

Personal Injury *update*



Meet our Personal Injury Team,
and see more at our website: www.HRMML.com

Pictured:

FRONT ROW: Steven B. Barrett; Robert E. Slota;
William C. Roeger

BACK ROW: Danielle N. Erario, Paralegal; Collin T. Keyser;
James S. Lee; Mary K. West, Paralegal

**Coming
Soon – Our Blog:**
PAFamily Safety
*Safe and Sound: Information to
protect you and your family*

Don't Let a Loved One Become a Victim of Nursing Home Neglect

By Steven B. Barrett, Esquire

The primary desires of people entering a nursing home are privacy, dignity and access to quality medical services. Nursing staff are supposed to provide assistance with adult living skills, such as bathing, meals, keeping track of medications, dressing and voiding needs. However, these basic needs can be neglected due to abuse and overburdened, under-trained and understaffed nursing homes. Elder abuse is described by the National Center on Elder Abuse as follows:

Physical abuse – any act of violence that causes pain, injury, impairment or disease, including striking, pushing, force-feeding and improper use of physical restraints or medication.

Psychological or emotional abuse – conduct that causes mental anguish including threats, insults, intimidation ignoring the resident, isolation and humiliation.

Financial abuse – misuse of an elderly person's money or assets for personal gain, e.g., stealing, coercion or exploitation.

Neglect – failing to provide for patients' basic needs, e.g., failing to provide eyeglasses, preventative health care, hygiene, social stimulation or to use patients' financial resources to maintain their well-being.

Sexual abuse – nonconsensual contact or exposure, e.g. sexual battery, forced nudity and inappropriate photography.

Self neglect – behavior in which seniors compromise their own health and safety, e.g. refuses needed help with various daily activities.

Miscellaneous – all other types of abuse, including violation of rights (dignity and autonomy), medical abuse and abandonment.

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Risk of Bladder Cancer in Those Who Take ACTOS for Type-2 Diabetes

Hamburg, Rubin, Mullin, Maxwell & Lupin is investigating reports of complications associated with the drug **Actos** (Pioglitazone Hydrochloride). Actos is a drug prescribed for treatment of people with Type-2 diabetes, and works to maintain proper levels of sugar. Actos is usually prescribed in combination with changes in dietary habits. The drug comes with a series of health warnings that mainly address the possibility of heart failure and lactic acidosis. However, Actos has recently come under investigation from a variety of sources as a possible cause of bladder cancer.

In June 2011, Takeda Pharmaceuticals halted sales of Actos in France and Germany, following a nationwide recall and banning of the medication. Since then, based on a study from the Food and Drug Administration (FDA), the FDA has issued warnings about the risk of bladder cancer in people who take Actos. Further, doctors are now being advised not to prescribe this medication for those afflicted with Type-2 diabetes.

In the last month, the first of what lawyers predict will be thousands of lawsuits were filed in courts across the country against Takeda Pharmaceuticals. The lawsuits allege that Actos triggered bladder cancer in people who took the drug daily for years. If you or someone you know has suffered complications from Actos, please contact Steven B. Barrett at HRMM&L today. Reporting your experience can help protect other people from being harmed by this dangerous drug, and you may be entitled to compensation for your injury.

Nursing Home Neglect *Continued from page 1*

While medical negligence and malpractice are likely to occur with abuse, general neglect is the most prevalent. Neglect occurs when the caregiver simply does not care, leaves a resident unsupervised or fails to provide some necessary element for the resident's survival; the latter may lead to fatal health disorders such as life threatening infections, dehydration and malnutrition. Physical abuse by caregivers ranks as the second most common form of elder

mistreatment, victimizing nearly one million senior citizens a year. Regardless of the abuse type, immediate action should be taken on the resident's behalf.

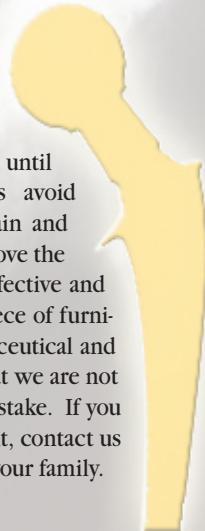
Elder abuse is the cause of suffering, injury, illness and sometimes, death. Only one in six mistreated elders report the mistreatment to the appropriate legal authorities. Yet, abused elders have triple the mortality of those never abused. Therefore, their families need to take charge and seek legal remedies where appropriate. We



HIP IMPLANT RECALL

Do we really know what we are getting when we buy that loaf of bread or piece of furniture? Sure we can look at labels and be told the quality of what we are buying, but how do we really know that what we are being told is what we are actually getting for ourselves and loved ones. If it is a piece of furniture that we later learn we paid too much for, well, we often chalk it up as a life lesson, hoping to be smarter next time. However, this same experience is not just limited to buying some food or furnishing, but also to items that can greatly affect our health. This is the case with medical devices, such as the *DePuy Hip Implant*, manufactured by Johnson and Johnson for those patients who need a hip replacement due to impairment and pain that conservative treatment cannot alleviate. When we agree to have medical devices, such as a *DePuy Hip Implant*, placed in our bodies, we are being told that the device is safe and will not cause harm to us. However, two particular devices - the *DePuy ASR* and *DePuy Pinnacle* - have been shown to be defective causing significant pain and even producing toxic metal levels in the bloodstream and body. Often the problems do not become apparent until many months after their implantation, but early detection helps avoid the possible development of toxicity in the body and less physical pain and impairment. Where the implant fails, a second surgery is needed to remove the defective hip and replace it with, hopefully, another hip that is not defective and will function as it should. So, whether it's buying the loaf of bread, a piece of furniture, or even a complex medical device made by an established pharmaceutical and medical device manufacturer, we always have to be vigilant to ensure that we are not harmed or damaged, most importantly where our health and lives are at stake. If you or a loved one has suffered health problems due to a defective hip implant, contact us so we can take immediate steps in determining how to protect you and your family.

For further information, contact Steven B. Barrett at our firm.



at Hamburg, Rubin, Mullin, Maxwell & Lupin are genuinely concerned about nursing home abuse and are available to discuss your concerns.

Presently, the availability of quality nursing home care is insufficient to meet the demand of our exploding senior population. Consequently, the incidence of elder neglect and abuse continues to rise at an alarming rate. Increasing both public awareness of the realities of nursing home care and governmental intervention where abuse and neglect are prevalent is a good start in the campaign to safeguard our seniors. Yet, these measures serve only as oversized nets through which many abused and neglected seniors fall without meaningful redress. Until substantial resources are directed in making permanent changes to the system of caring for our elderly, the courts may be the only place to effectively make the long-term health care industry accountable for abuse and neglect. The laws are in place; we need to make sure they are enforced for the benefit of our vulnerable seniors.



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It's About the Result

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