

*Stuart A. Carpey, Esquire***THE INFORMATION RESOURCE FOR ACCIDENT VICTIMS IN PENNSYLVANIA**

Reminder: New PA Medical Malpractice Venue Rule Went Into Effect January 1

With the New Year came the end of Pennsylvania's "venue carve-out rule" for medical malpractice cases.

Effective January 1, 2023, Pennsylvania plaintiffs can once again bring their medical malpractice claims in any county in which care occurred, where a defendant could be served, or where any transaction or occurrence giving rise to the claims took place.

The venue carve-out rule, provided by Pa. Rule of Civil Procedure 1006(a.1), stated that a medical malpractice case could only be brought "against a healthcare provider in the county in which the cause of action arose."

The rule was part of 2002's Medical Care Availability and Reduction of Error Act, known as the MCARE Act. The MCARE Act was passed during the wave of late 1990s/early 2000s tort reform brought into the state through well-funded insurance and business interest groups.

The business lobby and defense bar claimed the venue carve-out rule would eliminate frivolous claims and prevent forum shopping. But what it actually did was prevent victims of medical malpractice from being able to file claims in a venue of their choosing based on the general venue rules set forth in Rule 1006(a) that governed non-medical malpractice cases.

Last August, the Pennsylvania Supreme Court approved amendments to Rule 1006 that did away with the rule. Those amendments became effective on January 1, 2023.

With the rule change, we expect defendants to aggressively challenge venue in medical malpractice cases when the venue is not the county where the treatment was given.

If your cases - medical malpractice or otherwise - are facing tough venue fights, we encourage you to reach out to us at Carpey Law. We have decades of experience successfully fending off venue challenges.

WE ARE COMMITTED

To providing exceptional legal services to each and every one of our clients.

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YOU MAY GET FRUSTRATED WITH THE INSURANCE CLAIM PROCESS

The personal injury legal process can be complicated, confusing and take what seems like a very long time to resolve. But there is much work for your legal team at Carpey Law to do throughout the process.

Some injuries can take months if not years to reach maximum physical improvement. And during this time, depending on the extent of the injuries you may see many different doctors, perhaps in different specialties. *It is critical that we do not begin the settlement process of your claim until either you are fully healed or we have a clear understanding of your future medical needs.*

During the various phases of a personal injury claim it is not unusual for people to think or feel:

- That things are not moving fast enough.
- That it is taking a long time for information to be gathered (*such as medical records or medical bills*).
- That it takes a long time to find out what the insurance company or the insurance

company's lawyers want to offer to settle the case.

- Even after the case is settled it can take additional time for all of the bills and liens to be paid.

Remember that your legal team at Carpey Law is working hard for you but the **insurance companies frequently use delay tactics** in order to build your level of frustration so you will "want it to be finished" and will accept an unfair low offer in your case.

Understanding that this is a long process and deciding the stick with the process will make a huge difference in the value of your claim and the amount of money you receive as compensation for your injuries.



Laura Carpey's Recipe of the Month

Lamb Chops with Lemon, Thyme & Mustard Butter

These French-inspired lamb chops cook under the broiler, so they're quick and flavorful.

INGREDIENTS

- 4 Tbs. unsalted butter, softened
- 1 tsp. whole-grain Dijon mustard
- 1 tsp. fresh thyme leaves, lightly chopped
- 3/4 tsp. finely grated lemon zest
- 1/8 tsp. kosher salt; more as needed

- 1/8 tsp. freshly ground black pepper; more as needed
- 8 lamb loin chops (1-1/2- to 2-inch-thick chops; about 3 lb.), trimmed

INSTRUCTIONS

1. In a small bowl, mash together the butter, mustard, thyme, zest, salt, and pepper until well combined. Refrigerate until ready to use.
2. Position an oven rack 5 to 6 inches from the broiler element and heat the broiler to high. Line the bottom of a broiler pan with foil and replace the perforated top part of the pan. Arrange the chops on the pan. Season both sides of the lamb generously with salt and pepper. Broil until the first side is wellbrowned,

- about 8 minutes. Turn the chops over with tongs and continue to broil until they're well browned and the center is cooked to your liking, 3 to 5 minutes longer for medium rare (cut into a chop near the bone to check).
3. Transfer the lamb to serving plates and top each chop with a dab of the flavored butter. Serve hot.



YOUR INSIDER'S GUIDE TO CARPEY LAW

It may have been a while since you thought about what exactly we do, or you haven't checked our website for anything but your kind of case.

We thought you might appreciate getting an update on what we do.

So, here is your insider's guide to what kind of cases we handle here at Carpey Law:

- **Car accidents**
- **Bus accidents**
- **18-wheeler accidents**
- **Work injuries**

- **Neck and back injuries**
- **Brain injuries**
- **Wrongful death**
- **Dangerous products and goods**
- **Pedestrian accidents**
- **Motorcycle accidents**
- **Bicycle accidents**
- **Medical malpractice**
- **Fall Down Accidents**

To read more in-depth about each of these practice areas, go to: carpeylaw.com/practice-areas/



Can't Get To Us? No Problem! We'll Come To You.

If you were injured in an accident and do not live close by to one of our offices, don't worry! We can always come to you. Just give us a call at (610)834-6030 and we'll send someone out to your home immediately.

HAVE YOU HEARD?

Stuart loves speaking to groups across the state. It's a chance to share his knowledge and expertise, while educating the public about their rights.

If your group needs a speaker, reach out to our office. Stuart is available to address your club, group or meeting about injury law and your rights. Email

scarpey@carpeylaw.com for more information.



Without You, We'd Be Lost At Sea!

Your referrals continue to be one of the best ways for clients to find our firm. We are honored to assist your friends and family with their legal problems caused by an accident.

Reminder About Our Firm's Communication Policy

About us: We perform very high quality legal work. We are highly competent and we have a highly competent support staff, but we are not perfect. We can make mistakes. We will correct a mistake if we find it or if you point it out.

It is our policy to return phone calls in the order they are received and based on the priority of the situation. If you leave a message, your call will be returned usually within 24 hours. Some clients feel that calling multiple times in a day will get their call answered faster, but that is not the case. Email is the quickest way to get a response from anyone in the office.

We work by appointment only. Without an appointment, it is unlikely Mr. Carpey would be able to meet with you.

Please utilize our support staff to answer your questions and to give you status reports. Our legal assistants and paralegals are very experienced and will often be able to respond to your requests.



CARPEY LAW

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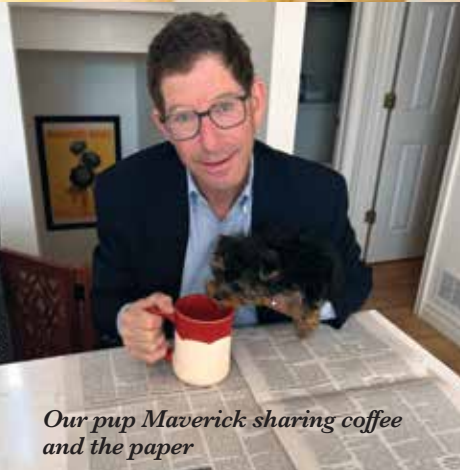
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THE CARPEY CHRONICLE

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Our pup Maverick sharing coffee and the paper

Call me with any legal questions about injuries from any accident or medical care.

I promise to give you a straight forward answer.

That's my guarantee.
610.834.6030

Thank You To Our Referring Attorneys

If you are one of our many referring attorneys, remember we are here to answer any of your questions and those of your clients. If any questions or issues come up in the next month from any of your clients on any of the kinds of cases that we handle, and that you may not be comfortable handling, please feel free to call us, or have your clients call us directly. Make sure to have your client say that you made the referral, so we know who to thank! When speaking to clients that come to us from other attorneys, we always emphasize that it was your good judgment that allowed Carpey Law to take part in the case.

You can call Stuart Carpey directly to discuss our firm's litigation and trial tactics, and our core values, or email him at scarpey@carpeylaw.com



Give this newsletter to a friend. They'll thank you for it, and so will I.

Stuart Carpey

