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Work Comp Insurance Company Wrongfully Described Serious Injury as "Sprain/Strain"

A worker's swing with a 20-pound sledgehammer missed its mark, but landed a string of medical disorders. The misguided swing pulled the man's right shoulder, resulting in significant pain. He underwent surgery to repair a tear in the shoulder, and also underwent right carpal tunnel release. As a result of the injury, the worker also developed brachial plexopathy (also known as thoracic outlet syndrome), myofascial pain, adhesive capsulitis of the right shoulder, complex regional pain syndrome (also known as reflex sympathetic dystrophy), adjustment disorder and depressive disorder. Yet the insurance company's notice of compensation payable described his injury simply as a "sprain/strain of the right shoulder." Representing the injured man, the Berks County, Pennsylvania law firm of Liever, Hyman and Potter filed a petition for review to correct the description of injuries so that proper medical treatment would not only be received but also paid for by the insurance company. Through the lawyers' taking of testimony of multiple medical experts on their client's behalf, the workers' compensation judge amended the description of injury so as to allow the client to receive proper medical treatment. The injured man continues to receive benefits to this day.

Featured Law Firm

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