

Articles

Damages: Past, Present, and Future [1]

10/3/2017

MICRA, the Medical Injury Compensation Reform Act, was passed by California in 1975 to control sky-rocketing medical malpractice insurance premiums, which seemed to force physicians out of practice, and to ensure the continuing availability of malpractice insurance coverage. MICRA instituted a cap of \$250,000 on any award for non-economic damages, like pain and suffering, and imposed limits on plaintiffs' attorney fees, with a sliding scale, allowing for fees between 40% and...

Navigating a Small Claims Court Appearance: Tips for Healthcare Practitioners [2]

8/19/2016

Small claims court is a special court in which disputes are resolved quickly and inexpensively. Pro: This translates to simple and informal rules, and swift resolution of minor conflicts. Con: Although a defendant named in a small claims suit is able to ask an attorney for advice, he is forbidden from appearing in court with an attorney. Accordingly, the small claims venue can pose some challenges for a healthcare provider who has been sued by a former patient. Namely, the provider will...

Medical Malpractice Payments: Which Entities Require Reporting [3]

6/9/2016

The National Practitioner Data Bank ("NPDB") guidelines mandate, "Each entity that makes a payment for the benefit of a health care practitioner in settlement of, or in satisfaction in whole or in part of, a written claim or judgment for medical malpractice against that practitioner must report the payment information to the NPDB."

Court Affirms District Court's Judgment on All Issues in Transvaginal Mesh Appeal [4]

1/24/2016

Case Date: 01/14/2016 IN RE: C.R. BARD United States Court of Appeals for the Fourth Circuit In August 2013, a jury awarded Donna Cisson \$250,000 in compensatory damages on a design defect and failure to warn claim against C.R. Bard, Inc. ("Bard"), a proprietor of transvaginal mesh medical devices. The jury awarded Cisson an additional \$1,750,000 in punitive damages, to be split pursuant to a Georgia statute.

The 21st Century Practice of Law: A White Paper [5]

5/24/2015

FDCC Quarterly Volume 64 Number 3 Spring 2015 Edition Contributor: Clark R. Hudson "The Art of Succession: Letting the Millennials Lead" (pp 251-253)

Dealing with Surprises at Trial [6]

4/1/2015

By Clark R. Hudson & Elizabeth A. Harris

LEGAL UPDATE: Supreme Court Eliminates Settlement Offsets for Non-Economic Damages in MICRA Cases [7]

1/6/2015

By David P. Burke In *Rashidi v. Moser*, plaintiff filed a medical malpractice/products liability action which included claims against a hospital and a physician. Before trial, the hospital settled for \$350,000 while the product manufacturer settled for \$2,000,000.

Selling A Small Business: Putting A Value On Your Life's Work [8]

11/18/2014

It seems like every day the economic news in the United States becomes more and more encouraging. With this improvement and interest rates continuing at historic lows, more and more of our small business clients are coming out of their recession shell, seeing the value of their businesses increase, and asking the question: "Is now the time to sell?"

Healthcare & Counseling: New Changes to California Law for 2014 [9]

1/3/2014

By Dane J. Bitterlin The California legislature has wrapped up business for 2013, and the result is a number of new laws impacting both consumers and providers of healthcare throughout the state.

2014 Employment Law Changes in California [10]

1/1/2014

By Dane J. Bitterlin A new year is upon us and so is a slough of new laws courtesy of our California legislature. As usual, California business owners have been targeted and will need to be keenly aware of these changes in order to focus more time on making money and less time on litigation.

[1](#) [2](#) [11] [3](#) [12] [4](#) [13] [5](#) [14] [6](#) [15] [7](#) [16] [8](#) [17] [9](#) [18] ? [next ?](#) [11] [last »](#) [19]

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Links:

[1] <http://www.neildymott.com/damages-past-present-and-future>

[2] <http://www.neildymott.com/navigating-small-claims-court-appearance-tips-healthcare-practitioners>

[3] <http://www.neildymott.com/medical-malpractice-payments-which-entities-require-reporting>

[4] <http://www.neildymott.com/court-affirms-district-court%E2%80%99s-judgment-all-issues-transvaginal-mesh-appeal>

[5] <http://www.neildymott.com/21st-century-practice-law-white-paper>

[6] <http://www.neildymott.com/dealing-surprises-trial>

[7] <http://www.neildymott.com/supreme-court-eliminates-settlement-offsets-non-economic-dm damages-micra-cases>

[8] <http://www.neildymott.com/selling-small-business-putting-value-your-life%E2%80%99s-work>

[9] <http://www.neildymott.com/AB658-Patient-Confidentiality-AB1000-physical-therapy-AB1308-midwifery-SB282-Marriage-Family-Therapists>

[10] <http://www.neildymott.com/2014-california-AB10-California-minimum-wage-laws-SB-462-SB-770>

[11] <http://www.neildymott.com/printpdf/94?page=1>

[12] <http://www.neildymott.com/printpdf/94?page=2>

[13] <http://www.neildymott.com/printpdf/94?page=3>

[14] <http://www.neildymott.com/printpdf/94?page=4>

[15] <http://www.neildymott.com/printpdf/94?page=5>

[16] <http://www.neildymott.com/printpdf/94?page=6>

[17] <http://www.neildymott.com/printpdf/94?page=7>

[18] <http://www.neildymott.com/printpdf/94?page=8>

[19] <http://www.neildymott.com/printpdf/94?page=10>