

Claim Report

Employer: TOWN OF CHILMARK	Claim Number: 0621584167
Employee: PAUL WILKINS	Date of Injury: 5/22/2015
DOB: 7/10/1956	Job: Ambulance Chief

Description of Accident and Injury: PTSD FROM CRITICAL INCIDENTS

Average Weekly Wage: \$1,563.34

Weekly Compensation Rate: \$938.00

RESERVES AND AMOUNTS PAID

Indemnity		Medical	
Incurred:	\$165,000.00	Incurred:	\$80,000.00
Payments:	\$0	Payments:	\$0
Outstanding:	\$165,000.00	Outstanding:	\$80,000.00

Remarks:

EMPLOYEE: The employee is a 58 year old Ambulance Chief in the Town of Chilmark. He is married with no dependents. He states he has a caretaking business, where he turns the outside showers on and off at three clients homes. This is not full-time; it is at the beginning and end of the summer season.

INCIDENT: The employee is alleging PTSD from dealing with critical incidents over the years.

INJURIES: On May 22, 2015, the employee suffered an emotional breakdown at work for which he requested and was granted a medical leave of absence. He sought treatment on both an outpatient and inpatient basis. Presently, he is being treated by his primary care physician, Dr Peter Laursen, as well as receiving counseling at Martha's Vineyard Community Services. He has also attended two inpatient counseling sessions at On-Site Academy. The working diagnosis is post-traumatic stress disorder, allegedly related to responding to multiple incidents of death, serious injury to and death of babies, as well as trauma and death to friends and family members during the scope of his employment. His symptoms include anxiety, insomnia, nightmares, flashbacks, loss of appetite and depression.

He remains in treatment with Martha's Vineyard Community Services.

THIRD PARTY LIABILITY: This is a stress claim. There is no subrogation potential.

MEDICAL MANAGEMENT/IME's: An IME was obtained with Dr Michael Mufson which suggested that the diagnosis of post-traumatic stress disorder may not be valid and that Mr Wilkins can work full duty.

LITIGATION: This claim was denied initially, as there was insufficient medical evidence of support causal relationship. Mr. Wilkins subsequently retained Attorney Stephen Gray, who filed a claim with the DIA. In his claim, Attorney Gray requested temporary total benefits (Section 34) from May 22, 2015 through June 5, 2015 as well as ongoing temporary partial benefits (Section 35) from June 6, 2016, plus medical expenses.

A conference was scheduled to be held before Judge Maureen McManus. She agreed to hold the matter and encouraged both parties to explore settlement.

SETTLEMENT AND RECOMMENDATION: Mr. Wilkins is currently working as a self-employed wood stove installer and chimney sweep but has been advised not to return to his former job as an EMT. His wages appear to be significantly less than what he was earning while employed with the Town of Chilmark. Mr. Wilkins should be eligible for ADR; however, psychiatric cases are difficult to get approved.

In the meantime we have agreed to settle his workers compensation claim for \$90,000 pending the town's consent. Please be aware that this claim settlement has also been presented to Stan Corcoran, who has approved it. Should we not settle his case it will go back before a judge and it's likely we will be ordered to pay him benefits. Also, this settlement is without liability, which means that no medical expenses will be paid. Should the Judge issue an adverse Conference order as expected, liability will be established and the private health carrier can seek reimbursement for prior treatment (including two inpatient stays) as well as ongoing treatment.

If ordered to pay benefits on this claim, with Mr. Wilkin's life expectancy of 22.0 years the anticipated exposure here would be more than \$1,400,000.

Please let me know if you have any questions.

Thank you
Brienne Crook

By:	BRIANNE CROOK
Date:	11/24/2015

