

# Pending malpractice litigation may bias parents' reports

April 4 2014

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(HealthDay)—Following neonatal brachial plexus palsy, medical malpractice litigation is associated with worse parent reports of their child's function and pain, according to a study published in the March 5 issue of *The Journal of Bone & Joint Surgery*.

Emily A. Eismann, from the Cincinnati Children's Hospital Medical Center, and colleagues identified 334 patients (aged 2 to 18 years) with neonatal brachial plexus palsy. Parent or patient-reported outcomes, as measured by the Pediatric Outcomes Data Collection Instrument, were compared for families with and without [medical malpractice](#) litigation.

The researchers found that 22 percent of the patients were plaintiffs in medical malpractice lawsuits. Compared with the non-litigation cohort, in the litigation cohort, [parents](#) reported their children to have worse

mobility ( $P = 0.04$ ), sports or physical function ( $P = 0.003$ ), and global function ( $P = 0.02$ ). After adjustment for patient age and injury severity, compared with children of parents in closed lawsuits, parents in active lawsuits reported their children to have greater pain ( $P = 0.046$ ). A significant difference was seen in outcome scores simultaneously obtained from patients and parents in the litigation cohort, with parents reporting worse upper-extremity function ( $P = 0.03$ ) and global function ( $P = 0.008$ ) than their children.

"Litigation status should be considered a confounding variable in the use of parent-reported outcomes in neonatal brachial plexus palsy research," the authors write.

One or more authors disclosed financial ties to an entity in the biomedical arena.

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Citation: Pending malpractice litigation may bias parents' reports (2014, April 4) retrieved 6 May 2024 from <https://medicalxpress.com/news/2014-04-pending-malpractice-litigation-bias-parents.html>

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