

# Child Injury Laws *Blog*

## Doctor's Error May Be Responsible For Development Of Erb's Palsy Or Brachial Plexus Injury

By **Jonathan Rosenfeld** on August 01, 2011

The birthing process can be a stressful occasion for both parents, infant--- and physician. During a time in which physicians need to be cool and steady, there are those who get caught up in the moment and fail to follow good medical practice.

When a physician, or other delivery personnel, rush to evacuate the baby from the birth canal, they sometimes pull or push too hard on the infant's head or shoulders-- causing damage to an area around the baby's neck where the nerves from the arms connect with the neck and spine (brachial plexus).

A brachial plexus injury to a newborn can result in varying degrees of disability-- both from a short and long-term perspective. The degree of impairment is usually determined by the type of injury to the nerves in the brachial plexus. There are four designated types of brachial plexus injuries in newborns:

- Avulsion- When the nerves are torn from the spine. Usually results in the greatest degree of disability.
- Rupture- A torn nerve, but still in contact with the spine.

Jonathan Rosenfeld offers legal services relating to: birth injuries, medical malpractice, day care abuse, foster care abuse, swimming pool injuries, automobile accidents, school bus accidents, dog bites, food poisoning, product liability, amusement park accidents and clergy abuse. For more information please visit Child Injury Laws Blog (<http://www.childinjurylaws.com/>) or call Jonathan directly at (888) 424-5757. ([www.rosenfeldinjurylawyers.com](http://www.rosenfeldinjurylawyers.com).)

- Neuroma- A healed brachial plexus injury that resulted in scarring and continued nerve deficits
- Neuropraxia- A stretching of the nerves. The most common brachial plexus injury and generally the most easily healed.

Together, the above conditions usually result in varying degrees of weakness, sensation loss and immobility of the child's arm and hand. When the conditions impact the child's use of the arm, they are commonly referred to as Erb's Palsy.

The location and severity of the brachial plexus injury will determine the child's prognosis. However, experts agree to that in order to maximize the chances of the significant recovery, physicians need to identify and begin treating the injury as soon as feasible.

Though surgery to re-attach the nerves may be acceptable in some cases of Erb's Palsy, most cases involving avulsions and ruptures of the nerve never completely resolve. Sadly, as children develop, the bodies ability to recover from these types of injuries begins to decline and many cases of Erb's Palsy result in permanent disability.

In cases where a child sustained an injury to his brachial plexus during birth and has not recovered fully from the injury, the situation may give rise to a **lawsuit against the physician or staff who delivered the child**. Some jurisdictions permit a child afflicted with a Brachial Plexus injury to recover for:

- Past and future medical expenses
- Disability
- Loss of earning capacity
- Disfigurement

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- Pain and suffering

Rosenfeld Injury Lawyers handle child delivery-related complications including Erb's Palsy and Cerebral Palsy. We understand the emotional, physical and financial toll these conditions have on the entire family. We offer free consultations and our services are free, if we can not recover for you.

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