

KWORCC Select Claims Report

Presented April 29, 2021



Claim Summary – Reserve Advisory

Employer:	Allen County	Date of Injury:	01/27/2021
Claim No.:	21840307	Job Description:	Landfill Equipment Operator
Claimant Age:	46	Updated:	4/20/2021
AWW:	513.49	TTD Rate:	342.34
Attorneys:	William Phalen	Employer:	Ron Laskowski
Adjuster:	Amanda Chamberland		

	Medical	Indemnity	Rehabilitation	Legal	Expense	Total
Reserves:	\$ 27,700.00	\$ 12,608.08	\$ 0.00	\$ 6,550.00	\$ 4,650.00	\$ 51,508.08
Amount Paid:	\$ 4,468.05	\$ 2,396.38	\$ 0.00	\$ 0.00	\$ 137.69	\$ 7,002.12
Outstanding:	\$ 23,231.95	\$ 10,211.70	\$ 0.00	\$ 6,550.00	\$ 4,512.31	\$ 44,505.96

Accident Description / Nature of Injury:

- While using a hand saw to cut a tire, claimant struck a piece of ice causing the saw to kick back and bend back his right wrist

Investigation / Compensability:

- The claimant was in the course and scope of his employment however the initial radiology showed a possible old fracture. This was reviewed by orthopedics and work is found to be the prevailing factor for cause of injury

Medical Management:

- The claimant was seen at the local clinic where he was diagnosed with the possible old fracture. He was referred to Dr. Mih orthopedic specialist for a prevailing factor opinion. Dr. Mih did NOT find this to be an old fracture and in fact believed he may have ruptured the area. He requested an MRI which confirmed the same. Surgery was authorized to repair the ligament rupture. The claimant is now off of work pending his next post-operative appointment.

Periods of Disability:

- The claimant is expected to remain off of work for 2-6 weeks

Permanent Partial Impairment / Permanent Disability:

- The claimant is estimated to receive an impairment of 10% and the file is reserved for the same

Subrogation / Other Issues:

- There is no subrogation applicable.
- The claimant was facing disciplinary action pre injury, and the supervisor is reluctant to work with the claimant in a light duty capacity

Plan of Action:

- I will work with the employer to bring the claimant back to a position potentially in another department at the county
- Once the claimant is at MMI counsel will negotiate settlement on the claim with claimant counsel
- Due to the claimant’s employment issues a global settlement including an agreed resignation may be preferred.



Claim Summary – Reserve Advisory

Employer:	Pottawatomie County	Date of Injury:	03/29/2021
Claim No.:	21845523	Job Description:	Sheriff Deputy
Employee Age:	38	Updated:	4/20/2021
AWW:	975.69	TTD Rate:	650.49
Attorneys:	N/A	Employer:	N/A

Adjuster: Amanda Chamberland

	Medical	Indemnity	Rehabilitation	Legal	Expense	Total
Reserves:	\$ 31,300.00	\$ 20,815.68	\$ 0.00	\$ 550.00	\$ 4,695.00	\$ 57,360.68
Amount Paid:	\$ 36.35	\$ 1,300.98	\$ 0.00	\$ 0.00	\$ 35.49	\$ 1,372.82
Outstanding:	\$ 31,263.65	\$ 19,514.70	\$ 0.00	\$ 550.00	\$ 4,659.51	\$ 55,987.86

Accident Description / Nature of Injury:

- On the date of injury the employee was called out to an early morning house alarm alert. He pulled up to the location and began exiting the vehicle. He noticed he had not placed the vehicle in park. He was unable to get back in the car and place it in park before it began rolling. He tried getting out of the way but fell to the ground. His left boot was sucked up and caught in the tire as it rolled with him in it. The tire eventually stopped after bending his left ankle and body to the side.

Investigation / Compensability:

- The claimant was in the course and scope of employment when the event occurred. Although this was avoidable and caused by employee error, this is not a defense to the worker’s compensation claim.

Medical Management:

- The employee was seen at Via Christi Manhattan ER, given a splint and told he had a fractured left tibia, fibula, tibial plateau and ankle. He was referred to orthopedic specialist, Dr. McAtee, who found his left ankle to be surgical and his left knee and leg to be non-surgical. He had a left ankle fracture repair in March and now is off of work and non-weight bearing.

Periods of Disability:

- The claimant is anticipated to remain off of work approximately 12 weeks.

Permanent Partial Impairment / Permanent Disability:

- The claimant is estimated to receive a PPI rating of 10% to the lower extremity and the file is reserved for the same.

Subrogation / Other Issues:

- Investigation was performed to ensure the vehicle was not defective, it was not and found to be employee error. No subrogation.

Plan of Action:

- Once the claimant is able to have light duty restrictions I will work with his employer on accommodating the same
- His medical care will be monitored to ensure claimant is healing as anticipated and no intervention is needed
- Once the claimant is at MMI I will request a rating and attempt to settle his file full and final