

KWORCC Select Claims Report

Presented December 15, 2022



Claim Summary – Reserve Advisory

Employer:	Cherokee County	Date of Injury:	10/16/2022
Claim No.:	22895975	Job Description:	Sheriff Deputy
Employee Age:	25	Updated:	12/5/222
AWW:	834.77	TTD Rate:	556.54
Attorneys:	N/A	Employer:	N/A

Adjuster: Amanda Chamberland

	Medical	Indemnity	Rehabilitation	Legal	Expense	Total
Reserves:	\$ 33,000.00	\$ 11,548.20	\$ 0.00	\$ 600.00	\$ 5,125.00	\$ 50,273.20
Amount Paid:	\$ 555.81	\$ 0.00	\$ 0.00	\$ 0.00	\$ 85.47	\$ 641.28
Outstanding:	\$ 32,444.19	\$ 11,548.20	\$ 0.00	\$ 600.00	\$ 5,039.53	\$ 49,631.92

Accident Description / Nature of Injury:

- The employee was injured while arresting a combative suspect. The suspect punched the deputy then pushed him into a refrigerator causing his left shoulder to dislocate.

Investigation / Compensability:

- The employee has a history of prior dislocations to the same shoulder however the prior dislocations spontaneously resolved. This dislocation is found to be a new and acute injury.

Medical Management:

- Medical treatment was received at Mercy Maude Norton Hospital and Ortho 4 States/Mercy Ortho. His CT showed an acute inferior glenoid labrum tear with displacement and a Hills-Sachs impaction fracture of the humeral head. Dr. Grantham requested an arthroscopic left shoulder anterior labral repair which was performed 11/22. He has been back to work and will start PT.

Periods of Disability:

- The claimant is not expected to miss any work due to the work injury as his employer is accommodating him.

Permanent Partial Impairment / Permanent Disability:

- It is expected that the claimant will receive an impairment of 7% to the shoulder and the file is reserved for the same.

Subrogation / Other Issues:

- We have requested that the county pursue subrogation via restitution as part of the criminal charges against the assailant.

Plan of Action:

- I will follow up with the employee and the medical providers to ensure the claimant is healing as expected
- Once the employee is at MMI I will request a rating
- I will attempt to settle the claim full and final being sure to deduct any impairment that could be partially caused by the pre-existing issues to the same shoulder.



Claim Summary – Reserve Advisory

Employer:	Cheyenne County	Date of Injury:	08/22/2022
Claim No.:	22893062	Job Description:	Dispatcher
Employee Age:	35	Updated:	12/5/2022
AWW:	679.65	TTD Rate:	453.12
Attorneys:	Robert Lee	Employer:	Ron Laskowski
Adjuster:	Amanda Chamberland		

	Medical	Indemnity	Rehabilitation	Legal	Expense	Total
Reserves:	\$ 25,000.00	\$ 20,000.00	\$ 0.00	\$ 8,500.00	\$ 3,350.00	\$ 56,850.00
Amount Paid:	\$ 1,324.32	\$ 0.00	\$ 0.00	\$ 495.00	\$ 47.95	\$ 1,867.27
Outstanding:	\$ 23,675.68	\$ 20,000.00	\$ 0.00	\$ 8,005.00	\$ 3,302.05	\$ 54,982.73

Accident Description / Nature of Injury:

- The employee alleges that while walking by the refrigerator at work she slipped on an ice cube causing injury to her left hip and low back. She did not fall but reports jerking to prevent herself from falling.

Investigation / Compensability:

- There is evidence to indicate that the non-witnessed injury may have actually occurred at home when her children dropped ice on the floor.
- The claimant had a prior surgery to her back and was in continued active care for the same before the alleged event.
- We received reports from co-workers indicating the clmt. may have filed the claim knowing she was out of leave from work and was unable to pay for continued care under her personal health insurance.

Medical Management:

- The employee was sent to Dr. Pat Do for a prevailing factor opinion. Dr. Do found that the claimant aggravated a pre-existing or underlying condition and that no care should be authorized under worker’s compensation. The doctor dictated that the claimant told him she already had an attorney, prior to seeing him. Based on the witness statements and the prevailing factor opinion of Dr. Do care continues to be denied under this file.

Periods of Disability:

- The clmt. has been off work since the alleged injury date without TTD pay nor sick/vacation time from her employer as she previously exhausted the same. She created a public Go Fund Me account where she discusses the claim and asks for monetary donations.

Permanent Partial Impairment / Permanent Disability:

- Although we dispute this claim in its entirety a nuisance settlement may be needed to resolve the claim and avoid any court ordered care and litigation fees. Reserves are set to cover this exposure.

Subrogation / Other Issues:

- N/A

Plan of Action:

- We will set up an appointment with a medical provider for another IME opinion in hopes to have additional medical evidence to bolster our denial through litigation.
- We will continue to dispute that the claimant suffered a work injury and that if any injury had occurred it would at best caused no more than an aggravation or exacerbation of an underlying issue.



Claim Summary – Reserve Advisory

Employer:	Gray County	Date of Injury:	11/03/2022
Claim No.:	22897034	Job Description:	Public Works
Employee Age:	67	Updated:	12/5/2022
AWW:	840.43	TTD Rate:	560.31
Attorneys:	N/A	Employer:	N/A

Adjuster: Amanda Chamberland

	Medical	Indemnity	Rehabilitation	Legal	Expense	Total
Reserves:	\$133,450.00	\$ 34,452.32	\$ 0.00	\$ 600.00	\$ 20,000.00	\$ 188,502.32
Amount Paid:	\$ 0.00	\$ 2,241.24	\$ 0.00	\$ 0.00	\$ 0.00	\$ 2,241.24
Outstanding:	\$133,450.00	\$ 32,211.08	\$ 0.00	\$ 600.00	\$ 20,000.00	\$ 186,261.08

Accident Description / Nature of Injury:

- While in the back of a truck using a tire hoist to move a tire, the tire swung back and hit him knocking him off the truck to the ground.

Investigation / Compensability:

- This an acute event and we have accepted compensability.

Medical Management:

- Emergency care was sought at St. Catherine’s Hospital. The employee was diagnosed with a displaced fracture of the right ankle and multiple transverse fractures from L1-4. He underwent inpatient hospitalization surgery for the right ankle with Dr. Shah, the on call provider. He is now treating with Dr. Shah on an outpatient basis and sees Dr. Matt Henry with Abay Neuroscience for the non-surgical back fractures.

Periods of Disability:

- The employee is unable to work in any capacity per the instructions of Dr. Shah. It is estimated he will remain off work a period of 12 weeks.

Permanent Partial Impairment / Permanent Disability:

- The claimant is expected to receive an impairment to the body as a whole and the file is reserved for the same. As the claimant is 67 years of age Medicare interests will need to be considered as part of any indemnity settlement negotiations.

Subrogation / Other Issues:

- The employer disputes any equipment defect caused the injury to the claimant.

Plan of Action:

- A nurse case management has been assigned due to the multiple injuries and the need for home health accommodations. The NCM and I will continue to work together to find the best providers for the claimant and ensure he is healing.
- I will work with the employee and employer to locate a light duty position for the claimant once he is released to perform the same.

- Once the claimant is at MMI we will obtain an estimated Medicare set aside analysis
- A determination will be made at time of Medicare analysis if it is beneficial to leave the medical care open or close the future medical benefits.



Claim Summary – Reserve Advisory

Employer:	Kingman County	Date of Injury:	11/07/2022
Claim No.:	22897242	Job Description:	Supervisor, Road and Bridge
Employee Age:	51	Updated:	12/5/2022
AWW:	890.54	TTD Rate:	593.72
Attorneys:	N/A	Employer:	N/A

Adjuster: Amanda Chamberland

	Medical	Indemnity	Rehabilitation	Legal	Expense	Total
Reserves:	\$ 24,200.00	\$ 9,054.23	\$ 0.00	\$ 600.00	\$ 3,000.00	\$ 36,854.23
Amount Paid:	\$ 0.00	\$ 1,781.16	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,781.16
Outstanding:	\$ 24,200.00	\$ 7,273.07	\$ 0.00	\$ 600.00	\$ 3,000.00	\$ 35,073.07

Accident Description / Nature of Injury:

- While replacing bridge decking the employee’s right foot fell through a bridge joist. The employee fell backwards and landed on his left elbow and left shoulder.

Investigation / Compensability:

- The claimant was in the course and scope of his employment and there are no known pre-existing defenses, the file is accepted as compensable.

Medical Management:

- Initial care was sought at Kingman Hospital where an MRI was ordered showing a complete tear of the supraspinatus tendon. He was referred to Dr. Babb at Mid America Orthopedics who found the claimant to be in need of a left shoulder arthroscopy with rotator cuff repair. This was authorized and is set to be performed this month.

Periods of Disability:

- The employer is unwilling to accommodate the employee at this time. They have stated they will reconsider after his surgery is performed. I estimate a period off of work of appx. 6-8 weeks.

Permanent Partial Impairment / Permanent Disability:

- A rating of 5% to the shoulder is expected and the file is reserved for the same

Subrogation / Other Issues:

- N/A

Plan of Action:

- I will continue to work with the employer to try and bring employee back to a light duty position
- Once the claimant begins physical therapy I will review notes for progression
- Once the claimant is doing well and placed at MMI I will request a rating and attempt to settle the claim, full and final