



Misdiagnosis Attorney Los Angeles and Medical Malpractice Law: Failure to Diagnose Claims

Misdiagnosis Attorney Los Angeles and Medical Malpractice Law: 10 Facts About Failure to Diagnose Cancer, Heart Conditions, and Compensation

Every year, thousands of patients in Los Angeles suffer preventable harm because a medical professional failed to diagnose a serious condition. A misdiagnosis attorney Los Angeles families depend on can help you fight back when a doctor's mistake changes your life. Whether the missed diagnosis involves cancer, a heart condition, or another life-threatening illness, the Eisenberg Law Group PC and the law offices of Michael Oran Eisenberg are here to help. This article explains how medical malpractice law works, what you must prove, and how to recover compensation for the harm caused by a failure to diagnose.

What Is a Misdiagnosis Attorney in Los Angeles and How Does Medical Malpractice Law Apply?

A misdiagnosis attorney in Los Angeles is a legal professional who represents patients harmed when a health care provider fails to recognize a medical condition. As a medical malpractice lawyer, this attorney helps clients pursue justice and compensation after a doctor's error leads to a delayed diagnosis, a wrong diagnosis, or no diagnosis at all.

Medical malpractice [eisenberg law group pc Eisenberg Law Group PC](#) law in California is designed to hold health care providers accountable when their care falls below the accepted standard of medical care. Misdiagnosis is one of the most common forms of medical malpractice. A lawyer who handles these cases must understand complex medical records, work with medical experts, and prove that a medical professional deviated from the standard of care.

In a misdiagnosis case, the patient must show that the doctor had a duty to provide care, that the doctor breached the standard of medical care, and that the breach caused harm. Medical professionals owe their patients a duty to provide competent and thorough care. Without an experienced lawyer, insurance companies will try to deny the claim or offer a low settlement. The law protects patients who suffer because their doctor failed to perform the proper tests or read the results correctly.

Michael Oran and the Eisenberg Law Group PC: Trial Lawyers in Southern California

The law offices of Michael Oran Eisenberg, commonly known as the Eisenberg Law Group PC, represent clients throughout Los Angeles, San Diego, and Southern California. The offices of Michael Oran bring decades of experience to misdiagnosis and medical malpractice litigation. Mr. Oran leads a team that includes James Bostwick and James Fagel, two trial lawyers known for taking difficult cases to court.

This is the top legal team for patients who need answers. We understand the difference between a simple error and true medical malpractice, and we are committed to holding medical professionals responsible. From our professional suite in Los Angeles, CA, we serve clients who were sent home from emergency rooms and doctors' offices with missed diagnoses. If you or a loved one is a patient who has been misdiagnosed, the lawyers in our office can evaluate your case for free.

The Eisenberg Law Group PC believes that every patient deserves the best possible medical care and that doctors must be held to the standards of their profession. We are among the most trusted lawyers in Los Angeles for medical malpractice and misdiagnosis claims. Our legal team has the resources, knowledge, and dedication to stand up to large hospitals and insurance companies.

The Devastating Impact of Failure to Diagnose: Cancer, Heart Attacks, and Serious Medical Conditions

A failure to diagnose cancer or a heart condition can change everything. When a doctor misses the early warning signs, the disease progresses while the patient loses valuable time. The consequences of a failure to diagnose can arise in many medical settings. A patient with breast cancer may not receive a biopsy. A patient with chest pain may be sent home without an EKG or blood test. These are serious medical conditions that require immediate action.

Common conditions involved in misdiagnosis claims include:

- Cancer, including lung, breast, colon, and prostate cancer
- Heart attack and other cardiovascular conditions
- Stroke
- Sepsis and serious infections
- Appendicitis
- Aortic aneurysm and dissection

According to the National Academies of Sciences, Engineering, and Medicine, diagnostic errors are a major public health problem. The 2015 report [Improving Diagnosis in Health Care](#) noted that most people will experience at least one diagnostic error in their lifetime. These errors can lead to death when a serious medical condition is misdiagnosed.

When a failure to diagnose allows a treatable condition to become a fatal one, the patient may face severe emotional and financial hardship. The law allows patients to pursue a claim for the harm caused by this delay, including the cost of additional treatment and the loss of a chance at a full recovery.

How Misdiagnosis Cases Arise: Sent Home Without Proper Tests, Only to Get Worse

Misdiagnosis cases can arise when a patient walks into an emergency room or clinic with warning signs and walks out without answers. Did the doctor order the right tests? Did the doctor read the imaging correctly? Did the doctor understand your symptoms? All too often, the answer is no, and the patient is sent home with pain medication and told to rest.

A patient who is sent home with a growing tumor or a blocked artery may suffer catastrophic harm. The delay can turn a curable cancer into a terminal one, or a minor heart issue into a fatal heart attack. A patient who is sent home without a diagnosis may face a long delay, or worse, a fatal outcome.

These cases involving diagnostic error demonstrate why the law allows patients to seek compensation. When a provider's failure to diagnose leads to a worse outcome, the provider should be responsible. A case may arise from a doctor who dismissed a patient's symptoms, a radiologist who misread a scan, or a laboratory that lost test results. In each situation, the patient suffers because the proper tests were never performed or were interpreted incorrectly.

The key question in any misdiagnosis case is whether the doctor acted reasonably in light of the patient's reported symptoms. If a reasonable doctor would have ordered additional tests or referred the patient to a specialist, and the treating doctor did not, the doctor may be liable for the resulting harm.

What Is the Standard of Medical Care in California and Did the Doctor Breach It?

The standard of medical care in California is the level of care that a reasonably careful medical professional with similar training would provide under the same circumstances. Patients often wonder whether the doctor made an honest mistake or committed malpractice. The law does not require perfection, but it does require competence.

To win a misdiagnosis claim, your lawyer must show whether the doctor's actions fell below the standard of medical care. For example, a doctor who ignores a family history of colon cancer and fails to order a colonoscopy may have breached the standard. A doctor who sends home a patient with persistent chest pain without cardiac tests may also have breached the standard.

In California, medical malpractice cases must be supported by expert testimony. A qualified physician must testify that the doctor's care was improper and that the failure to diagnose caused the patient's injuries. The question of whether a provider met or breached the standard of care is almost always the central issue in these cases.

The standard of medical care is not based on what the best doctor in the country would do. It is based on what a competent doctor practicing in the same or similar circumstances would do. This is why the experience of the legal team is so important. Your lawyer must know how to present complex medical evidence and work with expert witnesses to establish the appropriate standard.

Compensation for Misdiagnosis Claims: What Damages Can a Misdiagnosed Patient Recover?

Compensation for misdiagnosis claims can cover a wide range of losses. A misdiagnosed patient may recover damages for medical expenses, future medical care, lost wages, loss of earning capacity, and pain and suffering. In cases involving wrongful death, the family may seek compensation for funeral costs and the loss of companionship.

The goal of these claims is to provide the financial resources needed to manage the consequences of a delayed diagnosis. If a patient now needs surgery, chemotherapy, or long-term disability care, the responsible provider should pay. The recovery may also include the cost of treatment that would have been unnecessary if the diagnosis had been made earlier.

An experienced attorney can map out a legal strategy that maximizes your recovery. At the Eisenberg Law Group PC, we have seen the results that aggressive advocacy can achieve. We know how insurance companies value these claims, and we are not afraid to take a case to trial. The compensation you receive can make a significant difference in your quality of life and your ability to access the health care you need.

Damages in a misdiagnosis case are not limited to physical harm. Patients may also recover for mental anguish, anxiety, and the loss of the opportunity to pursue a normal life. Families who lose a loved one due to a missed diagnosis may pursue a wrongful death claim to hold the provider accountable and secure financial stability for their future.

Why These Cases Require Experienced Trial Lawyers and the Top Legal Team

These cases require trial lawyers who can match the resources of hospitals and insurance companies. Misdiagnosis defendants hire their own legal teams to minimize the compensation they owe. The law offices of Michael Oran Eisenberg have the experience to stand up to them.

The top trial lawyers understand medical terminology, consult with leading doctors, and know how to present complex evidence to a jury. James Bostwick and James Fagel have spent years fighting for patients in Los Angeles. This is the kind of legal help that makes a difference in the outcome of your case.

Patients should not attempt to handle these claims alone. If you have been harmed by a misdiagnosis, the lawyers in our firm are here to help. We have the experience, resources, and willingness to take on the most powerful medical institutions in California. Whether your case involves a missed cancer diagnosis or a delayed heart attack diagnosis, you need the top legal team on your side.

A trial, rather than a settlement, may be necessary when the insurance company refuses to offer fair compensation. Our team is prepared to litigate your case before a jury and fight for every dollar you deserve. We know that the outcome of your case can impact your family for years, and we treat that responsibility with the seriousness it demands.

The Difference Between Proper Diagnosis and Misdiagnosis: How Proper Treatment Affects Outcomes

The difference between a proper diagnosis and a misdiagnosis can be the difference between life and death. A proper diagnosis gives the patient a chance to receive the right treatment before the condition becomes worse. When a diagnosis is delayed or wrong, medical conditions progress, and the patient's health declines.

Early treatment is the key to surviving many serious medical conditions. A patient with an infection needs antibiotics. A patient with cancer needs surgery or chemotherapy. A patient with heart disease needs cardiac care. When the medical care is correct and timely, the patient has the best chance of recovery. When the diagnosis fails, the patient may be sent home with no treatment at all.

Understanding this difference is essential for any patient considering legal action. The law looks at whether the doctor's mistake changed the patient's condition for the worse. If a proper diagnosis would have led to successful treatment, and the doctor's failure to diagnose destroyed that chance, the provider should be held accountable.

This is why a misdiagnosis can be so devastating. The harm is not only the immediate illness, but the lost opportunity to treat that illness before it spreads. A proper diagnosis may have allowed a patient to avoid invasive surgery, aggressive chemotherapy, or permanent disability. The law recognizes this loss and allows patients to recover for the diminished chance of a good outcome.

How the Eisenberg Law Group PC Can Help: Free Consultation and Experienced Legal Team

The Eisenberg Law Group PC offers a free and confidential consultation to misdiagnosed patients and their families throughout Los Angeles. We are here to help you understand your rights and determine whether you have a valid medical malpractice claim.

Our team, led by Michael Oran, along with trial lawyers James Bostwick and James Fagel, has the experience to handle even the most complex cases. We will review your medical records, consult with medical experts, and map out a plan for your recovery. You do not need to pay any money upfront, because our attorneys work on a contingency basis. That means you owe nothing unless we recover compensation for you.

From our professional suite in Los Angeles, CA, we serve clients in every part of Southern California. Whether your case involves a failure to diagnose cancer, a heart attack, or another serious medical condition, we are ready to fight for the results you deserve. Contact the law offices of Michael Oran Eisenberg today and take the first step toward justice.

When you choose our firm, you are not just hiring a lawyer. You are hiring a team of dedicated legal professionals who understand the physical, financial, and emotional toll of a misdiagnosis. We are proud to represent patients and families who have been failed by the health care system, and we are committed to helping them rebuild their lives.

Frequently Asked Questions About Misdiagnosis Attorneys in Los Angeles

What is the most common type of misdiagnosis case in Los Angeles?

Cancer misdiagnosis is among the most common and most devastating cases. When doctors miss the early signs of cancer, the disease can spread and become harder to treat. Heart attack and stroke misdiagnosis are also common, especially in emergency room settings. These cases require a detailed review of medical records and expert testimony to prove that a proper diagnosis should have been made.

How long do I have to file a medical malpractice lawsuit in California?

In California, the statute of limitations for medical malpractice is generally one year from the date you discovered the injury, or three years from the date of the injury, whichever comes first. There are exceptions for cases involving foreign objects, fraud, and minors, so you should speak with a lawyer as soon as possible to protect your rights.

Can a misdiagnosis attorney help if the patient died from a missed diagnosis?

Yes. Families can pursue a wrongful death claim when a medical professional's failure to diagnose causes a patient's death. The family may recover compensation for medical expenses, funeral costs, lost income, and loss of companionship. This type of claim can also hold the responsible provider accountable and prevent similar mistakes from happening to other patients.

Does a bad outcome automatically mean medical malpractice?

No. A poor result does not automatically mean the doctor was negligent. The law requires proof that the doctor's care fell below the standard of medical care and that the breach caused the harm. A medical professional can provide appropriate care and still have a patient suffer complications. Your attorney must establish that the doctor's actions were unreasonable under the circumstances.

Can I recover compensation if my symptoms were unusual and the doctor was not sure what was wrong?

Yes, in some cases. The standard is not what the doctor knew, but whether the doctor acted reasonably based on the patient's symptoms. If a doctor should have ordered more tests or referred the patient to a specialist and failed to do so, the doctor may be responsible. The case may hinge on what a competent doctor would have done with the same information.

Misdiagnosis can destroy lives, but you do not have to face the consequences alone. A misdiagnosis attorney in Los Angeles, with the support of the Eisenberg Law Group PC, can help you pursue the compensation you deserve. Call today for a free consultation and let our experience guide your recovery.

Company: Eisenberg Law Group PC

Address: 811 Wilshire Blvd #1720, Los Angeles, CA 90017

Phone: (213) 616-5353