



# Medical Malpractice

## Personal Injury Resource



**Compensation for professional negligence can help relieve some of the burden** – but suing a healthcare professional or hospital is difficult. You have to prove they failed to meet the standard of care expected of them by the medical profession, considering factors like their training, education and expertise.

The only way to prove this is to hire a healthcare expert in the same field. They will review all your documents and records, and may also need a medical appointment with you, before giving us their opinion about whether or not the healthcare provider was negligent.

This process is expensive. The initial healthcare expert report cost is usually between \$3,000 and \$5,000, but can be more. Records have to be collected from all of your healthcare providers which may be a cost to you.

Until you have the expert's opinion, it is very difficult for any professional negligence lawyer to tell you whether or not you have a case and whether you should begin a lawsuit.

Hooper Law may require a disbursement retainer of \$5,000 before we can start work on medical malpractice cases. Payments can be arranged to make sure you have access to the best legal representation, no matter what your financial situation.

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## Medical Malpractice Compensation

If you choose to file a lawsuit, we will work hard to prove the healthcare provider was negligent and get you the compensation you deserve. There are three types of compensation:

**Pain and suffering and loss of quality of life (general damages)** – These damages are intended to compensate you for your past, present and future pain, suffering, and loss of quality and amenities of life. In Ontario, there is a broad range of amounts for these types of damages, from very small amounts for someone with minor injuries, to an indexed cap of approximately \$400,000 for someone who is brain-injured and quadriplegic.

**Pecuniary damages (loss of wages)** – Often the most significant monetary loss is your loss of income in the past, present and future. If you are unable to work (temporarily or for the rest of your life), return to work but make less money, or fail to get employment or promotion because of your injury, you may be entitled to this type of compensation.

**Out-of-pocket expenses and future care costs** – These damages compensate you for any expenses caused by ongoing medical difficulties, both expenses you have already incurred and expenses that you expect to incur in the future, including expenses like over-the-counter prescription medication, rehabilitation devices, parking and mileage for doctor appointments, care and treatment, housekeeping and home maintenance.

You also have a right to make a complaint to the College of Physicians and Surgeons of Ontario or the regulating body of the particular healthcare profession. You can also informally ask your doctor about the situation to see if they think the healthcare provider was negligent.

An experienced legal team of experts is important to successfully navigating these complexities. Hooper Law has helped individuals like you get the compensation they both deserve and need. We've fought and won many medical malpractice cases.

Contact us today for your free consultation.



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