

# Brain Injuries From Construction Accidents in New York City

## An experienced attorney can help you fight for financial compensation

Some of the most serious injuries seen in New York City [construction accidents](#) are brain injuries. A traumatic brain injury (TBI) can sometimes result in a permanent disability and affect a worker's ability to function. Even in cases involving mild injury, a worker may require medical treatment and have to miss substantial time from work.

There are many types of construction accidents that can result in a brain injury. Falls from heights, falling objects, fires and explosions, crane accidents, machinery accidents, tunnel collapse, and motor vehicle crashes can all result in a blow to the head that causes damage to the brain.

### Understanding traumatic brain injuries

There are two classifications of brain injuries. One is a closed head injury – there is no break in the skull, but the brain may be bruised or bleeding. The other is a penetrating brain injury – an object has broken through the skull and damaged the brain directly, or the brain was damaged by skull fragments.

There are also different severities of traumatic brain injuries. These include:

*Concussion/Mild TBI:* A worker with a concussion may experience pain and headaches. They may have problems with memory and concentration, as well as balance and coordination. There may be a loss of consciousness in some cases. Symptoms may last days or a week, or possibly longer. Treatment typically involves rest.

*Moderate TBI* – An injured worker loses consciousness for anywhere from 30 minutes to a full day. Symptoms are pronounced and longer-lasting, including headache, vomiting, and problems with coordination. Memory loss and confusion may last up to a week. In some cases, surgery may be needed. Other treatment may involve rest, as well as physical, occupational and speech therapy.

*Severe TBI* – An injured worker loses consciousness for more than 24 hours. Symptoms can include persistent headaches, repeated vomiting, convulsions, vision problems, slurred speech, and weakness. There may be noticeable changes in behavior, emotions and cognition. Treatment may involve surgery, medication, and extensive rehabilitation. Injured workers may be left with a permanent disability.

### Diagnosis and treatment for a brain injury

When diagnosing a head injury, a doctor may conduct a neurological exam to evaluate a worker's memory, thinking, motor function, coordination, vision and hearing. Imaging tests

such as a CT scan or MRI may be ordered. A doctor may use the Glasgow Coma Scale to measure a workers' level of consciousness.

Treatment will depend on many factors, including the type and severity of brain injury. But in general, treatment may involve:

- Surgery to remove clotted blood (hematoma) or damaged brain tissue, repair any skull fractures, or relieve pressure in the skull.
- Medication to treat symptoms. This may include anti-anxiety medication, anticoagulants, anticonvulsants, antidepressants, muscle relaxants, or stimulants.
- Physical therapy to rebuild strength and coordination.
- Occupational therapy to relearn simple tasks such as getting dressed and bathing.
- Speech therapy to regain any communication skills that were lost.
- Psychological counseling to strengthen coping skills and emotional well-being.
- Vocational counseling to focus on a return to work.
- Cognitive therapy to help improve memory, learning, and planning.

### **Who will pay for treatment for a brain injury?**

If you were injured in a workplace accident in New York, you have the right to receive workers' compensation benefits. These benefits will cover the costs of all reasonable and necessary medical treatment. You may also receive partial wages while you are unable to work, as well as certain other types of benefits.

But workers' compensation benefits will not compensate you for all of the damages you suffered as a result of brain injury. If the negligence of a third party caused the accident that left you injured, you may be able to recover financial compensation in a lawsuit.

A third party may be the property or business owner, the general contractor, a sub-contractor, the site engineer, the architect, manufacturers of equipment or building materials, or motorists driving near a construction site.

There are many different types of third-party negligence that can lead to an accident resulting in brain injury. For example:

- Use of substandard materials led to a ceiling or wall collapse
- Failure to follow regulations when building a scaffold resulted in a fall
- A contractor failed to correct a known dangerous condition
- There was miscommunication when a crane was in use
- A driver crashed into a ladder a worker was using

But holding a negligent third party accountable for what happened is complicated. Third parties often deny negligence and won't take responsibility for causing the accident. Insurance companies dispute liability and may try to shift blame to another party.

### **Get legal advice as soon as possible**

That's why you need an experienced New York City construction accident lawyer to help you after you've suffered a brain injury. A lawyer will have the resources to investigate your accident to identify negligent parties.

A legal team can gather evidence, review photos and video, carefully read through accident reports and other documentation, and interviews witnesses. Industry experts may be consulted to help build a stronger case.

A lawsuit can then be filed against a negligent party for damages. In general, after a brain injury you can seek compensation for medical expenses and lost wages not covered by workers' compensation, lost future income, home and vehicle modifications, ongoing medical care, and other damages such as pain and suffering.

If you suffered a brain injury in a New York City construction accident, it's important to get legal advice as soon as possible. While the law generally gives you three years from the date of your accident to file a lawsuit, the sooner a lawyer can start work on your case, the better. Over time, evidence can be lost and witnesses may forget key details of what they saw.

At Keogh Crispi, P.C., we can review the details of your accident and go over your legal options for recovering compensation. [Contact us](#) to schedule your free consultation.