

BUSINESS & LABOR

EXHIBIT NO. 18
DATE 3-23-11
BILL NO. HB 334

I am a mother of three, married for 41 years and if it were not for the support I received from the people that helped be through my demeaning and demoralizing experience I had with the Workman's Compensation system I don't know if I would have come out of with my sanity intact.

I would dare the legislators to find an injured worker who enjoyed being on Workman Comp and then profited with their settlement. I had a good paying job with excellent benefits. I have to ask you and others if cutting benefits by 80-90% is going to reduce Workman's Comp premiums? I think not. More than likely from my perspective it is more likely to increase profits for insurers on the backs of the injured workers. From my understanding if you have a WC claim and then you are put into the private sector insurance and or SSD/Medicare they will not cover the injured limb/body part, that will always be the issue for WC?

I am thankful that I was able to choose my own doctor. Dr. Michael Schutte of Northern Rockies Orthopedics in Missoula is an excellent surgeon and he went above and beyond my expectations when he agreed to testify on my behalf as to my physical condition and what I could expected to be able to do in the future. I wish I could say the same for the doctor that Workmans Comp sent me to for their own evaluation: I never had the feeling that he had my best medical best interest at heart and that he cared about my personal well being. I was a number to him and he was clearly in the WC corner.

After my surgery I had an appointment with a Workman's Comp case worker and was shocked by the question he asked me as to why I felt the need to hire an attorney. After reading what I have written above is there any question as to why I felt for my own well being to seek legal counsel before beginning my journey through the Workman's Comp system of justice?

Thank you for taking the time to ask and for reading my letter I hope it can provide some insight to you and others that may not have had the opportunity to experience the Workman's Comp system first hand.

Respectfully,

Kathy Rosenthal

State Representatives.

I am writing in reference to the Workers Compensation House Bill. My name is Lisa Heinle. My husband, Robert Heinle, was a police officer for the City of Missoula Police Dept for seven years when he was shot in the line of duty in October of 1998. The injury left him a high-level quadriplegic, paralyzed from the shoulders down. The impact of this injury was devastating to our family, our friends and our community. Everything we had worked for and imagined for our future was lost in an instant. There are no words to describe the amount of pain and sadness that results from this type of catastrophic injury. One of the most difficult challenges of paralysis is that you don't get better. It is a constant battle every day to stay healthy - the slightest lapse in care can be fatal...literally.

There is an endless amount of education necessary to live successfully with this level of injury. Bob and I spent 5 months in rehab and learned everything possible during that time, but the learning never stops. We needed a collection of adaptive equipment just to get Bob out of bed each morning and then more to shower, to exercise, to get around the house, to leave the house - the list is long. We also needed to remodel our home to accommodate Bob's wheelchair and all this new equipment that would become necessary to live each day.

We had many issues with Workers Compensation during this time. What will they pay for, what will they approve, what is considered medically necessary, who will care for him? This process did not go smoothly. Although Bob's physicians and therapists insisted this equipment was medically necessary and vital for Bob's survival, we still fought daily to provide his basic needs. We continued to battle with our claims adjuster for years to come - it was the darkest time of our life. We finally had no energy left to fight and hired an attorney to help navigate the system. A year after we hired our attorney, Work Comp agreed to pay for everything the specialists recommended. A very frustrating time as we incurred unnecessary attorney costs due to Work Comps refusal to pay what was initially requested.

This injury is extremely costly, hundreds of thousands of dollars annually just for basic care, medication, physicians, and equipment. These costs don't go away, they stay at this level indefinitely. Bob could no longer work and I quit my job so I could help care for Bob - he required 24 hour, around the clock care. I became Bob's primary caregiver - this enabled us to have some privacy and a sense of normalcy in our home. I was compensated for a portion of my work with Bob. We now lived on a fixed income. There is no way we could afford to pay for Bob's medical needs on our own - impossible.

I understand the bill being presented severs Work Comps responsibility to their 'insured' after 5 years. If this law were in affect when Bob was injured, we would be financially devastated and Bob would have spent the rest of his life in a facility. Bob's quality of life would be non-existent and we would have no life together as husband and wife. This injury is powerful and destroys lives - without financial assistance, it would be fatal. It is the responsibility of the insurance carrier to assure the people under their watch are taken care of - that responsibility doesn't end after 5 years...especially with a life-long injury. My husband gave his life to save others and watch over the people in his community...there should be some honor in his service.

Thank you for your time and consideration,

Lisa Heinle

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My name is Greg Howard on 11/9/07 I was in a horrible work accident where I fell and my lower back was crushed. I was left paralyzed from the resulting Spinal Cord Injury. Two months later I was released from the Hospital with a loaner wheelchair and several hundred thousand dollars in medical bills, workers comp had denied my claim. Luckily my family had hired a lawyer and the insurance company awarded my case without prejudice. If I did not have workers comp insurance the hospital bills and cost of my ongoing care would have bankrupted my family and left me in a much worse situation. Thanks to my insurance the medications, medical supplies and procedures needed to maintain my condition are possible.



Greg Howard