



Oncology Prelitigation Review

Flat fee: \$1500

Dr Vijay Kini, MD. Radiation Oncologist.

Cancer diagnoses and treatments can be nuanced and fraught with high stakes. Dr Kini provides a critical service in evaluating the merits of potential legal claims relating to cancer care, ensuring that both the medical and legal standards are appropriately considered before a case proceeds to litigation.

What is a Oncology Prelitigation Medical Expert? Dr Kini is a seasoned Radiation Oncologist with over 25 years of experience.

He has extensive knowledge and experience in all aspects of oncology. He is routinely engaged by legal teams, insurance companies and healthcare organizations in the early stages of a legal dispute. Given the complexity of cancer care, which often involves rapidly evolving therapies, multiple specialties, and intricate decision-making, prelitigation experts must possess in-depth clinical expertise as well as an understanding of prevailing medical guidelines and standards of care. Dr Kini assesses whether the care provided met accepted standards and whether there is a basis for a medical malpractice claim or defense.

Primary Responsibilities

- **Case Review and Analysis:** Dr Kini meticulously examines medical records, pathology reports, imaging studies, physician notes, and treatment protocols. He looks for deviations from accepted oncology practices, potential errors in diagnosis or treatment, or lapses in patient monitoring and follow-up.
- **Determining Standard of Care:** One of the most crucial aspects of the oncology prelitigation expert's role is to define and evaluate the applicable standard of care. This involves comparing the actions of the involved clinicians to what a reasonably prudent oncologist would have done under similar circumstances at the relevant time.
- **Causation Assessment:** Dr Kini determines whether any alleged breach of the standard of care directly resulted in harm to the patient. In oncology, establishing causation can be particularly challenging due to the unpredictable nature of cancer progression and the many variables affecting outcomes.

The Process of Prelitigation Review

Dr Kini's process for an oncology prelitigation review involves the following key steps:

1. Initial Case Assessment

Upon engagement, Dr Kini receives all relevant documentation in any form requested by the legal team. Electronic documents transmitted via Dropbox or mailed Flash drives/CDs are preferred. This may include medical records, clinical, pathology and radiology reports, lab results, physician correspondence, and patient histories. If necessary, images of radiology studies can be reviewed at a small additional fee. Dr Kini identifies key events, timelines, and potential issues that could indicate a departure from the standard of care.

2. Research and Reference to Guidelines

Dr Kini is up to date with current oncology guidelines from reputable sources such as the National Comprehensive Cancer Network (NCCN), American Society of Clinical Oncology (ASCO), American Society of Radiation Oncology (ASTRO) and peer-reviewed literature. He uses this information as a benchmark for evaluating the appropriateness of the care in question.

3. Objective Analysis

Dr Kini functions as a neutral evaluator, providing unbiased opinions based on medical evidence. He does not advocate for either party but ensures that the facts are accurately represented and interpreted in light of current medical standards.

4. Communication of Findings

Findings are communicated verbally through a phone call, sometimes accompanied by in-person or virtual meetings with legal counsel. Dr Kini provides clarity, precision, and the ability to translate complex medical concepts into understandable language in these communications. A brief report can be prepared at an additional cost if requested.

5. Recommendations for Next Steps

Based on the analysis, Dr Kini may recommend whether pursuing further legal action is justified. Alternatively, he may identify areas where additional medical records or expert input are needed.

Common Scenarios Requiring an Oncology Prelitigation Expert

- Delayed Diagnosis: Allegations that a cancer diagnosis was missed or delayed, potentially affecting prognosis and treatment options.
- Staging Workup: Were appropriate lab and radiology tests ordered to accurately determine the aggressiveness and extent of the cancer.
- Referrals: Was the patient referred to the appropriate specialists to determine if they needed additional pre or post treatment evaluation and to be counseled about available treatment modalities.
- Treatment Errors: Concerns regarding the administration of chemotherapy, radiation, surgery, or other modalities, including dosage mistakes or failure to follow accepted protocols.
- Informed Consent Issues: Disputes over whether patients were adequately informed about the risks, benefits, and alternatives to proposed treatments.
- Complications and Adverse Events: Questions about whether complications such as infections, bleeding, or organ toxicity were preventable or properly managed.
- End-of-Life Care: Review of palliative care decisions and whether patient preferences and best practices were honored.

The Value of Prelitigation Medical Expertise

Dr Kini serves as a gatekeeper, filtering out non-meritorious claims before they consume unnecessary resources. **This small investment of \$1500** to get Dr Kini's prelitigation opinion can spare both plaintiffs and defendants from the emotional and financial toll of protracted litigation when claims lack substantive medical grounding.

Learn more about Dr Kini's work at CancerExpertWitness.com