

**KWORCC Select Claim Report**

**Presented March 23, 2017**

**CLAIM SUMMARY**

**Employer:** Allen County  
**Claim No.:** 2017WR001054  
**Employee Age:** 38  
**AWW:** \$ 553.12  
**Attorneys:** NONE  
**Adjuster:** Amanda Chamberland

**Date of Injury:** 01/24/2017  
**Job Descriptions:** Bridge Maintenance  
**Updated:** 1/24/2017  
**TTD Rate:** \$ 368.76

	Medical	Indemnity	Expense	Total
<b>Reserves</b>	\$20,000.00	\$3,000.00	\$2,500.00	\$25,500.00
<b>Amount Paid</b>	\$426.59	\$0.00	\$4.05	\$430.64
<b>Outstanding</b>	\$19,573.41	\$3,000.00	\$2,495.95	\$25,069.36

**Accident Description/Nature of Injury:**

- Employee was standing on a lowboy unloading signs when she fell through a hole in the trailer, injuring right shoulder

**Investigation/Compensability**

- ISO records obtained indicating several previous incidents but none to our extremity. Claimant denies pre-existing injury.

**Medical Management**

- Employee has dual open claim to her opposite shoulder which she has continued to struggle with, care was redirected for both injuries to Dr. Pat Do for evaluation and treat of both at the same time resulting in cost savings by combining the appointments.
- MRI for this shoulder showed rotator cuff tendon repair which Dr. Do will be surgically repairing on 3/15/2017

**Periods of Disability**

- Claimant continues to work with restrictions although she may require short time off post-surgery.

**Permanent Partial Impairment/Permanent Disability**

- Claimant should be able to return to her same job without difficulties and we are estimating a disability rating in the range of 4% to her shoulder.

**Subrogation/Other Issues**

- No subrogation interests, hole was built in for job function.

**Plan of Action:**

- Monitor medical treatment until MMI then request rating
- Strive for accommodated back to work position post surgery

## CLAIM SUMMARY

**Employer: Bourbon County**

**Claim No.: 2017075903**

**Employee Age: 61**

**AWW: \$ 592.17**

**Attorneys: NONE**

**Adjuster: Amanda Chamberland**

**Date of Injury: 02/21/2017**

**Job Descriptions: Truck Driver**

**Updated: 2/21/2017**

**TTD Rate: \$ 394.79**

	Medical	Indemnity	Expense	Total
<b>Reserves</b>	<b>\$80,000.00</b>	<b>\$20,647.51</b>	<b>\$5,000.00</b>	<b>\$105,647.51</b>
<b>Amount Paid</b>	<b>\$0.00</b>	<b>\$789.58</b>	<b>\$669.15</b>	<b>\$1,458.73</b>
<b>Outstanding</b>	<b>\$80,000.00</b>	<b>\$19,857.93</b>	<b>\$4,330.85</b>	<b>\$104,188.78</b>

### **Accident Description/Nature of Injury:**

- **Employee was spreading gravel with bed of dump truck when it hit the underpass of a bridge causing the truck to be thrown in the air and slammed back down.**

### **Investigation/Compensability**

- **ISO records obtained indicating no prior reportable injuries.**
- **Verified employee was wearing restraint.**

### **Medical Management**

- **Employee was transported from Mercy Hospital in Independence, KS to Overland Park Regional Medical Center via air ambulance after CT discovered L1 and L3 compression fractures and left L1, 2, 3 transverse process fractures as well.**
- **Employee was seen by neurosurgeon Justin Davis and will continue care with him at this time. Dr. Davis does not feel that this injury will require surgery but he will need to wear back brace and have limited mobility.**

### **Periods of Disability**

- **Claimant is off work and although he has been recently permitted to spend short periods driving and movement overall, he is to be guarded in movement and to stay off work until at least April per the neurosurgeon.**

### **Permanent Partial Impairment/Permanent Disability**

- **We are optimistic of a successful recovery without surgery and the ability to return to the same job however we anticipate some permanent impairment to the body as a whole. Current estimation is 10% BAW rating.**

### **Subrogation/Other Issues**

- **No subrogation interests**
- **The employee is suspicious of the workers compensation system in general therefore clear communication with employee and wife has been difficult. For this reason a nurse case manager is assigned.**

### **Plan of Action:**

- **Monitor medical treatment until MMI then request rating**
- **Strive for accommodated back to work position at next re-check**

## CLAIM SUMMARY

**Employer: Cherokee County**

**Claim No.: 2017075832**

**Employee Age: 33**

**AWW: \$ 564.01**

**Attorneys: NONE**

**Adjuster: Amanda Chamberland**

**Date of Injury: 02/07/2017**

**Job Description: Utility Main./Bridge**

**Updated: 3/13/2017**

**TTD Rate: \$ 372.02**

	Medical	Indemnity	Expense	Total
Reserves	\$25,000.00	\$4,315.43	\$2,500.00	\$31,815.43
Amount Paid	\$12.64	\$1,488.62	\$9.50	\$1,510.76
Outstanding	\$24,987.36	\$2,826.81	\$2,490.50	\$30,304.67

### **Accident Description/Nature of Injury:**

The employee turned his ankle as he was unloading bridge iron from truck bed and stepped on uneven surface in the truck turning/rolling the ankle area.

### **Investigation/Compensability**

- ISO records obtained showed no relatable injuries reported in the past.
- Employee denied any previous treatment before our claim.

### **Medical Management**

- Employee is found to have a fibular avulsion fracture and peroneal tendon tear which resulted in the need for surgical repair. Surgery was authorized by KWORCC and performed 3/1/2017 by Dr. Blancho with Ortho Four States.

### **Periods of Disability**

- Claimant is unable to walk or weight bear on the extremity in general for minimum 6 weeks. After that we expect will be difficult to accommodate and additional time off will be needed for recuperation.

### **Permanent Partial Impairment/Permanent Disability**

- This claim is currently reserves with an expected impairment of 4% to the ankle area.
- Claimant is eager to return to work and at this time we are optimistic he will be able to return to the same job after the recommended recovery period.

### **Subrogation/Other Issues**

- No subrogation interests applicable

### **Plan of Action:**

- Monitor medical treatment and work with employer to locate an accommodated position at time recommended.

## CLAIM SUMMARY

**Employer: Grant County**

**Claim No.: 2016075099**

**Employee Age: 64**

**AWW: \$ 888.31**

**Attorneys: NONE**

**Adjuster: Amanda Chamberland**

**Date of Injury: 10/27/2016**

**Job Description: Equipment Operator**

**Updated: 3/13/2017**

**TTD Rate: \$ 592.23**

	<b>Medical</b>	<b>Indemnity</b>	<b>Expense</b>	<b>Total</b>
<b>Reserves</b>	<b>\$22,000.00</b>	<b>\$6,662.58</b>	<b>\$2,500.00</b>	<b>\$31,162.58</b>
<b>Amount Paid</b>	<b>\$5,278.00</b>	<b>\$0.00</b>	<b>\$195.33</b>	<b>\$5,473.33</b>
<b>Outstanding</b>	<b>\$16,722.00</b>	<b>\$6,662.58</b>	<b>\$2,304.67</b>	<b>\$25,689.25</b>

### **Accident Description/Nature of Injury:**

- The employee injured his right shoulder, left knee and chest as he accidentally hit switch activating his equipment causing him to strike dash abruptly and with force.

### **Investigation/Compensability**

- ISO records obtained showed no relatable injuries reported in the past.
- Employee admits to previous injury to same shoulder 30 plus years ago however current MRI and ortho evaluation indicates acute injury therefore this will not be applicable.

### **Medical Management**

- MRI in November 2016 showed small focal articular tear of the supraspinatus near the attachment side as well as bone contusion at the same site. A labrum tear also found was shown to be degenerative.
- After physical therapy claimant continued to experience constant pain which affected his sleep. Dr. Do recommended R shoulder arthroscopy with distal clavicle excision to be performed 4/10/2017.

### **Periods of Disability**

- Claimant has maintained accommodated work since injury date and we anticipate he will return to work with the same accommodations post-surgery

### **Permanent Partial Impairment/Permanent Disability**

- This claim is currently reserves with an expected impairment of 5% to the left shoulder

### **Subrogation/Other Issues**

- No subrogation interests applicable or other concerns at this time.

### **Plan of Action:**

- Monitor medical treatment and work with employer to locate an accommodated position when recommended.

## CLAIM SUMMARY

**Employer:** Gray County  
**Claim No.:** 2017WR001058  
**Employee Age:** 60  
**AWW:** \$ 792.59  
**Attorneys:** None  
**Adjuster:** Amanda Chamberland

**Date of Injury:** 1/24/17  
**Job Description:** Heavy Equip. Operator  
**Updated:** 3/14/2017  
**TTD Rate:** \$ 528.41

	Medical	Indemnity	Expense	Total
<b>Reserves</b>	\$60,000.00	\$4,985.00	\$3,000.00	\$67,985.00
<b>Amount Paid</b>	\$260.89	\$1,807.16	\$10.07	\$2,078.12
<b>Outstanding</b>	\$59,739.11	\$3,177.84	\$2,989.93	\$65,906.88

### **Accident Description/Nature of Injury:**

- Employee felt pull and discomfort in his stomach area as he was shoveling
- Complications from surgery resulting in cut bowel

### **Investigation/Compensability**

- Pre-existing known and investigated prior to hernia repair. Prevailing factor was found to be the work related event for the hernia. Investigation of current condition, the surgery complication, is ongoing.

### **Medical Management**

- Employee had an outpatient surgery scheduled 3/13 with Dr. Mirza. My follow up with patient post-surgery found that he was inpatient and per the nursing staff the surgeon "nicked" his bowel during the procedure.
- Nurse case manager being assigned to assist in obtaining information for further investigation, patient remains inpatient at this time.

### **Periods of Disability**

- Employer was unable to accommodate employee pre-surgery, unable to work as hospitalized currently and anticipate a recovery period post dismissal.

### **Permanent Partial Impairment/Permanent Disability**

- Employee works in a heavy labor position and we will strive to find him work that he can maintain by working with his employer after released.

### **Subrogation/Other Issues**

- Potential Malpractice due to alleged surgical error

### **Plan of Action:**

- Investigate hospitalization and relatedness to the work injury
- Work toward release of patient with nurse case manager and post-release rehab with return to work.

**CLAIM SUMMARY**  
**Settlement Authority Requested**

Employer: Harvey County

Claim No.: 2016074850

Employee Age: 19

AWW: \$ 615.00

Attorneys: Employee: Lee Gurney

Adjuster: Amanda Chamberland

Date of Injury: 09/24/2016

Job Description: Jailer

Updated: 3/15/17

TTD Rate: \$ 410.02

Employer: Ron Laskowski

	Medical	Indemnity	Expense	Total
Reserves	\$10,000.00	\$150,000.00	\$20,000.00	\$30,000.00
Amount Paid	\$2,595.43	\$0	\$1,893.88	\$4,489.31
Outstanding	\$7,404.57	\$150,000.00	\$18,106.12	\$25,510.69

**Accident Description/Nature of Injury:**

- Employee fell for unknown reason and hit head on concrete. Family proposes conspiracy concerning the cause of the injury and also are asserting potential relation to unreported tasing event in August.

**Investigation/Compensability**

- Interviewed multiple Harvey County personnel and claimant's family. Reviewed the tasing incident video and numerous written statements from fellow employees.
- Depositions of Claimant and the deputies and nurse on the scene have been taken. There's nothing conclusive regarding cause of fall or when had seizure (if at all). No evidence regarding tasing event contributing to fall or injury.

**Medical Management**

- Claimant has had extensive medical treatment, including surgeries; medical costs likely exceed \$1Million. Claimant is currently undergoing occupational therapy. Physicians have imposed significant physical restriction, although claimant is able to ambulate and his communication skills have greatly improved. Whether or when he will reach full capacity is unknown. Health insurance has covered the medical so far.

**Permanent Partial Impairment/Permanent Disability**

- Claimant will likely be permanently disabled to some extent, yet still unknown; we continue to deny compensability, although the law is unsettled, the exposure is substantial (at least \$1.5million). Claimant's counsel has postponed the preliminary hearing as have indicated serious settlement negotiations.

**Subrogation/Other Issues**

- Claimant volunteered to be a subject of the taser and signed the 3<sup>rd</sup> party waiver/release of liability form. Kcamp has also been notified as general liability carrier.

**Plan of Action:**

- Attempt to get a settlement offer from Claimant's attorney. We would settle outside the scope of workers compensation, as global, general release of all issues. Request authority up to \$150,000 to resolve the issues, full and final.

## CLAIM SUMMARY

Employer: Linn County  
Claim No.: 2017WR001208  
Employee Age: 39  
AWW: unknown  
Attorneys: None  
Adjuster: Amanda Chamberland

Date of Injury: 3/11/2017  
Job Description: Sheriff Deputy  
Updated: 3/14/2017  
TTD Rate: estimate \$100-150

	Medical	Indemnity	Expense	Total
Reserves	\$25,000.00	\$4,635.00	\$2,500.00	\$32,135.00
Amount Paid	\$0.00	\$0.00	\$0.00	\$0.00
Outstanding	\$25,000.00	\$4,635.00	\$2,500.00	\$32,135.00

### Accident Description/Nature of Injury:

- Employee was struck by a suspect fleeing police when the suspect ran a stop sign
- Injury to back resulting in fracture of the L1 area

### Investigation/Compensability

- Employee was in the course and scope of his employment
- Employee was wearing seatbelt at time of injury

### Medical Management

- Employee's fracture will be non-surgical however he will require time to heal off work and wearing a brace
- A period of physical therapy will likely occur after he becomes more mobile

### Periods of Disability

- Employee is very eager to get back to work and will likely return to work anywhere from 3-6 weeks although initial Dr. estimate is 6-8 weeks

### Permanent Partial Impairment/Permanent Disability

- We are reserving file for a potential 6% impairment to the body as a whole
- Employee should be able to return to work with the same employer with no permanent restrictions

### Subrogation/Other Issues

- Subrogation will be pursued against the other driver's insurance policy – we are investigating policy limits and coverage

### Plan of Action:

- Monitor medical treatment and lost wages until employee is able to return to work
- Strive towards successful re-integration at work with no long-term issues
- Pursue subrogation



## CLAIM SUMMARY

**Employer: Republic County**

**Claim No.: 2015072148**

**Employee Age: 48**

**AWW: \$ 502.88**

**Attorneys: NONE**

**Adjuster: Amanda Chamberland**

**Date of Injury: 9/1/2015**

**Job Description: Equipment Operator**

**Updated: 3/13/2017**

**TTD Rate: \$ 335.27**

	<b>Medical</b>	<b>Indemnity</b>	<b>Expense</b>	<b>Total</b>
<b>Reserves</b>	<b>\$25,000.00</b>	<b>\$3,771.78</b>	<b>\$2,500.00</b>	<b>\$31,271.78</b>
<b>Amount Paid</b>	<b>\$4,109.67</b>	<b>\$0.00</b>	<b>\$139.12</b>	<b>\$4,248.79</b>
<b>Outstanding</b>	<b>\$20,890.33</b>	<b>\$3,771.78</b>	<b>\$2,360.88</b>	<b>\$27,022.99</b>

### **Accident Description/Nature of Injury:**

- **The employee injured his left shoulder as he was greasing the loader bucket and then started to slip, causing him to grab the cylinder of the backhoe and pull the shoulder while trying to catch himself.**

### **Investigation/Compensability**

- **ISO records obtained showed no relatable injuries reported in the past.**
- **Employee denied any previous treatment before our claim.**

### **Medical Management**

- **MRI taken in 2015 showed a partial thickness tear and he was referred for ortho evaluation. Employee also was felt to have a strain in the adjoining left pectoralis muscle.**
- **Employee has treated conservatively with ortho for over a year, Dr. Harbin, had been working towards non-surgical resolution with periodic injections.**
- **Dr. Harbin recently rechecked patient and has now recommended left shoulder scope to be performed 4/4/2017.**

### **Periods of Disability**

- **Claimant has maintained employment through entirety of his claim within restrictions so we anticipate only a short period of disability post-surgery then return to accommodated work duties.**

### **Permanent Partial Impairment/Permanent Disability**

- **This claim is currently reserves with an expected impairment of 5% to the left shoulder with no period of TTD anticipated.**
- **We are encouraged by employee's work effort to date that he will return to same employer with no long term disability issues.**

### **Subrogation/Other Issues**

- **No subrogation interests applicable.**

### **Plan of Action:**

- **Monitor medical treatment and work with employer to locate an accommodated position when recommended.**