

KWORCC Select Claims Report

Presented July 30, 2020



Claim Summary – Reserve Advisory

Employer:	Morton County	Date of Injury:	02/19/2020
Claim No.:	20807924	Job Description:	Former Appraiser Clerk
Employee Age:	64	Updated:	7/21/2020
AWW:	951.54	TTD Rate:	634.39
Attorneys:	Lawrence Gurney	Employer:	Ron Laskowski
Adjuster:	Amanda Chamberland		

	Medical	Indemnity	Rehabilitation	Legal	Expense	Total
Reserves:	\$ 25,372.12	\$ 30,000.00	\$ 0.00	\$ 10,500.00	\$ 3,747.61	\$ 69,619.73
Amount Paid:	\$ 2,737.94	\$ 0.00	\$ 0.00	\$ 0.00	\$ 372.61	\$ 3,110.55
Outstanding:	\$ 22,634.18	\$ 30,000.00	\$ 0.00	\$ 10,500.00	\$ 3,375.00	\$ 66,509.18

Accident Description / Nature of Injury:

- During the course of a taking a restroom break the employee fell while entering the bathroom for an unknown cause, although she cited it could be due to her legs giving out. She sustained injuries to her head, a contusion to the right knee and a dislocated left shoulder.

Investigation / Compensability:

- Investigation determined that the injury was not caused by any fault of the claimant’s employer but likely due to an underlying condition to her knees which rendered her unstable while walking, her claim was denied.

Medical Management:

- The claimant treated at the local hospital where she was taken off of work and referred to an orthopedic specialist for surgical care of her left shoulder. She treated on her own at Amarillo Bone and Joint as the care was denied under worker’s compensation.

Periods of Disability:

- The claimant has remained off of work since her incident date. She had the ability to be accommodated with her employer however she would not supply a return to work slip and ultimately resigned on her own accord.

Permanent Partial Impairment / Permanent Disability:

- This is a litigated claim and a likely nuisance settlement will be paid to close the denied file in the range of 7 % to the BAW, the file is reserved for the same.

Subrogation / Other Issues:

- The claimant is anticipated to apply for SSDI which will require a review of Medicare interests before any settlements are made

Plan of Action:

- Defense counsel will represent our interests and denial and we will work to settle this file for possible nuisance value based on denial
- Once the claim is settled the file can be closed



Claim Summary – Reserve Advisory

Employer:	Pottawatomie County	Date of Injury:	03/03/2020
Claim No.:	20809834	Job Description:	Former Heavy Equipment Operator
Employee Age:	43	Updated:	7/21/2020
AWW:	602.89	TTD Rate:	401.95
Attorneys:	N/A	Employer:	N/A

Adjuster: Amanda Chamberland

	Medical	Indemnity	Rehabilitation	Legal	Expense	Total
Reserves:	\$ 21,650.00	\$ 17,798.64	\$ 0.00	\$ 600.00	\$ 8,192.50	\$ 48,241.14
Amount Paid:	\$ 6,452.76	\$ 7,235.10	\$ 0.00	\$ 0.00	\$ 3,236.97	\$ 16,924.83
Outstanding:	\$ 15,197.24	\$ 10,563.54	\$ 0.00	\$ 600.00	\$ 4,955.53	\$ 31,316.31

Accident Description / Nature of Injury:

- While in a bucket truck helping to cut trees the employee cut a large limb about 6-8 inches in diameter. The limb fell and landed on a hydraulic saw which caused the limb to kick back and hit him on the head then slide down his neck.

Investigation / Compensability:

- The employee was wearing a hard hat at the time of the event and it was witnessed, the event is accepted as compensable.
- A full medical canvas search was obtained cross multi- state lines in order to have the prevailing factor addressed.
- Surveillance was conducted due to reported work outside of his restrictions and proved unsuccessful

Medical Management:

- The clmt was seen at Community Health Care Center in Westmoreland. He was referred to a neurosurgeon due to central disc bulge, spinal cord impingement and C5-6 narrowing of the spine. Prior medical records were requested as the employee had a prior cervical neck fusion in 2005 however due to the age many of the records were destroyed. Dr. Weimar found work is the PF as no prior MRI can be located for comparison. The claimant is now undergoing a course of cervical injections as well as physical therapy.

Periods of Disability:

- The claimant has been off of work since his injury date as the employer was unable to accommodate his restrictions. He has since been terminated for non-injury related concerns.

Permanent Partial Impairment / Permanent Disability:

- The claimant is estimated to receive an impairment of 5% to the BAW and a request will be made to deduct any pre-existing conditions from the rating received.

Subrogation / Other Issues:

- N/A

Plan of Action:

- Investigation into prior medical care will continue to be performed for possible revised prevailing factor opinion
- Medical care will be monitored for relatedness to the claim and to ensure no prior medical conditions are treated
- Ultimately the claimant will be placed at MMI and a rating requested to close his file full and final



Claim Summary – Reserve Advisory

Employer:	Reno County	Date of Injury:	11/10/2019
Claim No.:	19795607	Job Description:	Juvenile Detention Officer
Employee Age:	37	Updated:	7/21/2020
AWW:	766.23	TTD Rate:	510.84
Attorneys:	Mitchell Rice	Employer:	Ron Laskowski
Adjuster:	Amanda Chamberland		

	Medical	Indemnity	Rehabilitation	Legal	Expense	Total
Reserves:	\$ 41,250.00	\$ 15,000.00	\$ 0.00	\$ 8,000.00	\$ 4,232.50	\$ 68,482.50
Amount Paid:	\$ 29,151.69	\$ 0.00	\$ 0.00	\$ 0.00	\$ 996.60	\$ 30,148.29
Outstanding:	\$ 12,098.31	\$ 15,000.00	\$ 0.00	\$ 8,000.00	\$ 3,235.90	\$ 38,334.21

Accident Description / Nature of Injury:

- As the claimant restrained a troubled youth he lost his footing and the youth fell onto his left shoulder.

Investigation / Compensability:

- The employee was in the course and scope of employment and the claim was accepted as compensable.

Medical Management:

- Medical treatment was received at Hutchinson Clinic and an MRI was taken showing A tiny articular sided tear distal attachment supraspinatus tendon with edema. He was referred to Dr. Do at MAO who has requested a left shoulder arthroscopy with RTC repair and treatment as indicated. This was performed 1/13/2020 and he is now back at work and released at MMI. Rating and settlement offer were sent to clmt, he then obtained counsel.

Periods of Disability:

- The employee did not miss any time off of work over the 7 day waiting period.

Permanent Partial Impairment / Permanent Disability:

- The claimant is expected to have a scheduled PPI rating and the file is reserved for the same.

Subrogation / Other Issues:

- Subrogation via restitution was investigated. It was determined that the youth did not intentionally cause harm to the claimant and no charges were pressed against him for restitution recovery.

Plan of Action:

- At this time there are no pending appointments or demands from clmt counsel, once they are received we will present to defense for evaluation of case and further plan of action/defense strategy
- Ultimately we will attempt to settle this file full and final through litigation and settlement of the file.



Claim Summary – Reserve Advisory

Employer:	Rice County	Date of Injury:	07/08/2020
Claim No.:	20820955	Job Description:	Heavy Equipment Operator
Employee Age:	53	Updated:	7/21/2020
AWW:	648.69	TTD Rate:	432.48
Attorneys:	N/A	Employer:	N/A

Adjuster: Amanda Chamberland

	Medical	Indemnity	Rehabilitation	Legal	Expense	Total
Reserves:	\$ 67,900.00	\$ 12,433.80	\$ 0.00	\$ 550.00	\$ 7,728.00	\$ 88,611.80
Amount Paid:	\$ 0.00	\$ 432.48	\$ 0.00	\$ 0.00	\$ 0.00	\$ 432.48
Outstanding:	\$ 67,900.00	\$ 12,001.32	\$ 0.00	\$ 550.00	\$ 7,728.00	\$ 88,179.32

Accident Description / Nature of Injury:

- As the employee operated a pneumatic roller in reverse the machine went off the side of the road and in a ditch overturning. He injured his right shoulder, left eye, broke three ribs and suffered multiple transverse back fractures in the process.

Investigation / Compensability:

- The clmt was in the course and scope of his employment and wearing a lap belt per the company policy, the event is accepted as compensable.

Medical Management:

- The clmt was placed inpatient at Rice County Hospital due to pain control and muscle spasms with inability to breathe from 7/8-7/13/2020. A nurse case manager was assigned to help manage the medical recommendations and plan of care. The NCM assisted in a referral to Dr. Estivo for follow up care who has provide restrictions that the employer cannot accommodate. He is not surgical at this time however he will have a recheck to monitor his progress in less than two weeks.

Periods of Disability:

- The claimant is anticipated to be off of work up to 8 weeks and the file is reserves for the same.

Permanent Partial Impairment / Permanent Disability:

- Initial reserves are set for a 5% impairment to the BAW which may be increased if the fractures are later determined surgical.

Subrogation / Other Issues:

- N/A

Plan of Action:

- I will review medical reports at each visit to determine that medical needs are being met and are related to claim and intervene if pre-existing defenses are applicable
- Once the clmt has concluded his care and is back to work at MMI will request a rating
- If there is a rating for the injury I will attempt to settle the file with the clmt full and final then close the claim