

**KWORCC Select Claims Report**

**Presented June 29, 2023**



## Claim Summary – Reserve Advisory

Employer:	Allen County	Date of Injury:	06/13/2023
Claim No.:	231094676	Job Description:	Truck Driver
Employee Age:	41	Updated:	6/19/2023
AWW:	1,088.61	TTD Rate:	725.77
Attorneys:	N/A	Employer:	N/A

Adjuster: Amanda Chamberland

	Medical	Indemnity	Rehabilitation	Legal	Expense	Total
<b>Reserves:</b>	\$ 66,400.00	\$ 4,354.62	\$ 0.00	\$ 0.00	\$ 6,100.00	\$ 76,854.62
<b>Amount Paid:</b>	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
<b>Outstanding:</b>	\$ 66,400.00	\$ 4,354.62	\$ 0.00	\$ 0.00	\$ 6,100.00	\$ 76,854.62

**Accident Description / Nature of Injury:**

- While stockpiling rocks in a rock quarry, the ground underneath the truck became uneven. The rock movement causing the truck to teeter and ultimately fall over with the claimant inside.

**Investigation / Compensability:**

- The clmt was in the course and scope of employment and the event is accepted as compensable.

**Medical Management:**

- The claimant initially was assessed locally, and then transported to St Luke’s Medical Center in Kansas City. He was diagnosed with multiple rib fractures, left shoulder minor dislocation and a lacerated spleen. He was inpatient for four days and is now at home recovering.

**Periods of Disability:**

- The employee is expected to be off work a period of 2-4 weeks as he recovers.

**Permanent Partial Impairment / Permanent Disability:**

- The claimant is not expected to receive an impairment rating at this time as his shoulder pain has resolved.

**Subrogation / Other Issues:**

- N/A

**Plan of Action:**

- I will work with the employee to establish an outpatient evaluation.
- Once restrictions are established, I will work with the employer to bring the claimant back to a light duty position.
- I will work with the employee to ensure his care needs are met.
- Once the claimant is at MMI, we will pay the final bills on his claim and close the claim as resolved.



## Claim Summary – Reserve Advisory

Employer:	Bourbon County	Date of Injury:	06/07/2023
Claim No.:	231094430	Job Description:	Truck Driver
Employee Age:	62	Updated:	6/20/2023
AWW:	639.65	TTD Rate:	426.45
Attorneys:	N/A	Employer:	N/A

Adjuster: Amanda Chamberland

	Medical	Indemnity	Rehabilitation	Legal	Expense	Total
<b>Reserves:</b>	\$460,500.00	\$ 155,000.00	\$ 0.00	\$ 2,500.00	\$ 91,500.00	\$ 709,500.00
<b>Amount Paid:</b>	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
<b>Outstanding:</b>	\$460,500.00	\$ 155,000.00	\$ 0.00	\$ 2,500.00	\$ 91,500.00	\$ 709,500.00

**Accident Description / Nature of Injury:**

- The employee was driving a large dump truck with asphalt when it left the road and went into a ditch.

**Investigation / Compensability:**

- The cause of the accident is under investigation. The employee felt ill and was recently diagnosed with walking pneumonia. The preliminary investigation shows there may have been little resistance, if any, to the exiting of the vehicle from the roadway. It is possible due to his illness he may have suffered a condition incapacitating him and causing the event. However, the claimant also called the employer within 20 minutes of the event to report a buzzing sound he associated with the air brakes. He tried calling the employer two more times right before the event, indicating he was conscious. There are also rumors of a tire blowing out or that perhaps the asphalt was overloaded. To date there is no confirmation of any of these findings.
- Ultimately compensability is determined not necessarily by the events leading up to the injury, but the following factors:
  - a) Was the claimant in the course and scope of his employment- yes
  - b) Is the diagnosis and residual care a result of the traumatic work injury – yes
  - c) Was the employee at a greater risk directly relatable to his work activities – yes
  - d) Did the employee abide by safety policies (seatbelt usage) – yes
- Based on the above factors a preliminary acceptance of the file is made and will continue to be reviewed as more information becomes available

**Medical Management:**

- The employee was air lifted from near the scene of the accident to Research Medical Center in Missouri. He remains inpatient at the hospital, recently moved from the ICU to the Neurological unit. There is a meeting in the near future to discuss movement to Madonna Rehab Hospital in Nebraska where the claimant would receive specialized care specific to head trauma. The claimant’s primary diagnoses are: post traumatic encephalopathy, (brain trauma), brain hemorrhage, axial brain injury and sepsis.

**Periods of Disability:**

- The employee is off work, hospitalized, and it is unknown if he will ever be able to return to substantial gainful employment.

**Permanent Partial Impairment / Permanent Disability:**

- The employee has suffered a severe, traumatic brain injury and he is expected to be awarded a permanent total disability.

**Subrogation / Other Issues:**

- An investigation of the vehicle for mechanical defect is underway. If found, we will review for subrogation.
- The claim is excess reportable due to his traumatic brain injury and has been reported to Safety National.

**Plan of Action:**

- I will work with the hospital and claimant's family for possible transfer to Madonna Rehab Hospital.
- I will review information from the County, KCAMP, and the KHP and DOT report (pending) to better determine the events leading up to the accident for a continual monitoring of compensability.
- Nurse case manager is assigned, I will work with the nurse case manager to facilitate care for an anticipated extended rehabilitation period.
- Close contact will be maintained with the family.
- Reserves will be reviewed on an ongoing basis for any increase or decrease as claimant's long-term prognosis develops.



## Claim Summary – Reserve Advisory

Employer:	Ford County	Date of Injury:	05/29/2023
Claim No.:	231093018	Job Description:	EMT
Employee Age:	56	Updated:	6/19/2023
AWW:	1,067.96	TTD Rate:	712.00
Attorneys:	N/A	Employer:	N/A

Adjuster: Amanda Chamberland

	Medical	Indemnity	Rehabilitation	Legal	Expense	Total
<b>Reserves:</b>	\$ 31,000.00	\$ 12,460.00	\$ 0.00	\$ 600.00	\$ 4,500.00	\$ 48,560.00
<b>Amount Paid:</b>	\$ 184.50	\$ 712.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 896.50
<b>Outstanding:</b>	\$ 30,815.50	\$ 11,748.00	\$ 0.00	\$ 600.00	\$ 4,500.00	\$ 47,663.50

**Accident Description / Nature of Injury:**

- While washing an ambulance, the employee stepped down off the floorboard and both his feet slipped out from underneath him. He hit the floorboard with the left shoulder and hyperextended the same shoulder.

**Investigation / Compensability:**

- The employee was in the course of his employment with no pre-existing defenses, the event is accepted as compensable.

**Medical Management:**

- Initial care was sought at the county owned clinic, an MRI was taken which showed a tear and a referral was then generated to orthopedics. Dr. Pat Do saw the claimant and requested authorization to perform a left shoulder arthroscopy with rotator cuff repair which is scheduled to be performed this month.

**Periods of Disability:**

- The claimant is off of work at this time as his employer is unable to accommodate his current restrictions.

**Permanent Partial Impairment / Permanent Disability:**

- The employee is expected to receive an impairment rating of 6% and the file is reserved for the same.

**Subrogation / Other Issues:**

- N/A

**Plan of Action:**

- I will review medical and work with claimant to ensure he is progressing as expected.
- I will work with the employer to accommodate the claimant after his post operative care.
- Once the claimant is at MMI, I will request a rating and attempt to resolve his claim, full and final.



## Claim Summary – Reserve Advisory

Employer:	Neosho	Date of Injury:	05/23/2023
Claim No.:	231092376	Job Description:	Equipment Operator
Employee Age:	72	Updated:	6/19/2023
AWW:	675.80	TTD Rate:	450.55
Attorneys:	N/A	Employer:	N/A

Adjuster: Amanda Chamberland

	Medical	Indemnity	Rehabilitation	Legal	Expense	Total
<b>Reserves:</b>	\$ 19,200.00	\$ 15,000.00	\$ 0.00	\$ 550.00	\$ 3,600.00	\$ 38,350.00
<b>Amount Paid:</b>	\$ 0.00	\$ 1,351.65	\$ 0.00	\$ 0.00	\$ 29.95	\$ 1,381.60
<b>Outstanding:</b>	\$ 19,200.00	\$ 13,648.35	\$ 0.00	\$ 550.00	\$ 3,570.05	\$ 36,968.40

**Accident Description / Nature of Injury:**

- While dismounting his road grader the employee stumbled, reached out to catch himself and injured his left shoulder.

**Investigation / Compensability:**

- The claimant was in the course of his employment and the event is accepted as compensable.
- The employee has underlying osteoarthritis that will be separated from the work injury.

**Medical Management:**

- Medical care was sought at Neosho Regional Medical Center where he was diagnosed with a proximal humerus fracture. A referral was made to Dr. Brett Olson, orthopedic surgeon, who has recommended a course of physical therapy.

**Periods of Disability:**

- The employee is off of work as the employer does not have light duty accommodations available at this time.

**Permanent Partial Impairment / Permanent Disability:**

- The employee will likely receive a permanent partial impairment of up to 5% with additional funds needed to secure Medicare interests, the file is reserved for the same.

**Subrogation / Other Issues:**

- The claimant is a Medicare beneficiary, and their interests will be considered throughout settlement of the claim.

**Plan of Action:**

- I will continue to work with the employer to locate a light duty position for the claimant.
- Physical therapy notes will be reviewed and radiology imaging to ensure that no further medical intervention is needed for the fracture care.
- Once the claimant is at MMI we will request a rating and either settle the file via Medicare set aside or leave medical open for specific care to the fracture.