

Lawrence M. Richman, M.D.

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December 15, 2020

WORKERS' COMPENSATION APPEALS BOARD

Disability Evaluation Unit
1065 North Pacificcenter Drive, Suite 170
Anaheim, California 92806-2141

EMPLOYEE	:	EVAN DISNEY
EMPLOYER	:	Advances Management Company, S.I.B.T.F.
D/INJURY	:	CT June 5, 2015 – March 12, 2018; CT March 12, 2017 – March 12, 2018; December 12, 2018; February 14, 2018
SIF NO.	:	SIF12037148
WCAB NO.	:	ADJ11231848; ADJ12037148; ADJ11804165; ADJ11231935
DATE OF BIRTH	:	April 17, 1978

COMPREHENSIVE SUPPLEMENTAL INDEPENDENT MEDICAL NEUROLOGIC EVALUATION REPORT:

Gentlepersons:

ML106 is billed for this report as follows:

Review of prior records	1.0 Hour
Report preparation and review	1.0 Hour
Report editing	.50 Hours

I am responding to correspondence from the Workers' Defenders Law Group dated October 14, 2020.

With respect to the first question regarding opposite or corresponding body parts. Within my speciality, it is noted that the patient previously sustained a traumatic brain injury in 1997, corresponding to body parts impacted resulting in a pre-existing disability would include the patient's complaints of neuralgic-type headache pain over the right side of the scalp occurring numerous times per month, as well as impaired sleep, all of which are body parts or components of body parts of the central nervous system.

Similarly, the patient sustained a traumatic brain injury in 2005 while employed by Schwann's Foods associated with altered mental status and corresponding body parts of blurred vision, which would involve both eyes; each eye is a separate body part and an impairment of each eye would impact the opposite and visa-versa.

With respect to the second request regarding a traumatic brain injury, I believe that Diffusion Tensor Imaging would provide some information regarding the extent of the patient's brain injuries however, standard parameters for traumatic brain injuries are still evolving. An alternative approach would be that of Positron Emission Tomography or SPECT brain imaging.

With respect to the injury of December 12, 2018, there is no substantial medical evidence to show that the patient sustained a clinically significant traumatic brain injury.

With respect to the third question regarding the December 12, 2018 incident, I have been informed that he was considered to have reached maximal medical improvement previously on October 15, 2018. I have also been informed that there was a subsequent injury of December 12, 2018 when the claimant fell at work injuring multiple body parts however, the patient was not evaluated for any particular injury from this fall. I do not have sufficient medical records to address whether there is any clinical event or labor-disabling neurologic injury from that fall. I would be agreeable to review additional medical records, as they become available.

With respect to question number four, I am informed that the patient has never been evaluated by a neurologist for his industrial injuries. Based on my review of the patient's medical records corresponding to injuries sustained after his date of hire, there is reference to the patient having experienced difficulty with sleep in June 2014, on February 14, 2018 the latter from a nonindustrial motor vehicular accident, as well as headaches reported by a chiropractor on February 14, 2018 following a motor vehicular accident.

It is noteworthy that I did not give an impairment rating for sleep, but I did give an impairment rating for headaches, some of which, in my opinion predated his date of hire and some of which was present subsequent to his date of hire.

In my opinion, within reasonable medical probability, 20% of the patient's headache complaints were present subsequent to his date of hire, which would leave the patient with a whole person impairment of 12% from Table 13-11. There was no evidence of any significant head injury post date of hire.

If I can be of further assistance regarding this case, please do not hesitate to contact this office.

SOURCE OF ALL FACTS AND DISCLOSURE:

The source of all facts was from review of correspondence and my previous medical report. I declare under penalty of perjury that the information contained in this report and its attachments, if any, are true and correct to the best of my knowledge and belief, except as to the information that I have indicated that I received from others. As to that information, I declare under penalty of perjury that the information accurately describes the information provided to me and, except as indicated herein, that I

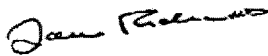
DISNEY, Evan
Page 3

Date of Report: December 15, 2020

believe it to be true. Labor Code 139.3 was not violated. Please note that all times listed reflect physician time spent and not staff time.

Date of Report: December 15, 2020. Signed this 5th day of January 2021, at San Bernardino County, California.

Yours truly,



Lawrence M. Richman, M.D., Diplomate (Neurology),
American Board of Psychiatry and Neurology,
Diplomate, American Board of Electrodiagnostic Medicine,
Fellow, American Association of Neuromuscular and Electrodiagnostic Medicine,
NIH Fellowship, Neurovestibular Disorders and Neuro-Ophthalmology

LMR/kdp

cc: Department of Industrial Relations
Subsequent Injuries Benefit Trust Fund
160 Promenade Circle, Suite 350
Sacramento, California 95834
Attention: Kamran Tahir, Claims Examiner

Workers Defenders Law Group
8018 East Santa Ana Canyon, Suite 100-215
Anaheim, California 92808
Attention: Natalia Foley, Esquire

State of California
DIVISION OF WORKERS' COMPENSATION - MEDICAL UNIT

AME or QME Declaration of Service of Medical - Legal Report (Lab. Code § 4062.3(i))

Case Name: DISNEY EVAN v Advanced Management Company SIBTE
(employee name) (claims administrator name, or if none employer)

Claim No.: SIF12037148 EAMS or WCAB Case No. (if any): ADJ11231848

I, Simon C. Thompson, declare:
(Print Name)

1. I am over the age of 18 and not a party to this action.
2. My business address is: 1680 Plum Ln Redlands CA 92374
3. On the date shown below, I served the attached original, or a true and correct copy of the original, comprehensive medical-legal report on each person or firm named below, by placing it in a sealed envelope, addressed to the person or firm named below, and by:

- A depositing the sealed envelope with the U. S. Postal Service with the postage fully prepaid.
- B placing the sealed envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U. S. Postal Service in a sealed envelope with postage fully prepaid.
- C placing the sealed envelope for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- D placing the sealed envelope for pick up by a professional messenger service for service. *(Messenger must return to you a completed declaration of personal service.)*
- E personally delivering the sealed envelope to the person or firm named below at the address shown below.

<u>Means of service:</u> <small>(For each addressee, enter A - E as appropriate)</small>	<u>Date Served:</u>	<u>Addressee and Address Shown on Envelope:</u>
<u>A</u>	<u>01/15/21</u>	<u>Workers Defenders Law Group 8018 E. Santa Ana Canyon, Suite 100-215 Anahelm Hills, California 92808</u>
<u>A</u>	<u>01/15/21</u>	<u>Subsequent Injuries Benefit and Trust - Sent Electronically</u>
_____	_____	_____
_____	_____	_____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Date: 01/15/21

(signature of declarant)

Simon C. Thompson
(print name)