

**Written Testimony of Kevin McGuire**

**Before the Connecticut General Labor and Public Employees Committee**

**in support of SB 986, February 24, 2111**

**Please consider this my testimony in support of SB 986 An act concerning additional requirements for an employer's notice to dispute certain care deemed reasonable for an employee under the Worker's Compensation Act. I would also ask that the legislature take a look at serious changes to the way Worker's Comp. looks at injuries and disability in general. Changes must be made to ensure that families like mine don't lose everything when somebody is hurt.**

**In February of 1999 I fell from the back of the Staples delivery truck I was driving. I had climbed to the deck in the rear of the box truck to grab a delivery for a business in Plainfield, Ct. Irony of ironies...it was an envelope! Anyhow, as I got to the deck, my left foot slipped in the roadsand accumulated on the back of the truck. At the same time, the right foot slipped forward causing me to fall backward. I got caught in the t-gate (rear safety bumper), causing me to fall about six or seven feet to the ground. I landed on my neck and shoulder.**

**Ten years and several surgeries later I am fully disabled. Most the discs in my neck are gone, replaced with bone from my hip. I have two titanium rods in my neck to provide 'stability'.**

**I take several prescribed narcotics and muscle relaxers to dull the chronic pain and nerve damage. I have considerable weakness in my right arm with noticeable atrophy to the muscles.**

**The February injury was not properly diagnosed until that April. I had gone to follow up with a doctor in Manchester some weeks later. Initially finding Staples had not notified the WC carrier, my wife threatened legal action. She had to, the Dr.'s office was refusing to see me. I was told I had a pulled muscle. After irritating the doctor in question to fits, they finally did a neuro test and found I had no feeling in my arm and, at times hands, I was given an MRI which showed blown discs.**

**Then the real hell started. I couldn't work until surgery was done. I called the WC carrier and related the story. The woman expressed her condolences and told me she would take my info and we would start receiving checks within a week.**

**Two weeks later I called and related the story with the same nice lady. She put me on hold, about ten minutes past with varied woman apologizing. Finally, Jackie Brown got on the line.**

**She told me there would be no checks as they were going to investigate my claim. I asked if I needed an Atty and was told to go ahead and do whatever I wanted. Then she hung up. I got an attorney, Robert Fitzgerald. On July 19th,1999, my anniversary, I had my first surgery.**

**Since then, I have been treated to game playing with checks, prescriptions and doctors**

appointments. I've been sent to Insurance Doctors who would report to the WC carrier their findings. One in Waterbury came in and told me he was only being paid by the carrier and that I shouldn't worry about that. I should have, he told in his report of my "holding back in head and arm movement." The last Ins. Doctor they sent me to actually went further than my own Surgeon in stating my disability and prospects of further surgery based on my history. It was the last Ins. Doctor they sent me to. I have however spent lots of time at my own doctors and the Worker's Comp. office in Middletown. There, I have regularly had to plead for them to pay for needed medical care and to stop messing with my prescriptions. All this even though they have long since admitted my injury to be work related.

Despite all this my case remains open. I am on Social Security Disability after years of being unable to meet our obligations. We spent a year all four of us in one room. Now we are cramped in a small place I call the shoe box. Why? because I had to raid all our savings for basic living needs. Including medicine and travel to appointments.

I know there are many out there who would cheat the system. But there are the rest of us who deserve proper and prompt medical care and follow up. Had I gotten just that, I would not now need to come to you to ask that you pass legislation that guarantee payment for prescriptions, appointments, physical therapy and the like. I would go further; In 1993-94, the legislature went medical and decided neck injuries like mine, did not deserve importance as do others.

Please feel free to call me. I would love to chat about a disability that has ruined relationships, family and friends, who decided because I have no visible bandage or crutch, I'm faking.

Ask the others hear today some questions. Even better, you can have access to my records, my family. I would like you to see what happens to those of us hear and others who have real injuries. How our lives and those of our kids change because of a system not designed to help but to judge.

We are real people who have been injured while doing our jobs. We don't get rich sitting around on worker's comp, we get cut off from our working lives, friends and a chance at the future we wanted for ourselves and our children.

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