

ADDENDUM TO INITIAL BRIEF

Shiver v. Palmetto Health Richland et.al. Appellate Case No. 2013000887

1. Judge Lee didn't consider the new injury to my right knee.
2. The case that came before the Circuit Court was not the intended Case.
3. My Records in the Worker's Compensation Commissioner Office needs to be corrected and decisions made from the original 1997 case concerning Trident Hospital reinstated, especially decisions made concerning my right shoulder injury of 1995.
4. The Transcript of the Circuit proceedings has a lot of incorrect information in it.

When I told Judge Lee about the new injury to my right knee, she shrugged her shoulders. She did not consider this injury at the hearing. She didn't asked pertinent questions as to the reason the case was at the Circuit Court level. My new injury to my right knee occurred on December 6, 2010. This injury occurred several months before the three-man panel of the Worker's Compensation Commissioner signed the permanent Order that was written by Attorney Chase and signed by Commissioner Huffstetler. This new injury to my right knee is still a part of the continuation of injuries. In addition, Michael E. Chase lied and wrote that the injury to my right wrist came from the fall at the Church (Red Hill Baptist Church), and Judge Lee signed the Order. The injury to my right wrist developed while I was using the hole puncher at Palmetto Health Richland Hospital in July of 2006. This is when I first felt pain in

my right wrist. I fell at the church in May of 2006 hurting both knees and my left wrist only.

HISTORY

I went to the Worker's Compensation Commission in September of 2007, so that the Commissioner could help decide on what each insurance company owed toward my injuries, especially for the continued falls that I was having as a result of not receiving proper care from my employers. Instead, I was already set up by Attorney Michael E. Chase and Commissioner Huffstetler where the 1997 case against Trident Hospital was retried and my claims against Trident Hospital and Palmetto Hospital was dismissed with prejudice and Commissioner Huffstetler told the defense attorneys not to give me anything for my injuries. Attorney Chase and Commissioner Huffstetler used the Worker's Compensation hearing to punish me severely for writing a book about my life and how I had been treated under Worker's Compensation. Also, Commissioner Huffstetler was very angry at me for writing a book and telling about what Attorney White had done to me concerning my worker's compensation claim of 1995 against Trident Hospital. He told the defense attorneys not to give me anything for my injuries and he dismissed all of my claims with prejudice. He never attempted to try the case that was at hand. None of my disabilities were considered. I was not protected under the American with Disabilities Act. I wrote the truth in my book, but Commissioner Huffstetler said that he wasn't going by hearsay.

At the hearing, Attorney Michal E. Chase stood up over me waving his hand after he had read in my book that I was afraid of some tall white men. In addition to

Attorney Chase getting me fired from Palmetto Health Richland, he also got me fired from K-mart store. Attorney Chase gave a newspaper clipping to Commissioner Huffstetler to poison his mind against me. The clipping related to a job search that I was doing for a cashier's job at Wal-mart after Attorney Chase had gotten me fired from Palmetto Health Richland.

ARGUMENT

Commissioner Huffstetler and Attorney Michael Chase made sure that I didn't get anything for my worker's compensation injuries, all of my claims were dismissed with prejudice, all of my claims have been removed from under Worker's Compensation, and I was left without a job after the hearing. Attorney Chase was making it very hard for me to get a job after the hearing. This severe punishment was done in retaliation for me writing a book about my life and how I have been treated under worker's compensation. This is the reason that they were very angry at me. I didn't write any lies in my book. In addition, the State of South Carolina has gotten rid of the Second Injury Fund, the only incentive that the state had so that a second employer could hire a previous injured employee.

I still have all of the injuries, and I just don't have a rating for all of my injuries because the physicians would not give me a rating. I am still having pain in all of my injured body parts. The injuries are permanent that I have even though they are not visible. My entire right arm still hurts including the shoulder blades and right arm. I have difficulty handling patients which includes turning, lifting, and repositioning. I even have difficulty lifting a baby.

After Attorney Chase got me fired from Palmetto Health Richland from my desk job, I was unable to find another light duty job. still do “hands on nursing” because I was forced back into nursing because of Commissioner Huffstetler and Attorney Michael E. Chase with all of my disabilities. It has been very difficult for me to find any kind of job. This nursing job is strenuous on me with all of my prior injuries. I cannot obtain another desk job in Health Information Management or a job in medical coding.

There was no reason for Commissioner Huffstetler to retry a 1997 case against me concerning Trident Hospital and to override the decisions made by a prior Commissioner (Commissioner Atkins) and to substitute this 1997 case for the one that was before him. He even ignored Commissioner Mickle’s Order that she gave me which she and Attorney E. Douglas Pratt-Thomas had agreed upon concerning my January 1995 case. The 1997 case was not before him to decide because decisions had already been made concerning my right shoulder. My records in the Worker’s Compensation Office have to be corrected. I have never been fired from 3- 4 jobs for abusing patients. I still have the injury to my right shoulder and it has never healed nor did I receive any orthopedic care for it. I never had an MRI to rule out rotator cuff tear to my right shoulder, even though Commissioner Lyndon had signed the Order of 1995 for me to continue getting care since the insurance company for Trident Hospital (Alexsis) had denied my claim. I still have pain in my right shoulder and I still have difficulty handling patients. I still have pain from all of my other injuries including increase pain in my hips and perineum areas and back. The injury to my right wrist occurred as I was using the hole puncher at work.

In addition, Commissioner Huffstetler and Michael E. Chase has had me going back and forth through the court systems trying to defend my name, credibility, and reputation all because the retrial of the 1997 hearing and the addition that I had been fired from 3-4 jobs for abusing patients. This is where the nurses lied on me and submitted some write-ups to the Worker's Compensation Commission. After the write-ups were thrown out, the nurses moved the write-ups to the State Board of Nursing. Commissioner Huffstetler and Attorney Chase have overridden the State Board of Nursing. They got involved with this even though this didn't have anything to do with the claims that were before Commissioner Huffstetler. Instead of Commissioner Huffstetler handling the claims that were before him, he went back and got involved with this 1997 hearing.

The American with Disabilities Act is not a reason for getting rid of the Second Injury Fund because I was not protected under the ADA even though I have disabilities. I am not finished with my doctors with any of my injuries because my injuries are on-going. I still have pain in my hips, perineum area, right shoulder and arm, both feet, knees right wrist, left side (rib pain) and back. I continue on pain medications and home exercises. In addition, Trident Hospital never reimbursed me for some pain medications for the 1995 accident, nor did they pay for my myomectomy and breast reduction that I had.

I was supposed to return to Dr. Jones for flare ups with pain in my back, neck, etc. I have been unable to get any further treatment for my injuries because of lack of health insurance and inadequate funds to pay for my care. I still have a very large

outstanding medical bill with Dr. Jones and I have to reimburse Blue Cross and Blue Shield.

I never received any orthopedic treatment for my right shoulder and right foot even though I still have problems with both of my feet being flat and I have to wear insteps and good orthopedic shoes and an ankle brace. The physicians that Palmetto Health Richland sent me to didn't do anything about my injured left Achilles tendon. I continue to have moderate pain in my right shoulder including the shoulder blades and difficulty with my penmanship. I could never get an orthopedic doctor to take care of me when they found out that the injury to my right shoulder, etc. was from Trident Hospital. I have trouble handling patients during "hands own" care. I even have difficulty lifting a baby during the course of my nursing duties. I never received anything for the breast reduction or the myomectomy that I had as a result of the fall of 1995 at Trident Hospital. I still have hips and perineum pains from all of the falls that I have had.

All of the injuries that I have equal nearly a total body impairment, yet Commissioner Huffstetler got rid of all of my claims "with prejudice" to absolve Palmetto Health and Trident Hospital for any responsibility for my physical condition. I have attended programs with the South Carolina Department of Rehabilitation Services twice because of all of my injuries especially, the worker's compensation injuries. All of the injuries that I have had including these claims have affected my ability to perform in my nursing occupation. Decisions concerning the injury to my right shoulder had already been made in 1997 (I believe by Commissioner Holly Atkins). My right shoulder has not gotten any better since that

time. I have not had another accident to my right shoulder and arm. I do have some disability to my cervico-thoracic spine and my neck and chest area.

If Commissioner Huffstetler and Michael E. Chase had not gotten us off track by retrying the 1997 Trident Hospital case against me instead of continuing where Commissioner Mickle had left off with my 1995 case against Trident Hospital, we would not have gotten to this point. He deliberately did this instead of helping me decide how much each insurance company owed me toward my injuries and to get ride of all of my claims "with prejudice". I have been wronged by the Worker's Compensation System. I never received anything for being out with the injury to my back even though it was over 7 days and 15 days.

I was never evasive to the questions of Commissioner Huffstetler or anybody else. I just didn't understand the questions or what was going on after Commissioner Huffstetler was very angry with me and got me confused after Michael E. Chase had set me up with the Commission. Attorney Chase had already threatened me and gotten me fired from Palmetto Health Richland from my desk job. I already had some disabilities from my worker's compensation injuries and required a light duty job. I was the only black person in the room during the hearing and Commissioner Huffstetler kept after me about some papers that I had in my hand. I have trouble remembering when I am anxious, nervous and confused.

The injury to my right wrist was not a repetitive injury. The injury to my right wrist happened in July of 2006 and I fell at the Church in May of 2006. Dr. Noojin was made aware of the injury to my right wrist happening at Palmetto Health Richland on the first visit that I made to him. He did not include the right information

in the record because he was protecting Palmetto Health Richland for being responsible for my injury. Dr Noojin's group has an orthopedic office on the grounds of Palmetto Health Richland. I had to contact the division of Civil Rights to get Dr. Noojin to make an addendum to the medical record since he deliberately left out the correct information and he would not let me make an amendment to the record for something that he deliberately would not put in my record.

I had to have another gyn surgery after I fell over the telephone cord at Palmetto Health Richland and Blue Cross and Blue Shield was never reimbursed. This claim fell under Attorney Michael E. Chase.

I never receive anything for my sciatica or for none of my injuries even though the insurances adjusters had offered me something because Commissioner was angry with me and told the defense attorneys not to give me anything. I never receive anything for the days that I was out because of my back. I never received anything for my injured Achilles tendon and my left foot, or the injury to the right side of my neck. I never received anything for the gyn surgery that I had to have after I fell over the telephone cord. I didn't receive anything for none of my injuries and the insurance companies and my employers got away scout free. I was the one that continues to suffer and I even had to end up going on food stamps and acquiring some large credit card bills to survive.

Patricia Shiver 8-20-13