

WINTER
2013/14



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Five reasons you need a Social Security Disability attorney

People generally go into the Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI) claims process pretty confident, all things considered. After all, what more do they need than affirmation from a doctor that they can no longer work? Actually, a lot more. It's a lengthy, stressful process full of deadlines, red tape, paperwork, ever-changing regulations, and a government agency that is too small for the number of individuals it serves.

1. It's complicated

The claims process is complex. Of course, no one thinks their claim will be denied, but the fact is, most are—yes, legitimate claims are often initially denied—and there will likely need to be an equally complex hearing. It is easy to misunderstand the process that must be followed. An attorney will adhere to deadlines, keep a file on a client's behalf, collect medical records, and make sure the stringent claims and sharing processes are being followed.

2. The fine print

It is hard for a layperson to navigate the language and meaning of Social Security rules and regulations. An attorney will help make the legalese and medical terminology clear.

3. Communication

An attorney can contact Social Security on their client's behalf. Clients need not feel intimidated or like they are not connecting with the appropriate party to get answers to questions about their claims. Attorneys can also communicate with physicians to make sure that a client has everything needed to support his or her case.

4. Representation

An attorney will prepare a case and represent a client at a hearing with an Administrative Law Judge.

5. Past-due benefits

An attorney will be sure that a client gets the maximum past-due benefits for their claim.



If you need our services,
please contact us at...

330-792-6611 or 800-589-6611

www.ohiodisabilitylaw.com

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All about workers' compensation

For most people, the need for workers' compensation is a reality they never have to face. However, for those who are injured on the job, workers' compensation becomes a critical benefit—both for covering expenses related to the injury and for income that may be lost due to their inability to work now and into the future. Understanding how it works is essential.

Workers' compensation varies according to state regulations, but there are a few things to which most beneficiaries are entitled. Among these are medical benefits, rehabilitation, temporary and permanent disability benefits, and death benefits—which of these will apply to you depends on the type and severity of your accident or illness.

To receive workers' compensation, the problem that is keeping you from work must have been caused by either a specific work accident or something you have been exposed to at work over an extended period. Repetitive-motion injuries or exposure to a harmful substance are examples of damage that has built up over the years. Either of these situations could result in the availability of workers' compensation benefits to you.

Some employers will do everything they can to avoid a workers' compensation claim. Most will hire their own representative. Employees who are injured should be aware of their rights under the law. If you have a potential workers' compensation claim, be sure you have a knowledgeable attorney on your side.

**SOCIAL SECURITY
DISABILITY
WORKERS'
COMPENSATION
PERSONAL INJURY**

- Free consultation
- No recovery, no fee.
We do not get paid
unless you do.
- Trial attorneys

We take your family's safety and security personally.

Tips for settling an injury case

You've been told your entire life not to settle, but getting a fair settlement is almost always better than having to move to a trial.

Settling a case outside of court has advantages for both parties. The defense can avoid the legal costs of going to trial, avoid paying punitive or pain and suffering damages, and keep negative press to a minimum. An injury victim who settles gets a guaranteed monetary award in a relatively short amount of time.



BEFORE YOU SETTLE, ASK:

Is the settlement fair?

This is where an attorney comes into play. Most people have no idea what they are entitled to under the law. If you ask too much or too little, it is a red flag to the defense that you are pulling figures out of the air and aren't really sure how to value your injuries.

Do you know the full extent of your injury?

It's tempting to accept what seems like a large number offered right away by an insurance company. If you have a serious injury, you will need all of your medical

bills and records, as well as a physician's treatment plan, to show the scope of your injury. Don't take an offer because it sounds good or someone tells you it's fair. Once your medical bills are tallied, it may not seem like such a good deal after all.

Are you prepared for trial?

Reaching a fair settlement is certainly the goal, but sending the paperwork needed to initiate a lawsuit along with a demand letter can show an insurance company that you are prepared to go to trial if necessary. Plus, if a fair settlement

isn't reached, the paperwork is already prepared.

Do you have an attorney?

In addition to negotiating on your behalf and making sure that the amount offered is fair, an attorney knows all the questionable tactics used to get out of paying. For example, a company could try to extend the process of settlement beyond the statute of limitations for filing suit. After this date has passed, they likely will offer nothing.

Preparing for an injury lawsuit

Your case may seem solid, but there is still a lot of preparation needed for settlement negotiations or trial. There are different stages of a lawsuit, the first of which is a hearing where the injured party must present their case. This hearing is extremely important, as it determines if there *is* a case.

In order for an injury claim to move forward, the victim must have evidence. After an accident, or incident, it's very important to write down, record, and/or photograph everything. Make note of what happened, when, and where. Record any detail you can remember, even if it seems insignificant at the time.

Paperwork is part of preparation—and you will have lots of it!—so start a file. Be sure to keep every document about your case, your injuries, and any damaged

property. This would include correspondence from the defense, the police, insurance companies, medical bills, and any other bills stemming from damages related to the accident or event.

If someone saw an accident that caused injury, their testimony can be crucial to your case. Get the names and numbers of anyone who saw the accident. In the case of a traffic accident, a police report should contain the contact information of witnesses.

Of course, having the appropriate medical care and legal team after an accident or event is also important. Our attorneys will help determine the value of your case, collect evidence, and communicate with your medical providers to ensure the best possible outcome for your personal injury claim.



The silent killer

According to the Centers for Disease Control and Prevention (CDC), about 170 people die from non-automobile-related carbon-monoxide poisoning every year. During the winter months, the risk of carbon-monoxide poisoning is higher due to the use of heaters and furnaces that are not adequately ventilated.

Because it has no noticeable odor, carbon monoxide is referred to as a silent killer.

Here are some tips from the CDC to keep your family safe this winter:

- Have your heating system, water heater, and any other gas-, oil-, or coal-burning appliances serviced by a qualified technician every year.
- Do not use portable flameless chemical heaters (catalytic) indoors.
- If you smell an odor from your gas refrigerator's cooling unit, have an expert service it. An odor from the cooling unit of your gas refrigerator can mean you have a defect in the cooling unit. It could also be giving off carbon monoxide.
- When purchasing gas equipment, buy only equipment carrying the seal of a national testing agency, such as the CSA Group.
- Install a battery-operated or battery backup carbon-monoxide detector in your home.

FOOD POISONING SOURCES

According to the Centers for Disease Control and Prevention (CDC), 48 million Americans get food poisoning every year, and about 3,000 people die of food poisoning-related illnesses.

Here are some interesting statistics from a recent CDC study:

- The biggest culprit in food poisoning is salmonella bacteria. It accounts for 40 percent of the infections reported.
- Salmonella in chicken is the number-one source of death from food poisoning. The bacteria can also be found in raw eggs, meat, other poultry, and produce.
- *E. coli* in beef is also a very common cause of food poisoning.
- The biggest source of foodborne illness is not from meat; it is from leafy green vegetables, which could contain *E. coli*, listeria, salmonella, and noroviruses. They are responsible for an estimated 20 percent of all cases of food poisoning in the United States.
- The most dramatic increase in foodborne illness was related to vibrio, which is caused by raw or undercooked oysters and shellfish.

Failure to diagnose cancer

Since cancer is most treatable and curable in its early stages, failure to diagnose the disease can be a death sentence for patients. Even armed with innovative diagnostic equipment and years of education and experience, physicians can make mistakes that lead to failed and delayed diagnoses.

Failure to order tests

When a person visits a doctor, the doctor must provide a reason for the symptoms. This is often done by ordering tests to isolate or rule out the cause of the symptoms. When a doctor fails to request a test after being made aware of key indicators of cancer, valuable months can pass before a correct diagnosis is reached.

Failure to interpret tests correctly

If a physician fails to read a biopsy or imaging test correctly, time is lost. When cancer is detected in later stages, it is more difficult to treat and more likely to reoccur.

Failure to follow up on test results

When a medical professional fails to follow up on test results that are abnormal, a treatable form of cancer could quickly spread to other areas of the body and become deadly.

If you or a loved one feels that cancer discovered in a late stage was due to a physician's failure to diagnose the condition in a timely manner, call us to talk about your situation.



Make sure you protect your loved ones— *no matter where they are*

It is not easy making the decision to place your loved one in a nursing home. But it's in their best interest, right? Not always. Not when the facility you have so very carefully chosen is negligent or abusive to its patients.

Some signs of abuse—

- evidence of overmedication or undermedication
- open wounds or bedsores
- unexplained weight loss
- dehydration
- unusual bruising or bleeding
- poor hygiene
- physical or emotional withdrawal



If a nursing home or assisted-living facility is negligent and does not meet your expectations in their care of your loved one, you have recourse in our civil justice system. When a parent suffering Alzheimer's disease died at a care facility, her family and estate sued the residence, alleging failure to provide proper nursing care, to prevent the patient from injuring herself, and to follow a staff physician's orders to transfer the patient to a psychiatric facility. A jury's verdict resulted in a significant award.

Unfortunately, even with regulations in place, residents of nursing homes may be neglected or abused. If you believe that a loved one may be or may have been the victim of nursing home abuse or neglect, please call our office today for a free consultation.

May you and those you love experience the quiet beauty of the holiday season. Thank you for seeking out our legal services over the years and for referring your relatives, neighbors, and colleagues to us.

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Deadline for filing a personal injury claim

When your life changes in an instant as the result of an injury or accident, filing a lawsuit isn't the first thing that will come to mind—despite popular misconceptions of how personal injury lawsuits play out. Most people are focused on simply recovering, whether it's from the unexpected death of a loved one or from an injury.

If someone else is at fault, victims shouldn't wait to file a personal injury lawsuit until they are feeling better physically or until they have had time to grieve. By that time, it could be too late. How much time you have to file a lawsuit, also known as a statute of limitations, varies by state and by the nature of the claim. It's generally between one and three years, but could be as long as six. Cases of medical malpractice and wrongful death typically have a shorter statute of limitations.

If you or a loved one has suffered a personal injury, contact our offices as soon as possible to discuss the case.

