



Birth Injury Guide

A Resource for Birth Injury Victims
and Their Families



Brought to you by:

Birth Injury Justice Center

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Living — And Thriving — With Cerebral Palsy

Nobody ever wants to hear the words, “Your baby has suffered a birth injury.”

Realizing your baby was injured can come with anger, confusion and questions.

You might feel like your future is uncertain and not know how an injury will affect your child’s life.

You are not alone. Resources and support are available to you.

Thanks to modern medicine and innovative therapies, there is hope that your child will still have a full, happy and independent life.

This guide will help you navigate the reality of dealing with birth injuries that have left your child mentally or physically disabled. It will give you information and access to the support you need to help your child reach his or her goals.

Here’s a quick overview of the topics we’ll cover in each section:

- **What is a birth injury?:** An overview of conditions, symptoms and prognosis.
- **Birth injury lawsuits:** Raising a child with a birth injury can be an expensive undertaking. If you suspect your child’s condition could have been prevented, this section will help you understand if a lawsuit can help ease your financial burden.
- **Adaptive equipment:** A basic introduction and checklist for common assistive devices.
- **Financial resources:** You might qualify for a variety of nonprofit, legal and government assistance programs to help cover the cost of lifelong treatments.
- **Support groups:** Thousands of parents learn their child has a birth injury each year. There are many support groups that offer encouragement, hope and healing.
- **Adaptive clothing:** Adaptive clothing can be an important way for children with disabilities to be able to dress themselves and feel more independent.
- **Special education:** A list of specialized schools and organizations in Illinois that can help your child with their unique education needs.
- **In-state resources:** Contact information for organizations and government departments that serve special needs residents in your area.

What Is A Birth Injury?

A birth injury describes any type of harm to a baby before, during, or shortly after delivery.

Many babies suffer from minor injuries during the delivery process. Most of these injuries heal by themselves without treatment. In other cases, prompt and proper treatment can help manage birth injuries, so it’s important to seek medical help as soon as you suspect an injury.

Common Types of Birth Injuries Include:

- Brain damage
- Skull fractures
- Severe lack of oxygen or blood flow
- Erb's palsy (brachial plexus palsy)
- Cerebral palsy (CP)

Some of the more serious birth injuries have no cure, and your child may have a disability for the rest of their life. A common life-long condition is cerebral palsy.

What Is Cerebral Palsy?

Cerebral palsy (CP) is a group of conditions that affect the brain and nervous system, impairing functions like movement, cognition, sight and possibly hearing.

CP may be the result of a medical mistake or preventable birth injury. In these cases, money from a legal claim may be available to ease your financial burdens and provide the best care possible for your child.

Causes of Cerebral Palsy Can Include:

- Low oxygen levels or lack of oxygen during labor or delivery
- Bleeding in the brain
- Infections during pregnancy
- Severe jaundice
- Head injuries during labor or delivery
- Injuries caused by misuse of medical devices

If you suspect your baby's diagnosis was due to a preventable birth injury, connect with one of our Nurse Case Managers to find out if you may be eligible to file a legal claim and receive financial support to help with future costs. Our Nurse Case Managers are available for a free legal consultation at (888) 360-6771.

CP Signs and Symptoms to Look For

According to the National Institute of Child Health and Development, the signs of cerebral palsy usually appear in the first few months of life. However, many children are not diagnosed until age 2 or later. This is a result of the condition often going undetected until infants and toddlers begin missing developmental milestones.

Knowing the signs of CP can help you reach a diagnosis and begin therapeutic treatments earlier.

Early Signs of CP Include:

- Muscles that are too floppy or stiff
- Abnormal posture
- Missing milestones, such as not developing or being delayed developing the ability to reach for toys, roll, sit or walk

The CDC has a helpful list of developmental milestones to look for at each age. You can access these lists [here](#).

Being Diagnosed With CP

While the initial cerebral palsy diagnosis may come as a shock, there are still ways for you to immediately support your child and encourage them to live life to the fullest.

Tips to adapt to life after a cerebral palsy diagnosis include:

- Focusing on abilities, not disabilities
- Teaching other children not to view your child's condition as anything other than normal
- Connecting with other families in similar situations and finding support among each other

Planning for Life With CP or Another Birth Injury

Navigating life with a birth injury falls into two main stages:

1. Early treatment for brain development: There are more opportunities to correct or improve some of your child's mobility limitations at younger ages
2. Lifelong management of symptoms

In both cases, treatment is not focused on curing or fully correcting a child's birth injury. Rather, it is about nurturing a child's development, so they can live as independently as possible.

The following sections in this guide will provide you with lists of resources that can help your child's quality of life moving forward.

Birth Injury Lawsuits

When a child's birth injury is the result of improper care by medical professionals, birth injury lawyers may be able to help you obtain the money to financially support your child's medical needs, which can be costly over time.

Examples of Events That Contribute to Birth Injuries Include:

- Failure to diagnose infection or other serious conditions during pregnancy
- Misuse of medical instruments during labor, such as forceps or vacuum extractor
- Forcefully pulling or twisting the baby out of the birth canal during labor
- Failure to monitor the baby's vital signs during labor
- Failure to perform an emergency c-section in a timely manner

A birth injury lawsuit is a claim filed against the hospital, doctor or another health care professional that was responsible for your child's birth injury. The goal of a birth injury lawsuit is to help your family receive financial compensation and hold responsible parties accountable.

Birth injury lawsuits also help prevent other children from being harmed as a result of the same improper medical care. By pursuing legal action against a doctor or professional you believe caused your child's injury, you can give yourself closure and you may keep other families safe.

If you'd like to learn more about seeing if you qualify for legal action and seeking potential financial compensation, call one of our friendly, knowledgeable Nurse Case Managers toll-free at (888) 360-6771.

Assistive and Adaptive Equipment

Children with permanent disabilities from birth injuries will most likely require adaptive equipment to make everyday tasks more accessible.

Remember that you may be able to access financial support through state and local organizations to help shoulder the cost of this financial burden. We've listed some of the organizations that service families nationwide throughout this guide. Children with a birth injury may also qualify for a legal claim, which could lead to financial compensation for you and your family.

Items For Your Adaptive Equipment Checklist Might Include:

- Wheelchair
- Car seat harness
- Bath lift
- Bath chair
- Toilet chair
- Brachiation kits
- Communication boards
- Hearing aids
- Orthotic boots
- Walker
- Stroller

This is not an exhaustive list of adaptive equipment. You should discuss with your child's doctor what equipment would be most beneficial for them

Financial Resources

According to the Centers for Disease Control and Prevention, **the average lifetime cost of medical treatments for a child with cerebral palsy is approximately \$1 million.** This is a daunting figure, but there are many organizations and government benefits that you may be eligible for that can help alleviate this burden. There are five federally funded programs that provide income assistance for individuals with CP and other birth injury-related disabilities. These programs are:

1. Supplemental Security Income ([SSI](#))
2. Social Security Disability Insurance ([SSDI](#))
3. Medicaid
4. Individuals with Disabilities Education Act ([IDEA](#))
5. Children's Health Insurance Program ([CHIP](#))

There also are private organizations who may be able to help. National organizations that might provide financial assistance to families of special needs children include, but are not limited to:

- [United Cerebral Palsy](#) - From home ownership to health care reform, inclusive education to competitive employment, UCP has established itself as a leader in the disability community and as a strong voice for individuals with disabilities and their families.
- [March of Dimes](#) - For 80 years, March of Dimes has helped millions of babies survive and thrive. They support moms throughout their pregnancy, advocate for policies that prioritize their health, support radical improvements to the care they receive and pioneer research to find solutions to the biggest health threats to moms and babies.
- [Children's Hemiplegia and Stroke Association](#) - CHASA is a 22-year-old non-profit organization dedicated to improving the quality of life for children, teens and adults who developed hemiplegia during childhood.
- [The M.O.R.G.A.N Project](#) - Created by Kristen Malfara and her family more than two decades ago, the M.O.R.G.A.N Project is dedicated to helping families of children living with diagnoses of so-called orphan diseases who needed help adapting to life in a world not designed for them.

Financial Compensation from a Legal Claim

If you suspect your child's diagnosis was caused by medical malpractice, you should consider taking legal action. An award may help relieve the financial burden of raising a child with special needs. If you'd like to discuss your options, our Nurse Case Managers are available for a free legal consultation at (888) 360-6771.

Support Groups

Support groups can help parents and children with disabilities from birth injuries find emotional support. Sharing similar experiences, information and treatment options can prove to be extremely beneficial.

While existing friends and family also provide necessary emotional support, many people find that connecting with others also impacted by birth injuries makes coping and emotional healing easier.

Online Support Groups

Sometimes attending in-person support groups is impossible for busy caregivers. Luckily, joining an online community can provide many of the same benefits.

Online support groups include:

- [Cerebral Palsy Foundation](#) – This organization contributes millions of dollars each year to cerebral palsy research. This includes studies and clinical trials that focus on finding new treatments to increase mobility and improve the overall quality of life. CPF also campaigns to increase the level of federal support for people with CP. They are leaders in advocating for better educational programs for doctors, nurses and therapists.

- [**Mommies of Miracles \(MOM\)**](#) - MOM operates with the main goal of relieving the isolation parents of medically complex children sometimes feel. They offer grief support, family matching, informational resources and product recommendation.
- [**CureCP**](#) – CureCP was founded by two families that were directly affected by cerebral palsy. These parents created CureCP to help fund and support research for cerebral palsy. CureCP specifically supports research geared toward developing a cure and providing hope for the future.
- [**Easter Seals**](#) - Easter Seals is a nonprofit organization that provides services for more than 1 million children and adults with disabilities such as autism and CP. They provide support services for medical rehabilitation, residential services, job training, childcare, adult day programs and recreation.
- [**Family Voices**](#) – Family Voices promotes quality health care for disabled youth. They work closely with government leaders and medical professionals to ensure that individuals with disabilities have their voices heard.

What Adaptive Clothing Should Your Child Have?

When you have a child with a birth injury such as cerebral palsy, small tasks can present obstacles. Your child may experience challenges with to-do's as simple as getting dressed. Luckily, there are several companies that recognize this challenge and produce adaptive clothing for children with special needs.

A few of these adaptive clothing options include:

- [**Ross and Daniel Adaptive Apparel**](#) is a company that carries fashionable and comfortable adaptive socks and shirts to accommodate children who wear leg braces or ankle-foot orthotics.
- [**Cat & Jack**](#) is available through Target. This adaptive clothing comes with design features like no-tag sensory-friendly, hidden opening for abdominal access, high-rise bottoms for diaper coverage and more.
- [**Shoes for AFOS**](#) offers custom-made shoes and boots to accommodate orthotics like AFO, KAFO, DAFO, and SMO braces.
- [**Tommy Hilfiger**](#) made waves when they released their line of adaptive wear. Items in this line include easy closures, sensory conscious fabrics and seated styles for those in wheelchairs.
- [**Kohl's**](#) now carries adaptive clothing with comfort and ease in mind for children and adults with special needs or sensory requirements.

Special Education

Your new role as a parent to a child with a disability will require you to be their advocate. With that said, you have access to many state programs for special education and special needs that can help support your family.

While there are schools specifically for children with CP, under the Rehabilitation Act, your child is entitled to a public education with accommodations for their condition. You may have to work with their school to set up a 504 Plan or an Individual Education Plan, so your child can have the best experience in public school possible.

Individual Education Plans (IEPs)

An IEP is a plan that is created by both the parents and the school district to set individual goals for the child. Under an IEP, children may have access to support staff throughout the day, goals and metrics for success different from the rest of the student body, and even a lower number of hours the child is required to be in school. This is your opportunity as a parent to advocate for your child and for them to receive a great education through the public school system.

504 Plans

A 504 Plan allows children to receive public education with accommodations. Examples of 504 Plan accommodations include preferential seating, more time on tests and exams, technology aids, and reduced workloads. While a 504 Plan can be helpful, it does not allow for individualized instruction the way that an IEP does.

If you have questions or would like to request additional information, the State Department of Education has resources that you may find useful when choosing a plan for your child.

Georgia State Department of Education: Special Education

205 Jesse Hill Jr. Drive SE

Atlanta, GA 30334

(404) 656-3963

SPEDHelpDesk@doe.k12.ga.us

www.gadoe.org/Curriculum-Instruction-and-Assessment/Special-Education-Services/Pages/default.aspx

In-State And Local Resources For Children With Birth Injuries And Special Needs

Your family's situation is unique, but no matter where you are on your journey, there are resources to support you.

You are not alone!

Below is a list of groups and websites that can help you find local resources for loved ones with cerebral palsy or other conditions resulting from birth injuries. These are all national organizations that also have local presences in most parts of the United States.

- **United Cerebral Palsy** - Find a local affiliate near you [here](#).
- **March of Dimes** - Get local support and announcements [here](#).
- **U.S. Department of Education** - See contacts at the department of education and higher education agencies in your state [here](#).
- **Centers for Disease Control and Prevention (CDC)** - The CDC has an extensive list of groups and resources, most of which operate on both national and local levels, which you can see [here](#).

No matter where you are, answers to your questions might be just a few clicks away.

Looking Ahead...

At the Birth Injury Justice Center, our mission is to provide helpful resources for families impacted by birth injuries caused by medical malpractice.

As part of this mission, we have put together this guide to help you on your journey of healing and support for you and your child. We hope it leads to your life being a little easier and brighter.

If we can ever be of help, our Nurse Case Managers are standing by to answer your questions. Call us anytime at (888) 360-6771.