



**LAW OFFICE OF GERALD  
OGINSKI, LLC**

67 Cutter Mill Road  
Great Neck, NY 11021

T 516-487-8207

[Gerry@Oginski-Law.com](mailto:Gerry@Oginski-Law.com)

## Doctor in training screws up. Why is hospital responsible for his mistakes?

If a doctor in training, a resident in a hospital screws up, why is it that the hospital is actually responsible for what happens to you? Do you want to know the answer? Come join me for a moment as I show you some terrific information.

Hi, I'm Gerry Oginski. I'm a New York Medical malpractice and personal injury attorney, practicing law here in the state of New York. It's a beautiful day today. You're going to hear the gardener's and the leaf blowers going.

Now, if a doctor in training screws up, causes you harm, causes you injury, why is the hospital responsible for his actions. There are really 2 reasons. Number 1, this doctor in training is employed by the hospital. That's number 1. Anytime you have an employee, the employer, the person who employs him, who hires him, that he works for, is actually responsible for his actions.

There's a legal term that we use, called respondeat superior. All that means is that the employer is responsible for the acts of its employees. That's why when a lawsuit is started involving improper medical care, by a doctor in training at a hospital, we not only will name that doctor in training, the resident, but we also have to include the hospital as part of your lawsuit.

The 2nd reason is something known as vicarious liability. That means that the hospital is vicariously liable. It means again it is responsible for the acts of the people who work there on their behalf, who are working for the hospital.

If you suffer an injury as a result of improper medical care, either by hospital staff or by doctor in training, that is why we must always include the hospital as part of your law suit and a medical malpractice matter here in the state of New York.

I realize you are watching this video because you have questions or concerns about your own particular matter. If your matter did happen here in New York and you are thinking about bringing a law suit but you have questions that need answers, what I invite you to do is, pick up the phone and call me. I can answer your legal questions. This is something that I do every single day and I'd love to chat with you. You can reach me at 516-487-8207 or by email at [Gerry@Oginski-law.com](mailto:Gerry@Oginski-law.com). That's it for today's video. I'm Gerry Oginski. Have a great day.