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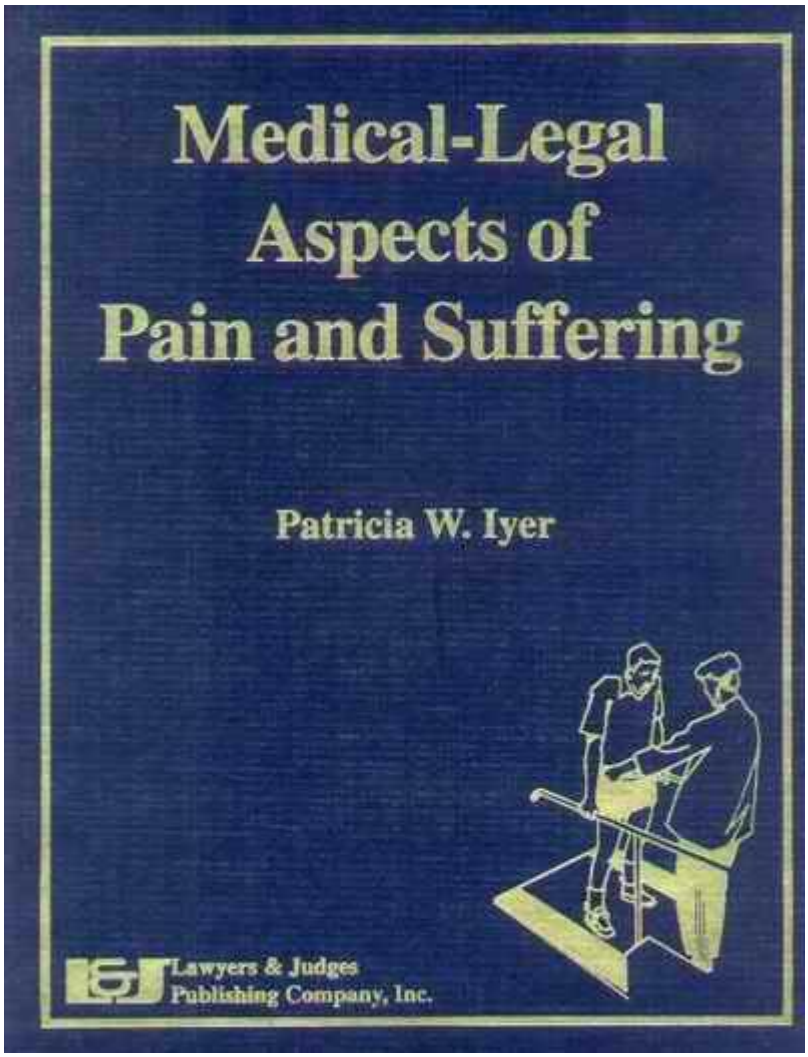
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Book Reviews: Technical Books Section

AN EXCELLENT BOOK

Medical - Legal Aspects Of Pain And Suffering, 1st Edition by Patricia W. Iyer, MSN, RN, LNCC, Casebound, 8.5" x 11".
Lawyers and Judges Publishing Company, Inc., P.O. Box 30040, Tucson, AZ 85751-0040. Publication date: 2003;544 pages, ISBN 1-930056-39-7. Price $129.00

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Medical - Legal Aspects Of Pain And Suffering is a book that is devoted to the medical and legal angles that are involved in pain and sufferings. The important thing to be noted here is that the authors have not taken pain and suffering to be synonymous, nor have they taken pain to be the only cause of suffering. This is evident from chapter 5 where the authors have deliberately kept pain out of the discussion about suffering. So we would say that the title of the book is justified and the reader does get to read about pain and suffering as two different concepts.

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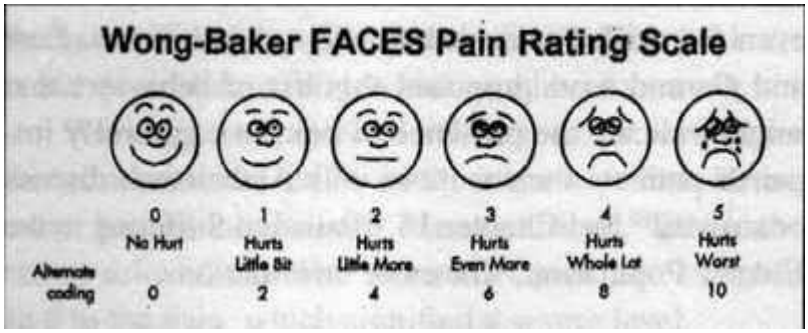
The book has been written in a nice easy flowing language. The medical terms have been described fully and that too in layman terms so that any one who reads this book can understand it (for all practical purposes we consider lawyers and claim adjusters as laymen as far as medical knowledge and the understanding of medical terminology goes). The description of terms and concepts using diagrams, tables etc. not only make for good viewing but also easy understanding and quick reviewing when required.

A highlight of the book is the presence of tips and case reports. The written text in the form of paragraphs has been punctuated by these small tips that serve a double purpose. Firstly they refresh the memory about what has just been read in the form of a summary of those few previous lines. Secondly they tend to break the monotony of the lengthy written material. Another advantage of having these tips (that we found but maybe others won't) is that their presence helps the reader

to skip the whole text if he does not have the time to go through it and still know the gist of what is written there by just going through these tips.

The selection of cases for case reports has been done pretty effectively. Unlike many other books where only the ongoing concept is discussed, the authors in this book have presented both the views i.e. those cases that have been successful and those that haven't. This is even more important for the lawyers as a good lawyer is one who gives the correct advice to his client and if the lawyer himself doesn't know about the likely success of the case, how can he advise his clients. And by accepting cases that are not going to succeed, he will only harm himself.

The book gives very useful and helpful illustrations throughout. This one appearing on page 28 shows the Wong-Baker FACES Pain Rating Scale. Please consult book for details of this scale



The various pain inventories that have been mentioned like McGill Pain Questionnaire (MPQ) and Brief Pain Inventory (BPI) (pages 28 - 29) are something that we felt were not given as much importance as they deserved. Some more details about their structure and usage could have come in handy, especially for someone who is not familiar with their usage. Maybe in the next edition the author would like to correct this small problem that we found. On the other hand other pain scales like the one dimensional pain scale, behavioral pain scale etc. have been described in much more efficient way than we have encountered in other books on similar topics.

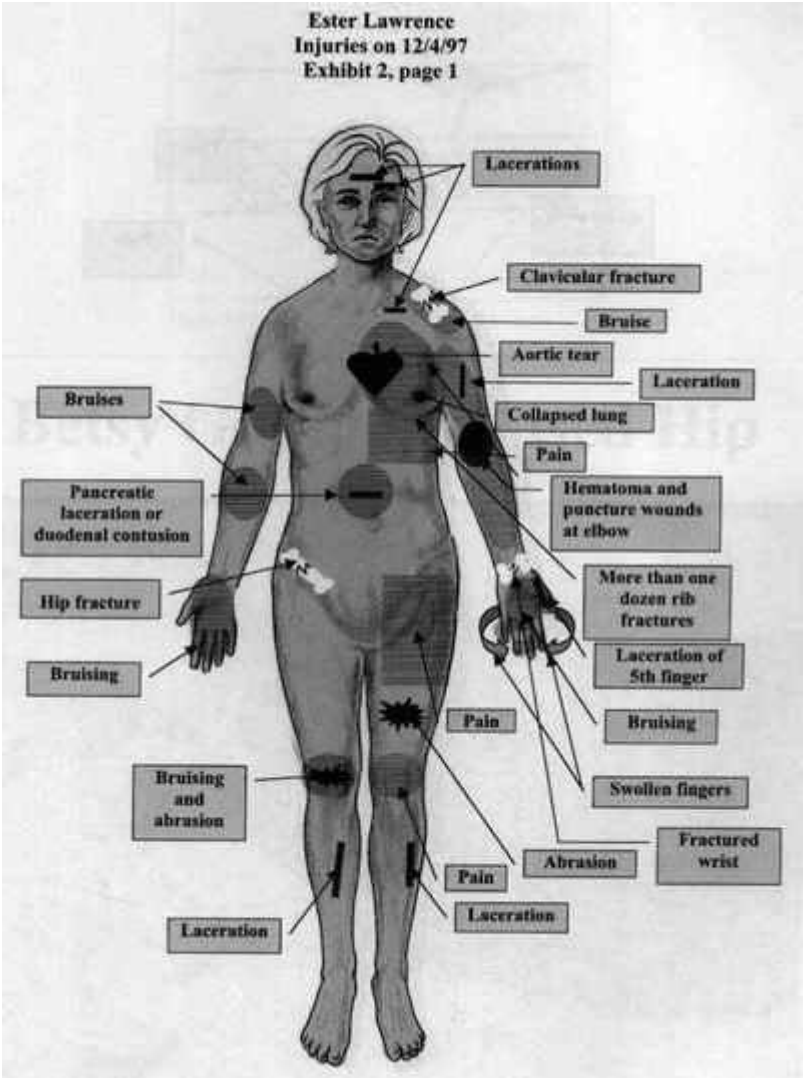
Chapters 6 to 16 describe pain and suffering in systemic conditions. The conditions that have been discussed every system and age group that can be involved; from children to elderly, from pain in orthopedic conditions to pain in ostomies, spinal cord injuries etc. In short almost all aspects of pain have been included in these chapters. The best part about them is that pain has been discussed in totality. The authors have described not just the management of pain, but also the etiology, the terms used in these special conditions, the ways in which the attorney has to deal with the patient (and his family members) etc. The most important of all these discussions is that the authors have included the family of the patient in the proper management of pain. Most of the time the sufferings that the family has to face because of the illness to one member of the family are not addressed. But in this book the authors have given due importance to the family members as they are the ones who have to bear the maximum brunt of the problems that the diseased person has to face. In all of the questionnaires (another good feature of the book) the authors have included the family for proper assessment of the sufferings of the patient.

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The first part of the book i.e. up to chapter 15 deals with medical aspects of pain and suffering. The second part of the book i.e. chapters 17 onwards take care of the legal aspects of these topics. Chapter 16 is something that can be termed as not included in either but still of immense significance to the patient. It deals with "Life Care Planning" in relation mainly to chronic pain. The very inclusion of this chapter makes this book a must buy. This chapter tells about this new concept of life care planning that is gaining importance. Its importance lies in the fact that the life care planner tells the patient about the likely expenses that he has to incur in future due to his illness. The biggest advantage this gives to the patient (legally) is that it tells him how much he has to demand as compensation for any negligence that is responsible for his condition. For the health care provider it gives an idea of the kind of damage that he has done (if he is responsible for it) and thus what he should be prepared for. The example that they have given is very detailed and makes the concept very clear.

Coming to the second part of the book i.e. the one dealing with the legal aspects, the authors have once again shown their efficiency in handling a tough topic efficiently. In these chapters they have described the way medical records are to be kept, with view of they being used in the court. They have also described how the various graphs, diagrams, charts etc. can be used for proper description and documentation of the records. In addition to record maintaining, they have described how other scientific techniques like photography, videography etc. can be used in medical practice. But a problem that we found in this was on page 407, figure 19.2. Here the authors have tried to show the use of color scale to demonstrate the color of the patient (or probably some mark on her neck or maybe even her clothes). But since the photograph is black and white, the reader may not be able to make out the significance of the use of this scale (we, being forensic pathologists who use this scale daily had no such problem, of knowing its use). We know the cost could be a consideration in keeping the photograph black and white, but a colored photograph might have presented the author's idea in a much better way.

One of the high points of this book is the chapter that addresses the role of the nursing expert as an expert fact witness who summarizes medical records and explains the symptoms, diagnoses, and treatment rendered to the plaintiff. A proper and illustrative record can have a very strong effect on the jury. Here the author explains the injuries sustained by one Ester Lawrence, who sustained injuries in a car accident. The picture is so self-sufficient and explanatory that the jury would hardly have any problem understanding the case. This figure appears on page 357 of the book.



The other thing that has been mentioned in this section is the ways in which the attorney can prepare the case. The use of audio-visual aids, questionnaires, preparation of the witnesses etc. have been nicely explained. Also described are the ways in which the lawyer can present his case. As the authors have rightly said, a poor presentation is worse than no presentation. Therefore proper presentation is extremely important and that is what has been tried to explain in this section. The last couple of chapters deal with the attorney's views representing the defendant and the plaintiff respectively. In these chapters the authors have described how the attorneys representing the two sides have to prepare the case. What are the ways in which the case can be made stronger. They have mentioned how the witnesses have to be chosen, how the facts have to be presented, how the preparations for the deposition have to be made etc. Special reference has been made to malingering in the chapter dedicated to the defense attorney. It has been discussed in detail, explaining it totally.

Chapter 20 is titled "Ante-Mortem Damages". In this chapter the authors have described how the ante mortem pain and sufferings of the victim (or deceased) can be found. They have mentioned about the various methods that can be used for this purpose. Its basic requirement is in the amount of compensation that the victim's relatives can get depending on the amount of suffering that he underwent prior to death.

In addition to the things that we have already discussed there are a few more things that we would like to say about this book. The written text has been nicely interrupted by the proper use of

graphs, tables, figures etc. that prevent the reader from getting bored from reading lengthy texts. Also mentioned at the relevant places (e.g. page 438) are various websites that the reader can visit to get more knowledge about that particular topic. Where the present book scores over other similar attempts is in its multidimensional approach. Most other books describe the topic in only one dimension and ignore the other dimensions. This book does not have that kind of approach. The biggest example of this is the amount of emphasis that has been given to the relatives and family members of the person who suffers because of pain.

All in all we would like to say that barring minor glitches (those that we have already mentioned), this is an excellent book that describes all aspects of pain and suffering both from the medical and legal point of view. We would highly recommend all the people who are involved with the subject to have this book in their bookshelf.

-Puneet Setia and Avneesh Gupta



Dr. Puneet Setia is working as a resident doctor in the department of Forensic Medicine and Toxicology at Maulana Azad Medical College (MAMC), New Delhi. His research interests include Forensic Radiology, especially the use of radiology in demonstrating coronary narrowing at the post-mortem examination. He is associated with Anil Aggrawal's Internet Journal of Forensic Medicine and Toxicology as a writer and book reviewer. He can be contacted at puneetsetia@rediffmail.com



Dr. Avneesh Gupta qualified as a forensic pathologist from India with honors and is now working as a fellow of forensic pathology in Wayne County, Detroit. He has to his credit a number of publications in leading journals around the world. His landmark thesis on "Cranial Cerebral Damage In Fatal Road Traffic Accidents With Special Reference to Circle Of Willis" can be accessed by clicking here. He is associated with Anil Aggrawal's Internet Journal of Forensic Medicine and Toxicology as a journal associate, writer and book reviewer. He can be contacted at avneeshgupta2000@yahoo.com. During his spare time, he enjoys meeting friends and traveling.

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Editor's recommendation. This book is recommended by the editor.