

Understanding Traumatic Brain Injury (TBI)

Every year, over 1.4 million Americans sustain a traumatic brain injury (TBI). These injuries result in 50,000 deaths and another 200,000 require hospitalization and/or treatment. Many of those who are injured and survive suffer from altered or lost functional ability. According to the Centers for Disease Control and Prevention, there are about 5.3 million people permanently living with the results of a traumatic brain injury. While the injuries most directly impact the person who suffered the trauma, the impact on the injured person's family and friends is often enormous.

What Causes TBI?

TBI occurs as the result of a violent impact or movement to the head. Not all impacts or movement to the head result in an injury, but TBI can occur as the result of a fall, a motor vehicle accident, a work place injury, a sports injury that involves a blow to the head from a baseball or other hard object, a bicycle accident or being assaulted either manually or through the use of a weapon. TBI can also occur in infants who suffer from shaken baby syndrome or who have sustained trauma during delivery. Although TBI can certainly occur when an impact damages the skull, TBI can also occur when the skull is left entirely intact.

What Are the Symptoms of a TBI?

If a person has sustained impact or other trauma to the head, care should be taken to watch for the warning signs of TBI. Care should always be taken to determine if there was a loss of consciousness and, if so, for how long the period of unconsciousness lasted. Other signs include persistent headaches, lightheadedness, repeated vomiting or nausea, convulsions or seizures, inability to awaken from sleep, fatigue or lethargy, and changes in sleep patterns, slurred speech, numbness, loss of coordination, dizziness and difficulty balancing, pupil dilation or blurred vision, increased agitation, ringing in the ears, behavioral or mood changes, confusion, and trouble with memory, concentration, attention, or thinking.

Moderate TBI symptoms can include the aforementioned ones, plus headaches that do not go away, aphasia (word-finding difficulties), dysarthria (muscle weakness that causes disordered speech), and weakness or numbness in the limbs. Long-term symptoms of moderate to severe TBI can include changes in appropriate social behavior, deficits in social judgment, and cognitive changes, especially problems with sustained attention, processing speed, and executive functioning.

Severe TBI can, again, include those symptoms listed above, but may also include unequal pupil size, a decreasing level of consciousness, paralysis or weakness on one side of the body, and a blown pupil, which is one that fails to constrict in response to light or is slow to do so. A slow heart rate with high blood pressure and respiratory depression is a classic sign of elevated intracranial pressure, a condition that can both indicate that significant TBI has taken place and may be causing additional damage. A person that has suffered severe TBI may also involuntarily draw in or extend their arms and/or legs.

What If the TBI Victim Is A Child?

It is also essential to remember that young children may not be able to communicate the extent of their injury. Signs such as persistent crying, the inability to be consoled, listlessness, refusal to nurse or eat, and irritability are warning signs that TBI may have occurred.

How Soon Should a TBI Receive Treatment?

The immediacy of treatment is of great importance with TBI. The first hour following such an injury is known as the "golden hour." Identification and treatment of an injury during this hour can result in greatly diminished damage. Physicians have a variety of diagnostic tools to identify TBI. These range from observation of the victim to the use of imaging techniques, such as X-Ray, CAT Scan and MRI, to the study of brain function through the use of an EEG. If treatment is required, that treatment can include surgery, medication, physical therapy, speech therapy, and occupational therapy to stabilize and heal, to the extent possible, the injury.

What Are Other Dangers of a TBI?

A person who suffers TBI is at risk of developing a variety of symptoms. These symptoms may include: post-traumatic seizures, tremor, uncoordinated muscle movement, convulsions, epilepsy and Parkinson's disease epilepsy. TBI victims have reported losing or experiencing altered vision, hearing, or sense of smell. Impaired attention; disrupted insight, judgment, and thought; reduced processing speed; distractibility; and deficits in executive functions such as abstract reasoning, planning, problem-solving, and multitasking. Memory loss is the most common cognitive impairment among head-injured people. People who have suffered TBI may also have difficulty with understanding or producing spoken or written language, or with more subtle aspects of communication such as body language. Post-concussion syndrome, a set of lasting symptoms experienced after mild TBI, can include physical, cognitive, emotional and behavioral problems such as headaches, dizziness, difficulty concentrating, and depression.

TBI may cause emotional or behavioral problems and changes in personality. These may include emotional instability, depression, anxiety, hypomania, mania, apathy, irritability, and anger. TBI appears to predispose a person to psychiatric disorders including obsessive compulsive disorder, alcohol or substance abuse or dependence, dysthymia, clinical depression, bipolar disorder, phobias, panic disorder, and schizophrenia. Behavioral symptoms that can follow TBI include disinhibition, inability to control anger, impulsiveness, lack of initiative, inappropriate sexual activity, and changes in personality.

Living with a traumatic brain injury greatly impacts the injured victim and puts a huge strain on families and caregivers. The victim will feel helpless and depressed. Medical bills become a constant burden. Every day is a challenge. Mostly, families are busy coping with the daily grind that they forget about seeking legal help.

Are There Time Limits for Filing a Lawsuit For a Traumatic Brain Injury?

There are time limits for filing a traumatic brain injury suit. Immediate action after a TBI is always well advised. A jury verdict or settlement can cover mounting medical bills resulting from screening, diagnosis, tests, treatments and rehabilitation. Compensation may also include illness, pain and suffering you have experienced as well as the mental anguish and grief suffered by you and your family. Compensation may include payment to caregivers and financial security for your family if the breadwinner has lost the ability to earn an income.

Family members of the victim of traumatic brain injury may be eligible to file a claim as well. **Most Traumatic Brain Injury lawyers work on a contingency-fee basis. If you don't win your traumatic brain injury lawsuit, the law firm does not get paid.**

How Do I Choose a Lawyer to Handle My TBI Case?

Before hiring an attorney to represent you in a TBI case, ask them for the following information:

- The law firm's experience handling and winning medical malpractice, personal injury, and traumatic brain injury cases
- The cost of a traumatic brain injury lawsuit
- The time line for a case

What your attorney will need to know:

- If you signed any contracts with other law firms
- If you've been diagnosed with TBI and, if so, the doctor's name, address, phone number
- Medical records, if available

Traumatic Brain Injury can be devastating to both the sufferer and his or her family. However, if the TBI receives immediate attention and proper care, further damage may be prevented.