

THE SOURCE

Sims, Stakenborg & Henry, P.A.

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"We go to work when you can't!"

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Vets Who Return from Iraq Mistreated by U.S. Government

By Dorothy Sims

I am an outraged lawyer with no formal medical or psychiatric training. Some years back I noticed that insurance companies were denying some disability, personal injury and other claims by alleging the plaintiff was either "malingerer" (that is, lying), was not injured or was suffering from a pre-existing condition unrelated to claims of brain injury, posttraumatic stress or depression.

After 10 years of extensive investigation and study of the tests insurance company doctors use to diagnose brain trauma, I discovered to my horror that doctors were administering the wrong tests, scoring incorrectly and intentionally misdiagnosing plaintiffs.

Many people with brain injuries are stigmatized as "malingerers" or as having serious psychiatric conditions when, in fact, their behavior and symptoms are nothing more than healthy and typical reactions to injury and pain.

The government takes the position

that Jon Town and many others like him have a previously undiagnosed condition known as a personality disorder. The government sure is spending a lot of money on apparently incompetent psychologists who screen soldiers as fit for combat, but who later are diagnosed with a serious pre-existing psychiatric disease after they return from the battlefield!

Does this mean the government is putting guns in the hands of deviants? How comforting.

According to your statistics, government diagnoses of personality disorders among military personnel increased 25 percent between 2001 and 2006. That is staggering. Someone somewhere should be reporting this apparent psychiatric epidemic.

I'd like to meet those soldiers Col. Steven Knorr claims were "quite pleased" at being diagnosed with a personality disorder and discharged. Why would anyone be pleased upon receiving a diagnosis of a condition that is likely to interfere with his or

her ability to keep a mate, maintain a job or relate to a parent or child?

Major Byron Strother claims that diagnoses at his hospital were made "only after careful consideration of all relevant clinical observation, direct examination and appropriate testing," yet Captain Patrick Brady spent only 30 minutes with William Wooldridge. The most common personality inventory test in the nation is the Minnesota Multiphasic Personality Inventory (MMPI), which takes 60 to 90 minutes just to administer the test (see http://www.pearsonassessments.com/tests/mmpi_2.htm). How, then, could both a test and a complete psychological examination of Wooldridge have been conducted in 30 minutes? I'd sure like to see the testing data supporting that claim of "personality disorder."

Don't our veterans deserve, at a minimum, a little intellectual honesty?



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ASK THE ATTORNEY...

Long Term Disability

By Claudeth Henry

“Can I get long term disability benefits and still work?”



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If you have an “own occupation policy,” and an illness or injury keeps you from doing your own job, you might still be entitled to LTD benefits even if you can do some other type of work.

Wage & Hour

By Danialle Riggins



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“Do I have FMLA coverage for the flu and I am taking over-the-counter medication?”

Unless complications arise, a cold, flu, ear ache, upset stomach, minor ulcer, non-migraine headache, or minor dental problems will not ordinarily constitute a serious health condition. Similarly, taking over-the-counter medications, getting bed rest during flu or exercising do not constitute a regiment of continued treatment.

Social Security

By Elizabeth Stakenborg

“My doctor says I cannot work. Why won’t Social Security give me my benefits?”

The Social Security Administration makes the ultimate decision as to whether someone is disabled from working. Although the support of a treating doctor is extremely important, it is not the determining factor. Make sure your doctor specifically states what it is that is preventing you from working. For example, if you have difficulty sitting or standing for long periods of time, if you need to lie down during the day, if you have side effects from medication. These are types of opinions that the Administration will consider from a treating provider. Of course, if you have questions, please contact us and we would be happy to discuss any questions you may have.



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OUR ORGANIZATION

SSH seminar for doctors well received!

On April 7, 2007 our firm hosted a physician seminar to assist local medical doctors and provided information on how they could better assist their patients in winning social security, long term disability and personal injury cases. We provided lunch and an informative presentation. It was great to see old friends and meet new doctors!



Office manager Jill DiLorenzo introduces the speakers.

JUST FOR YOU

Get your own free copy of Attorney Dorothy Sims’ book **“Mommy Hurts.”** It is a colorful and easy-to-read story that helps young children learn why Mommy yells more or misses soccer matches due to pain. **Download your copy today from our website ~ www.Ocalaw.com.**

Check this out!



HEALTH TIPS

Fibromyalgia

Scheduled for Surgery?

- A) Watch the video:
www.googlevideo.com
- B) Save Money!!

Many items hospitals charge high dollars for can be purchased ahead of time; these include aspirin, feminine products and even prescription medicine for pain.

What is Fibromyalgia?

Do you hurt all over and feel exhausted? No matter how many test your physician has done, he has done, he still cannot find the cause of your problems? You may have fibromyalgia. Fibromyalgia is a condition that is characterized by widespread pain in your

muscles, ligaments and tendons, as well as fatigue and multiple tender points on your body where even slight pressure causes pain. In addition to pain you may be experiencing sleep disturbance, restless leg syndrome, muscle spasms, irritable bowel syndrome, headaches and sensitivity to odors, noises, bright lights and touch.

If you believe you may

have fibromyalgia, you may wish to be evaluated by a rheumatologist or a physician who specializes in this condition. There are specific tests which can be performed are consistent with a diagnosis of fibromyalgia.

For more information, visit the Mayo Clinic website at www.mayoclinic.com/health/fibromyalgia/DS00079

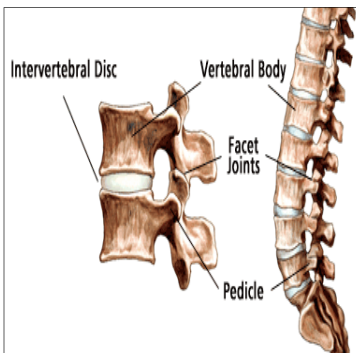
ASK THE PAIN DOCTOR

By: Dr. Amy E. Clunn, M.D.
Southeastern Rehabilitation Medicine
(352) 732-3110

Why does my low back hurt if I sit too long?

There are several potential causes of back pain while sitting. When a person sits, more pressure is transmitted to the anterior (front) of the spine, causing more of a load on the spinal discs. A disc that is worn, torn or herniated may produce pain in this instance. Prolonged sitting is difficult to tolerate with damaged discs. Other

potential causes of back pain with sitting may include scoliosis (curvature of the spine), muscle strain or nerve traction such as sciatica. Pelvic joints may also produce these symptoms when inflamed or out of alignment. There are treatments for all of these conditions, and the treatments differ depending on



the pain generator (all back

pain is not the same!) If you suffer from pain that is severe, persistent or keeping you from normal activity, a doctor in physical medicine should assess the problem so that you have a diagnosis and treatment plan. Never accept that your plan is “normal” or part of “just getting old.”

By: Dr. S. Reddy Pasem, M.D., (352) 237-0550

My husband was recently injured in a car accident. He's on narcotics and his pain is well managed, but he's become so grouchy. How do I help him (and myself)?

Suggest your husband consider talking to his doctor about an antidepressant. For more information go to: www.healthsystem.virginia.edu/uvahealth/news_menshealth/0305mh.cfm

PAIN UPDATE

Is your family upset because you take narcotics?

Many of our clients report their spouses/children are upset with them for taking narcotics to alleviate pain. It's your body and your decision. Florida law specifically addresses issues of narcotics for doctors in a publication set forth by the agency for health care administration which states:

“Inadequate pain control may result from physicians' lack of knowledge about pain management or inadequate understanding of addiction.”

See: www.painpolicy.wisc.edu/domestic/states/FL/flaw99.htm
Tell your family that what decreases your pain increases your function and it was

prescribed by a medical doctor who has training in treatment. He wouldn't prescribe it if you didn't need it.



Meet Jasmine

Jasmine has a problem. She is addicted to television and her owners, Archie and Tina Blair, find that she is watching reruns of the Dave Chappell shows at an alarming rate. The DVDs are hidden and she always finds them.

The Blairs, concerned, removed them all from the home and then



received a bill from Netflix for \$795.00 for one month's rentals...all Dave Chappell.

While they don't mind her watching TV occasionally, this has escalated, and they are considering psychotherapy. Any suggestions would be appreciated. Our next newsletter will update you on Jasmine and her little problem.



Funniest Thing I Ever. . .

By: Dorothy Sims

"Actually, I'll put this one under the category of 'most embarrassing thing that I ever did.' I was touring NYC and came to St. Patrick's Cathedral. I was in awe. It was beautiful. After downing a bottle of water and taking a tour,

nature called. I waited out the restroom... Ultimately irritated at the woman who was taking so long, I pounded on the door asking how long she'd be. It was a confessional."

Online Resources

* **WebMD** ~ www.webmd.com

* **Prescription Assistance** ~ www.pparx.org/Intro.php

* **Free Medical Clinics/Camp (FL)** ~ www.freemedicalcamps.com/vcity.php?stateid=FL

Sweet Recipes

Aunt Garland's Derby Pie

MIX TOGETHER: 2 eggs, lightly beaten; ¼ lb. melted butter – cooled; 1 c of sugar; 1 tsp. of vanilla; 1 c of pecans (chopped in medium sized pieces; 1 c of chocolate chips. Pour into uncooked pie shell; Bake 30 minutes in pre-heated oven at 375°. Cool and serve with whipped cream.

Kudos Corners goes to...

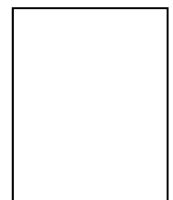
Attorney Danialle Riggins for being a guest speaker at the Marion County Legal Support Association on Wage and Hour issues!

News of the Weird!

* A shrimp's heart is in its head.

* Rats multiply so quickly that in 18 months, two rats could have over a million descendants!

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We're on the Web

See us at:

www.ocalaw.com