it's important to keep safety in mind and the National Safety Council is here to help!

Stay safe on the roads over the holidays.

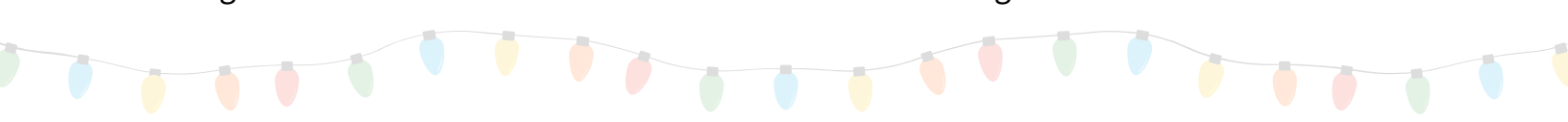
- Prepare your car for winter and keep an emergency kit with you (first aid kit, jumper cables, flashlight, water & non-perishable snacks, tire repair kit, basic tools, and visibility items)
- Designate a sober driver to ensure guests make it home safely after a holiday party
- Make sure every person in the vehicle is properly buckled
- Put your cell phone away

When decorating follow these tips from the U.S. Consumer Product Safety Commission.

- Keep potentially poisonous plants – mistletoe, holly berries, and amaryllis – away from children and pets.
- If using an artificial tree, check that it is labeled “fire resistant”
- If using a live tree, remember to water it, and remove it from your home when it is dry
- Place your tree at least 3 feet away from fireplaces, radiators and other heat sources
- Replace light sets that have broken, frayed or bare wires, or loose connections
- Turn off all lights and decorations when you go to bed or leave the house

Food poisoning is no joke, the U.S. Department of Health and Human Services provides some valuable holiday food safety tips.

- Wash your hands frequently when handling food
- Keep raw meat away from fresh produce
- Use separate cutting boards, plates and utensils for uncooked and cooked meats to avoid cross-contamination
- Use a food thermometer to make sure meat is cooked to a safe temperature
- Refrigerate hot or cold leftover food within two hours of being served





The Four Ds of Medical Malpractice: What it Takes to Prove a Case

By: Chelsea Elaine Tyner, Esq.

Medical malpractice cases are complex, emotionally charged, and legally demanding. Not every poor medical outcome amounts to malpractice, and the Four Ds – **duty, deviation, damages, and direct causation** – provide a framework to separate unfortunate results from actionable negligence. Each element must be proven for a claim to succeed.

Duty: A duty of care is established once a physician, nurse, hospital, or other healthcare provider agrees to diagnose or treat a patient. That duty requires the provider to act in a manner that is consistent with the generally accepted medical practices a similar provider would use under similar circumstances.

Deviation: Whether the provider breached his or her duty of care to the patient. A deviation from the standard of care can include acts, such as performing the wrong procedure, or omissions, such as failing to diagnose or treat a known condition.

Damages: Even when a provider makes a serious mistake or even breaches the standard of care, a viable medical malpractice claim must have damages. Damages are the actual harms suffered by the patient, which may include physical injury, additional medical treatment, lost wages, disability, pain and suffering, or death.

Direct causation: Whether the provider's act or omission caused the injury or worsened the patient's condition. This element can present significant challenges, particularly when patients already have underlying illnesses or complex medical histories.

Why the Four Ds matter. Understanding the four Ds is essential for evaluating potential medical malpractice claims. The Four Ds highlight important considerations for assessing liability to ensure that healthcare providers are held accountable when negligence causes serious harm. For injured patients, the Four Ds illustrate the need for experienced legal and medical analysis is critical to assessing whether a medical mistake rises to the level of malpractice.



About the Author:

Chelsea Elaine Tyner, a second-generation attorney, focuses her practice on complex personal injury and medical malpractice cases. She has always felt a strong responsibility to serve her local community in South Jersey, Washington, D.C., and now Philadelphia through community outreach and volunteering with local churches. Ms. Tyner is motivated by her values of fairness, equity, and a desire to protect people from mistreatment. Ms. Tyner is licensed to practice in Pennsylvania and New Jersey.

Settlements and Verdicts

- \$7 Million Recovery for the family of a man who died in a car accident due to a defective vehicle
- \$5 Million Recovery for an elderly woman who slipped and fell in an airport resulting in a traumatic brain injury

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