

PRESENTATION SB 285

SENATE JUDICIARY

EXHIBIT NO. 4

DATE 2/5/09

FILE NO. SB 285

MY NAME IS THOMAS WELCH

I LIVE AT 8090, HWY 12 WEST, IN LOLO, MT.

I AM HERE IN SUPPORT OF SENATE BILL 285.

IN 1979 I SUFFERED AN INJURY AT WORK.

THE WORKER'S COMPENSATION COURT ORDERED MY ADJUSTER TO COVER ALL MEDICAL EXPENSES RELEVANT TO THAT INJURY, FOR LIFE.

IN 2002, MY ADJUSTER DENIED ANY FURTHER RESPONSIBILITY FOR MY 1979 INJURY.

IN SPITE OF THE ORDER FROM THE WORKER'S COMPENSATION COURT, I HAVE NOT BEEN ABLE TO GET THE MEDICAL CARE I NEED, WITHOUT THE HELP OF AN ATTORNEY.

THROUGH MY ADJUSTER'S DELAYING AND DENYING NEEDED MEDICAL CARE, MY CONDITION HAS WORSENERD.

THERE HAVE BEEN TIMES THAT I'VE WAITED SIX MONTHS BEFORE GETTING A RESPONSE FROM MY ADJUSTER.

I WAS DENIED CARE FOR A POTENTIALLY LIFE THREATENING CONDITION, FOR OVER THREE MONTHS.

ACCORDING TO DR. ROLF HOLLE, 300 PEOPLE DIED IN MONTANA ALONE, IN THEIR SLEEP, AS A RESULT OF COMBINING PAIN MEDICATIONS AND SLEEP APNEA IN 2007.

MY ADJUSTER APPROVED THE TESTING FOR SLEEP APNEA ONLY AFTER MY ATTORNEY FILED A LAWSUIT FOR BAD FAITH. (IN APRIL OF 2008.)

IT HAD TAKEN OVER THREE MONTHS TO GET THE APPROVAL. (MARCH 25, 2008 - JULY 8, 2008).

DURING THAT TIME, I LIVED WITH REAL AND CONSTANT FEAR THAT I WOULD DIE IN MY SLEEP FROM NOT BREATHING.

THOSE TESTS REVEALED THAT I DO HAVE SLEEP APNEA AND MY PAIN MEDS HAVE TO BE MONITORED ACCORDINGLY.

IN 2002, I WAS TERMINATED AS THE OPERATIONS MANAGER, FOR OLDE EUROPEAN RESTAURANTS IN WASHINGTON AND IDAHO,

IN 2008 I WAS TERMINATED FROM MY POSITION AS THE ASSISTANT DIRECTOR FOR RESIDENTIAL DINING, AT THE UNIVERSITY OF MONTANA.

MY PERFORMANCE WAS NOT IN QUESTION AT EITHER OF THOSE POSITIONS UNTIL MY WORK RELATED INJURY INTERFERED.

DURING THAT TIME MY CONDITION GOT WORSE, AS I WAITED MONTHS FOR MY ADJUSTER TO APPROVE MY MEDICAL CARE.

IN ADDITION TO LOSING THOSE JOBS, I HAD TO GET PSYCHOLOGICAL COUNSELING, TO HELP ME DEAL WITH CHRONIC AND ACUTE PAIN, FRUSTRATION AND DEPRESSION RELATED TO MY INJURY AND THE LACK OF COOPERATION FROM MY ADJUSTER.

I AM NOW CONSIDERED DISABLED.

MY FUTURE IS UNCERTAIN.

IN CLOSING:

MY ADJUSTER CONSISTANTLY DENIES, STALLS AND DELAYS AUTHORIZATION FOR MEDICAL CARE THAT I AM ENTITLED TO BY ORDER OF THE WORKER'S COMPENSATION COURT.

EVEN WITH A COURT ORDER, I WAS FORCED TO USE AN ATTORNEY, ALMOST WITHOUT EXCEPTION, FOR EVERY MEDICAL TREATMENT I'VE NEEDED.

AS A RESULT, MY CONDITION WORSENERED, I'M DISABLED, AND I'VE SUFFERED A SIGNIFICANT AMOUNT OF FINANCIAL AND PERSONAL LOSS.

I'D PROBABLY STILL BE EMPLOYED IF MY ADJUSTER HAD HELPED ME GET TIMELY AND NECESSARY CARE FOR MY INJURY.

I AM DISMAYED WITH THE TRAGIC, NEEDLESS AND SIGNIFICANT EXPENSE MY ADJUSTER HAS CAUSED ME AND THE TAXPAYERS.

I WONDER WHAT HAPPENS TO PEOPLE WHO CAN'T GET AN ATTORNEY OR A DOCTOR WHEN THEY NEED MEDICAL CARE FOR A WORK RELATED INJURY?

PLEASE CONSIDER THESE COSTS ASSOCIATED WITH ADJUSTERS DELAYING AND EVEN DENYING NECESSARY MEDICAL CARE.

ADJUSTERS CURRENTLY HAVE NOTHING TO LOSE AND EVERYTHING TO GAIN WHEN THEY DENY A CLAIM.

SENATE BILL 285 ENCOURAGES MORE PRUDENT DECISION MAKING BY THE ADJUSTERS AND MORE EFFECTIVE HEALTH CARE FOR INJURED WORKERS.

THANK YOU FOR YOUR CONSIDERATION.