

I am here today to talk on behalf of injured state employees.

I sit here before you this morning in severe pain. Myself, in addition to other injured workers have had our ongoing treatment abruptly cut off by our respective case managers in direct conflict of our physician's prescriptions and recommendations in the best interest of our physical rehabilitation. In my case I have been waiting for treatment that was prescribed by my physician over two weeks ago only to find out that my case manager has been in possession of my doctors prescription with the intent of no longer consenting the continuation of my doctors prescription.

The same as many injured state workers, my injuries are permanent. My injuries are a result of working closely with the clients of CVH. Often times I was in the position of having to restrain out of control patients with co-workers and it was in these situations that I found myself put in harms way. For example, as I was restraining a patient that was out of control with a fellow staff member (due to his lack of medication, patient refused to take medicine) I grabbed hold of the patients legs, the patient began to wildly kick his legs and my co-worker and I lost control of the agitated patient. As a result, I fell straight to the floor on my left knee and this was the beginning of my knee troubles and certainly not the end of patient assaults and attacks at CVH. I have had a total of 5 knee surgeries-4 in my left knee and one in my right knee and I also suffer from a herniated disc in my neck. Everyday I live with and suffer from the compounded injuries to my knees, back, shoulder, arms, wrist, ankles and neck. All of my injuries are work related and accepted by workers' compensation.

During the past 10 years my experience with workers compensation has been inefficient, disorganized, and exhausting. This one sided relationship with workers compensation has revealed to me my physical well being is not a priority to workers' compensation. A former case manager of mine spoke to me with no respect during a hearing regarding my knee surgery, telling me what I better do and accusing me of lying when in fact it was the insurance company that the case manager represents who had incorrectly scheduled a doctor's visit and failed to communicate with me the correct appointment date, time and location. Another example of the frustrations and stagnation of my case is that at one time I was in the position of having to present my case to two separate insurance companies. This was a strategy to make my case confusing and lower the value. As a result these tactics were implemented to portray me as presenting false information regarding my many differing injuries. Even though, the evidence in my case file fully supported and factually documented my injuries and what I was presenting to the workers compensation department as being true.

The insurance company's case workers habitually came to the hearing unprepared and oftentimes different case workers would show up to the hearing. As a result the case workers frequently claimed lack of knowledge of the case and tried to pass off right knee injuries for left knee injuries as attempt to confuse the commissioner and make my file confusing. The commissioner appeared indifferent to the real issue of my case, only listening to and allowing the case workers to monopolize and manipulate the hearing. I felt that the commissioner exercised no control or judgment during my hearings regarding my physical well being.

I felt all the control was in the hands of the case worker. I always felt that I was fighting two insurance companies that never believed my injuries truly existed or deserved to be acknowledged. My goal has always been to seek proper treatment of my injuries. This is not an unreasonable request seeing as how the injuries are work related. The progress of my case and rehabilitation had been hindered several times due to the fact the insurance company did not follow through with the orders of the commissioner. As a result nothing was ever accomplished and an exhausting cycle of informal hearings. However I had to make a request to the commissioner for a formal hearing in which we were able to organize and separate files according to injuries, acknowledging dates and the types of injuries incurred on the job. Yet this would not have happened if I did not make a request to the commissioner for a formal hearing to resolve issues that were suppose to have been previously resolved at informal hearings.

As a result of my inequitable treatment and my struggle with workers' compensation for benefits and physical rehabilitation I appeal to the Labor and Public Employees Committee to adequately fund the workers compensation for settlement purpose. Presently, I believe the state regards my treatment as unimportant and meaningless. I suggest the Labor and Public Employees Committee create a list of injured state workers who are receiving disability retirement, who would like to settle their cases. In my case the time has long pasted for settlement. It is unproductive and unhealthy for me to continue this relationship with the state workers' compensation division. It is obvious that only after settlement; I would be able to get uninterrupted treatment.

I have been retired from state service for 10 years. I am on disability retirement, receiving 60% of my pay and have been trying to settle my case or cases for the last 8 years. By receiving 60% of my pay I find myself in a place of financial strain. This has reduced my ability to sufficiently support my family, save money for an emergency fund and most importantly saving to send my child to college. I understand that I cannot force the State of Connecticut to settle, however for the last 10 years the State of Connecticut has not allocated any money in the budget for settlement purposes. Everytime I sought a settlement with state I was told by the commissioner they would be glad to settle my case if the state would put money in the budget. I've been in front of the appropriation committee and written to Gov.Rell regarding the allocation of funds for settling workers' compensation cases. As of today both parties have declined this proposal. However Gov.Rell was able to find 100 million dollars for stem cell research but nothing for injured state workers and their children. I feel that a reasonable person could conclude that the state is willfully not settling cases due to the instance the disability collector should die before settlement is reached the state is cleared of all liability. This results in the injured person's family with no recourse to collect a settlement leaving the family to become a part of the ever increasing income challenged low income sector of Connecticut.

Thus, I propose the following, the state statue be amended to insure the injured persons family has a right to final settlement is protected. This can be done by the following: after the two year look back period an injured person may request a final settlement. The state will have 2 years to agree or disagree. If no agreement is made within the 2 years an

injured person should have right to have an arbitrator set a value on that case. The injured person's family member should be able to present this to the state 2 years after the death of the person.

In addition the state statute should not discriminate against a person who is totally disabled and receives a dependent allowance for children. Social Security Disability demands that a payee spends the dependent allowance on the child or save the money. There must be a yearly accounting for all dependent allowance money paid. This money is not the money of the injured person; said injured person can not spend the money on them selves.

Now, I would like to thank those who called GAB on my behalf. Because I am now receiving treatment as prescribed by doctor.