What is the Difference Between Hospital Negligence & Medical Malpractice?

If you or a family member were injured at a hospital under the care of a physician or other healthcare professional, you might be wondering if there is a difference between hospital negligence and medical malpractice. This checklist will provide you with a clear understanding of the two terms so you can make an informed decision about filing a claim.

→ **What is Medical Malpractice?**
Medical malpractice occurs when a patient suffers from damages caused by negligence or omission by a doctor, hospital, or other healthcare provider. Malpractice may be a result of misdiagnosis, mistreatment, misprescription, or health management errors. A claim is considered medical malpractice if the negligence or omission causes substantial injury or other damages. In a viable case, a patient and their legal team will be able to show damages were a result of medical malpractice.

→ **What is Hospital Negligence?**
Hospitals are legally required to provide their patients with the standard of care. Violations may include hiring incompetent or unlicensed doctors, inadequate staffing, poor communication, inattentive nursing care, medication errors, electronic health record errors, or simply failing to follow standard policies and procedures. When medical facilities fail to provide the standard of care to their patients, it is considered hospital negligence.

→ **What is the Difference Between Malpractice and Negligence?**
Medical malpractice is a subcategory of medical negligence. While both can lead to serious injury or death, they are distinctly different.

> **Malpractice** involves knowingly mistreating a patient.
> **Negligence** involves unintentionally providing substandard medical care.

Medical malpractice is sometimes caused by hospital negligence. However, not every instance of medical malpractice that occurs in a hospital will be considered hospital negligence. When a doctor knowingly provides substandard care despite the hospital's responsible conduct, the doctor may face a medical malpractice claim. Conversely, if an unlicensed physician injures a patient while working at a hospital, the hospital may be liable for negligent credentialing.

Talk To An Expert

To discuss your options regarding a medical malpractice or hospital negligence claim, contact a knowledgeable Portland attorney at Miller & Wagner for a free consultation.

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