



Dear Friend:

Much of what I do entails the representation of people seriously injured or killed as a result of medical mistakes. Certain medical mistakes are so clearly negligent that Medicare and other insurance carriers refuse to make payments to medical providers for treatment necessitated by these mistakes. In fact, there is a list of 28 “never events” as defined by the National Quality Forum. The full list of these 28 “never events” are as follows:

Surgical Events

- Surgery performed on the wrong body part
- Surgery performed on the wrong patient
- Wrong surgical procedure performed on a patient
- Unintended retention of a foreign object in a patient after surgery or other procedure
- Intraoperative (during surgery) or immediately postoperative (after surgery) causing the death of a patient with a bill of good health

Product or Device Events

- Patient death or serious disability associated with the use of contaminated drugs, devices or biologics provided by the health care facility
- Patient death or serious disability associated with the use or function of a device in patient care in which the device is used or functions other than as intended
- Patient death or serious disability associated with intravascular air embolism that occurs while being cared for in a health care facility

Patient Protection Events

- Infant discharged to the wrong person
- Patient death or serious disability associated with patient leaving the facility without permission
- Patient suicide, or attempted suicide, resulting in serious disability while being cared for in a health care facility

Care Management Events

- Patient death or serious disability associated with a medication error (e.g. errors involving the wrong drug, wrong dose, wrong patient, wrong time, wrong rate, wrong preparation or wrong route of administration)
- Patient death or serious disability associated with a hemolytic reaction (abnormal breakdown of red blood cells) due to the administration of ABO/HLA – incompatible blood or blood products
- Maternal death or serious disability associated with labor or delivery in a low-risk pregnancy while being care for in a health care facility
- Patient death or serious disability associated with labor Hypoglycemia, the onset of which occurs while the patient is Being cared for in a health care facility
- Death or serious disability associated with failure to identify and treat hyperbilirubinemia (condition where there is a high amount of bilirubin in the blood) in newborns
- Serious bedsores acquired after admission to a health care facility
- Patient death or serious disability due to spinal manipulative therapy
- Artificial insemination with the wrong donor sperm or wrong egg

Environment Events

- Patient death or serious disability associated with an electric shock while being care for in a health care facility
- Any incident in which a line designated for oxygen or other gas to be delivered to a patient contains the wrong gas or is contaminated by toxic substances
- Patient death or serious disability associated with a burn incurred from any source while being cared for in a health care facility
- Patient death or serious disability associated with a fall while being cared for in a health care facility
- Patient death or serious disability associated with the use of restraints or bedrails while being cared for in a health care facility

Criminal Events

- Any instance of care ordered by or provided by someone impersonating a physician, nurse, pharmacist or other licensed health care provider
- Abduction of a patient of any age

- Sexual assault on a patient within or on the grounds of a health care facility
- Death or significant injury of a patient or staff member resulting from a physical assault (i.e., battery) that occurs within or on the grounds of a health care facility

If you, or anyone you know, needs consultation regarding what is believed to have been a medical mistake, please do not hesitate to contact me directly.

Warmest regards,

Anthony J. Baratta

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