

Ask4Sam Outlines Surgical Error Review for Queens Patients

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Silberstein & Miklos, P.C., known as Ask4Sam, is highlighting its published guidance on surgical errors for patients in Queens. The firm's information addresses injuries associated with an alleged mistake during an operation, including the wrong procedure, an incorrect surgical site or damage to a nerve or organ. Its focus is on examining what happened during surgery rather than assuming that an unexpected outcome proves negligence.

Robert A. Miklos, Esq., a partner at Silberstein & Miklos, P.C., handles complex medical malpractice litigation involving surgery and represents patients in Queens. His published professional biography identifies him as president of the Latino Lawyers Association of Queens County. His surgical malpractice experience is relevant to the firm's work examining alleged errors during an operation and distinguishing them from complications that can occur despite appropriate care.

Surgery carries risks even when healthcare professionals provide appropriate care. A serious injury may leave a patient uncertain about whether a complication was unavoidable or an error contributed to the harm. Those possibilities require a medical and legal assessment of the individual circumstances. The severity of an injury alone does not establish that the surgeon or another member of the operating team failed to meet professional standards.

The firm's Queens surgical error page lists circumstances its attorneys investigate, including performing the wrong procedure, operating on the wrong part of the body and making an incorrect incision. It also identifies retained medical tools or devices and nerve or organ damage. These examples concern conduct within the operation itself. Each allegation must be considered alongside the procedure performed, the patient's condition and the available evidence.

A distinction between the original illness and an injury allegedly caused during surgery helps keep that review focused. A patient may have needed an operation for a serious existing condition. The investigation examines whether the treatment introduced a separate injury through care that fell below the applicable

standard, and whether the evidence connects that departure to the harm claimed. Neither an allegation nor a complication settles that issue.

Silberstein & Miklos, P.C. describes examining medical records, conducting legal and medical research, and working closely with medical experts in surgical error matters. Records provide a basis for understanding the planned procedure and the care documented during the operation. Expert assessment can place that information in its medical context and evaluate whether an alleged mistake reflects a departure from the care that should have been provided.

The firm makes the distinction between complications and negligence in its broader discussion of surgical negligence, published for Brooklyn patients. That material describes the role of medical experts in assessing the standard of care. The same distinction frames the concern addressed by its Queens surgical error information: an unexpected injury needs investigation, not an automatic conclusion that malpractice occurred.

Nerve or organ damage illustrates the need for an individual assessment. The firm's published examples identify both as possible surgical injuries, but identifying the type of harm is only part of the inquiry. The circumstances of the operation and the medical evidence must support any allegation that negligent conduct caused it. A description of an injury cannot replace an explanation of how it occurred.

The firm's Queens practice provides a local point of connection for patients seeking information about its services. Its surgical error material describes helping people understand their rights and available legal options. For an injured patient, that discussion can address the concern about the operation, the records relevant to investigating it and the role of medical expertise in assessing the allegation.

The published guidance keeps the distinction between injury and liability in view. An alleged error during surgery may warrant examination even when the procedure carried known risks, but a claim still depends on the facts and supporting evidence. The firm's information offers context for that review without deciding a particular case or promising compensation. Individual legal advice and medical assessment remain necessary to evaluate a patient's circumstances.

Robert A. Miklos was selected to Super Lawyers for 2025 and 2026 for his work in medical malpractice law. Senior partner Joseph Miklos holds an AV peer rating from Martindale-Hubbell.

Silberstein & Miklos, P.C. is a New York personal injury law firm serving clients in matters involving accidents, medical malpractice, construction injuries, nursing home abuse, wrongful death, and catastrophic injuries.

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