

Can You Sue for Post-Concussion Syndrome?

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By Andrew D. Gowdown on December 11, 2023

Personal injury survivors have the right to seek compensation for the harms inflicted upon them by negligent, or careless, parties. These harms include physical as well as mental, cognitive, and emotional injuries. **Concussions**, or mild traumatic brain injuries, are commonly experienced by individuals who have been in car accidents, suffered a slip and fall, or otherwise sustained a violent, abrupt shaking of the head and brain.

Have you suffered post-concussion syndrome or related medical problems after your accident? Continue reading to learn more about post-concussion syndrome and your options for seeking compensation.

What is Post-Concussion Syndrome?

Persistent post-concussive symptoms, which are collectively referred to as post-concussion syndrome, occur in an individual who has experienced a mild traumatic brain injury (mTBI). The syndrome is marked by symptoms that last for an extensive period of time following the onset of the mTBI.

Common symptoms of post-concussion syndrome include:

- Headaches
- Dizziness
- Fatigue
- Irritability
- Anxiety
- Depression
- Difficulty falling asleep or sleeping too much
- Loss of concentration and memory
- Communication difficulties
- Ringing in the ears
- Blurred vision
- Slurred speech
- Noise and light sensitivity

These symptoms will vary in nature and degree from one person to another. However, the severity of the symptoms themselves do not necessarily correlate to the severity of the injury.

This means, for instance, that an individual need not experience something as dramatic as a loss of consciousness to have post-concussion syndrome. For that reason, it's important to seek medical treatment following an accident regardless of the severity.

How is Post-Concussion Syndrome Treated?

Treatment for post-concussion syndrome varies depending on the person and when they start experiencing symptoms. For most people, concussion symptoms appear within the first 7-10 days after being in a car accident or suffering other injuries affecting the head. The symptoms may persist for a few days, months, or even over a year. Treatment may be necessary to manage these symptoms.

It is also important to seek treatment following an accident to prevent symptoms from occurring. Even if you have a mild case of post-concussion syndrome, you should take a proactive approach to managing it and preventing further issues.

Although there is no specific treatment regimen for post-concussion syndrome, your healthcare provider will devise a plan that meets your medical needs and addresses your individual symptoms. Depending on your situation, you may require the following types of treatment:

- Medications to deal with headaches, depression, seizures, or other problems
- Cognitive therapy to help restore concentration, speech, and the ability to perform daily tasks
- Psychotherapy to deal with depression and anxiety

Can You Sue to Recover Damages?

You can sue to win monetary compensation for the losses that you incur due to suffering post-concussion syndrome. The losses you suffer are known as "damages". Damages are the remedy that you will request the court award to try to restore you to the position you were in before your accident. In certain cases, you can also sue for punitive damages, which are meant to punish the wrong-doer, if the at-fault party's conduct was especially egregious.

Your situation is unique, so you will not necessarily ask for the same damages (or amount) as someone else who suffered a similar injury. In general, individuals who suffer from post-concussion syndrome can sue for:

- Medical bills, including for past, present, and future treatments
- Prescription drug medications
- Various types of therapy such as cognitive therapy, psychotherapy, and occupational therapy
- Lost wages due to time missed from work while recovering or obtaining treatment
- Lost earning capacity if, due to the nature of your post-concussion syndrome, you cannot return to your previous career

- Pain and suffering
- Emotional distress
- Reduced quality of life

These and other damages are available to compensate you for other injuries related to your accident. Remember, the primary objective is to return you, to the extent possible, to the life you lived before your injury occurred.

If you're ready to learn more about seeking winning **damages for post-concussion syndrome**, contact **Rosen Hagood** today to speak with an experienced personal injury attorney.