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I asked doctor how he'd treat a patient with lung cancer. He didn't know.

I asked the patient's internist how he would go ahead and treat the patient's lung cancer. You know what he said? I don't know. He didn't know. You want to know why I asked him that question? Come join me for a moment as I share with you this remarkable 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.

This was a medical malpractice case. It was a failure to diagnose lung cancer case, and now my client was being treated and evaluated by her primary care doctor and internist. Now, as part of the lawsuit process, I had an opportunity to question the patient's internist during the course of his pretrial testimony known as a deposition. One of the things I asked him was, Doctor, can you tell me how to treat this particular type of Adenocarcinoma, this type of lung cancer?

You know what he said? I don't know. Have you ever treated this type of cancer before? No, I haven't. Do you have any knowledge as to what type of medicine is used to treat this condition? No, I don't. Do you know how many cycles of chemotherapy the patient will need? No, I don't. Do you have any understanding as to how much radiation treatment the patient will require? No, I don't. Doctor, have you ever made diagnoses of lung cancer before? No, not really.

This is a guy who had been in practice for many, many years. Doctor, if you suspect that a patient has lung cancer, are there certain diagnostic tests that you can perform to rule in or rule out the possibility that the patient has lung cancer? Yes. Now, tell me what they are. He rattled off some basic diagnostic tests, such as x-rays, MRI scans, and CT scans. That was fine.

When I asked him to define and tell me how to treat those particular cancerous conditions, he had no clue whatsoever.

I will share something with you. I don't expect him to know how to treat each and every type of cancer. That's not what I was looking for because the people who treat cancers are known as oncologists. Those are the doctors that know what type of treatment to give, but an internist should have a basic level of understanding about what types of treatments patients like these with this type of advanced cancer can have, and what options are available to the patient. There were other areas of medicine that he was clearly deficient in.

When I asked him to define certain types of tests, and asked him to explain to me how certain types of medication that the patient was on is actually used, and what the benefit is to the patient, he was having difficulty doing that.

Now, why would I ask those basic questions? Because now, when I get to trial a year or two later, guess what? I can now show to the jury using the doctor's own words, his own pretrial testimony that this doctor had no clue about certain aspects of medicine involving my client's care, his patient's care.

Why do I share this great information with you? I share it with you to give you an insight and understanding into what goes on in these medical malpractice cases here in the state of New York.

I realize and I understand you're watching this video because you likely have questions or concerns about your own particular problem. If your matter did happen here in New York, and you're thinking about bringing a lawsuit, but you have questions that need to be answered first, what I encourage you to do is pick up the phone and call me. You know, I answer questions just like yours every single day, and I'd love to talk to you.

You can reach me at 561-487-8207 or by email at gerry@oginski-law.com. That's it for today's video. I'm Gerry Oginski. Have a wonderful day.