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SUMMER 2018

Primary Areas of Focus:

ATV Accidents

Aviation Accidents

Bicycle Accidents

Birth Injuries

Brain Injuries

Car Accidents

Legal Malpractice

Medical Malpractice

Motorcycle Accidents

Nursing Home Abuse

Product Liability

Pedestrian Accidents

Premises Liability

Train Accidents

Truck Accidents

Workplace Accidents

Wrongful Death

Self-Driving Trucks

Humans need to sleep, need breaks to refresh their bodies and minds, need to eat, need to use the bathroom, and have other obligations outside of the truck cab. Humans are also accident prone. Despite these limitations, the public isn't ready to share the road with big rigs that are driverless.

Commercial fleets will likely slowly begin to incorporate more levels of automation under the watch of trained drivers, rather than going fully autonomous. In fact, many consumer and commercial vehicles are already equipped with automatic features such as emergency brakes, adaptive cruise control, and lane-departure warning.

As use of automation increases, safety levels

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should follow. In testimony to the U.S. Senate Committee on Commerce, Science, and Transportation, the National Safety Council said that many truck accidents could be reduced or prevented by using automation technology. The National Highway Traffic Safety Administration found that 94 percent of all investigated truck crashes were attributable to human error (alcohol consumption, speed, fatigue, or distraction).

Closed environments that have predictable routes, such as ports, construction sites, and mines, will most likely be the first to see truly driverless vehicles. According to an article on Trucks.com, "Such applications could not only offer proof of concept and prompt wider adoption in industry, but also ease the public into acceptance of the technology."

Fewer accidents and injuries are welcome, but who will be held at fault when technologies fail will be a factor in injury cases in the future.

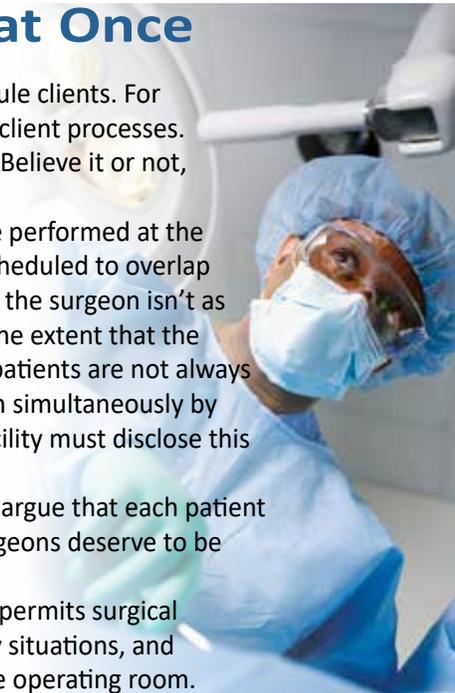
Operating on Two Patients at Once

Sometimes it is acceptable for a professional to double-schedule clients. For example, a hair stylist might do a cut while the color on another client processes. But what if your surgeon was conducting two surgeries at once? Believe it or not, this is happening. And many think it should be illegal.

Concurrent surgery is when two surgeries are scheduled to be performed at the same time by the same surgeon. Sometimes the surgeries are scheduled to overlap slightly, affecting only the beginning or end of a procedure when the surgeon isn't as involved. However, some facilities allow surgeries to overlap to the extent that the surgeon must bounce between operating rooms. In such cases, patients are not always informed that they will be one of two patients being operated on simultaneously by the same surgeon. Currently there is no law that states that a facility must disclose this information to patients.

Those who disagree with the concept of concurrent surgeries argue that each patient deserves the undivided attention of their surgeon—and that surgeons deserve to be allowed to practice their skills in a focused environment.

Facilities that permit concurrent surgery say that the practice permits surgical specialists to leave a scheduled procedure to address emergency situations, and provides residents an opportunity to gain more experience in the operating room.



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For campers, all that is needed for a perfect vacation or long weekend is friends and family, a tent, and a fire. Safety, of course, should always be a priority—to both campers and campground managers.

If you are injured due to negligence while camping, you may be able to recover for damages. Property owners who invite campers to visit their land have a duty to provide safe grounds and facilities. For example, trails must be cleared of debris, and trees near trails and camping areas must be pruned.

Here are a few tips for safe camping from the U.S. Forest Service:

* **Pack a first aid kit.** Your kit should include antiseptics for cuts and scrapes, tweezers, insect repellent, bug spray, a snake-bite kit, pain relievers, and sunscreen.

* **Bring emergency supplies.** In addition to a first aid kit, pack a map, compass, flashlight, knife, waterproof fire starter, whistle, appropriate clothing, high-energy food, and plenty of water.

* **Arrive early.** Plan your trip so that you arrive at your actual campsite with enough daylight to check over the entire site for hazards (glass, sharp objects, branches, ant beds, poison ivy) and set up.

* **Build fires in a safe area and be sure they are always attended and fully extinguished.**

* **Beware when encountering wildlife.** To ward off bears, keep your campsite clean, and do not leave food, garbage, coolers, cooking equipment, or utensils out in the open. Use a flashlight at night, as many animals feed at night and the light may warn them away.

Source: www.fs.fed.us/recreation

Maternal Injury and Death

Maternal death due to complications from childbirth has been in the news frequently. Media reports by NPR and ProPublica have found that women in the United States die during childbirth more than any other developed nation. According to the Centers for Disease Control and Prevention (CDC), 700 to 900 women die annually in childbirth or from pregnancy-related causes. The CDC says 60 percent of these deaths are preventable. Women in high-poverty areas are twice as likely to die during pregnancy or childbirth, and African-American women are three times more likely to die than white women.

One of the reasons cited in media reports for high maternal death rates is that hospital care is primarily focused on delivering a healthy baby, not on maintaining the health of the mother. Other reasons include increased maternal age, pregnancy coupled with complex medical conditions, and high prevalence of birth by C-section.

According to a Joint Commission report, which studied unanticipated events in healthcare settings that resulted in patient injury or death, cases of maternal injury and death can also be attributed to hospital staff incompetency, poor staff communication, inadequate fetal monitoring, and delayed response to emergency situations.

Parasailing Safety

It's fun to observe parasailers high above the water on the horizon, but before you sign up, you should be aware that parasailing isn't well regulated and that a study by the National Transportation Safety Board showed that lack of regulations causes serious accidents.

According to the 2014 report, "An estimated 3 to 5 million people in the United States participate in parasailing; however, no federal regulations or guidelines establish specific training or certification for parasailing operators. There is no requirement for inspection of the parasailing equipment, and no requirement to suspend operations during inclement or unsuitable weather conditions."

One thing that you can do to stay safe is choose a reputable company. Ask how experienced the crew is, how much training they provide participants regarding safety and communication, and how new the equipment is, and go online to read reviews. A parasailing company should not even suggest operating in inclement weather, and if you see evidence of worn equipment, move on to another company.

WARNING: Warm Weather Ahead *Weather-Related Accidents Aren't just for Winter*

Snow and ice get all the glory when it comes to dangerous driving conditions, but summer roads can also be dangerous, and delays, cancellations, and road closures won't keep drivers off the roads. Over a 10-year period (2005–2014), the National Highway Traffic Safety Administration found that 73 percent of weather-related crashes were due to wet pavement, and 47 percent of weather-related crash fatalities were due to rain.

In comparison, 30 percent of weather-related accidents were attributed to snow, sleet, or ice.

If you get caught in heavy rain, wind, or severe fog, the safest thing may be to move your vehicle off the road. Here are some safety tips for warm-weather conditions:

RAIN—Heavy rains reduce visibility and can change the way a vehicle's tires connect with the road. Drivers should turn their lights on, reduce their speed, and reduce their following time by two seconds. One of the dangers of driving on wet pavement is hydroplaning, which happens when a vehicle is moving too fast and a thin layer of water comes between a vehicle's tires



and the road. Steering and braking are almost impossible while hydroplaning. Remember that oil on the road can make it very slippery in wet weather, even in light rain.

WIND—Heavy winds are scary to drive through, especially on highways where there is more traffic, higher speed limits, and larger vehicles.

If you get caught in heavy winds, keep both hands firmly on the wheel so the wind can't move your vehicle out of its lane. Be aware of other drivers, especially those in larger vehicles that are more susceptible to being moved by strong gusts.

FOG—If you find yourself driving through intense fog, turn your lights to low and go slow. If it is hard to see, resist the urge to turn your lights off, because other drivers will not be able to see you. Also, don't stop in the roadway if you are having trouble seeing; pull off the road completely, and keep your lights on so other drivers can see you.

Dangerous Drug Interactions

If you depend on your pharmacist to warn you about risky drug combinations, you may want to reconsider. A report in December 2016, in the *Chicago Tribune*, found that more than half of the pharmacies in the Chicago area dispensed drugs in potentially dangerous combinations without warning patients of the risks.

As a result, national pharmacy chains, including CVS, Costco, Kmart, and Walmart, have upgraded their computer systems and retrained their pharmacists to flag dangerous drug combinations. These changes are good news for consumers, as prescription-drug errors are a growing problem. Errors occur when pharmaceutical staff don't follow procedures, don't pay attention to computer alerts, or lack quality-control processes. According to the *Chicago Tribune*, pharmacies that dispensed drugs that have risky interactions without warning said that they skipped safety steps in order to prioritize fast service.

Other pharmacy mistakes not included in the report are dosage errors, filling a prescription with the wrong medicine, giving incorrect instructions to the consumer, or placing incorrect warning labels on the bottle.

If you or a loved one has been injured by a pharmacy error, contact our office for a case evaluation.



SUMMER: ***Prime Time for Street Racing***

Street racing has been romanticized (and franchised!) in film for decades. Young adults love cars—the faster and louder, the better! But street racing is illegal for good reason: It kills—and not just on the big screen. In fact, the National Highway Traffic Safety Administration says that more than 1,047 people were killed in street-racing crashes between 2001 and 2008.

In January, a Mercedes and Infiniti hit speeds over 100 mph during a race in Florida that culminated in the Mercedes hitting a minivan and killing its 22-year-old driver. Four children, who were passengers in the Mercedes, were also hurt. The driver of the Mercedes was charged with 11 felonies, including vehicular homicide.

While many races happen on a whim, organized racing has grown with the popularity of movies such as *The Fast and the Furious* and TV shows like "Street Outlaws." Social media has made it easier to organize events.

If you or a loved one has been injured in a crash caused by street racers, you may have a legal right to recover for your injuries. Call our office for a confidential consultation.

Pedestrian Deaths on the Rise

Did you know that walking is becoming more dangerous? According to a report by the Governors Highway Safety Association, pedestrian deaths rose 11 percent from 2015 to 2016. The increase is being blamed on distracted and drunk pedestrians.

When walkers talk, text, and surf on their smartphones, they become focused on their phone rather than their surroundings. Not only do distracted walkers bump and trip over stationary objects, they also have been known to walk into traffic.

Another contribution to the rise in pedestrian deaths is alcohol. According to the study, 34 percent of pedestrians killed are legally drunk. Not only does drinking impair vision and coordination, it affects decision-making. Those who are under the influence are much more likely to misjudge when it is safe to cross the street or whether it is safe to walk on the side of the street, especially at night.

Pedestrians should be aware of their surroundings, follow traffic laws, dress so that drivers can see them, and avoid alcohol.



Thanks for the referrals!

Thanks to all of you who have recommended our firm to your relatives, friends, and neighbors. We appreciate your vote of confidence and pledge to care for these "VIPs" as well as we care for you.



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Kidde Recall Affects 37 Million

Kidde has recently recalled 37.8 million fire extinguishers with plastic handles or plastic push-buttons. Please take the time to make sure your extinguisher is not part of the recall.

The recall involves 134 models of Kidde fire extinguishers manufactured between January 1, 1973, and August 15, 2017, including models that were previously recalled in March 2009 and February 2015. Kidde is aware of a 2014 death involving a car fire following a crash. Emergency responders could not get the recalled fire extinguishers to work. There have been approximately 391 reports of failed or limited activation or nozzle detachment. In addition to the fatality, 16 injuries, including smoke inhalation and minor burns, and 91 incidents of property damage have been reported.

The fire extinguishers can become clogged or require excessive force to discharge and can fail to activate during a fire emergency. In addition, the nozzle can detach with enough force to pose an impact hazard.

To see if your fire extinguisher is affected, go to kidde.com and click on "Product Safety Notices."

Source: cpsc.gov

