

Exhibit I

Kane Legal Medication Error Handbook

Volume No. 1



David Kane, R.Ph., J.D.
Professor of Pharmacy Law, Rutgers University

Table of Contents

Section 1 – Introduction.....	2
Section 2 – Types of Drug Errors.....	3
A. Wrong Drug Dispensed	3
B. Wrong Directions Given	3
C. Wrong Dose/Strength Given.....	4
D. Undetected Drug Allergies.....	5
E. Undetected Drug Interactions	6
F. Contraindications.....	6
Section 3 – Practice Settings and Professionals.....	6
A. Pharmacies.....	7
B. Doctor’s Offices.....	7
C. Hospitals.....	7
D. Nursing Homes.....	8

Section 1 – Introduction

At Kane Legal, we represent the victims of medication error. Our practice group handles medication error, pharmacy malpractice and bad or defective medicine cases resulting from the negligence of a pharmacy, doctor, nursing home or hospital. At Kane Legal, we know that the side effects associated with most medication errors and prescription errors are devastating, and even life-threatening. We greatly sympathize with people who have sustained serious injuries as a result of a medication mistake on the part of a doctor, hospital or pharmacy, as we know that these types of injuries can be extremely adverse and permanent.

Drug errors are becoming increasingly prevalent in our country. The Institute of Medicine reports that drug errors are among the most common medical errors each year, harming more than 1.5 million victims annually. Consequently, victims incur an additional \$3.5 billion in medical expenditures each year, *before* accounting for victims' lost wages and productivity. Do not allow yourself or a loved one to become an uncompensated victim of a drug error.

When deciding on the right law firm to hire, location should not be your primary concern. Instead, you should focus on the experience and expertise the law firm has in handling matters similar to yours. Hiring Kane Legal for your case, no matter where you are located, makes sense. This is because of our attorneys' vast expertise and dual medical and legal backgrounds. At Kane Legal, we have handled medication error cases, prescription drug error cases, pharmacy malpractice cases, drug injury cases, and other types of personal injury cases. Regardless of whether damages were caused by a pharmacy, hospital, or doctor, our law firm can help, nationwide; if you or a loved one believes you may have been the victim of a drug error, contact us today for a free consultation.

Our highly specialized attorneys have extensive backgrounds in medicine and pharmacy, and unparalleled expertise in the pharmaceutical and medical sectors of law. Drug errors and prescription errors come in many different forms and can involve either a doctor, pharmacy, hospital, or a combination. Regardless of who the damages were caused by, our law firm can help. The Pharmaceutical Negligence Practice Group utilizes legal experts in pharmaceutical and medical law to represent victims of every kind of drug error, in any type of setting.

Claims against these entities are complicated and specialized in nature. This makes it imperative that a specialized attorney is hired to tackle these complex pharmaceutical and legal issues. Claims accepted by the Pharmaceutical Negligence Practice Group are handled by expert attorneys with accomplished backgrounds in pharmacy and medicine – one of the firm's attorneys is also a physician, and another is also a pharmacist. Our attorneys have years of expertise delivering results in the sectors of pharmaceutical and medical law.

Section 2 – Types of Drug Errors

Common Drug Errors Include:

- Wrong Drug Dispensed
- Wrong Directions Given
- Wrong Dose/Strength Given
- Undetected Drug Allergies
- Undetected Drug Interactions
- Contraindications

Reasons Drug Errors Occur:

- Pressure placed on pharmacists by large corporate pharmacy chains to increase profits. The pressure can occur in many different ways including:
 - corporate policies that emphasize speed in filling prescriptions
 - pushing the work down to lower paid and less educated pharmacy assistants
 - budgets that do not allow for enough employees to handle the high volume
- Incomplete patient information or medical history
- Failure to recognize and indicate patient allergies
- Multiple medications per patient – high prescription drug utilization

A. Wrong Drug Dispensed

Providing the incorrect drug is one of the worst mistakes a culpable party can make. A study of 500 pharmacists conducted by The Pharmacists Mutual Insurance Company showed that 52% of errors were a result of the wrong drug being dispensed. The wrong medicine may cause any of numerous side effects, leading to serious injury or even death. After a patient receives a prescription from a doctor, he/she will take the prescription to his/her pharmacy to have the prescription filled with the expectation of receiving the medication that is listed on the prescription. Sadly though, many people leave their pharmacies with the wrong drug in hand. All too often, people receive the wrong prescriptions from their doctors. This often occurs when the doctor does not write the prescription clearly or when pharmacies or pharmacists do not exercise enough caution when filling a prescription. When this happens, the only person that suffers is the person taking the medication. And, when a person takes the wrong drug, the end result can be lethal.

Prescription errors on the part of a doctor or pharmacy, such as receiving the wrong drug, can have catastrophic effects. People who consume the wrong drug are at great risk for serious internal injuries, permanent, adverse side effects, and even wrongful death. For this reason, doctors, pharmacies and pharmacists should always exercise great care when writing or filling prescriptions and administering a drug to a consumer.

B. Wrong Directions Given

When a person goes to the pharmacy to have his or her prescription filled, the pharmacist will usually generate a label that details directions. The pharmacist will also review the directions with the person and explain how much of the medication the patient should take and how often the person should take the medication. Most people trust their pharmacists, and will follow the directions they are provided

with, which can lead to great danger if the pharmacist happens to be wrong. Sometimes the wrong directions are given because the doctor wrote the wrong information on the prescription or the doctor's handwriting is sloppy. Other times the directions are incorrect because the pharmacy was negligent.

Every year, numerous people are injured from receiving and following wrong directions that were provided by their pharmacists, doctors, hospitals, and hospital nurses. A study of 500 pharmacists conducted by The Pharmacists Mutual Insurance Company showed that 7.4% of errors were due to the wrong directions being given to patients. People have suffered catastrophic injuries, permanent disabilities, and have even died from receiving incorrect directions.

This is why pharmacists, doctors, hospitals, and nursing homes are expected to exercise great caution when prescribing, administering and filling prescriptions. If a pharmacist, pharmacy, doctor or nurse are involved in giving a patient the incorrect directions, and the person consuming the prescription is injured, the health care provider responsible can be held liable for the person's injuries when they have acted negligently.

C. Wrong Dose/Strength Given

When a person goes to the pharmacy to have his/her prescription filled, the pharmacist will usually provide dosage instructions via a label that is generated. The pharmacist will also review the dosage instructions with the person and explain how much of the medication the patient should take and how often the person should take the medication. Most people trust their pharmacists, and will follow the dosage instructions they are provided with, which can lead to great danger if the pharmacist happens to be wrong. Sometimes the wrong strength of a medication is given because the doctor wrote the wrong strength on the prescription, or because the doctor's handwriting is sloppy. Other times the error in dose occurs because the pharmacy was negligent. A study of 500 pharmacists conducted by The Pharmacists Mutual Insurance Company showed that 27% of errors resulted from the wrong strength of medication being dispensed.

When a person is in the hospital he/she similarly does not expect to receive the incorrect dosage of medication from a doctor. Unfortunately, hospitals, doctors and hospital nurses can make the same incorrect dosage mistakes.

Every year, numerous people are injured from receiving the wrong dose of a medicine that was provided by their pharmacists, doctors, hospitals, and nursing homes. People have suffered catastrophic injuries, permanent disabilities, and have even died from receiving the incorrect dose of a medication.

This is why pharmacists, doctors, hospitals, and nursing homes are expected to exercise great caution when prescribing, administering and filling prescriptions. If a pharmacist, pharmacy, doctor or nurse are involved in giving a patient the incorrect dosage, and the person consuming the prescription is injured, the health care provider responsible can be held liable for the person's injuries when they have acted negligently.

D. Undetected Drug Allergies

When doctors prescribe new drugs to their patients, they usually ask the patient what drugs he or she is currently taking and what known drug allergies the patient has. They may also test their patients for additional allergies, as some patients may have adverse reactions to some drugs.

Unfortunately, some doctors fail to do ask their patients about other drugs and drug allergies and do not test their patients. When this happens, the patient may suffer serious injury or even death.

Drug allergies may be caused by a number of different factors, usually pertaining to the individual experiencing the allergy. Two of the more common causes are incorrect immune response or undesired chemical reactions within the body.

When you take a drug, your immune system may not know how to react to it, especially in the case of antibiotics. As a result, your immune system may actually attack your body in the form of allergic reactions.

Sometimes your body responds to a drug in an undesired manner. For instance, a drug may cause the body to produce a certain chemical in most people, but it may cause the body to produce a different chemical in a small handful of people. This may also manifest itself as an allergic reaction.

Drug allergies are usually easy to spot, as most individuals present with physical allergic reactions. Some of the most common symptoms of drug allergies include but are not limited to:

- Skin breakouts, like hives and rash
- Swelling
- Rapid heartbeat
- Pain and fatigue

If you experience any of these symptoms after taking a new drug, you should consult your physician immediately for medical advice. Keep in mind that some drug allergies may take days, weeks, or even months to manifest. If you experience any of these symptoms and you are on any type of medication, you should still contact a physician to learn more about your situation.

While doctors' negligence may cause you to experience a drug allergy, it may be the fault of the drug's manufacturer. Before marketing a new drug, pharmaceutical companies are required to perform substantial drug testing. If they fail to do this and you are injured as a result, you may be entitled to financial compensation. Additionally, pharmacists' negligence can also lead to a drug allergy, if the pharmacist does not properly screen you for a drug allergy, or ask the right questions.

Drug allergies may cause you serious harm, in which case you should hold the responsible party, be it the prescribing physician, the hospital, the pharmacist, or the pharmaceutical company, accountable. To learn if you have the basis for a drug injury case, please contact the Pharmaceutical Negligence Practice Group.

E. Undetected Drug Interactions

Pharmacies have drug utilization edits (DUR edits) at the point of sale that should alert pharmacists to dangerous drug interactions when people are on multiple medications. Additionally, a pharmacist should check each script to ensure it is accurate, including the right dose and prescribed dosing regimen. When pharmacists fail to warn of dangerous drug interactions or dispense the wrong dose, they can be held liable for injuries and fatalities that occur as a result.

Doctors, hospitals, and nursing homes also have systems in place to verify that drug interactions do not occur when a patient is on multiple medications. When these entities fail to use these systems, or even worse, when these entities neglect to take action regarding an identified drug interaction, they can also be held liable for injuries and fatalities that result.

At the Pharmaceutical Negligence Practice Group, we will hold the negligent parties accountable for injuries they cause to our clients. We have years of experience delivering results in these matters. Contact us today for a free review of your case.

F. Contraindications

A contraindication to a medication is any one of several reasons; including a pre-existing medical condition or use of another interacting medication that prohibits the use of a specific drug. Contraindications are universally accepted, and can be recognized by both the United States Food and Drug Administration (FDA), in addition to the manufacturer of the particular drug to which the contraindication applies. Contraindications are strict rules that dictate when a medication should not be used in a particular patient.

It is the responsibility of doctors and pharmacists to verify that no contraindications exist in a patient when a particular drug is prescribed to them. When these medical professionals neglect to adhere to this responsibility, it can result in grave consequences to patients, causing severe harm or even death.

Failure to account for contraindications can result in liability by doctors, pharmacists, hospitals, and nursing homes. At the Pharmaceutical Negligence Practice Group, we will hold the negligent parties accountable for injuries they cause to our clients. We have years of experience delivering results in these matters. If you believe you or a loved one has been the victim of negligence by a health professional in failing to account for a contraindication to a drug, please contact us today for a free consultation.

Section 3 – Practice Settings and Professionals

Drug errors can occur in a multitude of settings and can be caused a number of different types of healthcare professionals. The settings in which drug errors can occur include but are not limited to:

- Pharmacies
- Nursing homes or other Long Term Care facilities
- Hospitals
- Physician's offices
- Combinations of these settings

The healthcare professionals that can cause drug errors include but are not limited to:

- Pharmacists
- Doctors
- Nurses
- Physician's Assistants

A. Pharmacies

Pharmacy negligence or pharmacy malpractice occurs when a pharmacist or pharmacy assistant does not act as a reasonably prudent pharmacist or pharmacy assistant would act under the same or similar circumstances. It can occur simply because the person filling a prescription is not paying attention. However, more and more cases of pharmacy malpractice are occurring because of the pressure placed on pharmacists by large corporate pharmacy chains to increase profits. The pressure can occur in many different ways including corporate policies that emphasize speed in filling prescriptions; pushing the work down to lower paid and less educated pharmacy assistants; and budgets that do not allow for enough employees to handle the high volume.

B. Doctor's Offices

When you are ill, you trust doctors and pharmacists to prescribe and administer the appropriate medications to restore your good health. This is why you visit doctor's offices. However, if doctors act negligently, not only might your good health not be restored, but your health may be harmed.

If doctors commit any of the many types of drug errors, such as prescribing the wrong drug, dose, or directions; writing a prescription illegibly so that the pharmacy contributes to a drug error; or providing a free sample of the wrong drug; you or a loved one may suffer.

C. Hospitals

Hospital drug errors can occur for many different reasons. Like drug stores, hospitals have on site pharmacies for their patients. These hospital pharmacies can suffer from the same profit pressures that afflict drug store pharmacies. These pressures can include understaffing; corporate policies that emphasize speed in filling prescriptions; pushing the work down to lower paid and less educated pharmacy assistants; and budgets that do not allow for enough employees to handle the high volume. These pressures can lead to any of the many types of drug errors.

In addition to drug errors caused by hospital pharmacies, other drug errors can occur because nursing staffs on the floor make medication mistakes such as incorrectly interpreting physician handwriting, confusing similar looking drugs, confusing drugs with similar sounding names, confusing drugs with similar packaging, and/or adding the wrong dose of drug to an IV bag.

D. Nursing Homes

In prosecuting nursing home neglect cases, our goal is to make a difference for the elderly residents in our community, thereby creating an environment where substandard care will not be tolerated. We have won many cases on behalf of our clients involving nursing home drug errors.

Nursing homes and other assisted living facilities often either contract with an outside pharmacy, or sometimes have an in-house pharmacy on site. Regardless of the pharmacy with which they work, nursing homes are responsible for ensuring the safety of all its residents with regard to utilization of medications. Any of the many types of drug errors may occur in a nursing home, as a result of negligence on the part of a pharmacist, doctor, or nurse.