

# **KWORCC Select Claims Report**

**Presented April 25, 2024**



## Claim Summary – Reserve Advisory

|               |                    |                  |                           |
|---------------|--------------------|------------------|---------------------------|
| Employer:     | Atchison County    | Date of Injury:  | 01/23/2024                |
| Claim No.:    | 241122222          | Job Description: | Housekeeper/Senior Living |
| Employee Age: | 49                 | Updated:         | 4/15/2024                 |
| AWW:          | 696.76             | TTD Rate:        | 464.52                    |
| Attorneys:    | Jacob Hanson       | Employer:        | Ron Laskowski             |
| Adjuster:     | Amanda Chamberland |                  |                           |

|                     | Medical      | Indemnity    | Rehabilitation | Legal       | Expense     | Total        |
|---------------------|--------------|--------------|----------------|-------------|-------------|--------------|
| <b>Reserves:</b>    | \$ 24,500.00 | \$ 25,000.00 | \$ 0.00        | \$ 8,000.00 | \$ 3,200.00 | \$ 60,700.00 |
| <b>Amount Paid:</b> | \$ 6,664.76  | \$ 0.00      | \$ 0.00        | \$ 0.00     | \$ 170.47   | \$ 6,835.23  |
| <b>Outstanding:</b> | \$ 17,835.24 | \$ 25,000.00 | \$ 0.00        | \$ 8,000.00 | \$ 3,029.53 | \$ 53,864.77 |

**Accident Description / Nature of Injury:**

- As the employee walked to her car, she slipped on black ice near the parking lot sidewalk. She slid down the sidewalk slope and tried catching herself but injured her back and her right thumb in the process.

**Investigation / Compensability:**

- The employee was on the employer’s owned and maintained premises per the employer.
- Pre-existing diagnoses are under investigation.

**Medical Management:**

- Medical care was sought at Amberwell where the employee was diagnosed with a lumbar and right thumb injury. An MRI was ordered with minimal findings and none that appeared acute in nature. An EMG was ordered due to left leg radiculopathy. The employee walked out of the exam and retained counsel. She is schedule to see Dr. Ciccarelli, spine surgeon, for an IME in May.

**Periods of Disability:**

- The employee continues to work in a light duty position and has not lost any work over the seven day waiting period.

**Permanent Partial Impairment / Permanent Disability:**

- It is estimated that the employee will receive an impairment to the body as a whole, regardless of pre-existing medical records. A general reserve is set for a settlement of \$25,000 until the claim further develops.

**Subrogation / Other Issues:**

- The County sold the senior living facility, where the employee continues to work. Due to the employer separation, communication to ensure the employee remains accommodated through litigation will be challenging.

**Plan of Action:**

- I will determine if there are any pre-existing injuries or conditions discovered through records or claimant deposition.
- Causation will be addressed at the time of her IME with Dr. Cicarrrelli.
- We will work to limit the claim exposure by monitoring and directing medical treatment
- Once the claimant is at MMI, she will likely receive a third-party IME to determine recommendations.
- We will attempt to settle the claim on a full and final basis.



## Claim Summary – Reserve Advisory

|               |                  |                  |                      |
|---------------|------------------|------------------|----------------------|
| Employer:     | Dickinson County | Date of Injury:  | 11/21/2023           |
| Claim No.:    | 231116413        | Job Description: | Correctional Officer |
| Employee Age: | 45               | Updated:         | 4/15/2024            |
| AWW:          | 913.31           | TTD Rate:        | 608.90               |
| Attorneys:    | N/A              | Employer:        | N/A                  |

Adjuster: Amanda Chamberland

|                     | Medical      | Indemnity   | Rehabilitation | Legal     | Expense     | Total        |
|---------------------|--------------|-------------|----------------|-----------|-------------|--------------|
| <b>Reserves:</b>    | \$ 21,750.00 | \$ 7,217.80 | \$ 0.00        | \$ 600.00 | \$ 4,500.00 | \$ 34,067.80 |
| <b>Amount Paid:</b> | \$ 6,142.24  | \$ 0.00     | \$ 0.00        | \$ 0.00   | \$ 458.38   | \$ 6,600.62  |
| <b>Outstanding:</b> | \$ 15,607.76 | \$ 7,217.80 | \$ 0.00        | \$ 600.00 | \$ 4,041.62 | \$ 27,467.18 |

**Accident Description / Nature of Injury:**

- The employee was riding as a passenger in a correctional transport van as it was involved in an auto accident. This was a chain reaction auto event involving multiple vehicles.

**Investigation / Compensability:**

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

**Medical Management:**

- The employee was seen by Dr. Grauerholz in Salina who provided diagnosis of an avulsion fracture to the long finger with an additional base fracture and wrist sprain. He treated her finger injury non surgically. The employee developed increasing numbness and tingling and was referred for an EMG. The EMG showed median nerve entrapment (carpal tunnel syndrome). Causation was addressed and the employee was found to have post-traumatic carpal tunnel due to the scar tissue development impeding the median nerve. Carpal tunnel surgery was therefore authorized to be performed by Dr. Grauerholz and will take place this month.

**Periods of Disability:**

- The employee is expected to be off work less than one-week post-surgery.

**Permanent Partial Impairment / Permanent Disability:**

- The employee is expected to receive a PPI impairment of up to 5% to the lower arm.

**Subrogation / Other Issues:**

- We are reviewing and pursuing subrogation for potential recovery.

**Plan of Action:**

- I will work to return the employee back to work following her surgery.
- Medical care will be monitored to ensure the employee is healing as expected.
- Once the claimant reaches MMI, an impairment will be requested, and settlement offer made.
- We will attempt to settle the claim full and final.



## Claim Summary – Reserve Advisory

|               |                   |                  |            |
|---------------|-------------------|------------------|------------|
| Employer:     | Montgomery County | Date of Injury:  | 04/07/2024 |
| Claim No.:    | 241131217         | Job Description: | Deputy     |
| Employee Age: | 26                | Updated:         | 4/15/2024  |
| AWW:          | 976.34            | TTD Rate:        | 650.92     |
| Attorneys:    | N/A               | Employer:        | N/A        |

Adjuster: Amanda Chamberland

|                     | Medical      | Indemnity     | Rehabilitation | Legal     | Expense       | Total         |
|---------------------|--------------|---------------|----------------|-----------|---------------|---------------|
| <b>Reserves:</b>    | \$600,000.00 | \$ 192,811.04 | \$ 0.00        | \$ 600.00 | \$ 132,000.00 | \$ 925,411.04 |
| <b>Amount Paid:</b> | \$ 0.00      | \$ 650.92     | \$ 0.00        | \$ 0.00   | \$ 0.00       | \$ 650.92     |
| <b>Outstanding:</b> | \$600,000.00 | \$ 192,160.12 | \$ 0.00        | \$ 600.00 | \$ 132,000.00 | \$ 924,760.12 |

**Accident Description / Nature of Injury:**

- While responding to a non-injury accident the employee was struck head on by an oncoming vehicle.

**Investigation / Compensability:**

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

**Medical Management:**

- The employee was taken via ground ambulance to St. John’s Medical Center in Tulsa, OK. He suffered extensive injuries, including but not limited to bilateral femur fractures, left tibia fracture, left knee fracture, spleen laceration, multiple internal organ contusions, distal clavicle fracture, brain bleed a traumatic brain injury. He remains in critical care, although he was recently removed from the ventilator and feeding tube demonstrating positive progress. A nurse case manager is assigned to the file and is on the scene in Oklahoma.

**Periods of Disability:**

- The situation is rapidly involving. It is unknown if the claimant will have a long-term traumatic brain injury or fully recovery from his injuries. It is estimated that his recovery period will be no less than one year.

**Permanent Partial Impairment / Permanent Disability:**

- It is possible that the employee will receive a permanent total disability impairment totaling up to \$155,000.

**Subrogation / Other Issues:**

- The claim is excess reportable and was reported to Safety National, adjuster is assigned. Any amount spent over the retention rate of \$850,000 will be reimbursed by Safety National.
- Subrogation is applicable against the other party and will be pursued.
- The spouse indicated that she intended to seek legal counsel in the case, although she has not decided if this will be specific to the third-party suit or against the County as well.

**Plan of Action:**

- The claimant remains hospitalized. I will continue to work with the nurse case manager assigned to assess his treatment and plan of care.
- I will continue my attempts to establish a relationship with the spouse to better assist the claimant.
- The overall course of the claim will depend on the improvement or lack of improvement of the injured worker.
- A plan of action will be formulated for the various scenarios that may occur and the reserves will be modified accordingly.
- I will pursue subrogation.
- I will submit timely reimbursement requests to Safety National as the SIR level is reached.



## Claim Summary – Reserve Advisory

|               |                     |                  |             |
|---------------|---------------------|------------------|-------------|
| Employer:     | Pottawatomie County | Date of Injury:  | 02/06/2023  |
| Claim No.:    | 23902149            | Job Description: | K-9 Officer |
| Employee Age: | 31                  | Updated:         | 4/15/2024   |
| AWW:          | 1,048.12            | TTD Rate:        | 698.78      |
| Attorneys:    | N/A                 | Employer:        | N/A         |

Adjuster: Amanda Chamberland

|                     | Medical      | Indemnity    | Rehabilitation | Legal     | Expense     | Total        |
|---------------------|--------------|--------------|----------------|-----------|-------------|--------------|
| <b>Reserves:</b>    | \$ 35,150.00 | \$ 10,000.00 | \$ 0.00        | \$ 600.00 | \$ 8,000.00 | \$ 53,750.00 |
| <b>Amount Paid:</b> | \$ 2,468.16  | \$ 0.00      | \$ 0.00        | \$ 0.00   | \$ 599.26   | \$ 3,067.42  |
| <b>Outstanding:</b> | \$ 32,681.84 | \$ 10,000.00 | \$ 0.00        | \$ 600.00 | \$ 7,400.74 | \$ 50,682.58 |

**Accident Description / Nature of Injury:**

- While running a training exercise with her K-9 she rolled her right ankle, while trying to steady herself she rolled her left ankle as well.

**Investigation / Compensability:**

- The claimant was in the course and scope of her employment; however, she had a prior history of bilateral ankle injuries and these were thoroughly investigated.

**Medical Management:**

- The claimant treated at the local clinic and was referred to Dr. Palmgren in Manhattan, Kansas for possible surgical intervention. Dr. Palmgren found the employee to have left ankle instability requiring a lateral ligament reconstruction. Due to her prior history of injuries to the same ankles while in the military, an IME evaluation was requested. Dr. Michael Johnson in Salina confirmed that she had met MMI for her right ankle as pertains to a new injury. However, he found that her left ankle injury to include a tear demonstrated a structural change requiring treatment under the current claim. The ligament reconstruction was therefore authorized to take place this month.

**Periods of Disability:**

- The employee is expected to miss up to four weeks of work following her surgery then return to a light duty position.

**Permanent Partial Impairment / Permanent Disability:**

- The employee is expected to receive an impairment of up to 6% to the left ankle.

**Subrogation / Other Issues:**

- N/A

**Plan of Action:**

- I will work with the employer to bring the employee back to work post-surgery.
- Once the claimant is at MMI I will request a PPI rating.
- The prior non-work-related injuries will be presented to the provider at time of PPI to be deducted from any new impairment given.
- I will attempt to resolve the claim full and final.