



## **New York Medical Malpractice – Blind in One Eye**

Welcome and thank you for joining me. I'm Gerry Oginski a New York Medical Malpractice and Personal Injury Trial Lawyer practicing law here in the State of New York.

Today's tip is about blindness. When is the first time you encountered somebody who is blind, especially blind in one eye? You may have questions when talking to that particular individual about how it was that they came to be blind in only one eye. And why is that significant? It's significant because people who have a disfigurement, or a disability, you have questions. You want to know.

Typically, most people are curious why do you have a disability, why are you blind in only one eye. How did that happen? Was it from birth at childbirth? Was it because of some medical condition that you have? Did somebody do something wrong where you got something in your eye and now you can't see out of it? And you'll notice that if you have kids and you're walking down the street and somebody is in a wheelchair, your child will, typically, turn to you and say, "Daddy why is that person in a wheelchair?" They're at the beach, they're hanging out at the pool club and they see somebody who has a cast on their arm. "Daddy, I see they have a cast. Why do they have a broken arm?" "Why are they like that?"

But what happens when people are curious is it makes the person who has the injury or disability very self conscious. And, unless they have had it for such a long period of time, they're going to continue to be self conscious, especially when they see people staring, because they know that those people have questions and they want to ask, but they're embarrassed. They're ashamed. They don't want to impose on you and ask you why you have this injury. "Why are you blind in one eye?" "How come you don't have a guide dog to help you?"

So why do I tell you this? Especially about somebody who went blind in one eye? Because I've encountered a number of people over the course of my career, that's more than 22 years, handling medical malpractice and personal injury cases, where someone has gone into the hospital for treatment for a condition, whether it's cataract surgery, whether it's some other type of eye surgery, and came out blind.

Remember, in order to prove a valid case, I have to have an expert determine not only that there was wrongdoing, but that the wrongdoing caused injury and that the injury is significant and permanent. If any one of those three elements is not present, then there's no way to bring a case here in the State of New York. By the way, if you have additional questions about medical malpractice or personal injury cases here in the State of New York; then I encourage you to explore my website, <http://www.oginski-law.com>. If have legal questions, then I urge you to pick up the phone and call me since I can answer your legal questions. You can reach me at 516-487-8207 or by email at [lawmed10@yahoo.com](mailto:lawmed10@yahoo.com). I'm Gerry Oginski. Thanks for joining me here in New York for a few minutes of your time here with me. Have a great day.