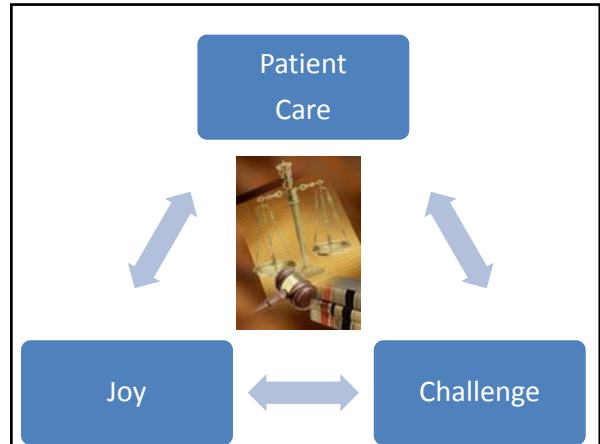


Alderwood Vision Therapy Center, PLLC
TRANSFORMING LIVES THROUGH VISION

The Diary Of An Expert Witness

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Questions to the audience...

- How many depositions have you done?
- How many times have you been an expert witness for patients in court?

Personal Experiences

- 1. Use of demonstrations
- 2. Use of time
- 3. Vocabulary to watch

Deposition Attorney guidance You are an expert...

I am an expert

- Expert in my training, background & experience
- Expert on testing, report and conclusion
- Expert about how vision works

If...

- You have a question about the question or opinion being asked..
 - If you don't understand, take it under advisement
- Beyond that..... don't go there
- Be comfortable with what you know
- Don't go where you are not comfortable
- Other doctors can stand on their own 2 feet
- Don't get trapped on what you don't know

Gems...

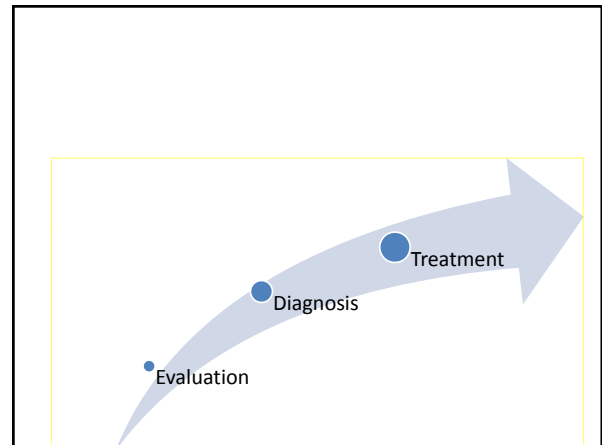
- “That is not my area of expertise”
- “I would suggest you ask that doctor what he meant”
- “I have not read that information”
- “Without seeing all the information and going back to school to learn about XXX I wouldn’t respond”

Gems You can say...

- “That is beyond what I did”
- “I don’t have an opinion”
- “I did not rely on XXX’s information ”
- Q: “What if _____ was different, would it have been, not as bad?”
- A: “That would take a lot more work/school, to learn about _____. I am not going to do that... so I do not have an answer for you.”

Imagine ... At a deposition

- What is your title?
- Optometrist
- What is a neuro-optometrist?
- Who licenses neuro-optometrist?
- Why does Dr. X call himself a neuro-optometrist?
- Is it recognized by the state of XX?
- What does Dr. _____ mean by _____?
- What were patient’s grades in high school?
- Was reading easy for her before the accident?



DEPOSITION

- Read and go over every bit of paper in the chart: Welcome to the Office, examinations, progress evaluations, chart notes, phone calls, letters, letters, notes.
- Take out working documents
- Create sections for easy retrieval of information

- What is the cause on a more probably than not basis?
- What is the diagnosis?
- What is the prognosis?
- Is it a permanent problem?
- Is vision therapy is cure?
- What can be gained by vision therapy? but she will gain a reduction in syptomatology

IMAGINE, YOU CAN BE ASKED...

- Who have you talked to about ...
- Why did you refer to... (ex: a neuro ophthalmologist?)
- If "they" say the patient is fine, why would you say they need vision therapy?
- Are you an MD?
- Can you diagnose a post concussive syndrome?
 - Post MVA
- So, "they" know more than you?

Things To Be Aware Of

- To their benefit to make you flustered
- Be able to explain your educational background
- In WA State, you cannot say the word INSURANCE
- Know your own deposition, inside out
- Take your time when answering questions

Prognosis

- Relationship between the symptoms and the accident
- On a more likely than not basis...51% in WA State

Jury

- Have "show and tell" – demonstrations
- Did you know that the jury can ask questions at the end of your testimony?

Things That Have Helped Me

- Involve MDs through referral and consultation
- Welcome To The Office, specifically for acquired brain injury

Questions You Might Encounter

- Name?
- Profession?
- Academic and professional history
- Vitae
 - Is this all that you are doing currently?
 - Is there more that may not be on your vitae
- How many times have testified in court?
- How many depositions have you done?

What is an optometrist?
 Are you a medical doctor?
 What is your education?
 Professional history?
 Member of what organizations?
 Are you associated with a university?
 Do you have a Fellowship?
 What is vision therapy?
 How many ABI have you treated?
 Presentations?
 Writing?

What are ABI Symptoms?

- Double vision
- Blurred vision
- Reduced ability to sustain attention on a visual task
- Dizziness
- Visual field loss
- HA
- Eye strain
- Abnormal posture and head tilts
- Balance and coordination problems
- Depth perception
- Visual perceptual difficulties

What is VT?

- A treatment plan used to correct or improve specific dysfunctions of the vision system. It includes treatment of strabismus, dysfunction of binocularity, amblyopia, accommodation, ocular motor function and visual perceptual motor abilities.
- Based upon a medically necessary plan of treatment which is designed to improve specific vision dysfunctions determined by standardized diagnostic criteria.
- Treatment plans encompass lenses, prisms, occlusion, and other appropriated materials, modalities, and equipment.

Are there standards or guidelines for treatment for vision therapy?

MEDICAL HISTORY

Patient or guardians own words

- What part of your head was affected?
- Symptoms immediately following accident/injury
- Initial treatment
- Medications
- What types of professional care have you received or are you currently receiving?
 - Results and recommendations

- Why do you need to be seen today?
- Medical history? Self/family?
- Social history
- Vision history
- Are you currently experiencing any of the following now? Prior to injury?
- Life style changes
- Employment/education information

Conclusion