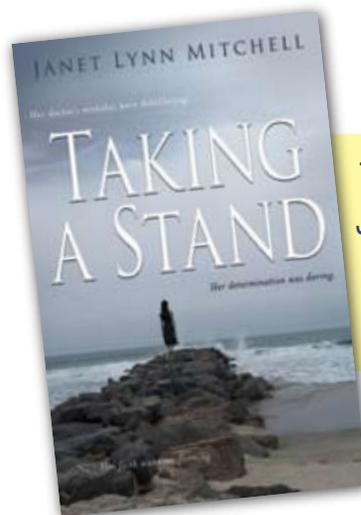


thing. Most hospital admission forms ask you to initial an agreement that you will settle complaints by arbitration, thus waiving your rights to a jury trial if a medical error would occur. The patient has the right and option not to sign on this dotted line.

18. **Surgeon or Resident—It's Your Choice.** Before signing a surgery consent form, note who is authorized to perform the surgery. Many teaching hospitals allow students in residency or other doctors learning surgical techniques to actually perform surgery or practice their anesthesia skills while the patient's doctors stand by and offer guidance. You, the patient, have the choice to say, "No, I'd rather not take this risk."
19. **Make Sure You Are Informed.** Before signing the Informed Consent form, make sure that you agree to the surgery and clearly understand the possible side effects or results.
20. **Find Out Who Will Be Your Anesthesiologist.** Check at the courthouse and medical board for any history of medical negligence.
21. **Question Your Doctor Regarding Any Poor Results.** Be assertive. If something seems wrong or your health is not improving, ask, "Doctor, why did I have that reaction to the medication? Why am I feeling this way? Did something go wrong with or during my surgery?"
22. **Have Your Physician Sign Your Site.** Before surgery, ask your doctor to "sign your site." Have him sign his name directly on your skin, marking the spot intended for surgery, and thus helping to prevent these recurring mistakes. Mistakes can be prevented so be assertive—hand your doctor a pen!
23. **Get Well and Get Out of the Hospital.** Hospitals have infections waiting to happen. The longer you stay, the greater your chances are of picking up a hospital-acquired infection.
24. **Know that Great Doctors Can Make Mistakes.** Know that medical errors are not usually the fault of a bad doctor but are made by good, yet imperfect, physicians who are using their human skills to bring

wholeness and healing. Medical professionals do make mistakes, at times forget something, and in no way know everything. Expect excellence, but not perfection.

25. **Be Appreciative of Your Doctor.** Show your doctor respect by keeping your appointments. Follow his/her prescribed plan for your health care. And, once in a while, drop him/her a note of thanks that is sealed with a prayer.



TAKING A STAND
Janet Lynn Mitchell

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Janet Mitchell was a victim of medical malpractice and fraud. She has since become a voice for others. Assembly Bill 2571, borne out of her misfortunes, unanimously passed the California state legislature and was signed into law on August 31, 2000. Her story, *Taking a Stand*, has motivated others to "take a stand" and remain firm in their faith and convictions through the good, bad, and the outrageous.

GREEN KEY BOOKS
Innovations in Christian Publishing

How to Manage Your Health Care

Partner with Your Doctor
and Be Your Own Advocate

By Janet Lynn Mitchell

It's Shocking but True!

- One out of every four orthopedic surgeons have or will operate on the wrong limb at some point in his or her career.
- Medical mistakes kill between 44,000 to 98,000 hospitalized Americans each year. Thousands more are injured causing permanent disabilities, many not even knowing their doctors are at fault.
- Presently, our laws do not require doctors to inform the patient of the true cause of his or her condition. Only when the patient specifically asks is a doctor legally bound to offer any information about the cause of his or her condition.
- Medical malpractice and/or negligence is the eighth most common cause of death in America! These preventable deaths exceed the deaths attributed to car accidents, breast cancer, or AIDS!

Tips for Managing Your Own Health Care

1. **Select Your Own Doctor.** Make an educated choice. When choosing a doctor, interview him or her. What are his/her areas of specialty? Where did he/she attend medical school and how long has he/she been practicing? Who is on call for the physician when he/she is off duty? At what hospitals does he/she have staff privileges? One may also want to consider additional factors such as the gender and age of the physician and what languages the doctor speaks.
2. **Prepare Before Your Appointment.** Make a written list of all concerns and questions you have pertaining to your health. Include all medications, vitamins and herbs that you are presently taking.
3. **Be Assertive.** Ask your doctor the questions on your prepared list. No question that you may have is dumb or inappropriate.
4. **Inform Your Physician of Your Past Medical History.** This includes all surgeries, serious illnesses, medication allergies, or sensitivities that you may have. Ask that your physician request your medical records from other doctors that you have seen.

5. **You Must Feel Comfortable.** Unless you are unconscious or heavily medicated, a doctor can only perform a procedure or exam that you allow. If you are not "comfortable," say so and walk out! A physician should NEVER perform a gynecological exam without a nurse or third party present.
6. **Bring an "Advocate" to Your Doctor's Appointment.** Ask a family member or friend to go with you to your doctor's appointment— someone who will listen to the doctor with you. This has proven especially helpful to those with chronic illnesses and, at times, life saving for those who are hospitalized.
7. **Don't Be Afraid to Ask Questions.** Make sure each of your doctors is aware of all the medications you are taking. If your medication has not changed and a pill prescribed looks different from your last prescription, it may be the wrong medication. Try to use the same pharmacy. Pharmacies often maintain records of all medications that you purchase. This will help prevent disastrous medication interactions!
Whenever receiving an injection, always ask what the medication is and what it is for! Medication errors occur when the patient is given either the wrong medication or the incorrect dosage.
8. **Remember That You Are the Consumer.** If you are not happy, comfortable or satisfied with your physician, MAKE A CHANGE. You may need to contact your insurance company, but it can be done!
9. **Appeal Denied Treatment.** If your HMO denies a treatment that you and your doctor feel is necessary, file an appeal with your HMO requesting an independent review. If this review is denied, you may want to contact the Insurance Commissioner of your state.
10. **Keep a Journal.** Write down the dates of your medical appointments, results of medical tests, and important conversations you have with your health care provider. When surgery has occurred, obtain a copy of the hospital surgical report to add to your personal records.
11. **Research Your Doctor's Standing with the Medical Board.** Check your doctor's standing with the state Medical Board's web site. Remember that the Medi-

cal Boards do not inform the public of complaints and out of court settlements concerning a physician.

12. **Consider Alternative Treatments.** Before agreeing to a surgical procedure, ask your doctor and surgeon if they are aware of any alternative procedures that may aid in your diagnosis and treatment. Explore alternative health care such as a nutritionist, chiropractor, or podiatrist when appropriate.
13. **Get a Second Opinion.** Never accept one doctor's diagnosis or surgical recommendation as the only way of regaining your health. Always get a second opinion regarding advised surgery and/or extensive medical treatment. Seek a second opinion outside of the area where your doctor practices.
14. **Before Surgery, Weigh the Pros and Cons.** Ask your surgeon if he/she is board certified to perform the prescribed procedure. Ask how many times he/she has performed the surgery and what his/her success and mortality rate has been. Ask about any complications that may occur. Weigh the possible complications with the option of not having the surgery. Then decide if the surgery is necessary. Ask your surgeon if he/she will be conducting your entire operation.
15. **Check on Malpractice Insurance.** Before you or a family member has surgery, make sure that the surgeon has medical malpractice insurance coverage. Call the appropriate hospital and ask for this information. Don't assume!
16. **Read About Any Past Litigation of Your Chosen Physician.** Go to the county clerk's office at your local courthouse. Look up all medical malpractice cases pertaining to your doctor to discover the cases that have gone to trial, those that have been filed and settled out of court, and those that are currently in the court system.
One or two cases filed against a medical professional are reasonable as "doctors are human," and some patients have abused the court system. However, if your medical professional has a history of malpractice, fraud, and/or concealment, run!
17. **Understand What You Are Signing.** Before signing any hospital form, ask if you do not understand some-