



Encephalitis and medical negligence claim

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Date: Monday February 10, 2020

If you or a family member have suffered an injury or illness which you believe has been caused through the negligence of a medical practitioner, hospital or any other health provider, you may have a medical negligence claim for compensation (also referred to as medical malpractice). In this article, we look at what may lead to a medical negligence claim for sufferers of encephalitis.

What is encephalitis?

Encephalitis is an inflammation of the brain.

There are several causes but the most common is a viral infection. It can affect anyone; it is not age-related and therefore, children can suffer from the condition and the consequences of the condition can be devastating for both the sufferer and the family.

It is potentially life-threatening and may lead to permanent brain damage or death. Timely diagnosis and treatment are important.

Why might medical negligence occur?

The consequences of encephalitis can have significant impacts on the mental wellbeing of the individual and their family. This illness can affect a person's ability to work and can negatively impact the person's social life and relationships with others.

People suffering this condition may also require ongoing care. The associated costs of managing the consequences may be significant.

If the outcome was made worse as a result of a medical error, then the individual or their family may have a claim for compensation.

If the standard of the treatment received by the individual falls short of that which the medical profession itself would expect; for example, in relation to a failure to diagnose the condition, a failure to carry out appropriate tests (such as imaging study of the brain, [CT scan](#) or [MRI](#) or a lumbar puncture) or a failure to provide appropriate treatment, then it is important to seek legal advice regarding your rights.

Every case is different and it depends on the particular circumstances of the case as to whether a medical error can be established.

Are there time limits?

There are time limits when it comes to making a claim for medical negligence in Queensland. Your entitlement to compensation may be lost if you claim late.

Generally, the time limit is three years from the date of the negligent incident, however, there are many exceptions to this general rule.

Get help from a medical negligence lawyer

It is important to [seek expert advice from a lawyer experienced in medical negligence](#).

Contacting Hall Payne Lawyers

Hall Payne knows that when you are dealing with the consequences of an injury or illness, it is a very challenging time. Financial stress can make the situation overwhelming.

If you would like to discuss your or a family member's circumstances surrounding any potential medical negligence claim (either for encephalitis or any other condition, injury or illness), [please contact HPL for advice](#).

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