



Concussions Not Limited to Football Field

BY JENNIFER L. ASHLEY

Concussions have been all over the news lately. In particular, lawsuits against the NFL, along with the new Will Smith movie "Concussion" have started a national dialogue on contact sports and their impact on the brain.

Interestingly enough, concussions aren't limited to sports related trauma. In fact, 20% of all concussions are the result of car accidents. Every year, approximately 280,000 people in the U.S. are diagnosed with a motor vehicle induced concussion. Among all age groups, motor vehicle crashes were the third overall leading cause of a traumatic brain injury (14%).¹ Further, automobile accidents are the number one cause of concussion-related fatalities for youth aged 15-24 years.² Concussions aren't only the result of serious car

crashes. Even accidents at lower speeds can cause a serious head injury requiring medical attention.

With increased concerns being paid to the long-term effects concussions, football players now routinely receive medical attention following a blow to the head, and must be cleared before they can return to the game. However victims who suffer head injuries in car accidents may not immediately seek or receive

care. Often the effects of a head trauma aren't apparent right away, leading to a delay in treatment.

Whether you're an athlete injured on the field, or a victim of a car crash, it's important to understand the facts about concussions.

WHAT IS A CONCUSSION, HOW IS IT DIAGNOSED, AND HOW IS IT TREATED?

A concussion is a mild form of traumatic brain injury that is usually caused by a blow to the head, a fall,

Jennifer L. Ashley is a partner at Salvi, Schostok & Pritchard P.C. She concentrates her practice in the areas of personal injury and products liability. Throughout her career, Ms. Ashley has successfully tried over 100 auto accident cases to jury verdict.



¹ Centers for Disease Control and Prevention (CDC), National Center for Injury Prevention and Control. Report to Congress on mild traumatic brain injury in the United States: steps to prevent a serious public health problem. Atlanta (GA): Centers for Disease Control and Prevention; 2003.

² Center for Disease Control and Prevention (CDC), National Center for Injury Prevention & Control, Division of Unintentional Injury Prevention. Traumatic Brain Injury & Concussion, TBI: Get the Facts, January 22, 2016.

or another injury that jars or shakes the brain inside the skull. Concussions are often the result of a motor vehicle accident. Although in the past concussions were mostly ignored, based upon what we know now, even a minor concussion can temporarily damage certain brain functions connected with memory, reflex control, speech, balance, and coordination.

Your brain is a soft organ that is surrounded by spinal fluid and protected by your hard skull. Normally, the fluid around your brain acts like a cushion that keeps your brain from banging into your skull. But if your head or your body is hit hard enough, your brain can crash into your skull and become injured.

WHAT ARE THE SYMPTOMS OF A CONCUSSION?

You don't have to pass out or lose consciousness to have a concussion. Some people will have obvious symptoms of a concussion, such as passing out or forgetting what happened right before the injury, but others won't. Loss of consciousness is believed to occur in less than 10% of concussions.³ Some people may also have cuts or bruises on the head or face from the trauma to the head, but most will have no visible signs of a brain injury. Because of the lack of physical evidence, proving a claim in court has proven difficult.

Concussion symptoms usually appear shortly after the trauma, sometimes lasting days, weeks, or even a year. The most common symptoms of a concussion are:

- confusion
- loss of memory
- headache
- dizziness
- ringing in the ears
- nausea or vomiting
- slurred speech
- fatigue
- loss of consciousness

- irritability
- problems with concentration
- sensitivity to light and noise

Concussions are typically associated with normal neuroimaging studies, such as MRIs and CT scans. As such, concussions are usually injuries no one sees, which makes them harder to prove. Conventional neuroimaging contributes little to concussion evaluation and management. A 2015 Canadian study found that neither CT scans nor MRIs of the brain are needed in the vast majority of concussions. That Canadian

study found that neuroimaging was normal in 78% of cases of children and adolescents with sports-related concussion.⁴

THE DANGERS OF REPEAT CONCUSSIONS.

It's important to know that after a concussion the brain is more sensitive to damage. So while you are recovering, be sure to avoid activities that

might injure you again. In rare cases, concussions cause more serious problems. Repeated concussions or a severe concussion may lead to long-lasting problems with movement, learning, or speaking. Because of the small chance of serious problems, it is important to contact a doctor if you or someone you know has symptoms of a concussion.

Whether you're an athlete who sustains a head injury in a football game, or a passenger who was injured in a car accident, the effects of a concussion should not be minimized. Brain injuries can have life-long lasting, and sometimes fatal consequences. Similar to past NFL players who have been injured and are suing the NFL, car accident victims can seek legal action to recover damages for concussions sustained on the road. Consulting with a personal injury lawyer who is familiar with the short- and long-term effects of concussions following any type of accident is important to ensure the best result in your matter.

“Whether you’re an athlete who sustains a head injury in a football game, or a passenger who was injured in a car accident, the effects of a concussion should not be minimized.”

3 Cantu RC (1998). "Second-impact syndrome". *Clinics in Sports Medicine* 17 (1): 37–44. doi:10.1016/S0278-5919(05)70059-4. PMID 9475969.

4 Ellis MJ, Leiter J, Hall T, McDonald PJ, Sawyer S, Silver N, Bunge M, Essig M. Neuroimaging findings in pediatric sports-related concussion. *J Neurosurgery: Pediatrics*, June 2, 2015; DOI: 10.3171/2015.1. PEDS14510.

SEEKING COMPENSATION IN COURT

It is my goal to have more jurors, judges and auto insurance adjusters understand concussions and to take them seriously. It is usually objectively difficult to prove a concussion occurred. When an accident victim states that he or she is having difficulty concentrating, has a headache, or feels dizzy, that person is reporting symptoms that cannot be observed by another. Someone with a concussion can appear fine and have normal x-rays and MRIs. This makes it difficult to get the adequate compensation that the victim of a concussion deserves.

If you have been injured in an accident, it is crucial that you pursue the compensation that you deserve for the pain and symptoms that you have endured due to a concussion. Football players have finally gotten to be heard and have been successful in suing the NFL and getting appropriate settlements. Accident victims should also be able to seek legal action to hold the driver who hit them responsible for causing them a concussion.

Online Document Review



815-356-7777

**Do you have electronic documents
as part of discovery that need
to be searched, coded, organized
then produced?**

\$29 / \$99

- Online data hosting \$29/Gb a month
- Secure access from any web browser
- 10 User license included
- One time data upload/processing fee of \$99 per Gb
- 'Get Started' training included
- Excellent Service & Support

DataCull.com
2600 Behan Rd, Crystal Lake, IL 60014
+1.815-356-7777
info@DataCull.com

Offered by LCBA Associate Member: Sigmund Technology Group

Ann Buche Conroy

Thank you for 19+ years
of service to the *Docket*
Editorial Committee. Your
dedication, articles and
proper English grammar
will be missed!

