

ARTICLE

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Judge Awards \$6.5 Million In Birth Injury Case



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Expecting parents who enter the labor and delivery departments of hospitals are often vulnerable, concerned about the health of both the new mother and arriving infant. As a result, a great deal of trust is placed with the medical professionals responsible for their care. In most cases, everything goes well. For some, a missed warning sign can lead to heartbreak.

One family out of Texas is dealing with such heartbreak. Although the story is out of Texas, it provides an example of events that can happen in any labor and delivery room, in any state. During the delivery

process the infant experienced a lack of oxygen to the brain. Physicians informed the mother her child suffered brain damage during delivery and would likely develop cerebral palsy. The mother accused medical professionals of disregarding these warning signs, and that the lack of intervention directly contributed to the infant's [birth injury](#). Had the physicians intervened, the mother argued, her infant would be healthy.

According to a local newspaper, the courts agreed. A judge signed an order awarding a payment of \$6.5 million to the family due to the hospital's negligence.

Negligence can lead to cerebral palsy

One aspect of medical malpractice is negligence. If the practicing physician failed to meet the applicable standard of care while treating his or her patient and this mistake leads to an injury, the physician may be guilty of malpractice.

Standard of care is a legal term that can be difficult to establish. The U.S. National Library of Medicine and National Institutes of Health recently issued a publication that provides a basic understanding of this concept. According to the article, if other physicians "commonly practice in a certain way that eliminates hazards," this practice is the standard of care.

Cerebral palsy from lack of oxygen during delivery can be avoided

A variety of medical interventions are available to help reduce the risk of damage to an infant during delivery, such as fetal monitoring. According to the American College of Obstetricians and Gynecologists, fetal heart rate monitoring allows medical professionals the ability to monitor the infant's heart rate during labor.

If certain changes occur, additional medical interventions can be utilized to reduce the risk of injury. In some cases, simply shifting the mother's position can alleviate the problem allowing the fetus to receive needed oxygen. If this is not enough, an infant can be removed from the womb with use of forceps or vacuum extraction. If this is not an option, physicians may consider a cesarean delivery, or C-section.

Basic information on cerebral palsy

These interventions can mean the difference between a healthy infant and one who suffers from birth injuries. A variety of injuries can result from a lack of oxygen, including cerebral palsy.

Medical professionals with Mayo Clinic define cerebral palsy as a disorder that impacts one's muscles. Symptoms include exaggerated reflexes or rigidity of the limbs, tremors, favoring one side and delays in reaching milestones. It can impact the entire body, one side or a single limb. Those who suffer from this disorder can experience difficulty swallowing, walking, blindness, epilepsy and intellectual disabilities.

If you believe that you or a loved one suffered an avoidable injury during the labor and delivery process, it is important to know that compensation may be available to help cover the high costs of medical care and rehabilitation. [Contact an experienced birth injury attorney](#) to discuss your situation and potential legal remedies.