

Electronic Newsletter

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The Law Firm of Stephen M. Reck Reminds You to Check Your Smoke Alarms



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Study: Industry Ties Go Undisclosed in Medical Journal Articles

The [New York Times](#) reported that "Twenty-five out of 32 highly paid consultants to medical device companies in 2007, or their publishers, failed to reveal the financial connections in journal articles the following year, according to a study " published online Sept. 13 in the *Archives of Internal Medicine*. "The study compared major payments to consultants by orthopedic device companies with financial disclosures the consultants later made in medical journal articles, and found them lacking in public transparency."

"Forty-one doctors accepted a total of \$114 million in 2007, in amounts of \$1 million to \$8 million," the study found, [USA Today](#) reported. "Yet, half of the articles published by the doctors in the following year made no mention of corporate payments." Disturbingly, "this lack of disclosure appears to flout professional and medical journal standards requiring that doctors reveal any potential conflicts of interest that might influence their research or expert analysis, doctors say."

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Power Plant Disaster Raises Questions

[Fortune](#) looks at the Kleen Energy power plant disaster in Middletown, in which six workers died and 50 were injured, some severely.

Severity of Hospital-Borne Infections Rising "Superbugs" are "Impossible to Treat"

Judge Has New Take On Medical Malpractice



CBS News's Katie Couric reported on 9/30 that, "America's hospitals are ... home to a growing threat. ... An increasing number of patients are being infected with a new

class of superbugs that are difficult, if not impossible to treat." Couric "spoke with one patient who had been admitted to a New York hospital for pneumonia." But "now this once healthy, active man is clinging to life after he got an infection that's resisted everything the doctors have thrown at it." The patient had "KPC Klebsiella, one of the five dead superbugs turning up in America's hospitals with alarming frequency, now responsible for 60% of all ICU infections." Couric noted, "Outpatient surgical centers are particularly vulnerable. A recent study found more than half didn't practice necessary infection control through hand washing and sterilization."

Study: Medical Errors Cost \$19.5B in 2008

The [Kansas City Business Journal](#) reported: "Even as medicine has advanced, the number of medical errors -- conditions and injuries obtained in the hospital -- has hovered around 1 million a year. These errors cost the system, especially hospitals, billions of dollars a year." A study "published this year by the *Society of Actuaries*" estimated "that hospitals had more than 1.5 million medical errors in 2008, with the hefty price tag of \$19.5 billion."

Mistake Disclosure Policy Reduces Claims

While it is common for doctors to not disclose medical mistakes to their patients out of fear of a lawsuit, the [Boston Globe](#) editorialized that refusing to admit mistakes or issue apologies erodes the doctor-patient relationship, and can foster the costly practice of defensive medicine." Rather than hide the mistakes, "The University of Michigan Health System adopted a policy in 2001 of disclosing its errors, issuing apologies, and, when warranted, swiftly offering financial compensation." The disclosure policy reportedly reduced the amount of claims and lawsuits by 35% and 65% respectively.

Jury Instructions Include Social Media Prohibitions

Technology continues to create issues in the courtroom, as some are learning the hard way. Federal judges are now advised to issue the following jury instructions:

"You may not communicate with anyone about the case on your cell phone, through e-mail, BlackBerry, iPhone, text messaging, or on Twitter, through any blog or website, through any Internet chat room, or by way of any other social networking websites, including Facebook, My Space, LinkedIn, and YouTube." [Read more.](#)

FDA, USDA Staff Say Political & Business Interests Hinder Food Safety

The [Los Angeles Times](#) reported, "Scientists and inspectors at the federal agencies responsible for food safety say they face political and corporate interference with their work, according to a survey released Monday by the Union of Concerned Scientists, a nonpartisan advocate for unbiased science in government." This finding "suggests a continuation of problems that government scientists had complained about during the George W. Bush administration, despite Obama administration pledges not to let politics intrude on scientific conclusions. And it comes more than a year after the administration promised to issue new rules to protect scientific integrity." Over "1,700 scientists and inspectors at the Food and Drug Administration and the Department of Agriculture responded to the survey.

Errors With Electronic Health Records

The push to get everyone using electronic health records (EHRs) "is based on the assumption that they'll make care better.... by eliminating unreadable physician handwriting, speeding up communications,

Damage Caps After Sponge Left in Him

The [Wall Street Journal's "Law Blog"](#) recently had an article about a Florida judge who is suing his doctors for leaving a sponge inside him following surgery. The judge, Nelson Bailey, would now like to see damage caps on medical awards lifted.

Too Many Medical Errors Go Unreported

"One of the reasons mistakes continue to plague health care is that many facilities are not reporting their mistakes, despite state laws requiring that they do so. Experts say error reporting and analysis leads to improved care over time and ultimately saves lives." According to a federal study, "underreporting is the norm: the Health and Human Services Inspector General reported that 93 percent of serious adverse events in hospitals went undetected by the hospitals' own internal reporting systems." [Read more.](#)

Some Common OR Drugs in Short Supply

The [Oklahoman](#) reported, "A shortage of crucial drugs has led to a national public health concern that is frustrating doctors and could make operating rooms riskier places." The shortages "led to a patient waking up during an operation and four patients dying, according to a new national survey of 1,800 health professionals conducted by the nonprofit Institute for Safe Medication Practices." Over "one-third of respondents said the drug shortages have led to errors that could have harmed patients."

More Evidence that Malpractice "Reform" Won't Reduce Defensive Medicine

The [Fort Myers News-Press](#) reported, "In the six years since Florida put limits on damages in medical malpractice lawsuits, insurance premiums and lawsuits have dropped," yet physicians "continue ordering billions of dollars worth of extra tests."

This is a big deal. [The Wall Street Journal](#), citing an analysis published in *Health Affairs*, says that the cost of defensive medicine is estimated at \$45.6 billion a year. That figure accounts for over 80% of the \$55.6 billion of the yearly cost of the medical liability system, the Journal noted.

aggregating all patient data in one place, and providing reminders and alerts." But EHRs can easily cause errors and problems, too, in a variety of ways. Read [more](#).

Texting Leads to Increase in Distracted Driving Deaths

Texting while driving likely caused more than 16,000 road fatalities between 2002 and 2007, according to a new [study](#) published in the *American Journal of Public Health*. "After declining from 1999 to 2005, fatalities from distracted driving increased 28% after 2005, rising from 4572 fatalities to 5870 in 2008." The authors concluded that distracted driving "is a growing public safety hazard. Specifically, the dramatic rise in texting volume since 2005 appeared to be contributing to an alarming rise in distracted driving fatalities."

New Report On America's Evolving Terrorist Threat



Increase in Homegrown Terrorists Noted

A new report by the [Bipartisan Policy Center](#) "details how the terrorist threat has evolved since the attacks in 2001, including the development of homegrown networks and the increasingly diverse and decentralized nature of terrorism

." Get the report [here](#).

Congrats to Woody's Service!

We want to congratulate our friend and client, Stephen Woodruff, owner of [Woody's Service](#) in Groton, on reaching 35 years with U-Haul. Woody's provides expert auto repair and makes renting a U-Haul truck easy and enjoyable.



HAPPY HALLOWEEN!



About Our Firm



At [The Law Firm of Stephen M. Reck](#), justice is our mission. Our firm is well known and well respected for its ability to handle personal injury, wrongful death, and

professional malpractice cases in Connecticut and Rhode Island. Call today or visit us on the web at www.stephenreck.com.

The Law Firm of Stephen M. Reck, LLC

Proud to support the [North Stonington Education Foundation](#), [Little League Baseball](#), [Children International](#), and the [Conn. Chapter of the Special Olympics](#).

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Recall Central

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Get the latest recall information from the National Highway Traffic Safety Administration [here](#).

The Dept. of Agriculture's Food Safety and Inspection Service regulate meat, poultry products and processed eggs. Check their recalls [here](#).

Click [here](#) for Food and Drug Administration recalls, market withdrawals and safety alerts.

For updates on the peanut products recall click [here](#).



Proudly Serving Connecticut and Rhode Island

The trial attorneys at The Law Firm of Stephen M. Reck, LLC represent individuals in all types of personal injury cases throughout the state of Connecticut and the state of Rhode Island, including, in Connecticut: New London County, New Haven County, Middlesex County, Hartford County, Tolland County, and Windham County; and in Rhode Island: Bristol County, Kent County, Newport County, Providence County, and Washington County.

Referrals Welcome

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Don't Drive Distracted!

It Kills



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