

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

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S.C. Supreme Court

David W. Huffstetler, Commissioner

WCC File No. 1011278
Case Tracking No. 2011191506

Beverly R. Wheeler, Petitioner,

v.

Spartanburg School District Six, Employer and Wausau Business
Insurance Company, Respondents.

APPENDIX

December 27, 2012

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The South Carolina Court of Appeals

Beverly R. Wheeler, Appellant,


v.

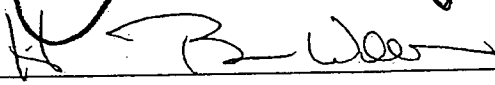
Spartanburg School District Six and Wausau Business
Insurance Company, Respondents.

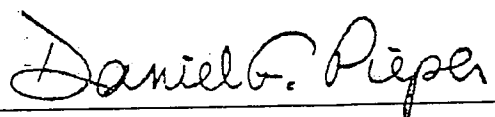
Appellate Case No. 2011-191506

ORDER

After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.


_____ C.J.


_____ J.


_____ J.

Columbia, South Carolina

cc:
Jason Alexander Griggs
Toney J. Lister

FILED

26 Nov. 2012

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

David W. Huffstetler, Commissioner

WCC File No. 1011278
Case Tracking No. 2011191506

Beverly R. Wheeler, Appellant,

v.

Spartanburg School District Six, Employer and Wausau Business
Insurance Company, Respondents.

PETITION FOR REHEARING


The Respondent hereby moves the Court for rehearing pursuant to Rule 221, SCACR. The grounds for this petition are as follows:

1. The Court failed consider that the Workers' Compensation Commission erred as a matter of law by imposing on Claimant proof requirements not contained in the statute.
2. The Court erroneously determined that substantial evidence supports the decision of the Workers' Compensation Commission, where the Commission concluded there was no medical evidence to show that Claimant's job duties caused a repetitive trauma injury. In fact, the

record contained the unequivocal opinion of Claimant's own treating neurologist stating that Claimant's carpal tunnel syndrome was caused by Claimant's work as a custodian.

Respondent respectfully requests that the Court rehear and reconsider this matter to address with particularity the points raised in Respondent's brief.

November 8, 2012


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**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

Beverly R. Wheeler, Appellant,

v.

Spartanburg School District Six and Wausau Business
Insurance Company, Respondents.

Appellate Case No. 2011-191506

Appeal from the Workers' Compensation Commission

Unpublished Opinion No. 2012-UP-570
Heard October 3, 2012 – Filed October 24, 2012

AFFIRMED

Toney J. Lister, Lister, Flynn & Kelly, P.A., of
Spartanburg, for Appellant.

Jason A. Griggs, Willson Jones Carter & Baxley, P.A., of
Greenville, for Respondents.

PER CURIAM: Beverly Wheeler appeals the workers' compensation commission's decision denying her claim for benefits. We find that substantial evidence supports the commission's decision and that it was not affected by an error of law. Therefore, we affirm pursuant to Rule 220(b)(1), SCACR, and

Bentley v. Spartanburg Cnty., 398 S.C. 418, 421, 730 S.E.2d 296, 298 (2012)
(stating "an appellate court may not substitute its judgment for that of the agency
as to the weight of the evidence on questions of fact, but it may reverse when the
decision is affected by an error of law").

AFFIRMED.

FEW, C.J., and WILLIAMS and PIEPER, JJ., concur.

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

David W. Huffstetler, Commissioner

WCC File No. 1011278
Case Tracking No. 2011191506

Beverly R. Wheeler, Appellant,

v.

Spartanburg School District Six, Employer and Wausau Business
Insurance Company, Respondents.

FINAL BRIEF OF APPELLANT

July 29, 2011

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STATEMENT OF ISSUES ON APPEAL

Did the Commission err in finding that Claimant did not sustain a compensable injury where Claimant timely reported her injury, she described her repetitive job duties, done over a period of twenty years, testified that she had no activities outside of work that could account for her repetitive trauma injury, and her treating neurologist stated to a reasonable degree of medical certainty that Claimant's carpal tunnel syndrome was caused by Claimant's work as a custodian?

STATEMENT OF THE CASE

This is an appeal of a workers' compensation matter involving a repetitive trauma injury. The action was commenced by filing of a Form 50 on August 12, 2010, which was amended on August 19, 2010 and again on August 31, 2010 to correct the name of the insurance carrier. Claimant alleged she sustained an injury to her wrists and arms as a result of repetitive trauma and alleged May 18, 2010 as her date of injury.

Defendants filed a Form 51 denying that Claimant sustained an injury by accident arising out of and in the course of her employment. A hearing was held before Commissioner David W. Huffstetler on November 4, 2010 in Spartanburg, South Carolina. Commissioner Huffstetler issued a Decision and Order on December 6, 2010 in which he ruled that Claimant did not sustain a compensable repetitive trauma injury.

Appellant timely filed an Application for Review and oral argument was heard before an Appellate Panel of the Workers' Compensation Commission on March 21, 2011. By Decision and Order dated April 26, 2011, the panel fully affirmed the order of the single commissioner. This appeal follows.

STATEMENT OF FACTS

Claimant developed carpal tunnel syndrome in both arms after twenty years of faithful employment as a school custodian for Spartanburg County School District Six, where she continues to work. Her treating neurologist concluded her carpal tunnel syndrome was caused by her work as a custodian, to a reasonable degree of medical certainty, and referred her for surgical intervention. (R. p. 121). The employer denied the claim and the Claimant has not yet had the recommended surgery. (R. p. 40, ll. 14-25).

Claimant is a 48-year-old African-American female with a high school diploma. (R. p. 72, ll. 13-14; p. 73, ll. 2-7). Claimant has worked for School District Six as a custodian almost continuously for twenty years, with the exception of a period of approximately six months several years ago. (R. p. 27, l. 19– p. 29, l.14). For 7 1/2 hours a day, taking only one 30-minute break, Claimant cleans fifteen classrooms daily, four bathrooms twice a day, the sixth grade hallway, the principal's office, the assistant principal's office, the guidance office, and the nurse's room and bathroom. (R. pp. 30-34; pp. 80-85). For 7 1/2 hours a day, for twenty years, she sweeps, mops, vacuums, empties trash, and scrapes the baseboards and corners. (Id., see also R. p. 99; p. 103, l. 22- p. 104, l.2).

In May of 2010, Claimant's right hand went numb and she could not pick up the phone. (R. p. 35, ll. 2-10). She talked to the school nurse about it at the time. (R. p. 35, l. 22-p. 36, l. 1). She also went to her family doctor, who referred her to Robert Ringel, a neurologist, who diagnosed bilateral carpal tunnel syndrome. (R. p. 37, l. 18-p. 38, ll. 8; pp. 126-136).

Claimant told her school principal in June and again in August of 2010 that the work was irritating her hands. (R. p. 36, ll. 2-15). She did not come out and say directly that she believed the work *caused* her carpal tunnel syndrome, but she did say the work was irritating to her hands. (R. p. 36, ll. 7-15; p. 37, ll. 7-10). She was not provided with a claim form to fill out. (R. p. 37, ll. 13-17).

Claimant continues to experience shooting pain through the wrists when she picks things up. (R. p. 35, ll. 11-14). She feels shooting pain at times when she mops and when she scrubs the insides of the commodes at work. (R. p. 35, ll. 14-21). She has no hobbies or activities outside of work that could account for her repetitive trauma injury. (R. p. 41, ll. 8-12; p. 105, l. 25- p. 106, l. 14). She does not even do her own housework – her adult son does that for her. (R. p. 57, ll. 8-21).

STANDARD OF REVIEW

In appeals from decisions of the South Carolina Workers' Compensation Commission, a reviewing court may reverse or modify a decision of the Commission if its findings, inferences, conclusions, or decisions are in violation of statutory provisions, affected by an error of law, clearly erroneous in view of the reliable, probative and substantial evidence on the whole record, or arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

S.C. Code Ann. § 1-23-380. The Supreme Court has held:

"Substantial evidence" is not a mere scintilla of evidence nor the evidence viewed blindly from one side of the case, but is evidence which, considering the record as a whole, would allow reasonable minds to reach the conclusion that the administrative agency reached or must have reached in order to justify its action.

Lark v. Bi-Lo, Inc., 276 S.C. 130, 135, 276 S.E.2d 304, 306 (1981).

This Court should reverse in the present case because the Commission's decision added proof requirements not contained in the statute, was clearly erroneous and not supported by substantial evidence, and arbitrarily ignored the compelling evidence in the record.

ARGUMENT

The Workers' Compensation Commission erred in finding that Claimant did not sustain a compensable injury.

The Workers' Compensation Commission erred in ruling that Claimant did not sustain a compensable repetitive trauma injury as required under S.C. Code § 42-1-172, where Claimant timely reported her injury, she described her repetitive job duties, done over a period of twenty years, she testified she had no activities outside of work that could account for her repetitive trauma injury, and her treating neurologist stated to a reasonable degree of medical certainty that Claimant's carpal tunnel syndrome was caused by Claimant's work as a custodian.

A. Claimant's report of her injury was timely.

First, as a preliminary matter, Claimant's report of her injury was timely. Both the hearing Commissioner and the Full Commission expressly declined to rule on the issue of notice. However, the Commission's decision on the ultimate issue of compensability implies that notice was timely and the evidence supports such a finding.

South Carolina Code § 42-15-20(C) requires an employee alleging a repetitive trauma injury to give notice "within ninety days of the date the employee discovered, or could have discovered by exercising reasonable diligence, that his condition is compensable." This statutory notice requirement should be liberally construed in favor of claimants. Etheredge v. Monsanto Co., 349 S.C. 451, 458, 562 S.E.2d 679, 683 (Ct. App. 2002); Rogers v. Spartanburg Reg'l Med. Ctr., 328

S.C. 415, 418, 491 S.E.2d 708, 710 (Ct. App.1997). Findings of fact regarding notice are reviewed under the substantial evidence standard of review. See Etheredge, 349 S.C. at 456, 562 S.E.2d at 682 (applying substantial evidence standard of review to Commission's finding of timely notice within ninety days as required by statute).

Construing the statutory notice requirement liberally in Claimant's favor, there is substantial evidence to support a finding that Claimant gave timely notice of her injury. Claimant alleged an injury date of May 18, 2010. She testified that she had conversations with the school principal, Mrs. Bush, in both June and August of 2010 during which she told Mrs. Bush that her work was irritating her hands and wrists. (R. p. 108, l.10-p. 109, l.12; p. 110, ll. 12-14; p. 36). Further, the testimony of the Claimant shows that Claimant and Mrs. Bush discussed causation of Claimant's injury as it related to her job activities on August 11 or 12, 2010, well within the ninety-day reporting period. (R. p. 48, l.23-p. 49, l.8; p. 52, l.21-p. 53, l.6; p. 120).

The Commission found that Claimant was a poor historian. (R. p. 14, paragraph 7). The Commission did *not* find Claimant not credible. Claimant's credible testimony, combined with other evidence in the record cited above, provides substantial evidence to support a finding that Claimant gave timely notice of her injury.

B. Claimant carried her burden of proving her carpal tunnel syndrome was a compensable repetitive trauma injury under § 42-1-172.

Moving to the substantive matter before the Court, the Commission erred in ruling that Claimant failed to carry her burden of proving that her carpal tunnel

syndrome was a compensable repetitive trauma injury. There is no question in this case either that Claimant has carpal tunnel syndrome or that she needs surgery. (R. p. 58, l.22-p. 59, l.6). The sole question before the Court is whether Claimant submitted sufficient evidence to prove that her carpal tunnel syndrome was caused by her work as a custodian.

As amended in 2007, the South Carolina Code provides that:

An injury is not considered a compensable repetitive trauma injury unless a commissioner makes a specific finding of fact by a preponderance of the evidence of a causal connection that is established by medical evidence between the repetitive activities that occurred while the employee was engaged in the regular duties of his employment and the injury.

§ 42-1-172(B). "Medical evidence" is defined in this section to mean "expert opinion or testimony stated to a reasonable degree of medical certainty, documents, records, or other material that is offered by a licensed and qualified medical physician." § 42-1-172(C). Under this section, "[a] 'repetitive trauma injury' is considered to arise out of employment only if it is established by medical evidence that there is a direct causal relationship between the condition under which the work is performed and the injury." § 42-1-172(D).

The requirements of this section were clearly met by the expert opinion of Dr. Robert Ringel, Claimant's treating neurologist. At the hearing, Claimant submitted a statement from Dr. Ringel in which he stated unequivocally his opinion to a reasonable degree of medical certainty that Claimant's bilateral carpal tunnel syndrome was caused by her work as a school custodian. (R. p. 121). In that same statement, Dr. Ringel also specifically indicated that Claimant "has no other

activities outside of work requiring repetitive use of her hands, pulling, lifting or any other movement of that type.” Id. This statement clearly implies that Dr. Ringel had discussed with Claimant both her work and her activities outside of work.

The Commission found as a fact that Dr. Ringel's statement regarding causation was flawed and based upon incomplete information. The Commission also found as a fact that there was no evidence that Claimant's work is repetitive. These findings are completely inconsistent with the evidence and impose a significantly higher standard of proof than that required by the statute.

First, as to the whether Claimant's job duties are repetitive, Claimant described her repetitive job duties, done over a period of twenty years, both at the hearing and in her deposition. She described cleaning fifteen classrooms daily and four bathrooms twice daily. She also cleans the sixth grade hallway, the principal's office, the assistant principal's office, the guidance office, and the nurse's room and bathroom, every day. (R. pp. 30-34; pp. 80-85). Fifteen times a day, she goes into a classroom, sweeps, mops, and empties the trash. (R. p. 103, l. 21-p. 104, l.2). She scrapes the baseboards and corners down the hallway each day with a long-handled scraper to remove grime. (R. p. 99, ll. 1-16; p. 103, l. 22- p. 104, l.2). She does this work repeatedly for a period of 7 1/2 hours, taking only one thirty-minute break. (R. p. 99, ll. 17-25). She described feeling shooting pain when mopping and scrubbing commodes. (R. p. 35, ll. 11-21). She also described putting pressure on her hands when she scrapes the hallways and mops. (R. p. 34, ll. 8-17).

Further, Claimant's testimony established that she had no hobbies or activities outside of work that could account for her repetitive trauma injury. (R. p.

41, ll. 8-12; p. 105, l. 25- p. 106, l. 14). Specifically, Claimant testified that her adult son does the house work at home, so she only engages in these activities at work. (R. p. 57, ll. 8-21). The evidence also shows that Claimant discussed with her treating physician whether she engaged in any other activities outside of work that could have caused her injury, and her physician expressly ruled out that possibility. (R. p. 121).

Respondents did not challenge Dr. Ringel's competency to address causation in this case nor did the Commission find Dr. Ringel incompetent to address the issue. Rather, the Commission found that Dr. Ringel's opinion was flawed because "there [was] no evidence that Dr. Ringel saw a job description, viewed a video of the job, nor was told by the claimant the specific job duties she alleged as the cause of her problem." (R. p. 13, paragraph 2).

The Commission's findings imply that Claimant would have proved her case had she provided Dr. Ringel with a job description for a custodian or a video showing the duties of her job. However, the law does not require a Claimant to provide a written job description or video of the job to her physician before a physician can state an opinion on causation, especially where, as here, the duties of a particular job are a matter of common knowledge. The Commission's imposition of this additional requirement, not contained in the statute, was an error of law.

Moreover, the Commission's conclusion that Dr. Ringel's statement is flawed is based on the assumption, without evidence, that Dr. Ringel did not know what the job of a custodian entails. On the contrary, the evidence shows Dr. Ringel was

aware of the nature of Claimant's work when he made his statement and he specifically discussed and ruled out other causes of Claimant's carpal tunnel syndrome.

The treating physician's unequivocal statement on causation sharply distinguishes this case from Clade v. Champion Laboratories, 330 S.C. 8, 496 S.E.2d 856 (1998), relied upon by Respondents. In Clade, the claimant's treating physician "never specifically determined her injury was caused by driving a forklift." Id. at 11, 496 S.E.2d at 857. In contrast, Claimant's treating neurologist unhesitatingly stated to a reasonable degree of medical certainty that Claimant's bilateral carpal tunnel syndrome was caused by her work as a school custodian. (R. p. 121). Furthermore, the claimant in Clade "told her supervisor, a co-worker, and the person in charge of filing accident reports she did not know the cause of her pain. She also told an insurance adjustor she could not pinpoint the cause of her back problems." Id. Here, in contrast, Claimant's testimony that certain on-the-job tasks cause her to experience wrist pain is completely consistent with her neurologist's conclusion as to causation and provides further support for his opinion. (See, e.g., R: pp. 34-35).

The Commission's conclusion that there is no medical evidence to show that Claimant's job duties caused a repetitive trauma injury completely ignores the credible medical evidence in the record. Dr. Ringel's statement on causation fully satisfied the requirements of § 42-1-172(C) & (D) and the Commission erred in disregarding it.

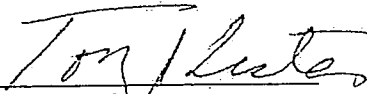
The preponderance of the evidence establishes that there is a direct causal relationship, established by medical evidence in the form of the opinion, to a reasonable degree of medical certainty, of Claimant's treating neurologist, between her repetitive duties as a school custodian and her carpal tunnel syndrome. The Commission erred in failing to find Claimant's injury compensable.

CONCLUSION

Based upon the foregoing, Appellant respectfully requests that the Court reverse the Decision and Order of the Workers' Compensation Commission and issue an Order establishing her entitlement to benefits.

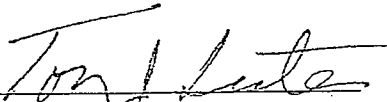
Respectfully submitted,

July 29, 2011



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I certify that this brief complies with Rule 211(b), SCACR.



Toney J. Lister

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

Case Tracking No. 2011191506

Beverly R. Wheeler, Claimant, Appellant,

v.

Spartanburg School District Six, Employer and
Wausau Business Insurance Company, Carrier, Respondents.

FINAL BRIEF OF RESPONDENTS

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STATEMENT OF ISSUE ON APPEAL

- I. WHETHER CLAIMANT SUSTAINED A COMPENSABLE INJURY BY REPETITIVE TRAUMA UNDER S.C. CODE SECTION 42-1-172?

STATEMENT OF THE CASE

This matter was commenced by the filing of a Form 50 dated August 31, 2010, wherein Appellant Beverly R. Wheeler ("Claimant") alleged she sustained an injury to her wrists and arms as a result of repetitive trauma arising. (R. p. 18). Claimant alleged May 18, 2010 as her date of injury. *Id.* Respondents Spartanburg School District Six and Wausau Business Insurance Company ("Defendants") filed a Form 51 denying that Claimant sustained an injury by accident arising out of and in the course of her employment. (R. p. 19). The Hearing was held on November 4, 2010, before Commissioner David W. Huffstetler.

On December 6, 2010, Commissioner Huffstetler issued a Decision and Order finding that Claimant failed to carry her burden of proving through medical evidence that her carpal tunnel syndrome was causally related to her job as a custodian as required by S.C. Code section 42-9-172. (R. pp. 1-10).

On December 10, 2010, Claimant filed an appeal to the Appellate Panel of the Workers' Compensation Commission. Oral argument was heard before the Appellate Panel on March 21, 2011. On April 26, 2011, the Appellate Panel issued a Decision and Order fully affirming Commissioner Huffstetler's Decision and Order. (R. pp. 11-15).

Appellant filed her Notice of Appeal with the South Carolina Court of Appeals on May 4, 2011. This appeal follows.

STATEMENT OF THE FACTS

Claimant testified that she had worked as a custodian for Spartanburg School District 6 for approximately twenty years. (R. p. 27, lines 19-25). Claimant testified that her job consists of several different tasks and that these tasks are done in various orders for various lengths of time. (R. p. 56, lines 8-17). Claimant testified that she is responsible for cleaning the sixth grade hall, the principal's office, the assistant principal's office, the teacher's lounge, and certain bathrooms. (R. p. 30, lines 5-14). Claimant testified that she uses chemicals, buckets, rags, a vacuum cleaner, toilet brushes, dust pans, dust mops/push brooms, regular brooms, and a long handled scraper to perform her duties. (R. p. 53, line 24 – p. 55, line 2). She admitted that she did not use a floor buffer, drills, or power tools to perform her duties as a janitor. (R. p. 53, lines 18-23). Claimant also testified that she has to empty trash cans and that the most she has to lift is approximately thirty (30) pounds. (R. p. 55, lines 8-23). Claimant lifts this amount three (3) to four (4) times a week. (R. p. 55, line 24 – p. 56, line 1). Claimant testified that in her opinion her problems were caused by scrubbing commodes, scraping corners, and mopping. (R. p. 35, lines 11-21).

Claimant testified that on May 18, 2010, her right hand went numb. (R. p. 35, lines 2-10). Claimant specifically testified that she felt that her work was causing her problems as early as May of 2010. (R. p. 36, lines 21-24). Claimant testified that she talked to the school nurse in May and later discussed her problems with the principal, Karen Bush, in June of 2010. (R. p. 35, line 22 – p. 36, line 6). Claimant admitted that she did not tell Ms. Bush that she believed her problems were work related in June. (R. p. 37, lines 7-10). Claimant testified that she told Ms. Bush in late August of 2010 that her work was irritating her hands and that the conversation in August would have been after August 17, 2010. (R. p. 43, line 19 – p. 44, line 13). However, after being shown a letter that her attorney wrote

to Dr. Robert Ringel, Claimant testified that she told Ms. Bush her work was irritating her hands on August 12, 2010. (R. p. 47, line 22 – p. 49, line 8).

Claimant testified that she had treated with her family doctor and Dr. Ringel for the problems with her hands/wrists. (R. p. 51, lines 5-18). Claimant testified that she saw her family doctor on May 10, 2010, but did not tell him that she thought her problems were work related. (R. p. 51, lines 5-12). While Claimant saw Dr. Ringel in May of 2010, June of 2010, and July of 2010, she testified that she did not tell Dr. Ringel that she thought her problems were work related during any of those visits. (R. p. 51, lines 13-22). Claimant admitted that she did not tell Dr. Ringel that she thought her problems were work related until after her attorney wrote a letter to Dr. Ringel soliciting an opinion on causation. (R. p. 52, lines 5-20). Additionally, Claimant specifically testified that she did not go into detail with Dr. Ringel about the specific duties required of her job. (R. p. 51, line 23 – p. 52, line 20).

Karen Bush, the principal at Gable Middle School, also testified at the hearing. (R. p. 59, line 21 – p. 60, line 4). Ms. Bush testified that she is very familiar with the custodian job and all of the tasks that comprise the same. (R. p. 60, lines 17-24). Ms. Bush testified that she first learned Claimant was alleging her problems were work related on October 12, 2010, when she received a call from Defense Counsel. (R. p. 60, line 25 – p. 61, line 3). Prior to that time, Ms. Bush was aware that Claimant was having problems with her hands, but was never informed by Claimant that she believed the problems to be work related. (R. p. 61, lines 4-8).

Ms. Bush testified that she discussed Claimant's problems with her in June of 2010. (R. p. 61, line 9 – p. 62, line 3). She testified that Claimant had come to her office with a form that needed to be filled out. Id. The form asked if Claimant's problems were work

related. Id. Ms. Bush testified that she read the question to Claimant and that Claimant responded “no.” Id. Ms. Bush further testified that she did not recall Claimant coming to her in August of 2010 to report that her problems were work related. (R. p. 62, lines 4-12). Ms. Bush testified that if Claimant would have reported her problems as work related, an investigation of the allegations would have been conducted and the workers’ compensation carrier would have been contacted. (R. p. 62, line 20 – p. 63, line 6).

The medical records indicate that Claimant presented to Dr. Robert Ringel on May 17, 2010 with complaints of numbness in both hands. (R. pp. 135-136). Dr. Ringel noted that his clinical findings were consistent with carpal tunnel syndrome. (R. p. 136). On May 18, 2010, nerve conduction and EMG testing was completed with results consistent with bilateral carpal tunnel syndrome. (R. p. 127-134). Claimant returned to Dr. Ringel on June 28, 2010 and July 9, 2010, for evaluations and treatment of her bilateral carpal tunnel syndrome. (R. pp. 124-125). There is no indication in Dr. Ringel’s notes from May 17, 2010, June 28, 2010, or July 9, 2010, that Claimant or Dr. Ringel felt Claimant’s problems were work related. (R. pp. 124 – 125, 135-136).

On August 10, 2010, Claimant’s attorney wrote a letter to Dr. Ringel soliciting an opinion on the causal relation of claimant’s problem to her job duties. (R. p. 143). On August 23, 2010, Claimant returned to Dr. Ringel. (R. p. 123). Dr. Ringel indicated, “The findings are consistent with a repetitive work injury as a custodian, and I feel this is concurrent with her current occupation, with a reasonable degree of medical certainty.” Id.

On October 19, 2010, Dr. L. Edwin Rudisill reviewed Claimant’s medical records and job descriptions, and he opined, “It is my opinion to a reasonable degree of medical certainty that Beverly Wheeler’s bilateral carpal tunnel syndrome is not causally related

to the duties associated with her job as a custodian with Spartanburg School District Six.”

(R. p. 142).

STANDARD OF REVIEW

In workers' compensation cases, the South Carolina Workers' Compensation Commission is the trier of fact. Hunter v. Patrick Construction Co., 289 S.C. 46, 344 S.E.2d 613 (1986). The appellate court's review of these findings of fact is limited to determining whether the findings are clearly unsupported by substantial evidence in the record. Lark v. Bi-Lo, Inc., 276 S.C. 130, 276 S.E.2d 304 (1981); Howell v. Pacific Columbia Mills, 291 S.C. 469, 354 S.E.2d 384 (1987). "Substantial evidence" necessary to support a decision of the Commission is:

such relevant evidence as a reasonable mind might accept as adequate to support a conclusion. . . . It must be enough to justify, if the trial were [sic] to a jury, a refusal to direct a verdict when the conclusion sought to be drawn from it is one of fact for the jury. . . . This is something less than the weight of the evidence, and the possibility of drawing two inconsistent conclusions from the evidence does not prevent an administrative agency's finding from being supported by substantial evidence.

Lark v. Bi-Lo, Inc., 276 S.C. at 136, 276 S.E.2d at 307.

The appellate court is prohibited from overturning findings of fact of the Commission, unless there is no reasonable probability that the facts could be as related by the witness upon whose testimony the finding was based. Lowe v. Am-Can Transport Services, Inc., 283 S.C. 534, 324 S.E.2d 87 (Ct. App. 1984). The appellate court is not permitted to re-weigh the evidence and to substitute its own findings of fact for those of the Commission. Brown v. Jordan Oil Co., 291 S.C. 272, 353 S.E.2d 280 (1987).

Section 1-23-380(A)(5) of the South Carolina Code also provides:

The Court may not substitute its judgment for the judgment of the agency as to the weight of the evidence on questions of fact. The Court may affirm the decision of the agency or remand a case for further proceedings. The Court may reverse or modify the decision if substantial rights of the Appellant have been prejudiced because the administrative

findings, inferences, conclusions or decisions are . . . (d)
affected by other error of law. . . .

S.C. Code Ann. section 1-23-380(A)(5) (2007).

Thus, “review is limited to deciding whether the Commission’s decision is unsupported by substantial evidence or is controlled by some error of law.” Rodriguez v. Romero, 363 S.C. 80, 84, 610 S.E.2d 488, 490 (2005) (citing Hendricks v. Pickens County, 335 S.C. 405, 411, 517 S.E.2d 698, 701 (Ct. App. 1999)).

ARGUMENTS

I.

THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION CORRECTLY DETERMINED THAT CLAIMANT FAILED TO MEET HER BURDEN OF PROVING THAT HER CARPAL TUNNEL SYNDROME WAS A COMPENSABLE REPETITIVE TRAUMA INJURY UNDER S.C. CODE ANN. SECTION 42-1-172.

A claimant has the burden of proof to show such facts as will render an injury compensable under the Workers' Compensation Act. Holman v. Bulldog Trucking Co., 311 S.C. 341, 428 S.E.2d 889 (Ct. App. 1993). An award of benefits must not be based on surmise, conjecture or speculation. Clade v. Champion Laboratories, 330 S.C. 8, 496 S.E.2d 856 (1998).

A. Claimant's job with Spartanburg School District 6 was not a repetitive job.

South Carolina Code Ann. section 42-1-172(A) defines a repetitive trauma injury as "an injury which is gradual in onset and caused by the cumulative effects of *repetitive traumatic events*." (emphasis added). Section 42-1-172(B) mandates that a claimant must establish that the job consists of repetitive activities. In the present case, substantial evidence in the record supports the Commission's findings that Claimant's carpal tunnel syndrome was not caused by the cumulative effects of repetitive traumatic events as required by S.C. Code section 42-1-172(A) and that Claimant's job did not consist of a repetitive tasks or activities.

Claimant alleges in her brief that her job duties are repetitive; however, Claimant's own testimony clearly establishes that her job was not a repetitive job as required by S.C. Code Ann. section 42-1-172. Claimant's testimony is only indicative of working. While all of the job duties she described required the use of her hands, the job duties Claimant described all vary in the use of the hands and in the order they are performed. Claimant

testified that she uses a push broom, a regular broom, a mop, a vacuum, scrub brushes, and rags to complete her tasks. (R. p. 53, line 24 – p. 55, line 2). Additionally, she empties trash cans, but testified that she has help lifting any heavy trash. (R. p. 55, line 8 – p. 56, line 7). Indeed, the most that Claimant has to lift is approximately thirty (30) pounds. (R. p. 55, lines 21-23). Claimant admitted that the tasks vary and that she does not perform a couple of tasks or one (1) particular task all day:

Q. (Mr. Griggs) So, you do several different tasks throughout your day, correct?

A. (Claimant) That's correct.

Q. You don't do a couple or one particular task all day every day, correct?

A. That is correct.

Q. And, you do these tasks in varying orders?

A. Yes.

Q. For various lengths of time?

A. Yes.

(R. p. 56, lines 8-17.) While Claimant's job with Spartanburg School District 6 required the use of her hands, Claimant's own testimony establishes that her job was not a repetitive job as required by S.C. Code Ann. section 42-1-172. Working in itself is not compensable. Substantial evidence in the record, specifically Claimant's own testimony, clearly establishes that his job with Spartanburg School District 6 was not a repetitive job. Claimant did not perform the same tasks throughout the day. In fact, Claimant's testimony clearly establishes that she performed a variety of task and that she performed each tasks in varying orders and for various lengths of time.

The Commission correctly found that Claimant failed to describe a repetitive task. Accordingly, Claimant cannot prove a compensable repetitive trauma injury without first

proving a repetitive task as required by S.C. Code Ann. section 42-1-172. Defendants respectfully request that the Court fully affirm the Decision and Order of the South Carolina Workers' Compensation Commission's Appellate Panel.

- B. Claimant failed to establish by medical evidence a "direct causal relationship" between her job duties with Spartanburg School District 6 and her bilateral carpal tunnel syndrome.

The Commission correctly determined that Claimant failed to carry her burden of proving through medical evidence that her carpal tunnel syndrome was causally related to her job as a custodian. South Carolina Code Ann. section 42-1-172(D) specifically states that a repetitive trauma injury "is considered to arise out of employment only if it is established by medical evidence that there is a *direct causal relationship* between the conditions under which the work is performed and the injury." (emphasis added).

In the present case, Claimant relies on the opinion of Dr. Robert Ringel as to causation. Dr. Ringel stated, "The findings are consistent with a repetitive work injury as a custodian, and I feel this is concurrent with her current occupation, with reasonable medical certainty." (R. p. 123). Dr. Ringel's opinion does not state there is a *direct causal relationship* as required by S.C. Code Ann. section 42-1-172(D). As such, the Commission was correct in finding that Claimant failed to carry her burden of proving through medical evidence that her carpal tunnel syndrome was causally related to her job as a custodian.

Additionally, the Commission was correct in pointing out that Dr. Ringel's opinion on causation was flawed. At the original hearing, Claimant provided extensive testimony as to what her job entailed and went into great detail as to her job duties. However, Claimant admitted that she did not provide the same details to Dr. Ringel. Claimant was questioned directly by the Hearing Commissioner on this point:

Q. (Commissioner Huffstetler) When you saw Dr. Ringel, did you talk about the specifics of your job, what you do?

A. (Claimant) Well, I was asked "What is my job?" and I told them I'm a custodian, I cleans up at the school.

Q. Did you go into all the details you told us just a few minutes ago exactly what you do and how you do it?

A. No, I didn't go into any detail with them.

(R. p. 50, lines 9-21). This testimony makes it abundantly clear that Dr. Ringel's opinion on causation, the opinion that the Claimant relies on to meet her burden under the statute, is flawed.

In her brief, Claimant notes that Dr. Ringel stated in his letter dated August 23, 2010 that Claimant "has no other activities outside of work requiring repetitive use of her hands, pulling, lifting or any other movement of that type." Claimant then argues, that "This statement clearly *implies* that Dr. Ringel had discussed with Claimant both her work and her activities outside of work." See Final Brief of Appellant p. 9. (emphasis added). Claimant's argument that Dr. Ringel's statement "implies" that Dr. Ringel discussed Claimant's job activities is clearly speculative and is exactly the type of speculation that a decision cannot be based upon. See Clade v. Champion Laboratories, 330 S.C. 8, 496 S.E.2d 586 (1998)(An award of benefits must not be based on surmise, conjecture or speculation). Furthermore, Claimant's argument in her brief is not supported by Claimant's own testimony at the hearing:

Q. (Commissioner Huffstetler) Did you go into all the details you told us just a few minutes ago exactly what you do and how you do it?

A. (Claimant) No. I didn't go into any detail with them.

(R. p. 50, lines 17-21).

Claimant admitted that she did not even discuss the possibility of work being the cause of her problems until after her attorney wrote a letter to Dr. Ringel soliciting an opinion on the issue. Claimant testified that she saw Dr. Ringel in May, June, and July of 2010. (R. p. 51, lines 13-18). During none of these visits did she tell him that she thought her problems were work related. (R. p. 51, lines 19-22). The possibility was not even discussed until her attorney wrote a letter soliciting Dr. Ringel's opinion. (R. p. 52, lines 16-20). Again, only then did Claimant tell Dr. Ringel that she was a custodian and cleaned up at the school; however, no specific details were provided. (R. p. 50, lines 9-21). It should be noted that Claimant testified at the original hearing that there are several custodial tasks that she did not engage in, such as using a vibrating floor buffer, power tools, or drills. (R. p. 53, lines 18-23). Again, Claimant's argument that Dr. Ringel's letter "implies" that he was aware of her job duties contradicts Claimant's own testimony and is clearly based on speculation.

Claimant has the burden of proof in this matter, and Claimant has to prove a direct causal relationship between her job duties as a custodian and her bilateral carpal tunnel syndrome. The only medical opinion offered in support of Claimant's position was from Dr. Ringel. It is clear that Dr. Ringel's opinion was not based on a description of Claimant's job duties. Additionally, Dr. Ringel's opinion does not establish a direct causal relationship between Claimant's job duties and her carpal tunnel syndrome. Accordingly, the Commission's decision that Claimant failed to carry her burden of proving through medical evidence that her carpal tunnel syndrome was causally related to her job as a custodian should be affirmed.

Finally, Defendants submitted an opinion from Dr. L. Edwin Rudisill, a noted hand surgeon. (R. p. 142). Admittedly, Dr. Rudisill did not have a chance to evaluate Claimant. However, he did review all the relevant medical reports and job descriptions detailing Claimant's job. Id. Dr. Rudisill concluded it was highly unlikely that the Claimant's job directly caused her carpal tunnel syndrome. Id.

Therefore, based on the foregoing, Defendants respectfully request that the Court fully affirm the Decision and Order of the South Carolina Workers' Compensation Commission's Appellate Panel.

C. Claimant failed to provide timely notice of her alleged work injury.

Assuming arguendo that the Court finds that Claimant has met her burden of proving a repetitive trauma injury under S.C. Code Ann. section 42-1-172, which Defendants steadfastly deny, the Court must remand the case to the South Carolina Workers' Compensation Commission to make specific findings on whether or not Claimant provided proper notice as required by S.C. Code Ann. section 42-15-20(C). Remand is proper where the Commission has failed to make essential findings of fact, or the findings made are so indefinite or general as to afford no reasonable basis upon which the appellate court can determine whether the findings of fact are supported by the evidence and whether the law has been properly applied to those findings. Turner v. Campbell Soup Co., 252 S.C. 446, 166 S.E.2d 817 (1969).

The Commission did not reach a decision on the issue of notice, and Defendants deny that Claimant provided her employer proper notice as required by S.C. Code Ann. section 42-15-20(C). Section 42-15-20(C) states that "notice must be given by the employee within ninety days of the date the employee discovered, or could have discovered . . . that his condition is compensable." There are exceptions to this

requirement if the employee provides reasonable excuse and the employer is not prejudiced by the delay. Id.

Claimant has alleged May 18, 2010, as the date of injury. (R. p. 18). Given the date of injury, Claimant's ninety (90) day window to provide notice would have expired on August 15, 2010. It is clear that Claimant did not give notice to the employer or carrier within this window. Claimant argues in her brief that she told the principal, Ms. Karen Bush, in June of 2010 and August of 2010 that her work was irritating her hands and wrists. *See* Final Brief of Appellant, p. 7. This is not supported by the evidence in the record. As pointed out by the Hearing Commissioner, Claimant is a poor historian and gave a number of different dates as to when she initially reported her claim. (R. p. 9).

Claimant seemingly testified that she reported to Ms. Bush in June of 2010, that her hands were bothering her and that the work had caused her problems; however, a review of the testimony on this point is less than clear or compelling. (R. p. 36, lines 4-20). Additionally, on the next page of the transcript, all of this upon questioning by her own attorney, the Claimant testified that she did not tell Ms. Bush that the work was causing her hand problems:

Q. (Mr. Lister) Did you tell Ms. Bush, the Principal sitting to my right that it was caused by work or hurting you and irritated by work?

A. (Claimant) No, I didn't come out and tell her.

(R. p. 37. lines 7-10).

Later, upon questioning by the Commissioner, the Claimant testified that she did not tell Ms. Bush that the work was causing her problems until after August 17, 2010, which is after the expiration of the ninety (90) day notice window:

Q. (Commissioner Huffstetler) When did you first tell her, not co-workers, when was the first time you told your employer that you thought it was work-related?

A. (Claimant) Tell you the truth, I didn't come out and tell her I thought it was work-related. I didn't come out and tell her that.

Q. When did you?

A. Well, I did come by in August and tell her that the work was irritating my wrists.

Q. Do you know what day in August it was?

A. Let me think. I don't know -- I know it was just a couple of days before school was started, but I don't know what day it was.

Q. I don't know when school starts here, is that early August, late August?

A. I would say it was late August.

Q. Because the real question is was it before or after August 17th?

A. I will say it would be after August 17th.

(R. p. 43, line 11 – p. 44, line 13). Subsequently, Claimant's attorney attempted to rehabilitate her testimony by improperly leading her to testify that she provided notice earlier in August. (R. p. 47, line 22 – p. 49, line 8).

Nonetheless, Claimant's testimony about when notice was given is all over the board, which supports the Hearing Commissioner's finding that Claimant was a poor historian. The principal, Ms. Bush, testified that she first learned of Claimant's allegations in October of 2010, after being contacted by defense counsel. (R. p. 60, line 25 – p. 61, line 3). Ms. Bush testified that she asked Claimant directly in June of 2010, if her problems were work related and Claimant indicated they were not. (R. p. 61, lines

14-24). As for the alleged August notice, Ms. Bush testified that no notice was given. (R. p. 62, lines 4-14). In fact, Ms. Bush testified that Claimant never told her directly that she thought her problems were work related. (R. p. 62, lines 15-19).

The testimonial evidence indicates that Claimant failed to provide the required notice of her alleged repetitive trauma claim. Additionally, Claimant failed to provide a reasonable excuse for her failure to provide notice. Thus, Claimant has failed to satisfy both parts of the notice statute.

While the Commission discussed the likelihood that Claimant may not have provided proper notice to Spartanburg School District 6 of her alleged work injury, the Commission found that “the issue of notice is not dispositive in this case and a decision is not reached on this issue.” (R. p. 14). Since the Commission failed to make essential findings of fact regarding whether or not Claimant provided notice to her employer, which would be an alternative ground to deny Claimant’s claim, the Court must remand the case to the Commission if, and only if, it finds that Claimant has met her burden of proving a repetitive trauma injury under S.C. Code Ann. section 42-1-172.

CONCLUSION

For the foregoing reasons, Defendants respectfully request that the Court fully affirm the Decision and Order of the South Carolina Workers' Compensation Commission's Appellate Panel. Alternatively, if Court finds that Claimant met her burden of proving a repetitive trauma injury under S.C. Code Ann. section 42-1-172, which Defendants deny and contend is not supported by the medical evidence in the record, the Court must remand the case to the South Carolina Workers' Compensation Commission to make specific findings on whether or not Claimant provided proper notice as required by S.C. Code Ann. section 42-15-20(C).

Respectfully submitted,

WILLSON JONES CARTER & BAXLEY, P.A.

BY: 

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Greenville, South Carolina 29607

Attorney for Respondents

August 11, 2011

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

David W. Huffstetler, Commissioner

WCC File No. 1011278
Case Tracking No. 2011191506

Beverly R. Wheeler, Appellant,

v.

Spartanburg School District Six and Wausau Business
Insurance Company, Respondents.

RECORD ON APPEAL

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DECISION AND ORDER
OF THE
SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION
W.C.C. FILE NO. 1011278

Beverly R. Wheeler,	Employee,)
)
	Claimant,)
)
-vs-)
)
Spartanburg School District Six, Employer,)
and Wausau Business Insurance Company,)
	Carrier,)
)
	Defendants.)

HEARING:

Held in Spartanburg, South Carolina on November 4, 2010.

APPEARANCES:

Claimant represented by Toney J. Lister, Esquire of Lister, Flynn & Kelly, P.A. of Spartanburg, South Carolina.

Defendants represented by Jason A. Griggs, Esquire, of Willson, Jones, Carter & Baxley, P.A. of Greenville, South Carolina.

PURPOSE OF HEARING:

To determine the issues raised on the Forms 50 and 51.

DECISION AND ORDER:

DAVID W. HUFFSTETLER, COMMISSIONER

ELECTRONICALLY FILED:

December 6, 2010

STIPULATIONS

Counsel for the respective parties stipulated at the time of the hearing to the following issues:

1. That the Claimant's average weekly wage was Five Hundred Four Dollars and 49/100 Cents (\$504.49) with a corresponding compensation rate of Three Hundred Thirty-Six Dollars and 34/100 Cents (\$336.34).
2. That the South Carolina Workers' Compensation Commission has jurisdiction over the parties and issues involved.
3. That venue in Spartanburg County was proper.
4. That notices of the hearing were timely and properly served upon all parties of interest.

The Commission's file, except for unstipulated medical reports and self-serving declarations, was made a part of the record in this case.

APA SUBMISSIONS

Under the Administrative Procedures Act, the following records were submitted into evidence at the time of the hearing:

BY THE CLAIMANT

- APA #1: Medical records of Dr. Robert Ringel, dated May 17, 2010 to August 23, 2010, consisting of 14 pages.
- APA #2: Medical records from Dr. John E. Keith, Jr., dated September 9, 2010, consisting of 4 pages.

BY THE DEFENDANTS

- APA #3: Causation Statement from Dr. L. Edwin Rudisill, dated October 19, 2010, consisting of 1 page.
- APA #4: Medical records from Neurology Centers of the Carolinas, P.A., dated August 10, 2010 to May 17, 2010, consisting of 4 pages.

APA #5: Medical records from Center for Family Medicine, dated May 10, 2010 to October 11, 2006, consisting of 73 pages.

EXHIBITS

BY THE CLAIMANT

Exhibit #1: Claimant's Deposition Transcript, obtained of Dr. L. Edwin Rudisill, Jr., obtained October 15, 2010.

STATEMENT OF THE CASE

The hearing was held on November 4, 2010, pursuant to the Claimant's Form 50 Request for Hearing. The Claimant alleged the development of carpal tunnel syndrome in her right and left hands/arms/wrists, as the result of work-related repetitive trauma. Claimant alleged May 18, 2010, as her date of injury. The Claimant sought a decision on compensability and entitlement to medical benefits. Any issues regarding temporary total disability benefits and/or permanent partial disability benefits were premature at the time of the hearing.

The Defendants took the position that the Claimant had not sustained a compensable injury by repetitive trauma and that the Claimant's carpal tunnel syndrome was not work related. The Defendants based their denial of the claim on three points. First of all, the Defendants relied on a causation statement from Dr. L. Edwin Rudisill, of The Hand Center, indicating that the claimant's alleged bilateral carpal tunnel syndrome was not causally related to her work with the insured. The Claimant relied on a statement from Dr. Robert Ringel, a neurologist. Defendants asserted that the language of Dr. Ringel's statement failed to satisfy the requirements of §42-9-172(D), that requires evidence of a direct causal relationship. Defendants pointed out that Dr. Rudisill had the advantage of actually reviewing the claimant's job description/job duties, as well as a complete copy of her prior medical records. While Dr. Ringel did examine the claimant, he did not review any job descriptions, etc., nor was his opinion obtained until solicited by claimant's counsel.

Secondly, The Defendants took the position that the claimant's testimony illustrated that her job is comprised of several different tasks. Finally, the Defendants assert that the claimant failed to give proper notice as required by §42-15-20(c). The claimant alleged a date of injury of May 18, 2010. Claimant testified in her deposition that she knew in May that her problems were coming from work. The carrier was not provided notice until receipt of a Form 50 dated August 19, 2010. A Form 50 was filed on August 12, 2010, but was filed against and served on the wrong carrier. At any rate, the proper carrier did not receive notice of this alleged claim until receipt of the Form 50 dated August 19, 2010. Moreover, Defendants took the position that the testimony of the employer would show that the claimant did not provide notice directly to the employer within ninety days of May 18, 2010.

EVIDENCE OF THE CASE

CLAIMANT'S TESTIMONY

Claimant lives in Spartanburg County with her mother, daughter, and son. She testified that she had a high school diploma from Dorman High School. In addition to working for Spartanburg School District 6, her work history consists of jobs with Spartanburg Regional Medical Center, Extended Stay, and Spartanburg Community College.

Claimant testified that she had worked as a custodian for Spartanburg School District 6 on 2 different occasions, with a break of several months between the stints in 2003-2004. In total, the Claimant testified that she had worked for Spartanburg School District 6 for approximately twenty years. Claimant testified that in May of 2010, her duties consisted of cleaning the sixth grade hall, the principal's office, the assistant principal's office, the teacher's lounge, as well as bathrooms. The Claimant testified that her shift was 8 hours, from 12:00 pm to 8 pm. Claimant testified that the sixth grade hall consists of fifteen classrooms. Each room receives a basic cleaning every day, with 1 classroom receiving a daily detailed cleaning. The claimant used chemicals, buckets, a

vacuum cleaner, toilet brushes, dust pans, dust mops/push brooms, regular brooms, and a long handled scraper to perform her duties. Claimant testified that on May 18, 2010, her right hand went numb. She testified that presently she has pain in her wrists when she is using a mop and cleaning toilets at work.

Claimant testified that in her opinion her problems were caused by scrubbing commodes, scraping corners, and mopping.

Claimant testified that she felt that her work was causing her problems as early as May of 2010. Claimant testified that she talked to the school nurse in May and later discussed her problems with Karen Bush in June of 2010. Claimant admitted that she did not tell Ms. Bush that she believed her problems were work related in June. Claimant testified that she told Ms. Bush in late August of 2010, that her work was irritating her hands. Claimant testified that the conversation in August would have been after August 17, 2010. After being shown a letter that the Claimant's attorney wrote to Dr. Robert Ringel, the Claimant testified that she told Ms. Bush her work was irritating her hands on August 12, 2010.

Claimant testified that she had treated with her family doctor and Dr. Ringel for the problems with her hands/wrists. Claimant testified that she did not go into detail with Dr. Ringel about the specific duties required of her job.

On cross-examination, Claimant testified that she saw her family doctor on May 10, 2010, but did not tell him that she thought her problems were work related. Claimant admitted that she saw Dr. Ringel in May of 2010, June of 2010, and July of 2010, and did not tell him that she thought her problems were work related during any of those visits. Claimant admitted that she did not tell Dr. Ringel that she thought her problems were work related until after her attorney wrote a letter to Dr. Ringel soliciting an opinion on causation.

Claimant admitted that she did not use a floor buffer to perform her duties as a janitor. Claimant testified that she did not use any drills or power tools. She does use a push broom and has to push the broom the length of the hallway. She also uses a regular broom, a vacuum, scrub brushes, rags to wipe surfaces, and a scraper. Claimant also has to empty trash cans. Claimant testified that the most she has to lift is approximately thirty pounds. Claimant lifts this amount 3 to 4 times a week. If something is very heavy a male janitor will help the Claimant out. Claimant admitted that her job consists of several different tasks. She testified that these tasks are done in various orders and for various lengths of time.

KAREN BUSH'S TESTIMONY

Karen Bush is the principal at Gable Middle School. She has been the principal for 6 years. Ms. Bush testified that she is very familiar with the custodian job and all the tasks that comprise the same. Ms. Bush testified that she first learned the Claimant was alleging her problems were work related on October 12, 2010, when she received a call from Defense Counsel. Prior to that time, Ms. Bush was aware the Claimant was having problems with her hands, but was never informed by the Claimant that the Claimant believed the problems to be work related.

Ms. Bush testified that she discussed the Claimant's problems with her in June of 2010. She testified that the Claimant had come to her office with a form that needed to be filled out. The form asked if the Claimant's problems were work related. Ms. Bush read the question to the Claimant and the Claimant responded "no." Ms. Bush testified that she did not recall the Claimant coming to her in August of 2010, to report that her problems were work related.

Ms. Bush testified that if the Claimant would have reported her problems as work related an investigation of the allegations would have been conducted and the workers' compensation carrier would have been contacted.

MEDICAL RECORDS

Claimant presented to Dr. Robert Ringel on May 17, 2010, complaining of numbness in both hands, right greater than left. She complained of paresthesias in the second and third digits and loss of grip strength. She did not indicate a history of trauma. A remote history of Bell's Palsy was noted. Her past medical history included a thyroid cyst and hypertension. Clinical findings were consistent with carpal tunnel and testing was recommended. There is no indication in this note that the claimant or Dr. Ringel felt the problem was work related. (APA #1 at 13-14.)

On May 18, 2010, nerve conduction and EMG testing was completed with results consistent with bilateral carpal tunnel syndrome. (APA #1 at 5-12.)

Claimant returned to Dr. Ringel on June 28, 2010. It was noted that splinting had not improved her symptoms. An injection in the right carpal canal was discussed. There is no indication in this note that the claimant or Dr. Ringel felt the problem was work related. (APA #1 at 3.)

On July 9, 2010, Claimant returned to Dr. Ringel. Claimant was given an injection to the right carpal canal. There is no indication in this note that the claimant or Dr. Ringel felt the problem was work related. (APA #1 at 2.)

On August 10, 2010, the claimant's attorney wrote a letter to Dr. Ringel soliciting an opinion on the causal relation of claimant's problem to her job duties. (APA #4 at 20.) On August 23, 2010, the claimant returned to Dr. Ringel. Dr. Ringel indicated, "The findings are consistent with a repetitive work injury as a custodian, and I feel this is concurrent with her current occupation, with a reasonable degree of medical certainty." (APA #1 at 1.)

After a review of the medical records and the job descriptions, Dr. L. Edwin Rudisill opined on October 19, 2010, "It is my opinion to a reasonable degree of medical certainty that

Beverly Wheeler's bilateral carpal tunnel syndrome is not causally related to the duties associated with her job as a custodian with Spartanburg School District Six." (APA #3 at 19.)

FINDINGS OF FACT

The following are found as facts:

1. Claimant alleged a repetitive trauma injury to her right and left hands/arms that resulted in the development of carpal tunnel syndrome. This finding is based on the Claimant's testimony.
2. Dr. Robert Ringel provided a statement on causation. This statement is flawed. Dr. Ringel, a neurologist, examined the claimant. The evidence indicates that Dr. Ringel did not address causation until after his opinion was solicited from the claimant's counsel. The claimant testified that she did not ever discuss her specific job duties with Dr. Ringel and that she only told him that she was a custodian. While Dr. Ringel opined, "The findings are consistent with a repetitive work injury as a custodian, and I feel this is concurrent with her current occupation, with a reasonable degree of medical certainty," there is no evidence that Dr. Ringel saw a job description, viewed a video of the job, nor was told by the claimant the specific job duties she alleged as the cause of her problem. Therefore, Dr. Ringel's opinion on causation is based on incomplete information at best.
3. Dr. L. Edwin Rudisill provided a statement on causation. Dr. Rudisill opined that the claimant's carpal tunnel syndrome was not causally related to her job as a custodian. Dr. Rudisill had the advantage of reviewing various job descriptions and medical evidence; however, he did not actually examine the claimant. Therefore, he did not know if the job descriptions were accurate or whether the Claimant performed tasks outside the job description. Dr. Rudisill's opinion on causation is based on incomplete information.
4. The claimant failed to carry her burden of proving through medical evidence that her carpal tunnel syndrome was causally related to her job as a custodian. This finding is based on a review of the evidence, both testimonial and medical.
5. Claimant described a variety of tasks that she performs in her job as a custodian. Claimant pushes a dust mop, or push broom, the length of the hallway, cleans windows, empties small trash cans, cleans restrooms, dusts, and vacuums (among other tasks). Essentially, claimant's testimony indicates that she works. She does not describe a repetitive task. This finding is based on the claimant's testimony.
6. There is no medical evidence to show that pushing a dust mop, cleaning windows, emptying trash cans, cleaning restrooms, dusting, or vacuuming (among other tasks) puts stress on the same muscle groups. This finding is based on a review of the medical evidence.

7. Claimant is a poor historian. Claimant gives a number of different dates as to when she first reported her claim to her employer. Claimant testified that she believed her problem was work related on May 18, 2010. Karen Bush, the principal, testified that she first learned the claimant was alleging the problem was work related on October 12, 2010, when her attorney informed her of the same. Claimant testified that she told Ms. Bush the work was irritating her hands in June of 2010. At one point, the claimant testified that she first told Ms. Bush the problem was work related sometime after August 17, 2010. This would have been more than ninety days after May 18, 2010. The statute mandates that notice must be given within ninety days from the time the claimant knew, or should have known, the case was "compensable." The statute does not use the phrase "work related." One argument is that a claimant does not know the case is "compensable" until it is either accepted by the carrier or awarded by the Commission. However, no matter how clear the language of a statute, a Court will reject a meaning that leads to an absurd result. See Hamm v. S.C. Public Service Commission, 287 S.C. 180, 336 S.E.2d 470. It would be absurd for the Legislature to draft a notice statute that has no practical effect. The issue of notice is not dispositive in this case and a decision is not reached solely on this issue.
8. Claimant's carpal tunnel syndrome was not caused by the cumulative effects of repetitive traumatic events as required by S.C. Code §42-1-172(A). This finding is based on the evidence in the record, including the testimony the claimant and the medical records.
9. Claimant failed to meet her burden of proving that her carpal tunnel syndrome was a compensable repetitive trauma injury under S.C. Code §42-1-172.

CONCLUSIONS OF LAW

Accordingly, as provided in Section 42-17-40; S.C. Code Ann. (2008), it is the determination of this Commissioner that:

1. Under S.C. Code §42-1-130, Beverly Wheeler was a covered employee at the time in question, and under S.C. Code §42-1-140, Spartanburg School District 6 was a covered employer.
2. Claimant did not sustain a compensable repetitive trauma injury as required under S.C. Code §42-9-172.

ORDER

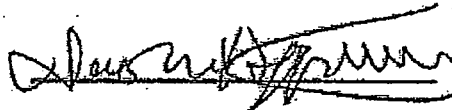
IT IS, THEREFORE, ORDERED that the Claimant did not sustain a compensable repetitive trauma injury as required under S.C. Code §42-1-172.

Claimant is not entitled to any benefits.

No hearing costs are assessed in this instance.

AND IT IS SO ORDERED.

**SOUTH CAROLINA WORKERS'
COMPENSATION COMMISSION**



David W. Huffstetler, Commissioner

CERTIFICATE OF SERVICE

This is to certify the undersigned has this date served this order in the above entitled action upon all parties to this cause by sending an electronic copy hereof by electronic mail addressed to the attorney or attorneys for said parties or by depositing a copy hereof, postage paid, in the United States certified mail addressed to any unrepresented party.

December 6, 2010

By: Kellie Lindler, Administrative Assistant to Commissioner Huffstetler

APPELLATE PANEL DECISION AND ORDER

APR 27 2011

OF THE

SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

W.C.C. FILE NO. 1011278

BEVERLY R. WHEELER,
APPELLANT,

v.

SPARTANBURG SCHOOL DISTRICT SIX,
AND
WAUSAU BUSINESS INSURANCE COMPANY,
RESPONDENTS,

FULL AFFIRMATION

Appellate Panel Review held in Columbia, South Carolina, on March 21, 2011, timely and properly served upon all parties of interest.

Appellate Panel Decision and Order filed:

4/26, 2011.

APPEARANCES: Appellant represented by Toney J. Lister, Esquire,
of Lister, Flynn & Kelly, P.A., of Spartanburg, South Carolina.

Respondents represented by Jason A. Griggs, Esquire
of Willson, Jones, Carter & Baxley, P.A., of Greenville, South
Carolina.

STATEMENT OF THE CASE

The parties were heard by Commissioner David W. Huffstetler on November 4, 2010, in Spartanburg, South Carolina. On December 6, 2010, Commissioner Huffstetler issued a Decision and Order. After reciting the Findings of Fact and Conclusions of Law, Commissioner Huffstetler stated:

IT IS, THEREFORE, ORDERED that the Claimant did not sustain a compensable repetitive trauma injury as required under S.C. Code §42-1-172.

Claimant is not entitled to any benefits.

No hearing costs are assessed in this instance.

AND IT IS SO ORDERED.

Within the statutory period, counsel for the Appellant filed an Application for Review in the case setting forth its reasons, copies of which were furnished to all interested parties, prior to the oral argument presented before this Appellate Panel on March 21, 2011. Hearing transcripts, all documentary evidence, and briefs have been delivered to the Appellate Panel. Additionally, oral argument has been presented and this matter has been under careful review and consideration by this Appellate Panel of the South Carolina Workers' Compensation Commission.

Through the appeal, the Appellant set forth the following grounds:

1. Did the Single Commissioner err in finding that Claimant's carpal tunnel syndrome was not caused by the cumulative effects of repetitive traumatic events as required by S.C. Code § 42-1-172(A)?
2. Did the Single Commissioner err in finding Claimant failed to meet her burden of proving that her carpal tunnel syndrome was a compensable repetitive trauma injury under S.C. Code § 42-1-172?
3. Did the Single Commissioner err in finding that the medical statement of Dr. Robert Ringel providing causation was flawed? See attached APA #4 and APA #1 at 1.

4. Did the Single Commissioner err in not finding the duties or a custodian to be matters of common knowledge?
5. Did the Single Commissioner err in failing to consider the deposition testimony of the Claimant as well as her testimony at the hearing?

In an Appellate Review, the Panel shall, pursuant to S.C. Code Ann. §42-17-50 (2008), review the award, weigh the evidence as presented at the initial hearing and, if good grounds be shown therefore, make its own Findings of Fact and reach its own Conclusions of Law consistent with, or inconsistent with, those of the Hearing Commissioner. Based upon a review of the foregoing, we enter the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Claimant alleged a repetitive trauma injury to her right and left hands/arms that resulted in the development of carpal tunnel syndrome. This finding is based on the Claimant's testimony.
2. Dr. Robert Ringel provided a statement on causation. This statement is flawed. Dr. Ringel, a neurologist, examined the claimant. The evidence indicates that Dr. Ringel did not address causation until after his opinion was solicited from the claimant's counsel. The claimant testified that she did not ever discuss her specific job duties with Dr. Ringel and that she only told him that she was a custodian. While Dr. Ringel opined, "The findings are consistent with a repetitive work injury as a custodian, and I feel this is concurrent with her current occupation, with a reasonable degree of medical certainty," there is no evidence that Dr. Ringel saw a job description, viewed a video of the job, nor was told by the claimant the specific job duties she alleged as the cause of her problem. Therefore, Dr. Ringel's opinion on causation is based on incomplete information at best.
3. Dr. L. Edwin Rudisill provided a statement on causation. Dr. Rudisill opined that the claimant's carpal tunnel syndrome was not causally related to her job as a custodian. Dr. Rudisill had the advantage of reviewing various job descriptions and medical evidence; however, he did not actually examine the claimant. Therefore, he did not know if the job descriptions were accurate. Dr. Rudisill's opinion on causation is based on incomplete information.
4. The claimant failed to carry her burden of proving through medical evidence that her carpal tunnel syndrome was causally related to her job as a custodian. This finding is based on a review of the evidence, both testimonial and medical.
5. Claimant described a variety of tasks that she performs in her job as a custodian. Claimant pushes a dust mop, or push broom, the length of the hallway, cleans

windows, empties small trash cans, cleans restrooms, dusts, and vacuums (among other tasks). Essentially, claimant's testimony indicates that she works. She does not describe a repetitive task. This finding is based on the claimant's testimony.

6. There is no medical evidence to show that pushing a dust mop, cleaning windows, emptying trash cans, cleaning restrooms, dusting, or vacuuming (among other tasks) puts stress on the same muscle groups. This finding is based on the claimant's testimony and a review of the medical evidence.
7. Claimant is a poor historian. Claimant gives a number of different dates as to when she first reported her claim to her employer. Claimant testified that she believed her problem was work related on May 18, 2010. Karen Bush, the principal, testified that she first learned the claimant was alleging the problem was work related on October 12, 2010, when her attorney informed her of the same. Claimant testified that she told Ms. Bush the work was irritating her hands in June of 2010. At one point, the claimant testified that she first told Ms. Bush the problem was work related sometime after August 17, 2010. This would have been more than ninety days after May 18, 2010. The Form 50 was not filed with the proper insurance carrier until August 19, 2010, which is more than ninety days after May 18, 2010. The statute mandates that notice must be given within ninety days from the time the claimant knew, or should have known, the case was "compensable." One argument is that a claimant does not know the case is "compensable" until it is either accepted by the carrier or awarded by the Commission. However, no matter how clear the language of a statute, a Court will reject a meaning that leads to an absurd result. It would be absurd for the Legislature to draft a notice statute that has no practical effect. Hamm v. S.C. Public Service Commission, 287 S.C. 180, 336 S.E.2d 470. The issue of notice is not dispositive in this case and a decision is not reached on this issue. This finding is based on the claimant's testimony and the Commission's file as a whole.
8. Claimant's carpal tunnel syndrome was not caused by the cumulative effects of repetitive traumatic events as required by S.C. Code §42-1-172(A). This finding is based on the evidence in the record, including the testimony the claimant and the medical records.
9. Claimant failed to meet her burden of proving that her carpal tunnel syndrome was a compensable repetitive trauma injury under S.C. Code §42-1-172.

CONCLUSIONS OF LAW

Accordingly, as provided in Section 42-17-40, S.C. Code Ann. (2008), it is the determination of this Appellate Panel that:

1. Under S.C. Code §42-1-130, Beverly Wheeler was a covered employee at the time in question, and under S.C. Code §42-1-140, Spartanburg School District 6 was a covered employer.

2. Claimant did not sustain a compensable repetitive trauma injury as required under S.C. Code §42-9-172.

ORDER/AWARD

IT IS, THEREFORE, ORDERED the Decision and Order of the Single Commissioner filed in this matter on December 6, 2010, is hereby affirmed by this Appellate Panel.

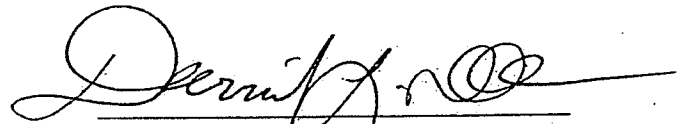
IT IS, THEREFORE, ORDERED that the Claimant did not sustain a compensable repetitive trauma as required under S.C. Code §42-1-172.

Claimant is not entitled to any benefits.

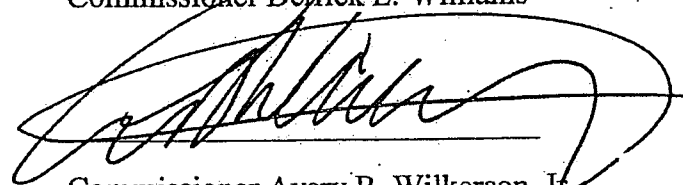
No hearing costs assessed in this instance.

AND IT IS SO ORDERED.

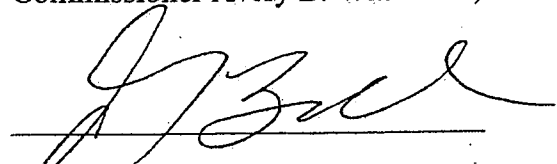
SOUTH CAROLINA WORKERS'
COMPENSATION COMMISSION



Commissioner Derrick L. Williams



Commissioner Avery B. Wilkerson, Jr.



Commissioner T. Scott Beck

CONCUR:

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served this order in the above entitled action upon all parties to this cause by depositing a copy hereof, postage paid, in the United State mail addressed to the attorney or attorneys for said parties.

This 26 day of April, 2011
By Valerie D. Deller

Administrative Assistant to the Commissioner

Toney J. Lister
Jason A. Griggs



Claimant's Name: Beverly R. Wheeler SSN: _____ Employer's Name: Spartanburg County School District Six
Address: _____ Address: Shoals Rd.
City: Moore State: SC Zip: 29369 City: Roebuck State: SC Zip: 29376
Home Phone: _____ Work Phone: () _____ Insurance Carrier: SC School Boards Self Insurance Trust
Preparer's Name: Toney J. Lister Law Firm: Lister, Flynn & Kelly, PA Preparer's Phone #: 864-582-3770

Complete each information blank. To request a hearing, check Box 13b, indicate the kinds of benefits claimed by checking the box(es) at Lines 6, 7, 8, and 9, and file this form in duplicate.

A claim for workers' compensation benefits is made based on the following grounds: **Injury X** Date of Injury or Illness: 5/18/2010

- 1a. The claimant sustained an injury to both wrists and arms on May 18, 2010 in Spartanburg County, State of SC.
- 1b. Body part(s) affected are: Both wrists and arms. Briefly describe how the accident occurred. Working as custodian twenty years.
2. Both the claimant and the employer were subject to the South Carolina Workers' Compensation Act at the time of injury.
3. The relationship of employer and employee existed at the time of injury.
4. At the time of the injury the claimant was performing services arising out of and in the course of employment.
5. Notice of the accidental injury was given to the Employer on Aug. 10, 2010 in the following manner: Verbally notified Principal.
- X 6. Due to injury, the claimant is in need of (check one):
 (a) medical examination and treatment for: _____
X (b) additional medical examination and treatment for: Both wrists and arms.
7. Due to injury, the claimant requests temporary total disability benefits because of lost compensable time from work and wages for the period of: _____
8. Due to the injury, the Claimant has permanent disability of the following nature and extent (check one):
 (1) General Disability: Total (2) Specific Disability: Total
 (3) Wage Loss Partial Partial
9. Due to the injury, the Claimant has a serious bodily disfigurement consisting of: _____
- 10a. At the time of the injury, the Claimant was paid weekly wages of \$to be determined, and demands accounting of days worked and wages earned as provided by law.
- 10b. Give names and addresses of all employers for whom the Claimant has worked since the date of the accident: Spartanburg County School District Six.
- 11a. Further grounds or unusual aspects of claim: Need hearing to get authorized medical treatment.
- 11b. List names and addresses of all physicians or other medical specialists who have seen or treated the Claimant as a result of the accident: Family Practice at Spartanburg Regional Medical Center, Sptbg., SC; and Dr. Robert Ringel, 460 Langdon St., Sptbg., SC 29302.
- 11c. To the best of your knowledge, did you have any prior permanent disability? No.
12. Appropriate benefits as provided in the Act for the above grounds and other relief as the Workers' Compensation Commission may direct as just and proper.
- 13a. I am filing a claim. I am not requesting a hearing at this time.
- X 13b. I am requesting a hearing. A \$25 fee is required.
14. Estimated time needed for hearing: 30 Minutes

I verify the contents of this form are accurate and true to the best of my knowledge.

Preparer's Signature: Toney J. Lister Attorney Title: _____ Email: _____ Date: 12 Aug 2010

Refer to R.67-204 through R.67-210 and R.67-601 through R.67-615. Questions about the use of this form may be directed to the Commission's Claims Department.

South Carolina Workers' Compensation Commission

1612 Marion Street • Post Office Box 1715
Columbia, South Carolina 29202-1715
(803) 737-5723
www.wcc.sc.gov



WCC File #: _____
Carrier File #: _____
Carrier Code #: **00926**
Employer FEIN #: _____

Claimant's Name: Beverly R. Wheeler SSN: _____ Employer's Name: Spartanburg County School District Six
Address: _____ Address: Shoals Rd.
City: Moore State: SC Zip: 29369 City: Roebuck State: SC Zip: 29376
Home Phone: _____ Work Phone: () _____ Insurance Carrier: Liberty Mutual Insurance Co.
Preparer's Name: Toney J. Lister Law Firm: Lister, Flynn & Kelly, PA Preparer's Phone #: 864-582-3770

Complete each information blank. To request a hearing, check Box 13b, indicate the kinds of benefits claimed by checking the box(es) at Lines 6, 7, 8, and 9, and file this form in duplicate.

A claim for workers' compensation benefits is made based on the following grounds: **Injury X** Date of Injury or Illness: 5/18/2010

- 1a. The claimant sustained an injury to both wrists and arms on May 18, 2010 in Spartanburg County, State of SC.
 - 1b. Body part(s) affected are: Both wrists and arms. Briefly describe how the accident occurred. Working as custodian twenty years.
 - 2. Both the claimant and the employer were subject to the South Carolina Workers' Compensation Act at the time of injury.
 - 3. The relationship of employer and employee existed at the time of injury.
 - 4. At the time of the injury the claimant was performing services arising out of and in the course of employment.
 - 5. Notice of the accidental injury was given to the Employer on Aug. 10, 2010 in the following manner: Verbally notified Principal.
- X 6. Due to injury, the claimant is in need of (check one):
 (a) medical examination and treatment for: _____
 (b) additional medical examination and treatment for: Both wrists and arms.
7. Due to injury, the claimant requests temporary total disability benefits because of lost compensable time from work and wages for the period of: _____
8. Due to the injury, the Claimant has permanent disability of the following nature and extent (check one):
 (1) General Disability: Total (2) Specific Disability: Total
 (3) Wage Loss Partial Partial
9. Due to the injury, the Claimant has a serious bodily disfigurement consisting of: _____
- 10a. At the time of the injury, the Claimant was paid weekly wages of \$to be determined, and demands accounting of days worked and wages earned as provided by law.
- 10b. Give names and addresses of all employers for whom the Claimant has worked since the date of the accident: Spartanburg County School District Six.
- 11a. Further grounds or unusual aspects of claim: Need hearing to get authorized medical treatment.
- 11b. List names and addresses of all physicians or other medical specialists who have seen or treated the Claimant as a result of the accident: Family Practice at Spartanburg Regional Medical Center, Sptbg., SC; and Dr. Robert Ringel, 460 Langdon St., Sptbg., SC 29302.
- 11c. To the best of your knowledge, did you have any prior permanent disability? No.
12. Appropriate benefits as provided in the Act for the above grounds and other relief as the Workers' Compensation Commission may direct as just and proper.
- 13a. I am filing a claim. I am not requesting a hearing at this time.
- X 13b. I am requesting a hearing. A \$25 fee is required.
14. Estimated time needed for hearing: 30 Minutes

I verify the contents of this form are accurate and true to the best of my knowledge.

Preparer's Signature: Toney J. Lister Attorney Title: _____ Email: _____ Date: 19 Aug 2010

Refer to R.67-204 through R.67-210 and R.67-601 through R.67-615. Questions about the use of this form may be directed to the Commission's Claims Department.

WCC Form # 50
Revised 9/07

AMENDED

Employee's Notice of Claim and/o
Request for Hearing

AP502

South Carolina Workers' Compensation Commission
1612 Marion Street • Post Office Box 1715
Columbia, South Carolina 29202-1715
(803) 737-5723
www.wcc.sc.gov



WCC File #: 1011278
Carrier File #: _____
Carrier Code #: 00926
Employer FEIN #: _____

Claimant's Name: Beverly R. Wheeler SSN: _____
Address: _____
City: Moore State: SC Zip: 29369
Home Phone: _____ Work Phone: () - _____

Employer's Name: Spartanburg County School District Six
Address: Shoals Rd.
City: Roebuck State: SC Zip: 29376
Insurance Carrier: Wausau Business Insurance Co./Liberty Mutual Insurance Co.

Preparer's Name: Toney J. Lister Law Firm: Lister, Flynn & Kelly, PA Preparer's Phone #: 864-582-3770

Complete each information blank. To request a hearing, check Box 13b, indicate the kinds of benefits claimed by checking the box(es) at Lines 6, 7, 8, and 9, and file this form in duplicate.

A claim for workers' compensation benefits is made based on the following grounds: **Injury X** Date of Injury or Illness: 5/18/2010

- 1a. The claimant sustained an injury to both wrists and arms on May 18, 2010 in Spartanburg County, State of SC.
- 1b. Body part(s) affected are: Both wrists and arms. Briefly describe how the accident occurred. Working as custodian twenty years.
2. Both the claimant and the employer were subject to the South Carolina Workers' Compensation Act at the time of injury.
3. The relationship of employer and employee existed at the time of injury.
4. At the time of the injury the claimant was performing services arising out of and in the course of employment.
5. Notice of the accidental injury was given to the Employer on Aug. 10, 2010 in the following manner: Verbally notified Principal.
- X 6. Due to injury, the claimant is in need of (check one):
 (a) medical examination and treatment for: _____
X (b) additional medical examination and treatment for: Both wrists and arms.
7. Due to injury, the claimant requests temporary total disability benefits because of lost compensable time from work and wages for the period of: _____
8. Due to the injury, the Claimant has permanent disability of the following nature and extent (check one):
 (1) General Disability: Total (2) Specific Disability: Total
 (3) Wage Loss Partial Partial
9. Due to the injury, the Claimant has a serious bodily disfigurement consisting of: _____
- 10a. At the time of the injury, the Claimant was paid weekly wages of \$to be determined, and demands accounting of days worked and wages earned as provided by law.
- 10b. Give names and addresses of all employers for whom the Claimant has worked since the date of the accident: Spartanburg County School District Six.
- 11a. Further grounds or unusual aspects of claim: Need hearing to get authorized medical treatment.
- 11b. List names and addresses of all physicians or other medical specialists who have seen or treated the Claimant as a result of the accident: Family Practice at Spartanburg Regional Medical Center, 853 N. Church St., Sptbg., SC 29303; and Dr. Robert Ringel, 460 Langdon St., Sptbg., SC 29302.
- 11c. To the best of your knowledge, did you have any prior permanent disability? No.
12. Appropriate benefits as provided in the Act for the above grounds and other relief as the Workers' Compensation Commission may direct as just and proper.
- 13a. I am filing a claim. I am not requesting a hearing at this time.
- X 13b. I am requesting a hearing. A \$25 fee is required.
14. Estimated time needed for hearing: 30 Minutes

I verify the contents of this form are accurate and true to the best of my knowledge.

Preparer's Signature: Toney J. Lister Attorney Title: _____ Email: _____ Date: 31 Aug 2010

Refer to R.67-204 through R.67-210 and R.67-601 through R.67-615. Questions about the use of this form may be directed to the Commission's Claims Department.

WCC Form # 50
Revised 9/07

2ND
AMENDED
APP 063
ER

Employee's Notice of Claim and/or
Request for Hearing

South Carolina Workers' Compensation Commission

P.O. Box 1715 • 1612 Marion Street
Columbia, South Carolina 29202-1715
(803) 737-5700

'CC File # 1011278
Carrier File # WC550-700565
Carrier Code #
Employer FEIN

Form with fields for Claimant's Name (Beverly R. Wheeler), Address (Moore, SC 29369), Home Phone, Work Phone, Employer's Name (Spartanburg County School District Six), Address (1300 Cavalier Way, Roebuck, SC 29376), Insurance Carrier (Wausau Business Insurance Company), and Preparer's Name (Jason A. Griggs) with phone number (864) 527-3288.

Complete each information blank. Specify clearly when contentions are admitted in part and denied in part. The employer-insurance carrier in answer to the claim, respectfully shows:

- 1. It is (admitted) (denied) that the employee sustained an injury on or about the date set forth in the application. The reasons for denial are:
2. It is (admitted) (denied) that both the employer and employee were subject to the Workers' Compensation Act at the time in question. The reasons for denial are: But see #1.
3. It is (admitted) (denied) that the relationship of employer and employee existed at the time in question. The reasons for denial are: But see #1.
4. It is (admitted) (denied) that at the time in question the employee was performing services arising out of and in the course of employment. The reasons for denial are:
5. It is (admitted) (denied) that notice of injury was given the employer. The reasons for denial are:
6. It is (admitted) (denied) that the employee needs or is entitled to additional medical care as a result of injury. The reasons for denial are:
7. It is (admitted) (denied) that the employee is entitled to temporary total disability for the period(s) of:
8. It is (admitted) (denied) that the employee is permanently disabled. The reasons for denial are:
9. It is (admitted) (denied) that the employee has a serious disfigurement.
10. It is contended that an average weekly wage of \$ [To Be Provided] applies, according to attached accounting of employee's earnings as provided by law.
11. Further contentions or grounds of defense are: Defendants reserve the right to amend and to assert defenses as they become aware of them.

I certify that I have served this document pursuant to R.67-212 by delivering a copy to Toney J. Lister, Esquire, Name

421 Marion Ave., P.O. Box 2929, Spartanburg, SC 29304-2929 and Virginia Crocker, Judicial Director, SC WCC, P.O. Box 1715, Columbia, SC 29202 Address

on the 27th day of September, 2010, by [X] first class mail; [] personal service; [] certified mail.

I verify the contents of this form are accurate and true to the best of my knowledge.

Preparer's Signature, Attorney for Defendants
Jason A. Griggs
Willson Jones Carter & Baxley, P.A.
872 S. Pleasantburg Drive
Greenville, SC 29607

Cheri L. Fox, Certifier
September 27, 2010
Date

Refer to R.67-205 and R.67-601 through R.67-615. Questions about the use of this form may be directed to the Commission's Judicial Department. Pursuant to R.67-606, a Form 20 must be filed with the Claims Department at least 30 days from the date of filing this form.



Claimant's Name: Beverly R. Wheeler Employer's Name: Spartanburg County School District Six
Address: _____ Address: 1390 Cavalier Way
City: Moore State: SC Zip: 29369 City: Roebuck State: SC Zip: 29376
Home Phone: _____ Work Phone: _____ Carrier: Wausau Business Insurance Company
Preparer's Name: Jason A. Griggs, Attorney for Defendants Preparer's Phone #: (864) 527-3288

A claim for workers' compensation benefits is made based on the following grounds:

Injury Illness Repetitive Trauma

1. Compensation Rate: \$336.34 2. AWW: \$504.49 Date of Injury: May 18, 2010
3. Type of injury and body part(s): Alleged Bilateral Carpal Tunnel Syndrome
4. Facts in controversy: (1) Compensability? The claimant presents a statement from Dr. Robert Ringel, a neurologist, in support their position. Claimant first saw Dr. Ringel on May 17, 2010, and his records from that date does not make any mention of a work-related problem, nor do they contain any allegation from the claimant that the problem was work-related. Additionally, claimant indicated her regular group health insurance would be covering her treatment. Claimant returned to Dr. Ringel on June 28, 2010, again there is no mention of the problem being work-related. The July 9, 2010 note, does not mention any work-related allegation. On August 10, 2010, claimant's attorney wrote a letter to Dr. Ringel soliciting a causation statement. On August 23, 2010, Dr. Ringel produced the medical causation statement the claimant now relies on. The Defendants have a statement from Dr. Edwin Rudisill, a hand surgeon, indicating the claimant's problem are not causally related. Dr. Rudisill reviewed job descriptions and medical records from Dr. Ringel and the claimant's family doctor.
(2) Is the claimant's claim barred by notice under §42-15-20 (c)?
5. Legal issues involved: See No. 4. Also, S.C. §42-1-172.
6. Unusual aspects: _____
7. Witnesses (designate if expert):* Karen Bush, Chris Smutzer
8. Exhibits: Claimant's deposition transcript, job descriptions and lists detailing claimant's responsibilities
9. Medical evidence (indicate report pursuant to R.67-612; deposition or appearance): SEE APA SUBMISSIONS
10. Name, address, and specialty, if any, of the treating physician: N/A
11. Impairment rating(s); body part(s); physician and date of opinion: N/A
12. I am amending my Form 50/51 in the following manner: _____

I verify the contents of this form are accurate and true to the best of my knowledge.

Signature: Email: jagriggs@wjlaw.net
Jason A. Griggs, Willson Jones Carter & Baxley, P.A.

Date of hearing: November 4, 2010 Time needed for hearing: _____
On behalf of Claimant Employer

I certify that I have served this document pursuant to R.67-212 by delivering a copy to TONEY J. LISTER, Esquire, 421 Marion Ave.,
Name

P.O. Box 2929, Spartanburg, SC 29304-2929 and Commissioner David Huffstetler, SCWCC, P.O. Box 1715 Columbia, SC 29202-1715
Address

on the 26th day of October, 2010 by first class mail; personal service; certified mail.

October 26, 2010
Cheri L. Fox, Certifier Date

File this form and proof of service on the opposing party according to R.67-611 and R.67-212. Do not send medical reports.

* Commissioners reserve the right to admit expert witnesses at hearings.

Wheeler B 11-4

---[P 1]---

SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION
WCC FILE NO. 1011278

EMPLOYEE/CLAIMANT: BEVERLY R. WHEELER

EMPLOYER: SPARTANBURG SCHOOL DISTRICT 6

INSURER: WAUSAU BUSINESS INSURANCE COMPANY

SOUTH CAROLINA WORKERS' COMPENSATION HEARING

PURSUANT TO NOTICE OF THE WORKERS' COMPENSATION
HEARING, THE WITHIN HEARING WAS TAKEN ON THE 4TH
DAY OF NOVEMBER, 2010, COMMENCING AT THE HOUR OF 1:41
PM IN SPARTANBURG, SOUTH CAROLINA, ATTENDED BY
COUNSEL AS FOLLOWS:

KATHRYN BOSTROM,
VERBATIM COURT REPORTER

BOSTROM REPORTING
109 KYLE AVENUE
INMAN, S.C. 29349
803-446-7040

--- [P 2] ---

APPEARANCES

FOR THE CLAIMANT:

TONEY J. LISTER, ESQUIRE
LISTER FLYNN & KELLEY, PA
PO BOX 2929
SPARTANBURG, SC 29304

FOR THE EMPLOYER/
CARRIER:

JASON A. GRIGGS, ESQUIRE
WILLSON JONES CARTER & BAXLEY, PA
872 S. PLEASANTBURG DRIVE
GREENVILLE, SC 29607

--- [P 3] ---

INDEX

WITNESS #1 BEVERLY WHEELER

DIRECT EXAMINATION BY MR. LISTER 6

CROSS EXAMINATION BY MR. GRIGGS 31

WITNESS #2 KAREN BUSH

DIRECT EXAMINATION BY MR. GRIGGS 40

CROSS EXAMINATION BY MR. LISTER 43

CERTIFICATE 46

EXHIBITS

THERE WERE NO EXHIBITS MARKED DURING THIS HEARING.

---[P 4]---

1 PURSUANT TO NOTICE OF HEARING, THE WITHIN HEARING
 2 WAS TAKEN BY THE ABOVE-NAMED COURT REPORTER, A NOTARY
 3 PUBLIC FOR THE STATE OF SOUTH CAROLINA, IN SPARTANBURG,
 4 SOUTH CAROLINA.

5 * * * * * * * * * * * * * * *

6 COMMISSIONER HUFFSTETLER:

7 THIS IS A WORKERS' COMPENSATION FILE NUMBER
 8 1011278. THE CASE OF THE CLAIMANT BEVERLY R.
 9 WHEELER VERSUS THE EMPLOYER SPARTANBURG SCHOOL
 10 DISTRICT 6. THE CARRIER IS WAUSAU BUSINESS
 11 INSURANCE COMPANY. THE CLAIMANT IS PRESENT.
 12 SHE IS REPRESENTED BY ATTORNEY TONY J. LISTER.
 13 THE EMPLOYER/CARRIER IS REPRESENTED BY ATTORNEY
 14 JASON A. GRIGGS. THE CASE IS SET TO CONSIDER
 15 ISSUES OUTLINED IN FORMS 50 AND 51. THE
 16 AVERAGE WEEKLY WAGE IS \$504.49 WITH A
 17 COMPENSATION RATE OF \$336.34. THE DATE OF
 18 ACCIDENT IS MAY 18, 2010. ARE THERE ANY
 19 OBJECTION TO THOSE ITEMS, JURISDICTION, VENUE
 20 OR ANY OF THE APA SUBMISSIONS?

21 MR. LISTER:
 22 NOT FROM THE CLAIMANT.

23 MR. GRIGGS:
 24 NO, SIR.

25 COMMISSIONER HUFFSTETLER:

--- [P 5] ---

1 WITHOUT OBJECTION, THE COMMISSION FILE BECOMES
 2 PART OF THE RECORD WITH THE EXCEPTION OF SELF-
 3 SERVING DECLARATIONS AND UNSTIPULATED MEDICAL
 4 REPORTS. CLAIMANT TAKES POSITION THAT SHE
 5 SUFFERS FROM BILATERAL CARPAL TUNNEL SYNDROME
 6 DUE TO REPETITIVE TRAUMA ON HER JOB. SHE SEEKS
 7 PAYMENT OF ALL CAUSALLY RELATED MEDICAL
 8 TREATMENT RECEIVED TO DATE. SHE IS NOT SEEKING
 9 COMPENSATION FOR TEMPORARY TOTAL DISABILITY AT
 10 THIS TIME. SHE SEEKS ADDITIONAL MEDICAL
 11 TREATMENT, THAT BEING SURGERY, THROUGH DR.
 12 KEITH. DEFENSE TAKES POSITION THE CLAIMANT WAS
 13 NOT INJURED BY ACCIDENT ARISING OUT OF AND IN
 14 THE COURSE OF EMPLOYMENT AND IN PARTICULAR THAT
 15 HER PROBLEMS DO NOT MEET THE REQUIREMENTS OF
 16 SECTION 42-1-172. THEY ALSO TAKE THE POSITION
 17 SHE DID NOT GIVE NOTICE AS REQUIRED UNDER
 18 SECTION 42-15-20. IS THAT CORRECT?

19 MR. LISTER:

20 YES, SIR.

21 MR. GRIGGS:

22 YES, SIR.

23 *

24 THE WITNESS WAS DULY SWORN TO TELL THE TRUTH, THE
 25 WHOLE TRUTH AND NOTHING BUT THE TRUTH CONCERNING THE

---[P 6]---

1 MATTER HEREIN:

2 * * * * * * * * * * * * * * * *

3 BEVERLY WHEELER,

4 BEING FIRST DULY SWORN OR AFFIRMED, TESTIFIED ON HIS

5 OATH AS FOLLOWS:

6 COMMISSIONER HUFFSTETLER:

7 MR. LISTER?

8 DIRECT EXAMINATION

9 BY MR. LISTER:

10 Q BEVERLY, WHERE DO YOU LIVE?

11 A I LIVE AT . MOORE, SC.

12 Q THAT'S IN SPARTANBURG COUNTY?

13 A IN SPARTANBURG COUNTY.

14 Q AND, WHO DO YOU LIVE WITH?

15 A I LIVE WITH MY MOTHER, MY DAUGHTER AND MY SON.

16 Q AND, HOW OLD IS YOUR MOTHER?

17 A MY MOTHER, 79.

18 Q AND, HOW OLD ARE YOUR CHILDREN?

19 A MY SON IS 21, MY DAUGHTER IS 28.

20 Q ARE YOU RIGHT-HANDED OR LEFT-HANDED?

21 A I'M RIGHT-HANDED.

22 Q WHAT IS YOUR HEIGHT AND YOUR WEIGHT?

23 A MY HEIGHT IS 5'2 AND MY WEIGHT IS 125.

24 Q IS THAT YOUR NORMAL WEIGHT, OR HAVE YOU GAINED OR

25 LOST ANY WEIGHT IN THE LAST TWELVE MONTHS?

---[P 7]---

- 1 A I HAVE GAINED SOME WEIGHT.
- 2 Q AND, WHAT EDUCATION OR FORMAL SCHOOLING DO YOU HAVE?
- 3 A HIGH SCHOOL DIPLOMA -- THROUGH THE TWELFTH GRADE.
- 4 Q WHAT YEAR DID YOU FINISH THE TWELFTH GRADE?
- 5 A 1982.
- 6 Q AND, YOU FINISHED THE TWELFTH GRADE WHERE?
- 7 A AT DORMAN HIGH SCHOOL.
- 8 Q AND, THAT'S THE SAME PLACE YOU WORK NOW, DISTRICT 6,
- 9 PART OF DISTRICT 6?
- 10 A YES, SIR, SAME PLACE.
- 11 Q SINCE YOU GRADUATED, WHAT JOBS HAVE YOU HAD?
- 12 A SINCE I GRADUATED, I WORKED AT THE SPARTANBURG
- 13 REGIONAL MEDICAL CENTER, I WORKED AT CORPORATE HEAD
- 14 OF EXTENDED STAY, AND I DONE WORK IN SPARTANBURG
- 15 COMMUNITY COLLEGE.
- 16 Q YOU'VE HAD THOSE JOBS BESIDES WORKING FOR
- 17 SPARTANBURG SCHOOL DISTRICT 6?
- 18 A THAT'S RIGHT.
- 19 Q HOW MANY YEARS HAVE YOU WORKED FOR SPARTANBURG
- 20 SCHOOL DISTRICT 6?
- 21 A FOR 20 YEARS NOW.
- 22 Q HAVE THEY BEEN CONTINUOUS YEARS, OR WAS THERE A
- 23 BREAK FOR THESE OTHER POSITIONS OF EMPLOYMENT DURING
- 24 THAT TIME PERIOD?
- 25 A IT WAS A BREAK IN BETWEEN THE EMPLOYMENTS.

---[P 8]---

- 1 Q AND, HOW LONG DID YOU WORK FOR EXTENDED STAY?
- 2 A I WORKED FOR EXTENDED STAY FOR ABOUT AT LEAST -- LET
- 3 ME THINK. I WORKED FOR EXTENDED STAY IT HAD TO BE
- 4 ABOUT THREE MONTHS.
- 5 Q WAS THAT AFTER YOU HAD WORKED AT SPARTANBURG SCHOOL
- 6 DISTRICT 6 FOR THE FIRST TIME?
- 7 A YES.
- 8 Q HOW LONG DID YOU WORK FOR SPARTANBURG SCHOOL
- 9 DISTRICT 6 THE FIRST TIME?
- 10 A THE FIRST TIME WAS ABOUT FOR 15 YEARS.
- 11 Q AND, THEN YOU WENT TO EXTENDED STAY?
- 12 A I WENT TO EXTENDED STAY.
- 13 Q FOR ABOUT 3 MONTHS?
- 14 A 3 MONTHS.
- 15 Q AND, THEN WHERE DID YOU GO AFTER THAT?
- 16 A AFTER THAT, I WENT TO SPARTANBURG COMMUNITY COLLEGE.
- 17 Q NOW, THE FIRST TIME YOU WERE AT SCHOOL DISTRICT 6,
- 18 WHAT DID YOU DO, WHAT KIND OF WORK?
- 19 A AT DISTRICT 6?
- 20 Q AT DISTRICT 6.
- 21 A AT DISTRICT 6 I DUST, I MOP, I PULL TRASH, I CLEAN
- 22 THE BATHROOMS AND I CLEAN THE OFFICE AND NURSE'S
- 23 STATION.
- 24 Q THAT'S WHAT YOU DID THE FIRST TIME YOU WERE THERE?
- 25 A THE FIRST TIME I WAS THERE, THAT WAS THE 6TH GRADE

---[P 9]---

1 HALL AND THE LOBBY AREA.

2 Q WERE YOU A CUSTODIAN THE FIRST TIME YOU WERE THERE?

3 A YES.

4 Q AND, THEN, YOU WENT TO EXTENDED STAY, WHAT DID YOU

5 DO AT EXTENDED STAY FOR THOSE THREE MONTHS?

6 A AT EXTENDED STAY I CLEANED UP THE OFFICE.

7 Q YOU WERE ALSO A CUSTODIAN?

8 A A CUSTODIAN, YES.

9 Q AND, THEN YOU WENT TO COMMUNITY COLLEGE WHICH USED

10 TO BE SPARTANBURG TECHNICAL SCHOOL?

11 A YES.

12 Q YOU WERE THERE FOR ONE MONTH?

13 A LET ME THINK. YEAH, I WAS THERE FOR ABOUT ONE

14 MONTH.

15 Q WERE YOU ALSO A CUSTODIAN AT SPARTANBURG COMMUNITY

16 COLLEGE?

17 A YEAH.

18 Q WHEN OR ABOUT WHEN DID YOU COME BACK TO WORK AT

19 SCHOOL DISTRICT 6?

20 A I CAME BACK IN 2004 IS WHEN I CAME BACK.

21 Q OKAY, AND WHAT KIND OF WORK DID YOU DO WHEN YOU CAME

22 BACK OR RETURNED TO SCHOOL DISTRICT 6?

23 A WHEN I CAME BACK I FIRST CLEANED THE 8TH GRADE,

24 CLEANED THE 8TH GRADE HALL CLEAN AND THEN I CLEANED

25 TWO -- IT WAS TWO EXTRA BUILDINGS ON THE OUTSIDE I

---[P 10]---

1 CLEANED AND THE OFFICE.

2 Q HOW ABOUT IN MAY OF 2010, WERE YOU STILL WORKING AT
3 SCHOOL DISTRICT 6 AS A CUSTODIAN?

4 A YES.

5 Q WHAT WERE YOUR JOB DUTIES AT THAT TIME?

6 A AT THAT TIME I WAS CLEANING THE 6TH GRADE HALL AND
7 MY DUTIES ON 6TH GRADE HALL WERE TO CLEAN MR.
8 SMUTZER'S OFFICE AND TO CLEAN THE CLASSROOMS AND
9 ALSO TO DETAIL ONE CLASSROOM A DAY AND OUTSIDE THE
10 HALLS TO MAKE SURE THAT WE KEEP OUR CORNERS AND THE
11 BASEBOARDS CLEANED AND OUR WALLS CLEANED AND I ALSO
12 CLEANED THE GIRLS' BATHROOM, THE BOYS' BATHROOM AND
13 THE TEACHERS' LOUNGE, I CLEANED THE MEN'S AND
14 WOMEN'S BATHROOM.

15 Q IN MAY OF 2010 HOW MANY HOURS A DAY DID YOU WORK?

16 A I WORKED EIGHT HOURS.

17 Q AND, HOW MANY BREAKS DID YOU GET DURING THAT TIME
18 PERIOD?

19 A AT THAT TIME I GOT ONE BREAK.

20 Q HOW MANY BREAKS WERE YOU SUPPOSED TO GET DURING THAT
21 TIME PERIOD?

22 A I WAS TO GET THREE BREAKS.

23 Q AND, WHY DIDN'T YOU TAKE THE OTHER TWO BREAKS?

24 A AFTER I COME TO THE 6TH GRADE HALL, WHEN WE FIRST
25 COME IN, WE DO OUR MATS AND OUR GLASS DOORS AND WE

---[P 11]---

- 1 DO OUR RESTROOMS AND WE SWEEP OUR HALLS, AND AFTER I
2 GOT FINISHED WITH THAT, I GO STRAIGHT TO THE OFFICE
3 TO DO THE NURSE'S STATION --
- 4 Q OKAY.
- 5 A -- THEN I WOULD TAKE MY BREAK.
- 6 Q YOU DIDN'T HAVE TIME TO TAKE THE OTHER BREAKS?
- 7 A NO, WE DIDN'T HAVE TIME.
- 8 Q HOW MANY DAYS A WEEK, WERE YOU WORKING IN MAY OF
9 2010 OUT IN DISTRICT 6?
- 10 A HOW MANY DAYS?
- 11 Q UH-HUH.
- 12 A IT WAS FIVE DAYS.
- 13 Q AND, WHAT SHIFT WERE YOU WORKING?
- 14 A SECOND SHIFT.
- 15 Q AND, WHAT IS THE SECOND SHIFT? WHEN DO YOU COME ON
16 AND WHEN DO YOU GET TO LEAVE?
- 17 A YOU COME IN AT 12, OR NOON WE GET OFF AT 8, 8
18 O'CLOCK.
- 19 Q DID YOU SAY THAT YOU CLEANED THE 6TH GRADE HALL?
- 20 A YES.
- 21 Q HOW BIG IS THE 6TH GRADE HALL?
- 22 A I REALLY CAN'T SAY HOW BIG IT IS --
- 23 Q HOW MANY CLASSROOMS WERE ON THE 6TH GRADE HALL?
- 24 A IT'S 15 CLASSROOMS.
- 25 Q DID YOU HAVE TO CLEAN ALL THOSE CLASSROOMS?

---[P 12]---

- 1 A YES.
- 2 Q DID YOU CLEAN THEM EVERY DAY?
- 3 A EVERY DAY.
- 4 Q AND, THEN YOU SAID SOMETHING ABOUT DETAILING ONE
- 5 EVERY DAY?
- 6 A YES, WE DETAIL A ROOM A DAY.
- 7 Q HOW MANY BATHROOMS DID YOU HAVE TO CLEAN EVERY DAY?
- 8 A ALTOGETHER WITH THE KIDS' AND THE MEN'S AND WOMEN'S
- 9 BATHROOM, THAT WAS FOUR BATHROOMS.
- 10 Q BESIDES THE HALL AND THE 15 CLASSROOMS AND THE
- 11 BATHROOMS, WHAT ELSE, IF ANYTHING DID YOU HAVE TO
- 12 CLEAN?
- 13 A I GO TO THE OFFICE BEFORE SCHOOL GOT OUT AND CLEAN
- 14 THE NURSE'S STATION. AND, IT'S ANOTHER ROOM -- IT'S
- 15 A FILE ROOM WITH A COFFEE ROOM AND I HAVE TO PULL
- 16 TRASH, EMPTY THE COFFEE POT, CLEAN THE COFFEE POT
- 17 AND THE MICROWAVE AND I WOULD MOP THAT ROOM.
- 18 Q HOW MANY OFFICES WOULD YOU HAVE TO CLEAN BESIDES THE
- 19 HALL AND THE CLASSROOMS?
- 20 A ALTOGETHER, THE PRINCIPAL'S OFFICE, AND IT'S JUST
- 21 ONE BIG OFFICE IN TOGETHER.
- 22 Q HOW ABOUT THE ASSISTANT PRINCIPAL'S OFFICE, DID YOU
- 23 HAVE TO CLEAN THAT ONE TOO?
- 24 A YES, THAT'S ON THE SIXTH GRADE.
- 25 Q DID YOU HAVE TO DO ANY WORK IN THE GYMNASIUM OR

---[P 13]---

1 GYMNASIUM AREA?

2 A I HAVE BEFORE.

3 Q HOW ABOUT IN MAY OF 2010, WERE YOU WORKING IN THE
4 AREA OF THE GYM IN ADDITION TO THE HALLWAY YOU TOLD
5 US ABOUT?

6 A ON MAY 10TH, I WASN'T THAT DAY.

7 Q HOW ABOUT DURING THAT TIME PERIOD?

8 A DURING THAT TIME PERIOD, YES.

9 Q WHAT EQUIPMENT WOULD YOU USE TO DO THIS CLEANING?

10 A I USED A CHEMICAL BOTTLES AND I ALSO HAVE A BUCKET,
11 A BUCKET FULL OF WATER WITH THE CHEMICAL IN IT. I
12 HAD THE DUST MOP, THE BROOM, THE DUST PAN AND I HAVE
13 A LONG HANDLE SCRAPER AND A DUSTER.

14 Q DID YOU EVER USE A VACUUM CLEANER?

15 A YES.

16 Q AND, WHAT WOULD YOU USE THE VACUUM CLEANER FOR?

17 A I WOULD USE THE VACUUM CLEANER ALSO, THAT'S FOR
18 CLEANING THE OFFICE, MR. SMUTZER'S OFFICE, THE MAIN
19 OFFICE AND ALSO TO CLEAN OUR MATS ALSO TOO.

20 Q DID YOU USE BROOMS?

21 A YES, IF THE VACUUM CLEANER DIDN'T PICK UP, I USED
22 THE BROOM TO SWEEP.

23 Q HOW DID YOU CLEAN THESE TOILETS? WHAT EQUIPMENT DO
24 YOU USE TO CLEAN THE TOILETS?

25 A WE HAVE A TOILET BRUSH TO CLEAN INSIDE OF THE TOILET

---[P 14]---

- 1 AND ALSO I GET A RAG AND CHEMICAL BOTTLE TO CLEAN
2 THE OUTSIDE OF THE COMMODES AND THE SINKS.
- 3 Q YOU SAID SOMETHING ABOUT SCRAPERS, WHAT KIND OF
4 SCRAPERS ARE WE TALKING ABOUT?
- 5 A WELL, IT'S LIKE A PUTTY KNIFE. IT'S A LONG HANDLE
6 SCRAPER THAT WE USED TO SCRAPE AROUND THE CORNERS IN
7 THE HALLS.
- 8 Q WHAT WAS THE HARDEST WORK YOU DID BACK THEN IN MAY
9 OF THIS YEAR?
- 10 A THE HARDEST WORK IS SCRAPING THE CORNERS AND THE
11 BASEBOARDS, AND ALSO SOME OF THE MOPPING.
- 12 Q WHAT PARTS OF THE BODY DID YOU HAVE TO USE TO DO
13 THESE THINGS?
- 14 A MY HANDS.
- 15 Q DID YOU PUT ANY PRESSURE ON YOUR HANDS DURING THIS
16 TIME PERIOD?
- 17 A YES.
- 18 Q DID YOU START HAVING ANY PROBLEMS WITH YOUR HANDS AT
19 ANY TIME?
- 20 A YES, I DID.
- 21 Q TELL US ABOUT THAT, PLEASE.
- 22 A I STARTED HAVING NUMBNESS AND TINGLING AND ALSO PAIN
23 SHOOTING THROUGH MY HANDS AND WRISTS.
- 24 Q WAS THIS ALL THE TIME OR SOME OF THE TIME, OR WHEN
25 DID YOU EXPERIENCE THIS PAIN?

---[P 15]---

- 1 A AT THE TIME, IT WAS SOME OF THE TIME.
- 2 Q I'M LOOKING AT YOUR AMENDED 50, OUR AMENDED 50 AND
3 YOU ALLEGE ON MAY 18TH, 2010, THAT YOU HAD PROBLEMS
4 WITH BOTH WRISTS, TELL US WHAT HAPPENED ON MAY 10,
5 I'M SORRY, MAY 18TH, 2010?
- 6 A ON MAY 18TH, MY WHOLE RIGHT HAND JUST WENT NUMB. I
7 COULDN'T PICK UP THE PHONE. I COULDN'T USE THE
8 PHONE, IT JUST WENT NUMB AND TINGLING. AND, THE
9 PAIN SHOT THROUGH THE WRIST, SHOT THROUGH BOTH
10 WRISTS.
- 11 Q WHAT PROBLEMS ARE YOU HAVING NOW WITH THESE WRISTS
12 AND ARMS AND HANDS, IF ANY?
- 13 A PAIN AT THIS MOMENT, RIGHT NOW, IT STILL SHOOTS
14 THROUGH THE WRIST. WHEN I PICK UP SOMETHING, AT
15 TIMES WHEN I PICK UP THE MOP AND I SCRUB THE INSIDE
16 OF THE COMMODES OUT, I FEEL PAIN SHOOTING THROUGH MY
17 WRISTS IRRITATING MY WRISTS. AND, ALSO, AT TIMES
18 WHEN I TURNED CORNERS WITH THE DUST MOP.
- 19 Q IS THERE ANYTHING THAT MAKES IT HURT WORSE THAN
20 OTHERS?
- 21 A THE SCRUBBING COMMODES MAKES IT HURT WORSE.
- 22 Q YOU REPORTED THIS, OR DID YOU REPORT THIS TO
23 ANYBODY?
- 24 A I DID MENTION IT. I TALKED TO THE HEALTH NURSE.
- 25 Q WHEN DID YOU TALK TO THE HEALTH NURSE?

--- [P 16] ---

- 1 A I TALKED TO HER IN MAY.
- 2 Q DID YOU TALK TO ANYBODY ELSE ABOUT THESE INJURIES TO
- 3 YOUR ARMS AND YOUR WRISTS?
- 4 A NO, I TOLD MS. BUSH IN JUNE ABOUT MY HA
- 5 Q IN JUNE, THAT WAS 2010, JUNE OF THIS YEAR?
- 6 A YES, SIR.
- 7 Q TELL US ABOUT THAT CONVERSATION AS YOU RECALL IT.
- 8 A WELL, I WENT IN THE OFFICE TO TELL HER ABOUT MY HAND
- 9 -- IT WAS IRRITATING ME. SHE WAS JUST EXPLAINING TO
- 10 ME THAT ABOUT THAT -- ONE OF THE TEACHERS THAT HAD
- 11 GOT HURT AND THAT WAS UNDER WORKMANS' COMP.
- 12 Q DID YOU TALK TO HER AT ANY OTHER TIME ABOUT THESE
- 13 PROBLEMS WITH YOUR HANDS AND WRISTS?
- 14 A I JUST MENTIONED IT TO HER AGAIN IN AUGUST THAT THE
- 15 WORK WAS IRRITATING.
- 16 Q DID YOU AT ANY TIME TELL MRS. BUSH THAT THE WORK HAD
- 17 CAUSED THESE PROBLEMS?
- 18 A NO, I DIDN'T MENTION THAT TO HER AT THE TIME.
- 19 Q DID YOU MENTION THAT TO HER IN JUNE?
- 20 A YEAH, I DID MENTION THAT TO HER IN JUNE.
- 21 Q WHEN DID YOU FIND OUT THE WORK WAS CAUSING THAT,
- 22 WHEN DID YOU THINK THE WORK WAS CAUSING IT?
- 23 A I FELT THAT THE WORK WAS CAUSING IT BACK IN WHEN IT
- 24 WAS MESSING WITH ME BACK HERE IN MAY.
- 25 Q DID YOU REPORT TO ANYBODY AT WORK THAT THE WORK WAS

---[P 17]---

- 1 CAUSING IT OR IRRITATING IT?
- 2 A AT FIRST I DIDN'T, NO.
- 3 Q HOW ABOUT LATER? DID YOU EVER TELL ANYBODY AT WORK?
- 4 A I JUST TOLD -- I JUST SPOKE TO THE HEALTH NURSE
- 5 ABOUT IT. I TOLD SOME OF MY CO-EMPLOYEES ALSO THAT
- 6 MY HAND WAS HURTING AT WORK.
- 7 Q DID YOU TELL MRS. BUSH, THE PRINCIPAL SITTING TO MY
- 8 RIGHT THAT IT WAS CAUSED BY WORK OR HURTING YOU AND
- 9 IRRITATED BY WORK?
- 10 A NO, I DIDN'T COME OUT AND TELL HER.
- 11 Q DID YOU TALK TO THE NURSE?
- 12 A YES.
- 13 Q DID YOU EVER FILL OUT ANY TYPE OF CLAIM FORM OR ANY
- 14 TYPE OF REPORT AT WORK THAT IT WAS CAUSED BY IT --
- 15 YOUR JOB?
- 16 A THERE WASN'T NO CLAIM FORM THAT WAS GIVEN THAT I
- 17 FILLED OUT.
- 18 Q DID YOU EVER GO TO THE DOCTOR WITH THESE PROBLEMS?
- 19 A YES.
- 20 Q WHEN DID YOU GO TO THE DOCTOR?
- 21 A I WENT TO THE DOCTOR IN MAY, I DID GO TO THE DOCTOR
- 22 IN MAY.
- 23 Q WHICH DOCTOR DID YOU GO TO?
- 24 A I WENT TO A DOCTOR OF FAMILY MEDICINE.
- 25 Q AND, WHAT TREATMENT, IF ANY, DID YOU RECEIVE THERE?

---[P 18]---

1 A HE JUST GOT A TOOTHPICK AND JUST POKED MY HAND IN
2 DIFFERENT PLACES --
3 Q OKAY.
4 A -- AND ASKED ME IF THE HAND FELT DIFFERENT FROM THE
5 OTHER HAND, AND THEN THAT'S WHEN HE RECOMMENDED ME
6 TO THE NEUROLOGIST.
7 Q AND, THAT WAS DR. RINGEL?
8 A DR. RINGEL.
9 Q HAD YOU EVER SEEN DR. RINGEL BEFORE?
10 A YES.
11 Q YOU HAD SEEN HIM BEFORE?
12 A I HAD SEEN HIM BEFORE.
13 Q WHAT DID YOU SEE HIM BEFORE FOR?
14 A I SEEN HIM, I HAD SEEN HIM ABOUT MY HANDS. MY
15 DOCTOR AT FAMILY MEDICINE SENT ME TO SEE DR. RINGEL.
16 Q AND, WHEN WAS THAT?
17 A THAT WAS IN AUGUST.
18 Q OF WHAT YEAR?
19 A 2010.
20 Q THE FIRST TIME YOU SAW HIM WAS WHEN, THOUGH?
21 A THE FIRST TIME I SAW HIM WAS SEPTEMBER 9TH. I HAD
22 AN APPOINTMENT WITH DR. RINGEL IN AUGUST AND I
23 DIDN'T GET TO MAKE THAT APPOINTMENT WITH HIM FIRST,
24 SO THEY SET IT UP FOR SEPTEMBER 9TH WHEN I SEEN HIM.
25 Q THAT WAS THE FIRST TIME YOU SAW HIM?

---[P 19]---

- 1 A THE FIRST TIME I SAW HIM.
- 2 Q DID YOU SEE ANYBODY ELSE IN THAT OFFICE PRIOR TO
- 3 THAT TIME?
- 4 A PRIOR TO THAT? AFTER DR. RINGEL, I SEEN DR. KEITH.
- 5 Q OKAY. NOW, IF DR. RINGEL'S REPORT SAYS THAT YOU SAW
- 6 HIM EARLIER THAN SEPTEMBER -- DID YOU MAKE A MISTAKE
- 7 AS TO WHEN YOU FIRST SAW HIM?
- 8 A IT PROBABLY WAS THE 28TH, AROUND ABOUT THE 28TH
- 9 PROBABLY IN AUGUST. IT MIGHT HAVE BEEN ABOUT THE
- 10 28TH. I'M NOT FOR SURE.
- 11 Q DID YOU SEE DR. RINGEL IN MAY OF THIS YEAR?
- 12 A LET ME THINK. I MIGHT HAVE DID. I KNOW I SEEN MY
- 13 FAMILY DOCTOR IN MAY, BUT I MIGHT HAVE DID SEEN DR.
- 14 RINGEL IN MAY. I DON'T --
- 15 Q AT SOME POINT -- I CUT YOU OFF, I'M SORRY.
- 16 A I MIGHT HAVE DID SEEN HIM IN MAY, BUT I CAN'T
- 17 EXACTLY REMEMBER THE DATES THAT I DID SEE HIM.
- 18 Q DID HE DO ANY KIND OF TESTING ON YOUR HANDS AND
- 19 WRISTS AND ARMS?
- 20 A YES, HE DID A EMG.
- 21 Q WOULD THAT HAVE BEEN IN MAY OF THIS YEAR, OR DO YOU
- 22 KNOW?
- 23 A IT MIGHT HAVE BEEN IN MAY BECAUSE I WENT ONE DAY FOR
- 24 A -- THE FIRST DAY I SEEN HIM, I HAD TO GO BACK THE
- 25 NEXT DAY FORT THE TEST.

---[P. 20]---

- 1 Q AND, WHAT TREATMENT DID HE PROVIDE FOR YOU OTHER
2 THAN THE EMG TESTING?
- 3 A HE ALSO GAVE ME THE CORTISONE SHOTS. HE GAVE ME THE
4 CORTISONE SHOTS TO HELP WITH THE PAIN AND THE
5 TINGLING AND NUMBNESS AND THAT WAS PRETTY MUCH IT.
6 HE GAVE ME THOSE SHOTS.
- 7 Q DID YOU RESPOND TO THE CORTISONE SHOTS? DID IT MAKE
8 YOU BETTER OR STAY ABOUT THE SAME?
- 9 A IT STAYED ABOUT THE SAME.
- 10 Q YOU SAID A FEW MINUTES AGO HE REFERRED YOU TO
11 SOMEBODY ELSE?
- 12 A YES.
- 13 Q WHO DID HE REFER YOU TO?
- 14 A HE REFERRED ME TO DR. KEITH.
- 15 Q AND, DR. KEITH IS WHAT KIND OF DOCTOR?
- 16 A ORTHOPEDIC DOCTOR.
- 17 Q DID YOU HAVE SURGERY LINED UP AT ONE TIME?
- 18 A YES, I DID.
- 19 Q AND, DID YOU GO THROUGH WITH THAT SURGERY?
- 20 A NO, I DIDN'T.
- 21 Q DID YOU TRY AND GET WORKERS' COMPENSATION NOW TO BE
22 RESPONSIBLE FOR THAT SURGERY?
- 23 A YES.
- 24 Q IS THAT THE REASON YOU DIDN'T HAVE THE SURGERY?
- 25 A THAT'S THE REASON WHY I DIDN'T HAVE THE SURGERY.

---[P 21]---

1 Q AND, IN YOUR OPINION, DO YOU NEED THE SURGERY NOW?

2 A YES.

3 Q WHAT CAUSED THESE PROBLEMS WITH YOUR ARMS AND
4 WRISTS?

5 A THE SAME -- LIKE WITH THE SCRUBBING THE COMMODES AND
6 SCRUBBING THE CORNERS AND THE MOPPING, THE SAME
7 MOTION, USING THE SAME MOTION EVERY DAY.

8 Q WHAT HOBBIES DO YOU HAVE?

9 A I REALLY DON'T HAVE NO HOBBIES.

10 Q HOW ABOUT BEFORE MAY OF 2010, DID YOU HAVE ANY
11 HOBBIES?

12 A NO.

13 Q HOW ABOUT THE WORK AROUND YOUR HOME? WHAT KIND OF
14 WORK DO YOU DO AROUND YOUR HOME?

15 A MY SON DOES THE CLEANING UP AT HOME.

16 Q NOW, YOU SAID YOU TALKED TO MRS. BUSH IN AUGUST?

17 A UH-HUH.

18 Q TELL US ABOUT THAT CONVERSATION IN AUGUST.

19 MR. GRIGGS:

20 I'M GOING TO OBJECT. I DON'T BELIEVE THAT
21 THAT'S WHAT HER TESTIMONY WAS. I OBJECT TO THE
22 QUESTION.

23 COMMISSIONER HUFFSTETTLER:

24 I'M NOT SURE I'M FOLLOWING YOU. YOU DON'T
25 BELIEVE THAT'S WHAT SHE SAID, BUT I'M NOT SURE

---[P 22]---

1 WHAT YOUR OBJECTION IS?

2 MR. GRIGGS:

3 WELL, HE'S TESTIFYING FOR HER. HE SAID YOU
4 TALKED TO MS. BUSH IN AUGUST. THAT'S NOT THE
5 TESTIMONY THAT WAS JUST TAKEN. I THINK THE
6 TESTIMONY WAS JUNE -- YOU MAY JUST BE MISTAKEN.

7 MR. LISTER:

8 I MAY BE MISTAKEN, COMMISSIONER, I THOUGHT SHE
9 SAID JUNE AND AUGUST. I THOUGHT SHE SAID JUNE
10 AND THEN LATER IN AUGUST.

11 MR. GRIGGS:

12 WE CAN READ IT BACK.

13 MR. LISTER:

14 I CAN START OVER AGAIN.

15 COMMISSIONER HUFFSTETLER:

16 PLEASE DO.

17 Q WHEN DID YOU TALK TO MRS. BUSH ABOUT YOUR WRISTS AND
18 YOUR ARMS?

19 A I DID TALK TO HER IN JUNE. I DID GO TO HER OFFICE
20 AND TALK TO HER IN JUNE, AND THEN I DID BRING IT UP
21 AGAIN IN AUGUST.

22 Q AGAIN, TELL US ABOUT THE CONVERSATION --

23 COMMISSIONER HUFFSTETLER:

24 WHEN DID YOU FIRST TELL HER YOU THOUGHT IT WAS
25 WORK-RELATED?

---[P 23]---

1 MS. WHEELER:
2 WHEN I WENT IN HER OFFICE IN JUNE AND I WAS
3 TALKING TO HER ABOUT MY WRISTS THEN. I WAS
4 JUST TELLING HER ABOUT I WENT TO SEE DR. RINGEL
5 AND ABOUT THAT --

6 COMMISSIONER HUFFSTETLER:
7 LISTEN TO WHAT I'M ASKING YOU.

8 MS. WHEELER:
9 OKAY.

10 COMMISSIONER HUFFSTETLER:
11 WHEN DID YOU FIRST TELL HER, NOT CO-WORKERS,
12 WHEN WAS THE FIRST TIME YOU TOLD YOUR EMPLOYER
13 THAT YOU THOUGHT IT WAS WORK-RELATED?

14 MS. WHEELER:
15 TELL YOU THE TRUTH, I DIDN'T COME OUT AND TELL
16 HER I THOUGHT IT WAS WORK-RELATED. I DIDN'T
17 COME OUT AND TELL HER THAT.

18 COMMISSIONER HUFFSTETLER:
19 WHEN DID YOU?

20 MS. WHEELER:
21 WELL I DID COME BY IN AUGUST AND TELL HER THAT
22 THE WORK WAS IRRITATING MY WRISTS.

23 COMMISSIONER HUFFSTETLER:
24 DO YOU KNOW WHAT DAY IN AUGUST IT WAS?

25 MS. WHEELER:

---[P 24]---

1 LET ME THINK. I DON'T KNOW EXACTLY -- I KNOW
 2 IT WAS JUST A COUPLE OF DAYS BEFORE SCHOOL
 3 STARTED, BUT I DON'T KNOW WHAT DAY IT WAS.

4 COMMISSIONER HUFFSTETLER:

5 I DON'T KNOW WHEN SCHOOL STARTS HERE, IS THAT
 6 EARLY AUGUST, LATE AUGUST?

7 MS. WHEELER:

8 I WOULD SAY IT WAS LATE AUGUST.

9 COMMISSIONER HUFFSTETLER:

10 BECAUSE THE REAL QUESTION IS WAS IT BEFORE OR
 11 AFTER AUGUST 17TH?

12 MS. WHEELER:

13 I WILL SAY IT WOULD BE AFTER AUGUST 17TH.

14 COMMISSIONER HUFFSTETLER:

15 OKAY, THANK YOU.

16 Q HOW DID YOU KNOW IT WAS AFTER AUGUST 17TH?

17 A I KNOW IT WAS CLOSE TO REGISTRATION. I CAN'T
 18 EXACTLY REMEMBER. I THINK IT WAS SOMEWHERE AFTER,
 19 AFTER THAT 17TH THAT I DID TELL HER ABOUT THE WORK
 20 IRRITATING MY WRISTS.

21 MR. LISTER:

22 COMMISSIONER, I'M LOOKING AT PAGE 20 OF THE
 23 RESPONDENT'S BRIEF WHICH IS A LETTER FROM ME TO
 24 DR. RINGEL. AND IF YOU LOOK AT THE FIRST
 25 SENTENCE OF THE SECOND PARAGRAPH I WOULD LIKE

---[P 25]---

1 TO ASK HER ABOUT THE SECOND SENTENCE AND HER
2 TIME IN RELATION TO THIS LETTER TO DR. RINGEL.

3 MR. GRIGGS:

4 I OBJECT TO HIM IF HE'S GOING TO TRY TO LEAD
5 HER WITH THIS LETTER. I BELIEVE THAT SHE'S
6 ALREADY ASKED AND ANSWERED THE QUESTION.

7 COMMISSIONER HUFFSTETLER:

8 I DON'T KNOW WHAT YOU ARE GOING TO ASK, I MEAN
9 -- ASK YOUR QUESTION AND WE WILL SEE IF HE
10 OBJECTS. I DON'T KNOW WHAT YOU ARE GOING TO
11 ASK YET, SO I DON'T KNOW HOW TO DEAL WITH THE
12 OBJECTION IF I DON'T KNOW WHAT THE QUESTION IS.

13 MR. GRIGGS:

14 I UNDERSTAND.

15 COMMISSIONER HUFFSTETLER:

16 SO, WHEN HE ASKS YOU THE QUESTION, IF YOU WOULD
17 HOLD ON, JUST A SECOND BEFORE YOU ANSWER AND
18 SEE IF HE HAS AN OBJECTION.

19 Q BEVERLY, DO YOU REMEMBER MEETING WITH ME IN AUGUST
20 OF THIS YEAR TO DISCUSS THE PROBLEMS WITH YOUR
21 WRISTS?

22 A YES.

23 Q DO YOU RECALL MY TELLING YOU THAT YOU NEEDED TO TALK
24 TO THE PRINCIPAL THE NEXT DAY?

25 MR. GRIGGS:

---[P 26]---

1 OBJECTION TO LEADING.

2 A YES, YES, I DO REMEMBER THAT.

3 COMMISSIONER HUFFSTETLER:

4 WHEN HE OBJECTS, YOU'VE GOT TO LET ME DEAL WITH
5 THE OBJECTION. WHAT IS YOUR OBJECTION?

6 MR. GRIGGS:

7 I OBJECT TO -- I BELIEVE THE QUESTION IS
8 LEADING. THE QUESTION STARTS DO YOU RECALL. I
9 BELIEVE THAT'S A LEADING QUESTION.

10 MR. LISTER:

11 I'M BASING IT ON HIS EXHIBIT PAGE 20,
12 COMMISSIONER.

13 COMMISSIONER HUFFSTETLER:

14 DOES THAT EXHIBIT SAY THAT YOU TOLD HER TO GO
15 TO THE PRINCIPAL THE NEXT DAY?

16 MR. LISTER:

17 YES.

18 COMMISSIONER HUFFSTETLER:

19 THE QUESTION IS NOT WHAT YOU TOLD HER OR WHAT
20 YOU TOLD DR. RINGEL, IT'S ABOUT WHEN SHE TOLD
21 HER.

22 MR. LISTER:

23 YES, SIR, I AGREE.

24 COMMISSIONER HUFFSTETLER:

25 WHAT PAGE ARE YOU ON?

--- [P 27] ---

1 MR. LISTER:
2 ON PAGE 20.
3 MR. GRIGGS:
4 IT'S UNDER TAB 4 OF MY BRIEF, OF MY
5 SUBMISSIONS.
6 COMMISSIONER HUFFSTETLER:
7 OKAY, I MEAN IN THE LETTER, YOU APPEAR TO BE
8 TELLING DR. RUDISILL THAT YOU TOLD HER THAT.
9 MR. LISTER:
10 DR. RINGEL.
11 COMMISSIONER HUFFSTETLER:
12 DR. RINGEL, I'M SORRY.
13 MR. LISTER:
14 YES, SIR.
15 COMMISSIONER HUFFSTETLER:
16 IT'S A LETTER. THIS IS A LETTER THAT YOU WROTE
17 APPARENTLY.
18 MR. LISTER:
19 IT IS NOW BEEN INTRODUCED AS AN EXHIBIT. AND
20 NOT BY ME.
21 COMMISSIONER HUFFSTETLER:
22 I'M GOING TO LET YOU SHOW HER THE LETTER. I
23 MEAN IT'S PART OF THE EVIDENCE.
24 Q BEVERLY, WHAT WE ARE TALKING ABOUT IS THE FIRST
25 SENTENCE IN PARAGRAPH 2.

---[P 28].---

1 A OKAY.

2 COMMISSIONER HUFFSTETLER:

3 TAKE A MINUTE AND READ IT. WANT TO MAKE SURE
4 THAT --

5 Q READ IT.

6 A I HAD AN OCCASION TO TALK TO BEVERLY WHEELER ON
7 AUGUST 9 AS A RESULT OF HER CARPAL TUNNEL IN BOTH
8 HER WRISTS. APPARENTLY SHE HAS WORKED AS A
9 CUSTODIAN AT DISTRICT 6 FOR ABOUT 20 YEARS, WITH A
10 SHORT INTERRUPTIONS --

11 Q I'M SORRY, LET ME GIVE IT TO YOU --

12 A -- DUE TO OTHER EMPLOYMENTS. BASED ON THE NATURE OF
13 THIS WORK AND OUR UNDERSTANDING OF YOUR COMMENTS,
14 THESE PROBLEMS SHE EXPERIENCED WERE EITHER CAUSED OR
15 AGGRAVATED BY HER WORK SITUATION.

16 Q ALL RIGHT, READ THE NEXT SENTENCE.

17 A BECAUSE SHE ONLY HAS NINETY DAYS TO PUT HER EMPLOYER
18 ON NOTICE FOR REPETITIVE TRAUMA TYPE SITUATION, I
19 TOLD HER TO GO AHEAD AND TALK TO HER PRINCIPAL
20 TOMORROW. I FEEL STRONGLY ABOUT HER SITUATION AND
21 AGREED TO FILE A WORKMAN'S COMPENSATION CLAIM ON HER
22 BEHALF --

23 Q OKAY, YOU CAN STOP RIGHT THERE. WILL YOU STATE
24 WHETHER OR NOT YOU TALKED TO THE PRINCIPAL AFTER OUR
25 CONVERSATION IN MY OFFICE?

---[P 29]---

1 A YES, I DID.

2 Q AND, WHEN AFTER YOU MET IN MY OFFICE DID YOU TALK TO
3 PRINCIPAL BUSH?

4 A I TALKED TO HER THE NEXT DAY.

5 Q WAS IT THE NEXT DAY YOU TOLD HER THAT YOU WERE
6 HAVING PROBLEMS WITH YOUR WRIST AND THEY WERE WORK-
7 RELATED?

8 A YES.

9 Q HAVE YOU EVER SEEN DR. EDWIN RUDISILL?

10 A YES, I THINK I DID. HE WAS IN WITH DR. KEITH.
11 THERE IS ANOTHER ONE I SEEN IN DR. KEITH'S OFFICE
12 WHEN I WENT TO SEE HIM.

13 MR. GRIGGS:

14 COMMISSIONER, I WILL CLEAR THIS UP. SHE HAS
15 NOT SEEN DR. RUDISILL. DR. RUDISILL REVIEWED
16 MEDICAL RECORDS AND JOB DESCRIPTIONS, SO THE
17 DEFENDANTS WILL STIPULATE SHE NEVER HAD AN
18 EXAMINATION.

19 Q TELL US AGAIN WHAT PROBLEMS YOU ARE NOW HAVING WITH
20 YOUR WRISTS, BEVERLY?

21 A IM HAVING SHARP PAIN IN MY WRIST, TINGLING AND
22 NUMBNESS.

23 MR. LISTER:

24 OKAY. I HAVE NOTHING FURTHER, COMMISSIONER.

25 COMMISSIONER HUFFSTETLER:

---[P 30]---

1 MA'AM, LET ME ASK YOU SOMETHING BEFORE I FORGET
2 TO ASK. WE HAVE AN AGREEMENT FROM THE
3 ATTORNEYS THAT YOU DID NOT ACTUALLY SEE DR.
4 RUDISILL.

5 MS. WHEELER:

6 UH-HUH.

7 COMMISSIONER HUFFSTETLER:

8 AND HIS THE REPORT SEEMS TO SAY HE REVIEWED JOB
9 DESCRIPTION AND MEDICAL RECORDS. WHEN YOU SAW
10 DR. RINGEL, DID YOU TALK ABOUT THE SPECIFICS OF
11 YOUR JOB, WHAT YOU DO?

12 MS. WHEELER

13 WELL, I WAS ASKED "WHAT IS MY JOB" AND I TOLD
14 THEM I'M A CUSTODIAN, I CLEANS UP AT THE
15 SCHOOL.

16 COMMISSIONER HUFFSTETLER:

17 DID YOU GO INTO ALL THE DETAILS YOU TOLD US
18 JUST A FEW MINUTES AGO EXACTLY WHAT YOU DO AND
19 HOW YOU DO IT?

20 MS. WHEELER

21 NO, I DIDN'T GO INTO ANY DETAIL WITH THEM.

22 COMMISSIONER HUFFSTETLER:

23 OKAY, SO ONE DOCTOR DID NOT SEE HER AND THE
24 OTHER DOCTOR WHO APPARENTLY HAS NO JOB
25 DESCRIPTION, NOT EVEN A DESCRIPTION FROM THE

---[P 31]---

1 CLAIMANT AS TO WHAT SHE ACTUALLY DID? MR.
2 GRIGGS, DO YOU HAVE QUESTIONS?

3 CROSS EXAMINATION

4 BY MR. GRIGGS:

5 Q MS. WHEELER, YOU WENT TO YOUR FAMILY DOCTOR ON MAY
6 10TH, CORRECT?

7 A YES.

8 Q AND, YOU DIDN'T TELL YOUR FAMILY DOCTOR -- THERE'S
9 NO INDICATION IN THAT RECORD THAT YOU TOLD YOUR
10 FAMILY DOCTOR YOUR PROBLEMS WERE WORK-RELATED,
11 CORRECT? WOULD YOU AGREE WITH THAT?

12 A YEAH, I DIDN'T TELL HIM THAT.

13 Q AND, THEN YOU SAW DR. RINGEL, IT LOOKS LIKE IN MAY
14 OF 2010, JUNE OF 2010, IN JULY OF 2010 -- SO YOU SAW
15 HIM ABOUT FOR THREE CONSECUTIVE MONTHS ONE TIME EACH
16 MONTH FOR AN OFFICE VISIT -- THAT'S WHEN HE GAVE YOU
17 THE INJECTION AND THINGS OF THAT NATURE, CORRECT?

18 A THAT'S CORRECT.

19 Q AND, NONE OF THOSE NOTES INDICATE YOUR PROBLEM IS
20 WORK-RELATED. DID YOU TELL HIM IN THOSE FIRST THREE
21 VISITS THAT YOUR PROBLEM WAS WORK-RELATED?

22 A NO, I DIDN'T.

23 Q NOW, IS IT TRUE THAT YOU NEVER DISCUSSED ANYTHING
24 ABOUT WORK WITH DR. RINGEL UNTIL AFTER THIS LETTER
25 THAT YOUR ATTORNEY WROTE ON AUGUST 10TH? IS IT TRUE

---[P 32]---

- 1 THAT ALL YOUR CONVERSATIONS WITH DR. RINGEL ABOUT
2 ANY RELATION TO WORK WERE AFTER THIS LETTER?
- 3 A I DID ASK DR. RINGEL THAT THE WORK THAT I'M DOING --
4 COULD THAT BE IRRITATING THE CARPAL TUNNEL.
- 5 Q THE QUESTION IS, DID YOU DISCUSS WITH HIM -- THIS
6 LETTER IS AUGUST 10, 2010, OKAY? AND, THIS LETTER
7 IS FROM YOUR ATTORNEY ASKING FOR DR. RINGEL'S
8 OPINION, CORRECT?
- 9 A UH-HUH..
- 10 Q AND, AFTER THIS LETTER --
11 COMMISSIONER HUFFSTETLER:
12 WE MAKE A RECORD -- WE ALL HAVE THAT HABIT TO
13 SAY UH-HUH. IT DOESN'T MAKE A GOOD RECORD, IF
14 YOU WILL GIVE A YES OR NO, IT WOULD HELP.
- 15 A OKAY.
- 16 Q AND, AFTER THIS LETTER IS WHEN YOU WENT AND SPOKE TO
17 DR. RINGEL WHEN YOU TOLD HIM LIKE YOU SAID ABOUT
18 BEING A CUSTODIAN AND THINGS OF THAT NATURE, IS THAT
19 CORRECT?
- 20 A YES.
- 21 Q NOW, YOU TESTIFIED THAT YOU TOLD MS. BUSH IN JUNE
22 THE WORK WAS IRRITATING YOUR HANDS, IS THAT CORRECT?
- 23 A I WENT AND TALKED TO HER, YES, ABOUT MY HAND WAS
24 HURTING.
- 25 Q IN YOUR DEPOSITION YOU TOLD ME THAT IN JUNE YOU TOLD

---[P 33]---

1 HER WORK WAS IRRITATING YOUR HANDS?

2 A YES.

3 Q IS THAT CORRECT?

4 A I TOLD HER IN JUNE AND I TOLD HER AGAIN IN AUGUST.

5 Q AND, YOU ARE SURE ABOUT THAT?

6 A YES.

7 Q NOW, LET ME ASK YOU THIS. IF YOU WOULD HAVE TOLD

8 HER IN JUNE, WHY DID YOUR ATTORNEY INSTRUCT YOU IN

9 AUGUST TO MAKE SURE YOU TELL HER THE NEXT DAY, IF

10 YOU HAD ALREADY TOLD HER, WHY WOULD YOU TELL HER

11 AGAIN?

12 MR. LISTER:

13 I OBJECT TO THE FORM OF THE QUESTION. SHE IS

14 NOT GOING TO KNOW WHY I TOLD HER ANYTHING,

15 COMMISSIONER.

16 MR. GRIGGS:

17 I'LL WITHDRAW THE QUESTION, COMMISSIONER.

18 Q NOW, YOU'RE A JANITOR OUT THERE. YOU DON'T USE A

19 FLOOR BUFFER, DO YOU?

20 A NO.

21 Q AND, YOU DON'T DO ANY MAINTENANCE OR UPKEEP WITH

22 DRILLS AND POWER TOOLS, CORRECT?

23 A NO, I DON'T DO NO DRILL OR POWER TOOLS.

24 Q DO YOU USE A PUSH BROOM, A PUSH MOP?

25 A A PUSH BROOM.

---[P 34]---

- 1 Q IS IT A DUST MOP, IS THAT WHAT THAT IS?
- 2 A IT'S A DUST MOP, YES.
- 3 Q AND, YOU CLEAN THE 6TH GRADE HALL WITH THAT,
- 4 CORRECT?
- 5 A YES.
- 6 Q OR PART OF THE HALL DO YOU CLEAN WITH THAT?
- 7 A I CLEAN THE WHOLE HALL.
- 8 Q YOU PUSH IT THE LENGTH OF THE HALL?
- 9 A YES.
- 10 Q DO YOU USE A REGULAR BROOM?
- 11 A YES, I USE A REGULAR BROOM, THAT JUST AT TIMES, WHEN
- 12 I SWEEP UP THE TRASH IN THE ROOMS, AFTER I GET
- 13 THROUGH PUSHING THE PUSH MOP.
- 14 Q AND, YOU USE A VACUUM?
- 15 A YES.
- 16 Q AND, YOU USE SCRUB BRUSHES?
- 17 A YES.
- 18 Q DO YOU USE RAGS TO WIPE DOWN SURFACES?
- 19 A YES.
- 20 Q AND, WHEN I TOOK YOUR DEPOSITION, YOU SAID THAT MOST
- 21 OF YOUR CLEANING OF SURFACES, YOU ARE WIPING THE
- 22 SURFACE, CORRECT?
- 23 A THAT'S CORRECT.
- 24 Q AND, YOU DO SOME SCRUBBING OF THE SURFACE?
- 25 A YES.

---[P 35]---

- 1 Q YOU USE A SCRAPER?
- 2 A YES, I HAVE USED A SCRAPER.
- 3 Q AND, YOU CLEAN WINDOWS WITH LIKE A PAPER TOWEL TYPE
- 4 RAG?
- 5 A I CLEAN WITH A PAPER TOWEL OR I USE A RAG.
- 6 Q SO, YOU USE -- YOU DO MOP. DO YOU DO THE DUSTING?
- 7 A YES.
- 8 Q YOU TAKE OUT TRASH FROM TRASH CANS?
- 9 A YES.
- 10 Q AREN'T MOST OF THESE TRASH CANS ABOUT TEN INCHES TO
- 11 A FOOT TALL INSIDE THE CLASSROOMS?
- 12 A SOME OF THEM.
- 13 Q THE MAJORITY OF THEM?
- 14 A THE MAJORITY OF THEM ARE.
- 15 Q AND, ARE THEY FILLED WITH PAPER TOWELS AND CANDY
- 16 WRAPPERS AND PAPERS, OR ARE THEY FILLED WITH ROCKS
- 17 AND HEAVY DEBRIS? WHAT ARE THEY FILLED WITH MOSTLY?
- 18 A THEY'RE FILLED WITH PAPER AND THEY IS FILLED WITH
- 19 CANDY AND SOME OF THEM IS FILLED UP WITH PILES OF
- 20 PAPER AND SOMETIME THEY BE FILLED WITH BOOKS.
- 21 Q OKAY, NOW, ISN'T IT TRUE THAT THE MOST THAT YOU EVER
- 22 HAVE TO LIFT IS APPROXIMATELY 30 POUNDS?
- 23 A I WOULD SAY YES.
- 24 Q AND, YOU TOLD ME IN YOUR DEPOSITION, THAT WAS ONLY
- 25 THREE TO FOUR TIMES A WEEK, IS THAT CORRECT?

--- [P 36] ---

- 1 A THAT'S CORRECT.
- 2 Q AND, ISN'T IT TRUE THAT IF SOMETHING'S VERY HEAVY
- 3 YOU HAVE A MALE JANITOR THAT HELPS YOU?
- 4 A THAT'S RIGHT.
- 5 Q AND, YOUR HEAVY TRASH, YOU LEAVE AT THE END OF THE
- 6 HALL AND THE MALE JANITOR WILL PICK IT UP?
- 7 A YES.
- 8 Q SO, YOU DO SEVERAL DIFFERENT TASKS THROUGHOUT YOUR
- 9 DAY, CORRECT?
- 10 A THAT'S CORRECT.
- 11 Q YOU DON'T DO A COUPLE OR ONE PARTICULAR TASK ALL DAY
- 12 EVERY DAY, CORRECT?
- 13 A THAT IS CORRECT.
- 14 Q AND, YOU DO THESE TASKS IN VARYING ORDERS?
- 15 A YES.
- 16 Q FOR VARIOUS LENGTHS OF TIME?
- 17 A YES.
- 18 Q SO, YOU WILL SCRUB A BIT AND THEN MOP A LITTLE BIT
- 19 AND THEN GO TO ANOTHER CLASSROOM AND WALK TO ANOTHER
- 20 CLASSROOM, PUSH YOUR CART, PUSH A PUSH BROOM, YOU DO
- 21 ALL KINDS OF DIFFERENT THINGS?
- 22 A YES.
- 23 Q LET ME ASK YOU THIS. YOU GET A LUNCH BREAK OF 30
- 24 MINUTES?
- 25 A YES.

---[P 37]---

- 1 Q AND, YOU ARE THERE FOR ABOUT EIGHT HOURS?
- 2 A YES.
- 3 Q AND, YOU HAVE TWO OTHER 15 MINUTE BREAKS THAT ARE
- 4 ALLOWED. YOU TESTIFIED YOU DON'T TAKE THEM, BUT
- 5 THAT THEY ARE BUILT INTO THE DAY, IS THAT FAIR TO
- 6 SAY?
- 7 A THAT IS TRUE.
- 8 Q LET ME ASK YOU THIS. YOU DON'T DO ANY OF THESE
- 9 TASKS AT YOUR HOME? YOU DON'T DO ANY CLEANING AT
- 10 YOUR HOME?
- 11 A HUH-UH.
- 12 Q YOUR SON DOES IT ALL?
- 13 A MY SON DOES IT ALL.
- 14 Q HOW OLD IS HE?
- 15 A HE'S 21.
- 16 Q AND, HOW LONG HAS BE BEEN DOING ALL THAT CLEANING?
- 17 A HE HAS BEEN DOING IT EVER SINCE HE WAS LIKE 16, 17
- 18 YEARS OLD.
- 19 Q SO, HE'S BEEN DOING ALL THE CLEANING FOR THE LAST
- 20 FOUR OR FIVE YEARS?
- 21 A UH-HUH.
- 22 COMMISSIONER HUFFSTETLER:
- 23 AGAIN, IF YOU WOULD GIVE US A YES OR NO.
- 24 A YES, I'M SORRY.
- 25 COMMISSIONER HUFFSTETLER:

---[P 38]---

1 IT JUST MAKES A BETTER RECORD.

2 A I'M SORRY. YES, SIR.

3 MR. GRIGGS

4 OKAY. I DON'T BELIEVE I HAVE ANY FURTHER
5 QUESTIONS, COMMISSIONER.

6 MR. LISTER:

7 I HAVE NO FURTHER QUESTIONS.

8 COMMISSIONER HUFFSTETLER:

9 THANK YOU, MA'AM. ANYTHING ELSE FOR THE
10 CLAIMANT?

11 MR. LISTER:

12 NO, SIR.

13 MS. WHEELER:

14 MAY I SAY ONE MORE THING, SIR, IF YOU DON'T
15 MIND?

16 COMMISSIONER HUFFSTETLER:

17 GO AHEAD.

18 MS. WHEELER:

19 EVEN WHEN I EVEN GET HOME AT NIGHT AND IT HURTS
20 MY HAND, IT JUST BE IRRITATED.

21 COMMISSIONER HUFFSTETLER:

22 I DON'T THINK THERE IS ANY ARGUMENT THAT YOU
23 HAVE CARPAL TUNNEL SYNDROME OR THAT YOU NEED
24 SURGERY. THE REAL ISSUE FOR ME TO DECIDE IS
25 WHETHER THIS CLAIM MEETS THE REQUIREMENT OF

---[P 39]---

1 WORKERS' COMPENSATION.

2 MS. WHEELER:

3 YES, SIR.

4 COMMISSIONER HUFFSTETLER:

5 I DON'T THINK ANYBODY IS DOUBTING THAT YOUR
6 HANDS HURT AND YOU NEED SURGERY.

7 MS. WHEELER:

8 YES, SIR.

9 COMMISSIONER HUFFSTETLER:

10 THANK YOU. DO YOU HAVE ANYTHING ELSE FOR THE
11 CLAIMANT?

12 MR. LISTER:

13 NO, SIR.

14 MR. GRIGGS:

15 I'D LIKE TO CALL KAREN BUSH.

16 * * * * * * * * * * * * * * *

17 THE WITNESS WAS DULY SWORN TO TELL THE TRUTH, THE
18 WHOLE TRUTH AND NOTHING BUT THE TRUTH CONCERNING THE
19 MATTER HEREIN:

20 * * * * * * * * * * * * * * *

21 KAREN BUSH,
22 BEING FIRST DULY SWORN OR AFFIRMED, TESTIFIED ON HIS
23 OATH AS FOLLOWS:

24 COMMISSIONER HUFFSTETLER:

25 GO AHEAD.

---[P 40]---

1 DIRECT EXAMINATION

2 BY MR. GRIGGS:

3 Q MS. BUSH, WHAT IS YOUR POSITION AT GABLE?

4 A I'M THE PRINCIPAL AT GABLE SCHOOL.

5 Q AND, THAT'S THE SCHOOL THAT MS. WHEELER WORKS AT?

6 A YES, SIR.

7 Q AND, YOU ARE VERY FAMILIAR WITH MS. WHEELER?

8 A YES, SIR.

9 Q SHE'S BEEN A LONG-TIME EMPLOYEE?

10 A YES, SIR. GREAT EMPLOYEE.

11 Q AND, YOU LIKE MS. WHEELER?

12 A I LOVE MS. WHEELER.

13 Q SHE'S DEFINITELY BEEN A GOOD EMPLOYEE FOR YOU GUYS?

14 A UH-HUH.

15 COMMISSIONER HUFFSTETLER: IF YOU WOULD SAY --

16 A YES, SIR. SORRY.

17 Q HOW LONG HAVE YOU BEEN AT GABLE?

18 A I'VE BEEN AT GABLE FOR SEVEN YEARS. I WAS ASSISTANT
19 PRINCIPAL FOR ONE YEAR AND WAS DIRECT SUPERVISOR OF
20 CUSTODIAN THAT YEAR AND THIS IS MY SIXTH YEAR AS
21 PRINCIPAL.

22 Q AND, YOU ARE VERY FAMILIAR WITH ALL THE TASKS THAT
23 THEY DO?

24 A YES, SIR.

25 Q WHEN DID YOU FIRST LEARN THAT MS. WHEELER WAS

---[P 41]---

1 ALLEGING HER PROBLEMS WERE WORK-RELATED?

2 A I WAS FIRST AWARE THAT IT WAS WORK-RELATED WHEN I
3 RECEIVED A PHONE CALL FROM YOU ON OCTOBER 12TH.

4 Q PRIOR TO SPEAKING TO ME IN OUR INVESTIGATION OF THE
5 CLAIM, DID YOU HAVE ANY KNOWLEDGE THAT SHE WAS
6 ALLEGING THE PROBLEMS WERE WORK-RELATED?

7 A I WAS AWARE SHE WAS HAVING PROBLEMS BUT NOT THAT
8 WERE WORK-RELATED.

9 Q NOW, SHE'S TESTIFIED, YOU'VE HEARD HER TESTIMONY
10 TODAY, AND SHE TESTIFIED THAT IN JUNE SHE TOLD YOU
11 THAT WORK WAS IRRITATING HER HANDS OR CAUSING THE
12 PROBLEM. WHAT IS YOUR RECOLLECTION? DID YOU EVER
13 SPEAK TO HER?

14 A IN JUNE I REMEMBER HER COMING TO ME. WE KNEW SHE
15 WAS HAVING ISSUES WITH HER HANDS AND WE WOULD ASK
16 HER HOW ARE YOU DOING? SHE BROUGHT ME A FORM, I
17 BELIEVE FROM AN INSURANCE COMPANY THAT SHE WANTED
18 SOME HELP FILLING OUT. AND, I READ THE FORM TO HER.
19 ONE OF THE QUESTIONS ON THE FORM WAS ACTUALLY "WERE
20 YOU INJURED AT WORK" "IS THIS A RESULT OF AN
21 ACCIDENT OR AN INJURY" AND I ASKED HER THAT, I
22 EXPLAINED TO HER WHAT THAT WAS ASKING, THIS MEANS
23 YOU FEEL LIKE YOU'VE BEEN HURT AT WORK, DO YOU FEEL
24 LIKE YOU'VE BEEN HURT AT WORK AND SHE SAID NO. AND,
25 I THEN EXPLAINED TO HER THAT IF SHE EVER DID FEEL

---[P 42]---

1 LIKE SHE WAS HURT AT WORK SHE SHOULD COME TO ME, WE
2 WOULD FOLLOW THE PROPER PROCEDURES FOR GOING THROUGH
3 THE SCHOOL NURSE AND ALL THAT STUFF.

4 Q NOW, SHE SAID IN AUGUST THAT SHE CAME TO YOU AGAIN
5 AND REITERATED HER ALLEGATIONS OR HER PROBLEM TO
6 YOU. DO YOU HAVE ANY RECOLLECTION OF THAT
7 HAPPENING?

8 A I DON'T RECALL HER COMING TO ME, BUT WE ASKED HER
9 ALL -- "HOW ARE YOUR HANDS DOING? HOW ARE YOU
10 FEELING?" SO, THERE IS A CHANCE THAT I DID HAVE THE
11 CONVERSATION "HOW ARE YOU FEELING" AND HER SAYING MY
12 WRISTS ARE HURTING.

13 Q DID SHE TELL YOU THAT IT WAS WORK-RELATED?

14 A NO, SIR.

15 Q NOW, UP UNTIL NOW, UP UNTIL TODAY, SITTING HERE
16 TODAY, HAS SHE EVER TOLD YOU THAT SHE THOUGHT THE
17 PROBLEMS WERE WORK-RELATED?

18 A I HAVE NOT HAD A CONVERSATION DIRECTLY WITH BEVERLY
19 THAT SHE FELT LIKE THIS WAS WORK-RELATED.

20 Q NOW, IF SHE HAD REPORTED THIS TO YOU BACK IN JUNE OR
21 BACK IN AUGUST, WHAT WOULD YOU HAVE DONE?

22 A OUR PROCEDURES ON ANY INCIDENT LIKE THAT WOULD BE
23 FOR ME AND MY ADMINISTRATIVE STAFF TO CONDUCT AN
24 INVESTIGATION OF THE INJURY AND ALSO TO REFER OUR
25 INJURED OR ALLEGED INJURED PERSON TO OUR SCHOOL

---[P 43]---

1 NURSE AND OUR SCHOOL NURSE WOULD TAKE CARE OF MAKING
2 REFERRALS AND FILLING OUT THE PROPER PAPERWORK AND
3 DOCUMENTATION.

4 Q AND CONTACTING THE INSURANCE COMPANY?

5 A WELL, EITHER THE NURSE OR DISTRICT REPRESENTATIVE
6 CONTACTING THE INSURANCE COMPANY.

7 Q WAS ANY OF THAT EVER DONE?

8 A NO, SIR.

9 MR. GRIGGS:

10 I DON'T HAVE ANY OTHER QUESTIONS.

11 CROSS EXAMINATION

12 BY MR. LISTER:

13 Q MR. BUSH, YOU'RE NOT DENYING THAT CARPAL TUNNEL IS
14 WORK-RELATED, ARE YOU?

15 MR. GRIGGS:

16 NO.

17 A I'M NOT A MEDICAL EXPERT, I DON'T KNOW WHAT'S
18 CAUSING IT. I KNOW SHE'S BEEN IN PAIN. NOW,
19 WHETHER OR NOT IT WAS WORK-RELATED, I DON'T KNOW.

20 Q SO, YOU WOULD HAVE TO COUNT ON A DOCTOR TO ADVISE
21 YOU IN THAT REGARD, WOULDN'T YOU?

22 A I WOULD.

23 Q AND, WOULD SHE HAVE TO COUNT ON A DOCTOR TO ADVISE
24 HER TOO AS TO WHAT WAS CAUSING IT, IF THE DOCTOR WAS
25 PROPER INFORMED?

---[P 44]---

- 1 A I WOULD ASSUME SO.
- 2 Q AND, SHE SAID THAT SHE HAD TALKED TO THE NURSE ABOUT
- 3 THE PROBLEMS SHE WAS HAVING. WHEN DID SHE TALK TO
- 4 THE NURSE?
- 5 A I AM NOT AWARE. I, ACTUALLY, WHEN I RECEIVED A
- 6 PHONE CALL FROM THEM THAT THIS WAS WORK-RELATED, I
- 7 ACTUALLY WENT TO MY NURSE THAT DAY AND SAID "HAS
- 8 BEVERLY SAID ANYTHING TO YOU ABOUT IT BEING WORK-
- 9 RELATED" AND SHE SAID "NO."
- 10 Q YOU KNEW SHE WAS HAVING A PROBLEM WITH BOTH WRISTS?
- 11 A I WAS AWARE THAT SHE HAD BRACES ON.
- 12 Q NOW, WHEN DID SHE START WEARING THE BRACES?
- 13 A TO BE HONEST WITH YOU, I DON'T RECALL THE EXACT TIME
- 14 ON THAT.
- 15 Q DO YOU RECALL HER TELLING YOU THAT THE WORK WAS
- 16 IRRITATING HER WRISTS OR THE ARMS?
- 17 A NOT SPECIFICALLY THE WORK, NO, SIR, JUST THAT HER
- 18 WRISTS WERE BOTHERING HER.
- 19 Q DID SHE TELL YOU THE WRISTS WERE BOTHERING HER AT
- 20 WORK?
- 21 A I DON'T REMEMBER HER SPECIFICALLY SAYING THAT, BUT
- 22 AGAIN THAT'S FROM -- I WOULD JUST ASK HER HOW SHE'S
- 23 DOING, HOW SHE'S FEELING, HAD SHE BEEN TO THE DOCTOR
- 24 LATELY AND THOSE TYPES OF THINGS.
- 25 MR. LISTER:

---[P 45]---

1 I DON'T HAVE ANYTHING ELSE COMMISSIONER. I
2 WOULD ASK YOU TAKE PREJUDICIAL NOTICE OF THE
3 DATE OF OUR ORIGINAL FORM 50.

4 MR. GRIGGS:

5 I DON'T HAVE ANY OTHER QUESTIONS, COMMISSIONER.
6 COMMISSIONER HUFFSTETLER:

7 IS THERE ANYTHING ELSE?

8 MR. LISTER:

9 I DON'T HAVE ANY OTHER WITNESSES.

10 COMMISSIONER HUFFSTETLER:

11 IF NOT, THEN THAT CONCLUDES THE HEARING.

12 (THERE BEING NO FURTHER QUESTIONS, THIS
13 HEARING WAS CONCLUDED AT THE HOUR OF 2:27
14 PM.)

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---[P 46]---

CERTIFICATE OF NOTARY PUBLIC
SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION
WCC FILE NO. 1011278

EMPLOYEE/CLAIMANT: BEVERLY R. WHEELER

EMPLOYER: SPARTANBURG SCHOOL DISTRICT 6

INSURER: WAUSAU BUSINESS INSURANCE COMPANY

I, KATHRYN B BOSTROM, A NOTARY PUBLIC FOR THE STATE OF SOUTH CAROLINA, DULY COMMISSIONED AND QUALIFIED AS SUCH, DO HEREBY CERTIFY THAT THE FOREGOING 45 PAGES REPRESENT A TRUE AND ACCURATE TRANSCRIPT OF THE FOREGOING HEARING OF BEVERLY R. WHEELER TAKEN ON THE 4TH DAY OF NOVEMBER, 2010

THAT THE WITNESS WAS DULY PLACED UNDER OATH AND ADMONISHED TO SPEAK THE WHOLE TRUTH. THAT THE ORAL HEARING WAS DULY TAKEN AND TRANSCRIBED AS TO THE QUESTIONS PROPOUNDED AND THE ANSWERS GIVEN.

THAT ALL THE OFFERED EXHIBITS AND OBJECTIONS, IF ANY, INVOLVED IN THIS CASE ARE DULY ATTACHED OR INCLUDED HEREIN.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND OFFICIAL SEAL THIS 24TH DAY OF NOVEMBER, 2010.

KATHRYN B BOSTROM
NOTARY PUBLIC FOR SOUTH CAROLINA
MY COMMISSION EXPIRES: 8-5-2012

* THIS TRANSCRIPT MAY CONTAIN QUOTED MATERIAL. SUCH MATERIAL IS REPRODUCED AS READ OR QUOTED BY THE SPEAKER.

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SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION
WCC FILE NO. 1011278

Beverly Wheeler,
Claimant,
vs.
Spartanburg School District Six,
Employer,
and
Liberty Mutual Insurance Company,
Carrier.

**Certified
Transcript**

DEPOSITION OF BEVERLY WHEELER

DATE TAKEN: Friday, October 15, 2010
TIME BEGAN: 1:30 p.m.
TIME ENDED: 2:40 p.m.
LOCATION: Lister, Flynn & Kelly
421 Marion Avenue
Spartanburg, South Carolina

REPORTED BY: Elaine L. Grove-DeFreitas, RPR

Job No. CS289005

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APPEARANCES:

TONEY J. LISTER, ESQUIRE
Lister, Flynn & Kelly, P.A.
421 Marion Avenue
P.O. Box 2929
Spartanburg, South Carolina 29304-2929
..... On Behalf of the Claimant

JASON A. GRIGGS, ESQUIRE
Willson Jones Carter & Baxley, P.A.
872 South Pleasantburg Drive
Greenville, South Carolina 29607
..... On Behalf of the Employer-Carrier

ALSO ATTENDING: (None)

STIPULATIONS: The within deposition was taken pursuant to the South Carolina Rules of Civil Procedure.

WAIVER: Examination and reading of the deposition are waived by the witness and by the parties.

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Examination by Mr. Griggs..... 4

Certificate..... 53

Exhibits: (No Exhibits Introduced)

1 BEVERLY WHEELER, having been duly sworn, testified as
2 follows:

3 EXAMINATION BY MR. GRIGGS:

4 Q Ms. Wheeler, my name is Jason Griggs. I am here on
5 behalf of District Six and Liberty Mutual to take
6 your deposition. Okay?

7 A Okay.

8 Q This is regarding your workers' compensation claim.
9 I am just going to ask you a bunch of questions
10 today. If you don't understand a question, you can
11 ask me to explain it and I will be glad to do so.
12 Okay?

13 A Okay.

14 Q Otherwise, as we go through the deposition I am
15 going to assume that you understand my questions and
16 that the answers you give me are correct.

17 A couple of things to remember as you go through the
18 deposition. Remember to speak up and speak out
19 loud. Don't say "uh-huh" and "uh-uh" and don't nod
20 your head. Just speak up and speak out loud so the
21 court reporter can get an accurate record. Okay?

22 A Okay.

23 Q Also, let me finish asking the question before you
24 start answering. If we talk at the same time it
25 makes it very difficult for her. Okay?

1 A Okay.

2 Q What is your full name now that we are on the
3 record?

4 A Beverly Renee Wheeler.

5 Q And what name do you go by?

6 A They call me Bit.

7 Q What is your address?

8 A Moore, South Carolina, 29369.

9 Q Who do you live with at in Moore?

10 A I live with my mother, my son and my daughter.

11 Q Whose home is that?

12 A That's my mother's home.

13 Q Do you have to pay rent or anything?

14 A I help her with utility bills.

15 Q How old is your son?

16 A He is 21.

17 Q How old is your daughter?

18 A She is 28.

19 Q 28?

20 A 28.

21 Q Do they work?

22 A My son, at the moment he don't work. But my
23 daughter, she do work.

24 Q What does she do?

25 A She work at Adidas.

1 Q At Adidas?

2 A At Adidas.

3 Q How many children do you have?

4 A I have two.

5 Q Just those two?

6 A Just those two.

7 Q Why isn't your son working? Is he in school?

8 A He was in school. And he intends to go back to
9 school to take up theater, but at the moment he is
10 also applying for jobs. And since he has never had
11 a job no one is hiring him, but he is still trying
12 to apply for jobs.

13 Q What is your date of birth?

14 A My date of birth is 1963.

15 Q All right. So that makes you 47 years old?

16 A That's right.

17 Q How tall are you?

18 A Five-two.

19 Q What is your current weight, if you don't mind me
20 asking?

21 A I say about 125.

22 Q Is that about normal?

23 A About normal.

24 Q You haven't had any big fluctuations in weight
25 recently?

- 1 A No, sir.
- 2 Q How far did you go in school?
- 3 A To the twelfth grade.
- 4 Q Do you have a high school diploma?
- 5 A Yes, sir.
- 6 Q Where is that from?
- 7 A It's from Dorman High School.
- 8 Q And you graduated high school what year?
- 9 A 1982.
- 10 Q Do you have any training past high school?
- 11 A No, sir.
- 12 Q Did you ever go to any tech school or anything?
- 13 A No, sir.
- 14 Q You have no trouble reading and writing. Correct?
- 15 A No, sir.
- 16 Q Is that right?
- 17 A That's right.
- 18 Q Are you currently married?
- 19 A No, sir. I am single.
- 20 Q Have you ever been married?
- 21 A No, sir.
- 22 Q Never married.
- 23 A Never married.
- 24 Q Do you have any grandchildren?
- 25 A No, sir.

1 Q Have you ever had any workers' compensation claims
2 in the past?

3 A I had just one.

4 Q When was that?

5 A It has been years ago. I might not be exactly
6 correct how many years it been, but it might have
7 been about eight, nine years ago.

8 Q Where were you working?

9 A I was working for District Six then.

10 Q What body part did you injure?

11 A That was my back.

12 Q What school were you at then?

13 A I was at L.E. Gable Middle School.

14 Q That's where you are now too?

15 A Yes, sir.

16 Q And how did you injure your back?

17 A I was helping Dorman, the old Dorman move into the
18 new Dorman, and I lifted a heavy box that had
19 weights in it.

20 Q Did you have to have surgery?

21 A No, sir.

22 Q Did you receive a settlement when your claim was
23 over?

24 A No, sir.

25 Q Did you have an attorney help you?

1 A No, sir.

2 Q Did you receive medical treatment?

3 A Yes, sir, I did.

4 Q Was it a lot or just a little bit?

5 A It was just a little bit.

6 Q Did you miss any work?

7 A No, sir.

8 Q Do you remember who you treated with?

9 A It was Mary Black Minor Care.

10 Q Have you ever been convicted of a crime?

11 A No, sir.

12 Q Have you ever had your deposition taken like we are
13 doing here today?

14 A No, sir.

15 Q Have you ever testified in court for any reason?

16 A Child support.

17 Q Have you ever received any money from any insurance
18 companies after an accident, motor vehicle accident
19 or anything?

20 A No, sir.

21 Q Are you still working with the School District?

22 A Yes, sir.

23 Q And that's District Six?

24 A District Six.

25 Q How long have you been with them?

1 A 20 years.

2 Q Is that 20 years continuously or did you leave and
3 come back?

4 A I left and came back.

5 Q So overall 20 years?

6 A 20 years, yes, sir.

7 Q When did you first start with them, do you remember?

8 A I think it was in 1990 or '91.

9 Q Okay. And when did you work, until when?

10 A I worked with them until -- I think it was 2003.

11 Q And in 2003 you left and went to work somewhere
12 else?

13 A Yes, sir.

14 Q Where did you leave and go to work?

15 A I worked for the head company of Extended Stay.

16 Q Excuse me?

17 A The corporation of Extended Stay.

18 Q Extended Stay Hotels?

19 A Yes, sir.

20 Q Were you working at a hotel?

21 A It wasn't a hotel. It was the office.

22 Q Where are their offices? Here, in Spartanburg?

23 A Here, in Spartanburg.

24 Q Is that like a corporate office?

25 A Corporate office, yes, sir.

1 Q How long did you stay there?

2 A I stayed there for about -- I might have stayed
3 there about a year.

4 Q So that was 2004, and so you went back --

5 A I went back to District Six.

6 Q In the last two years have you had any other jobs,
7 any second jobs or just with the District?

8 A I haven't had no other jobs, just with the District.

9 Q Currently you're at Gable?

10 A Yes, sir.

11 Q Have you always been there?

12 A Always been there.

13 Q So you never worked at any other school.

14 A No, sir. Let me rephrase that. I did work for
15 Spartanburg Community College also. In between when
16 I left Extended Stay, I did go for a little while.
17 Just about a month or so I worked for a community
18 college.

19 Q So in 2003 you went to work for Extended Stay for
20 about a year, and then you went to Spartanburg
21 Community College for a short period of time?

22 A Yes, sir.

23 Q And ever since 2004 you have been at --

24 A I have been at Gable.

25 Q Who is your current boss?

1 A Mrs. Karen Bush.

2 Q What is her title?

3 A Principal.

4 Q How long has she been the principal there?

5 A I think she been there for five years.

6 Q Okay. Do you have any other bosses besides her?

7 A Yes, sir.

8 Q Who is that?

9 A Mr. Smutzer.

10 Q What is his title?

11 A Assistant principal.

12 Q And is he a supervisor?

13 A He is like a supervisor, but like the boss over the
14 custodians.

15 Q So he is over the custodial staff?

16 A Yes, sir.

17 Q But Mrs. Bush, the principal, is over the whole
18 school.

19 A Yes, sir.

20 Q How much do you currently make?

21 A I make 735.19 biweekly.

22 Q 735.19 every two weeks?

23 A Every two weeks.

24 Q That's your take home?

25 A That's my take home.

1 Q Do you get paid throughout the school year?

2 A Yes, sir.

3 Q So you get paid every two weeks year round.

4 A Yes, sir.

5 MR. GRIGGS: Off the record.

6 (Discussion Off The Record)

7 MR. GRIGGS: Back on.

8 Q What shift do you work?

9 A I work second shift.

10 Q What hours do you work?

11 A 12 in the afternoon to 8:00 at night.

12 Q 12 p.m. to 8 p.m.?

13 A Yes, sir.

14 Q Is that five days a week?

15 A That's five days a week.

16 Q During the summer do you work a different shift?

17 A Yes, sir.

18 Q What is your summer shift?

19 A Summer shift is from 6 to 2, 6 in the morning to
20 2:00 p.m.

21 Q All right. Now, tell me a little bit about your
22 job. I know roughly what a custodian does, but what
23 are your job duties at the school?

24 A My job duties are sixth grade hall. I clean. I
25 dust. I detail a room every day, one room every

1 day.

2 Q Let me ask a couple questions. Sixth grade hall,
3 are you the only custodian on that hall?

4 A Yes, sir.

5 Q I have never been out there. Is the school broken
6 up?

7 A It's broken up, yes, sir.

8 Q There is a custodian on sixth grade hall, and I take
9 it there is a seventh grade hall and a different
10 custodian there.

11 A Yes, sir.

12 Q So a different custodian in each hall?

13 A Yes, sir.

14 Q How many classrooms are in that hall?

15 A I would give an estimate of 15 classrooms.

16 Q 15 classrooms?

17 A Yes, sir.

18 Q Are there any bathrooms on the hall?

19 A Yes, sir.

20 Q How many?

21 A Four bathrooms.

22 Q Four?

23 A That's including the teachers' restroom.

24 Q Four for the girls and four for the boys or two and
25 two?

1 A It's two and two.

2 Q Two girls, two boys and a teacher bathroom?

3 A One boy, one girl restroom, and one women's restroom
4 and one men's restroom.

5 Q So one for the students that are boy or girl and one
6 for the adults, men and women?

7 A Yes, sir.

8 Q Four bathrooms, total. I take it there is a hall
9 there, a common hall area?

10 A Yes, sir.

11 Q Are you responsible for cleaning that?

12 A Yes, sir.

13 Q Are you responsible for cleaning any other areas of
14 the school?

15 A When they have board of trustees day, they have
16 myself and the other custodians to go and help maybe
17 another fellow custodian co-worker on the hall. We
18 will help clean baseboards and corners and walls.

19 Q When is this?

20 A This is on a day they have for the board of
21 trustees.

22 Q Once a year?

23 A Once a year, yes, sir.

24 Q Spruce it up for the board of trustees?

25 A Spruce it up, yes, sir.

1 Q So one time a year. What do you do then?

2 A Also, a couple days before that day we will go and
3 make sure that everything, the walls, the
4 bathrooms --

5 Q Let me interrupt you. That's just once a year where
6 you do that. Correct?

7 A Once a year.

8 Q One time a year.

9 A (Witness nods head).

10 Q On a daily or weekly basis you're responsible for
11 the 15 classrooms, the four bathrooms and the
12 hallway?

13 A Yes, sir.

14 Q On a daily and/or a weekly basis, normally are you
15 responsible for any other areas or is it just those
16 classrooms?

17 A The other areas also, when they have game day I have
18 to go with another co-employee on game day. On game
19 day, before the game I have to go and help her clean
20 and after the game.

21 Q Where do you clean?

22 A That's the gym area, the boys' P.E. locker room and
23 the girls' P.E. locker room.

24 Q What game day are you talking about?

25 A Football game day.

1 Q And what about basketball?

2 A Basketball also.

3 Q What about baseball?

4 A Baseball, I never clean up on the baseball days.

5 Q You don't have to clean up then?

6 A No.

7 Q So during football season on game day you have to
8 clean the locker rooms?

9 A Yes, sir.

10 Q And you have to clean the locker rooms during
11 basketball season?

12 A Yes, sir.

13 Q On game days?

14 A Yes, sir.

15 Q And you have another custodian that helps you do
16 that?

17 A Yes, sir.

18 Q So those are only probably 20 days, in total, during
19 the year?

20 A And also then in the --

21 Q Wait. We have to get this down. There are probably
22 about five or six football game days at the school
23 during the year, because they probably play ten
24 games, probably half and half, half away, half
25 there. And then basketball in middle school, they

1 probably play about 20 or so games total?

2 A Yes, sir.

3 Q And probably half at the school and half at another
4 school?

5 A Yes, sir.

6 Q So you clean the locker rooms on football and
7 basketball game days?

8 A Yes, sir.

9 Q Boy and girl both days?

10 A Boy and girl both days.

11 Q And basketball and football, is that for the
12 cheerleaders?

13 A That's for the boys', football.

14 Q Well, girls don't play football.

15 A No, sir. The girls play volleyball.

16 Q During that time?

17 A Yes, sir.

18 Q So you clean up for volleyball girls too?

19 A Yes, sir.

20 Q Take sports seasons out of it, are you responsible
21 for any other areas every day, like teachers'
22 lounge, cafeteria, library? On a daily or weekly
23 basis, what are you responsible for besides the
24 sixth grade hall?

25 A I am responsible for the office and the guidance

1 counselors' office.

2 Q Which office, like the principal's office?

3 A The principal's office.

4 Q And the guidance rooms?

5 A Yes, sir.

6 Q Is that an office, just one room?

7 A Yes, sir.

8 Q So one guidance office and then the principal's
9 office?

10 A Yes, sir.

11 Q Does that include the assistant principal's office?

12 A Yes, sir.

13 Q So daily you clean the hall, and then the
14 administrative offices and the guidance offices.

15 A Yes, sir.

16 Q Now, what do you do daily when you clean? Let's
17 start when you get there. When you get to work,
18 what do you do?

19 A When I get to work, I go straight to the custodian
20 closet and get my cart, set my up cart with my
21 buckets with water.

22 Q You set up your cart.

23 A Yes, sir.

24 Q What kind of cart is this?

25 A It's a four-wheel cart that push my supplies.

1 Q Is it similar to ones that people use in hotels?

2 A Yes, sir.

3 Q So you have like a trash can on one end of it or you
4 have a place where a bag fits?

5 A Yes, sir.

6 Q So you set up your cart with supplies, then what do
7 you do?

8 A Then I go to my sixth grade hall.

9 Q And then what is the first thing you clean?

10 A The first thing I clean is the doormats.

11 Q How do you clean the doormats?

12 A Well, we vacuum them. And sometimes if the vacuum
13 is not running we have to sweep them.

14 Q So you clean the doormats with a vacuum or sweep
15 them?

16 A Yes, sir.

17 Q Do you have to pick the doormats up?

18 A Yes, sir.

19 Q Do you take them outside to clean every day or do
20 you clean them inside?

21 A I clean them inside.

22 Q You open up the doors?

23 A Yes, sir.

24 Q And sweep it out?

25 A Yes, sir.

1 Q But you don't lift up the doormats every day?

2 A Not every day.

3 Q You don't have to pick them up and take them
4 outside?

5 A No, sir.

6 Q What kind of broom are you using? Is this a regular
7 broom or is this a push broom?

8 A A regular broom.

9 Q After you clean the doormats, what do you do? How
10 many doormats do you have to clean?

11 A Three.

12 Q Three doormats with a broom.

13 A With a broom..

14 Q And you're just sweeping it out?

15 A Yes, sir.

16 Q Then what do you do?

17 A I clean the glass doors.

18 Q How long does it take you to clean the doormats?

19 A I say it take us about ten minutes, at least.

20 Q Now, when you clean the glass doors, are these just
21 doors at the beginning and the end of the hall?

22 A Yes, sir.

23 Q What about classroom doors, do you have to clean
24 those too?

25 A Yes, sir.

1 Q Are these just doors like I have seen in schools
2 where there is just a skinny pane of glass on one
3 side?

4 A Yes, sir.

5 Q So most of the door is wood.

6 A Yes, sir.

7 Q Or some material and the glass part is small.

8 A Small, yes, sir.

9 Q So you clean all the doors?

10 A Yes, sir.

11 Q You just use like a Windex?

12 A Like a Windex cleaner.

13 Q And a paper towel?

14 A Yes, sir.

15 Q What do you do after you clean all the doors?

16 A As I clean them, it won't be all the doors that same
17 day. It will be at least two to three doors a day.

18 Q So you only do two to three doors a day?

19 A Yes, sir.

20 Q That's not much, is it?

21 A No, sir.

22 Q It doesn't sound like you're cleaning all 15 doors
23 every day.

24 A No, not every day.

25 Q So that probably doesn't take too long?

1 A No, sir, it don't take too long.

2 Q Then what do you do?

3 A Then I go and clean the teachers', the men's and the
4 women's bathrooms and the teacher lounge.

5 Q Are these big bathrooms?

6 A No, sir, they are not big bathrooms.

7 Q Do they have one toilet in them?

8 A One toilet.

9 Q So they are just a regular size bathroom.

10 A Yes, sir.

11 Q What does cleaning the bathrooms entail?

12 A Detailing, cleaning the sinks and the commode and
13 underneath the sinks. I clean the glass inside
14 there.

15 Q Like a mirror?

16 A Like a mirror. And I also mop. I wipe down the
17 rails. They got like a rail you could hold onto.

18 Q Like a handicap rail or so?

19 A I clean them. And they also have -- it's like a
20 little rug they got in there also.

21 Q What do you do with that?

22 A And I get that and sweep that.

23 Q Do you take it outside or do you leave it there?

24 A I just leave it there.

25 Q You sweep it out and then mop up?

1 A And then I move it and mop.

2 Q Okay. When you're cleaning the mirror, are you
3 right-handed or left-handed?

4 A I am right-handed.

5 Q What do you use to clean the sink with or the
6 commode? What do you use to clean the commode?

7 A It's a disinfectant cleaner that they have us use.

8 Q Do you just spray it in there?

9 A Yes, sir.

10 Q Do you have to wipe it down?

11 A And wipe it down, yes, sir.

12 Q Do you just use like a standard toilet brush?

13 A Yes, sir.

14 Q Throughout your day do you use any machinery? Do
15 you ever use a floor buffer?

16 A No, sir.

17 Q Have you ever used a floor buffer?

18 A Yes, sir.

19 Q When is the last time you used a floor buffer?

20 A That was back in 2005.

21 Q So you haven't used one of those since 2005.

22 A No, sir.

23 Q Did you use it regularly up until 2005?

24 A Not regularly.

25 Q So you have never regularly used a floor buffer.

1 A No, sir.

2 Q Do you use any other machinery? Do you use any
3 drills, any power tools?

4 A No, sir.

5 Q To do your job do you use a broom?

6 A Yes, sir.

7 Q Do you use rags and different spray chemicals?

8 A Yes, sir.

9 Q And do you use a vacuum?

10 A Yes, sir.

11 Q What do you use the vacuum for, just the floor mats?

12 A Yes, sir. At times just the floor mats, and when I
13 get to the office.

14 Q They have carpet in the office?

15 A Yes, sir.

16 Q You don't use the vacuum much, though, do you?

17 A Yes, sir.

18 Q You use it a lot?

19 A I use it every day.

20 Q But I am saying the area that you have to vacuum
21 isn't that extensive, is it?

22 A No, sir.

23 Q Just floor mats and the offices?

24 A Yes, sir.

25 Q Okay. So you clean the men's and women's bathrooms,

1 and then what do you clean?

2 A I go and get my dust mop and sweep the whole entire
3 hall.

4 Q Is that a push mop?

5 A Yes, sir.

6 Q Big, long dust mop?

7 A Yes, sir.

8 Q Do you just push it?

9 A Yes.

10 Q So you dust mop the hall.

11 A Yes.

12 Q How long is the hall, approximately?

13 A I don't know.

14 Q So you just push the mop up and down the hall?

15 A Yes.

16 Q You don't have to push it back and forth or
17 anything?

18 A No.

19 Q Not like a regular sweeping.

20 A When I get ready to turn the corners.

21 Q You just turn a little bit?

22 A Yes.

23 Q Is your hall straight or does it have 90-degree
24 angles in it?

25 A It has 90-degree angles in it.

1 Q Show me what the sixth grade hall looks like. Draw
2 it on the back of here for me.

3 A Okay. I go up the hall, and I might have to go
4 around a curve and go up the hall (indicating).

5 Q Are these doors here (indicating)?

6 A Yes, sir.

7 Q There are doors at each end?

8 A There are doors at each end and there is another,
9 you come back down this way and then come back
10 around this way and then come back that way
11 (indicating).

12 Q All right. So the hall isn't totally straight.

13 A No, sir.

14 Q There are a couple of 90-degree angles there.

15 A Yes, sir.

16 Q After you dust mop the hall, what do you do?

17 A After I do that I go to the nurse's station.

18 Q You didn't say nurse's station. What is the nurse's
19 station? Is that a different area?

20 A That's a different area.

21 Q Are you responsible for that?

22 A Yes, sir.

23 Q What do you do in the nurse's station?

24 A I go in there and pull the trash.

25 Q Pull the trash?

1 A Pull trash, yes, sir.

2 Q That's all you do in there?

3 A I wipe down the beds the kids, when they get sick,
4 lay on. I wipe them down. I wipe down the sink and
5 the countertop. I wipe down the chairs and wipe the
6 nurse's desk down. They have a bathroom in there
7 also, and I clean the sink and I will clean the
8 commode. I wipe the rails in there. And they also
9 have an extra bed in there that I wipe down.

10 Q A bed in the bathroom?

11 A Yes, sir.

12 Q I guess you have to be real sick to be in there. So
13 you wipe everything down in the bathroom.

14 A Yes. And I also mop.

15 Q All right. Throughout your day, let me ask you
16 this, what is the heaviest thing you have to pick
17 up?

18 A The heaviest thing I have to pick up in that time is
19 trash. And if it's too heavy I have one of the men
20 custodians to pick it up.

21 Q What is the heaviest you have to lift? Is it 20
22 pounds or is it 50 pounds?

23 A I would say it probably is around about -- I would
24 estimate about 30 pounds.

25 Q What weighs 30 pounds, the trash?

1 A The trash.

2 Q How often do you have to lift 30 pounds?

3 A I am thinking like maybe sometimes three to four
4 times out of the week.

5 Q Three to four times a week?

6 A Yes, sir.

7 Q Everything else is about under 30 pounds, probably?

8 A Yes, sir.

9 Q So that's not every day.

10 A That's not every day.

11 Q After you clean the nurse's station, what do you do?

12 A I take my break.

13 Q How long is your break?

14 A I take my break for 30 minutes.

15 Q All right. What do you do during your break?

16 A Just eat.

17 Q So that's like a lunch break?

18 A Yes.

19 Q Then what do you do?

20 A I go back on my sixth grade hall.

21 Q And do what?

22 A And clean the assistant principal's office.

23 Q Smutzer?

24 A Mr. Smutzer.

25 Q What does cleaning his office entail?

1 A I clean his office, pick up the trash.

2 Q Just emptying the trash can?

3 A Emptying trash. Just emptying trash. And most of
4 the time on Mondays and Wednesdays -- he have
5 plants, so I water his plants. And he has carpet
6 also in his office that I have to vacuum. I have to
7 get a vacuum and vacuum that.

8 Q Every day?

9 A Every day.

10 Q Is he messy?

11 A No, he is not really messy.

12 Q So after you vacuum his office are you done in his
13 office?

14 A I am done in his office. I clean his glass too. As
15 you go in his office, he has like a glass thing in
16 his office and I clean it.

17 Q And then what do you do?

18 A After that I go start on the classrooms.

19 Q Are the kids gone then?

20 A The kids are leaving.

21 Q And you have to clean all 15 classrooms?

22 A All 15 classrooms, yes.

23 Q Now, you said every day you clean them, but then you
24 detail one every day?

25 A Yes.

1 Q I guess that's just a deeper cleaning?

2 A That's a deeper cleaning.

3 Q In the classrooms that you clean every day, what
4 does the every-day cleaning entail?

5 A Wipe down the teacher's bookcase, the countertop,
6 the computers.

7 Q How many computers?

8 A Normally it be about two to three computers in a
9 classroom.

10 Q Okay. Then what?

11 A I wipe off all the kids' desks and I wipe down the
12 teacher's desk and the window sills. And I check my
13 walls to see if there is any writing on them, and
14 then I mop the floors.

15 Q If there is writing or something on the wall, what
16 do you do?

17 A Use graffiti spray.

18 Q Graffiti spray. And you just wipe it with your
19 hand?

20 A Yes.

21 Q Now, when you're just doing the regular wiping down
22 of desks and things like that, if you're going to
23 wipe something down and you're not cleaning glass
24 and there is nothing on it, do you really have to
25 push down hard or do you just wipe it off?

1 A Sometimes I do have to kind of push down. It
2 depends on if there is like ink.

3 Q If there is something there?

4 A Yes.

5 Q What about normally, do you really have to get into
6 it or do you just wipe it?

7 A I just wipe it.

8 Q Now, I understand if there is something on the walls
9 like pen or something you might have to be a little
10 more forceful with it?

11 A Yes.

12 Q Scrub a little harder?

13 A Yes.

14 Q But would you testify, under normal wiping of desks
15 and things you just wipe it down normally?

16 A I just normally wipe it down.

17 Q Not a lot of force.

18 A No.

19 Q And if you don't agree with anything I am saying,
20 you tell me how you do it, because I have never done
21 that job. I clean up around the house a little bit,
22 but I have never had to clean a whole school.

23 A Okay.

24 Q So that's what you do in each class. Do you empty
25 trash cans?

1 A Yes, I do. And as I go along my halls, I also get
2 the long-handled scraper and scrape my corners.

3 Q Scrape the corners.

4 A Yes.

5 Q What do you scrape, like chewing gum on there or
6 something?

7 A No. Like around the corners of the baseboards they
8 might have dirt, and I have to go around and try to
9 get up the dirt.

10 Q Every day?

11 A Yes. I check it every day.

12 Q Do you have to do some scraping every day?

13 A Yes, sir.

14 Q What is the long-handled scraper? What is that?

15 A It's something like a little putty knife, but it has
16 a long handle to it at the end.

17 Q So you're at work for eight hours. Right?

18 A Yes.

19 Q How many breaks do you get, two?

20 A To tell you the truth, we supposed to take three
21 breaks, but I only take one. I only get one because
22 of the cleaning and going to the nurse's station and
23 all that, cleaning that hall. I only get one break.

24 Q So you work for seven-and-a-half hours.

25 A Yes.

1 Q How long do you use the scraper, the putty knife?
2 Ten minutes, five minutes, an hour? How long is it?

3 A I am going to say about an hour.

4 Q So total time, you spend an hour using the scraper?

5 A Yes.

6 Q That's every day?

7 A That's every day.

8 Q Now, after you clean the 15 classrooms, do you
9 detail one of those while you're doing it?

10 A Yes.

11 Q Let's talk about detail. What is different than
12 regular cleaning? How is that different?

13 A Regular cleaning, normally I go in the classroom and
14 I will pull the trash, pick up trash. And if I see
15 a spot on the floor, I get that spot. I sweep it
16 and then I go in and spot mop it. And that pretty
17 much be it for just a regular cleaning. But
18 detailing is cleaning down the computers and the
19 teachers' desks and the kids' desks and the
20 countertops and the bookshelves and sweeping and
21 mopping and also wiping down the window sills.

22 Q So what you described for me earlier, that was the
23 detailing.

24 A That was the detailing.

25 Q And that's just one classroom a day.

1 A One classroom a day.

2 Q But the everyday cleaning, that just sounds like
3 it's trash cans and spot mopping.

4 A Yes.

5 Q Is that fair?

6 A Yes.

7 Q So every day is just pick out the trash cans and do
8 the spot mopping.

9 A Yes.

10 Q The detailing is what you described earlier.

11 A Yes.

12 Q All right. After you get done with your classrooms,
13 what do you do?

14 A I go to the office, the main office, Mrs. Bush's
15 office.

16 Q The principal's office?

17 A Yes.

18 Q And do you clean her office in the same fashion as
19 Mr. Smutzer's?

20 A Yes.

21 Q She doesn't have her own bathroom or anything, does
22 she?

23 A No, sir.

24 Q After the principal's office what do you do?

25 A The principal's office, after I get done cleaning

1 that it's about 8:00 and time to go home.

2 Q When do you do the guidance office?

3 A After I get through cleaning the principal's office
4 I do the guidance office. And I dust down the
5 secretary's desk because they in the main office
6 also.

7 Q All right. So during the day when you do some push
8 brooming, you use a regular broom?

9 A Yes.

10 Q You do some mopping every day?

11 A Yes.

12 Q You wipe down surfaces.

13 A Yes.

14 Q You clean commodes.

15 A Yes.

16 Q Clean sinks.

17 A Yes.

18 Q Take out trash cans.

19 A Yes.

20 Q So you do several different tasks. Is that fair?

21 A That's fair.

22 Q Now, when you're doing all of these tasks that you
23 do, do you do mopping and then you will do some
24 wiping down and then you will go do some sweeping
25 and then you will do something else?

1 A Yes, sir.

2 Q You do them in various orders?

3 A Yes, sir.

4 Q Even the scraper, that scraping is not an hour
5 continuously, it's broken up by other things?

6 A The scraping, I try to get down that hall as much as
7 I can. That's why I say about an hour, because
8 it's -- I don't know how long that hall is, but I
9 try to get as much as I could scraping to keep it
10 down.

11 Q What I am asking you, though, is do you scrape all
12 at one type or do you scrape a little bit and clean
13 a classroom and then go down the hall and scrape?

14 A Yes, sir, I do that. I scrape some and then clean a
15 room and then get down the hall and scrape some
16 more.

17 Q So you break up the scraping with other things?

18 A Yes, sir.

19 Q What about the sweeping and dust mopping, are each
20 of your tasks broken up by doing other things?

21 A Yes, sir. I go in a classroom and I sweep and pull
22 the trash and mop. And then I come out, I scrape
23 the corners, I scrape the corners some more and then
24 I leave. When I get through with that classroom and
25 go to the next one, I clean that class the same way

1 I cleaned the last one and come out and scrape some
2 more corners.

3 Q Now let me ask you this. Because you have alleged a
4 claim, what parts of your job do you feel caused
5 your carpal tunnel?

6 A I feel that at least when I scrape the corners and
7 the baseboards, that. And possibly pulling some of
8 the trash that I have pulled that has been heavy.

9 Q Pulling trash, scraping the floor.

10 A Uh-huh.

11 Q What else?

12 A And possibly the mopping.

13 Q All right. Anything else?

14 A I can't think of anything else.

15 Q So of your job tasks it's your opinion that the
16 scraping, pulling the trash and the mopping is what
17 has caused your carpal tunnel.

18 A Yes.

19 Q Those three things.

20 A Them three things.

21 Q Is there any other part that you feel has helped
22 cause your carpal tunnel?

23 A Maybe scrubbing the walls too.

24 Q Scrubbing walls. All right. Anything else other
25 than those four tasks?

1 A I can't think of nothing.

2 Q Let me ask you this. Do you have a family doctor?

3 A Yes.

4 Q Who is your family doctor?

5 A Dr. Begenholm. I am trying to say her name right.

6 She is at Family Medicine.

7 Q All right. How long have you been going there? Has
8 it been a year or ten years?

9 A I know it's over ten years.

10 Q Do you take any prescription medications?

11 A Yes.

12 Q What did you take?

13 A I take Lisinopril for high blood pressure.

14 Q What else?

15 A I take Nexium for acid reflux, and that's the only
16 two doctor prescriptions I take. And now I have
17 lactose intolerance and I take Lactate for that.

18 Q All right. Anything else?

19 A I take vitamin D pills, vitamins, and that's pretty
20 much it.

21 Q Do you smoke cigarettes?

22 A No.

23 Q Do you drink alcohol?

24 A No.

25 Q Do you have any hobbies outside of work?

1 A No.

2 Q You have no hobbies.

3 A No.

4 Q What do you do on the weekends?

5 A On the weekends, just me and my son pretty much go
6 and just wash our clothes.

7 Q Where do you do that at?

8 A At Westgate Laundromat.

9 Q Anything else?

10 A That's pretty much it.

11 Q Do you go to church?

12 A Yes, sir.

13 Q Where do you go to church?

14 A At Fosters Chapel Baptist Church.

15 Q Do you have any major medical conditions? Do you
16 have any problems with diabetes?

17 A No.

18 Q Do you have any problems with your thyroid?

19 A Yes.

20 Q What problems do you have with your thyroid?

21 A I have a cyst on the thyroid.

22 Q Who treats you for that?

23 A Dr. Gault treats me for that.

24 Q Dr. Gault. Have you ever had surgery other than a
25 C-section?

1 A Yes.

2 Q What surgeries have you had?

3 A The surgery I had, I had a blockage in my stomach.

4 Q So what did you have to have done?

5 A They just went in there, and the intestine was
6 twisted up and they corrected it.

7 Q Have you ever seen a chiropractor?

8 A No.

9 Q Have you ever been involved in a motor vehicle
10 accident?

11 A No.

12 Q All right. The injury date that you and your
13 attorney picked is May 18, 2010.

14 A Yes.

15 Q Did you know that's the date they picked?

16 A Yes.

17 Q What is significant about that date?

18 A I told the nurse about that, about my hand.

19 Q You told the nurse?

20 A Yes.

21 Q Who is the nurse?

22 A Her name is Mrs. Gowan.

23 Q What did you tell Mrs. Gowan?

24 A I was telling her about how my hand was hurting and
25 how it was tingling and my hand being numb.

1 Q Did you tell her that it was caused by work?

2 A No, because I didn't know at the time.

3 Q Did you tell her on that date that it was work
4 related or that you thought it was caused by work,
5 or were you just telling her you were having
6 problems?

7 A I was just telling her I was having problems.

8 Q So you didn't relate it to work. Is that fair?

9 A That's fair.

10 Q When did you first tell somebody at work that you
11 thought your problems were related? Did you ever
12 talk to Ms. Bush about it?

13 A I talked to Ms. Bush about it in June.

14 Q Did you tell her it was work related?

15 A Well, no, I didn't tell her at the time it was work
16 related. I had just explained to her that I had
17 went to my doctor and he said the work is irritating
18 my hand.

19 Q The doctor told you that?

20 A Yes.

21 Q Dr. Ringel?

22 A Dr. Ringel.

23 Q Did you tell Ms. Bush that?

24 A Yes.

25 Q You told her that in June?

1 A I told her about that in June, and I told her that
2 in August also.

3 Q So in June you told her that the work was irritating
4 your hand?

5 A Uh-huh.

6 Q Did you ever have to fill out any paperwork?

7 A No.

8 Q Did you have to fill out any paperwork for any
9 benefits or anything?

10 A No, I didn't fill out no papers.

11 Q So you told Ms. Bush in June and in August.

12 A Uh-huh.

13 Q Was anybody else around when you told her that?

14 A No. It was just me and her.

15 Q Did you ever tell Mr. Smutzer?

16 A No, I never did talk to him about it.

17 Q But you told Ms. Bush, in June and in August, that
18 work was irritating your hands?

19 A Yes. And I told some other co-employees that my
20 hands was hurting.

21 Q But in a supervisory position is Ms. Bush the only
22 person you say you told?

23 A Yes.

24 Q When did you start to think that the things you were
25 doing at work were causing your problems?

1 A After I had spoke to Dr. Ringel.

2 Q Did you think they were causing your problems before
3 you talked to Dr. Ringel?

4 A Yes, I did.

5 Q When did you first think that your problems were
6 coming from work? Was it May or last year or was it
7 five years ago?

8 A I would say it was in May.

9 Q In May. That's when you thought your problems were
10 work related.

11 A Yes.

12 Q And you're testifying that you told Ms. Bush, in
13 June, that the work was irritating your hands.

14 A Yes.

15 Q When did you first start having problems with your
16 hands?

17 A I started having problems with my hands on May the
18 10th.

19 Q It just standard on May 10th?

20 A Yes.

21 Q Did it start like that (indicating) or did it come
22 on slowly?

23 A It sort of came on slowly.

24 Q But May 10th is the first time you noticed it?

25 A Uh-huh.

1 Q You never noticed any problems before then?

2 A No.

3 Q How long have you had thyroid problems?

4 A I had thyroid problems for -- I will say for about a
5 year now.

6 Q For about a year?

7 A Uh-huh. Yes.

8 Q Have you had a hysterectomy?

9 A Yes.

10 Q Do you know if you have your ovaries or not?

11 A Yes.

12 Q You do have your ovaries?

13 A I do have them.

14 Q So you didn't have a complete hysterectomy?

15 A No.

16 Q Has surgery been recommended for you?

17 A Yes.

18 Q Is it for both hands?

19 A Dr. Keith, he just told me it's going to be one hand
20 at a time. It's for both hands, and he going to do
21 the right hand first.

22 Q Did you already have your surgery scheduled?

23 A Yes.

24 Q When did you first schedule your surgery?

25 A My surgery was scheduled for October the 7th. But

1 let me think. I went to Dr. Keith. I had to go to
2 Dr. Keith in September. I forgot what date it was
3 that I went to Dr. Keith and he said he was setting
4 up for surgery.

5 Q There is a mention in some of your medical charts
6 about Bell's palsy. Do you know what Bell's palsy
7 is?

8 A Yes.

9 Q Do you have that problem?

10 A I have had it. That was a long time ago. That had
11 to be about ten years ago.

12 Q What were your symptoms when you had Bell's palsy?

13 A Just my eye, my left eye had swelled some. And then
14 I couldn't eat exactly quite right because my lip
15 had --

16 Q Trembled?

17 A Yes.

18 Q You have seen your family doctor, you saw Dr. Ringel
19 and you saw Dr. Keith for your hands. Correct?

20 A Yes, sir.

21 Q Anybody else?

22 A Nobody else.

23 Q Did you tell Dr. Ringel your problems, you thought,
24 were from work or did he bring that up to you?

25 A I asked him what do he think it's coming from, and

1 he told me that it's coming from work.

2 Q From work?

3 A Uh-huh.

4 Q Did he do an EMG on you?

5 A Yes, he did.

6 Q Have you missed work?

7 A So far I haven't missed no work.

8 Q Are you off work today or did you miss work today?

9 A I missed work today. This morning, to tell you the
10 truth, I didn't feel good. I have sinus and I had
11 took a sinus pill this morning.

12 Q So you took today off?

13 A Uh-huh.

14 Q But you haven't missed any work yet?

15 A No.

16 Q Tell me what current problems you're having.

17 A I am having pain shoot through my wrists.

18 Q Both wrists?

19 A Both wrists. But more in the right one, the right
20 hand.

21 Q Okay. What else?

22 A And I have tingling, swelling and numbness.

23 Q In both?

24 A In both hands, but more of it towards my right hand.

25 Q Anything else?

1 A It's pretty much that's all.

2 Q Have you alleged any injuries or are you having any
3 problems other than your hands?

4 A No other problems than my hands.

5 Q No problems with your back or your legs or anything?

6 A No.

7 Q Do you have health insurance?

8 A Yes.

9 Q When you went to Dr. Ringel for the first time did
10 you put this under your regular health insurance?

11 A I just put this under my regular health insurance.

12 Q Now, you said during a normal day you do an hour of
13 scraping, total?

14 A Uh-huh. Yes.

15 Q And that's broken up by doing other things.

16 A That's right.

17 Q Pulling trash, how many trash cans do you have? I
18 guess there is one in every room.

19 A It depends. Most of the time it's two to five.

20 Q In each room?

21 A In each room.

22 Q And then there are the ones in the bathrooms.

23 A Yes.

24 Q And in the offices?

25 A Yes.

1 Q Are those trash bags generally full of heavy trash
2 or is it generally light trash, just normal?

3 A Normally, it's light trash, but sometimes out of the
4 week I might catch a heavy one.

5 Q Now, the mopping, you do spot mopping each day?

6 A It depends on how the floor is in that classroom.
7 If I feel that the floor look pretty dirty, I do
8 that whole floor.

9 Q Each day, though, you mop one room for sure?

10 A Yes.

11 Q And then the bathrooms?

12 A Yes.

13 Q So four bathrooms and one classroom?

14 A Yes.

15 Q And then you will do spot mopping.

16 A Yes.

17 Q On a normal day.

18 A On a normal day.

19 Q And scrubbing of the walls, on a normal day how long
20 do you spend scrubbing the walls, in total?

21 A It don't take that long. I mean, I go in each
22 classroom and check, look at the walls to see if
23 there anything. It don't take too long. Probably
24 about five minutes.

25 Q In total, scrubbing the walls?

1 A Not all the walls, but just each wall, each one in
2 the classroom.

3 Q Five minutes in each classroom or five minutes
4 total?

5 A Five minutes in each classroom. If something is on
6 the wall inside each classroom, when I go and clean
7 it take about 20 minutes in each classroom.

8 Q To clean each classroom?

9 A To clean each classroom, uh-huh.

10 Q So you have got 20 minutes per classroom.

11 A Yes.

12 Q And you have got 15 classrooms.

13 A Yes. Because we clean the bathrooms twice that day.

14 Q So that's five hours of cleaning, right there, with
15 just the classrooms.

16 A Uh-huh.

17 Q And you have an hour of scraping, so that's six
18 hours.

19 A Uh-huh.

20 Q And you work seven and a half, so you get everything
21 else done in an hour and a half? All the offices,
22 the bathrooms, the hall and the sweeping of the dust
23 mats, you do all that in about an hour and a half?

24 A No. That has to be more than that, because it take
25 a little bit more time. When I go on sixth grade

1 after school, at 3:00 when school is out, and I will
2 be coming off my hall -- I be coming off my hall
3 after 7, about 15 minutes or 20 minutes after 7.

4 Q So you spend, it sounds like, about four hours
5 cleaning the classrooms.

6 A And then I also got to go in the bathrooms. I got
7 to go inside the bathrooms, and it take some time in
8 there to get them cleaned up.

9 Q That's while you're on the hall?

10 A Yes.

11 Q It sounds like the main time you're on the hall is
12 from 3 to about 7:15.

13 A Yes, sir.

14 Q That's 4 hours and 15 minutes.

15 A Yes, sir.

16 Q That's when you do all the cleaning of the
17 classrooms?

18 A All the cleaning of the classrooms.

19 Q All the scraping?

20 A Yes.

21 Q And do you do the bathrooms one time during that
22 too?

23 A I do the bathrooms when I first come in that day.

24 Q You do them twice, you said. Right?

25 A I do them twice a day. And then I do them again

1 while I am on the hall.

2 Q So that 4 hours and 15 minutes, from 3 to 7:15,
3 again, this is a normal day?

4 A Uh-huh.

5 Q That's when you clean all the classrooms, you do all
6 the scraping, and you do the bathrooms at least once
7 during that 4 hours and 15 minutes.

8 A Yes.

9 Q Is that all four bathrooms, you do that one time
10 during that time?

11 A Yes.

12 Q And you do the scraping too.

13 A Yes.

14 MR. GRIGGS: Toney, do you have any questions?

15 MR. LISTER: No.

16 MR. GRIGGS: Thank you, ma'am.

17 (DEPOSITION CONCLUDED AT 2:40 P.M.)

18

19

20

21

22

23

24

25

CERTIFICATE

I, the undersigned, Elaine L. Grove, RPR, Notary Public, in and for the state of South Carolina, do hereby certify that the foregoing deposition of Beverly Wheeler was taken on the 15th day of October 2010;

That the within deponent was sworn to tell the truth, and that the foregoing is an accurate transcription of the testimony taken under oath;

I further certify that I am neither counsel nor solicitor to any of the parties in said suit, nor interested in the event of the cause.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 18th day of October 2010.

E. Grove-DeFreitas

Elaine L. Grove-DeFreitas, RPR
Notary Public for South Carolina
My Commission Expires: 6-25-2020

53031
R

LISTER, FLYNN & KELLY, PA
ATTORNEYS AT LAW
421 MARION AVENUE
SPARTANBURG, SOUTH CAROLINA 29306

* Toney J. Lister
* Lawrence E. Flynn, Jr.
R. Keith Kelly

MAILING ADDRESS:
P.O. BOX 2929
SPARTANBURG, SC 29304-2929
TELEPHONE (864)582-3770

FAX (864)582-3553

Elinor V. Lister

* Certified Arbitrator/Mediator

August 10, 2010

Dr. Robert A. Ringel
460 Langdon St.
Spartanburg, SC 29302

Re: Beverly R. Wheeler
SSN:

Dear Dr. Ringel:

I had occasion to talk to Beverly Wheeler on August 9 as a result of her carpal tunnel in both wrists. Apparently she has worked as a custodian at District 6 for about 20 years with short interruptions due to other employment. Based on the nature of this work and her understanding of your comments, these problems she's now experiencing were either caused or aggravated by her work situation.

Because she only has ninety (90) days to put her employer on notice of a repetitive trauma type situation, I told her to go ahead and talk to her principal tomorrow. I feel strongly about her situation and agreed to file a workers' compensation claim on her behalf. To be successful today with a claim of this nature, there must be a causal connection that is established by medical evidence between the repetitive activities that occurred while the employee was engaged in the regular duties of her employment and the injury. Medical evidence means expert opinion or testimony stated to a reasonable degree of medical certainty, documents, records or other material that is offered by a licensed or qualified medical physician. To make sure that I'm not misquoting the Statutes, I am going to send you a copy of the same (42-1-172) and a copy of the Notice Statute (42-15-20).

Naturally, my question is going to be whether or not you can say to a reasonable degree of medical certainty that her problem of carpal tunnel was caused by repetitive trauma at work. Please attach a statement of your costs associated with this request. As always, I look forward to working with you. I am

Respectfully,

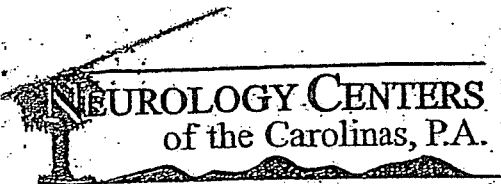
LISTER, FLYNN & KELLY, PA

Toney J. Lister
TJL/tbg

Enclosures

*6/20
have protected
custodian
Ponds
Apr 8/23 @ 9:20*

20



August 23, 2010

Tony J. Lister, attorney at law
421 Marion Avenue
Spartanburg, SC 29306-3609

Re: Beverly Wheeler
Chart # 53031

Dear Tony:

Beverly Wheeler was seen in followup. She has features consistent with bilateral carpal tunnel syndrome and loss of grip strength. As you know, she works with custodial services in district 6 at the Gable Middle School. She has no other activities outside of work requiring repetitive use of her hands, pulling, lifting or any other movement of that type. She does not have diabetes and has no underlying symptoms of a connective tissue disease.

On physical exam, the patient appears in no distress. Pulse: 76. Respirations: 14. Blood pressure: 122/70. Cranial nerves II-XII and cerebellar exams were intact. Motor exam revealed 4/5 weakness in both hands, APB muscles and diminished light touch sensation in the distal median nerve distribution bilaterally, consistent with carpal tunnel syndrome with mild loss of grip strength and sensory disturbance.

The findings are consistent with a repetitive work injury as a custodian, and I feel this is concurrent with her current occupation, with reasonable medical certainty. If you have any further questions, please feel free to call me. I have recommended she be considered for surgical intervention, and referral was made to Dr. John Keith, Jr.

Sincerely yours,

Signed: Robert A. Ringel, M.D.
RAR/lew

R: 8/25/2010

T: 8/26/2010

Sound file: 016

Robert A. Ringel, M.D.

Bogdan P. Gheorghiu, M.D.

Ernesto Potes, M.D.

Paulo L. Zortea, M.D.

Robbie D. Buechler, M.D., Ph.D.

John F. Pich, M.D.

P.1

APP 106

Phone 864-542-2510

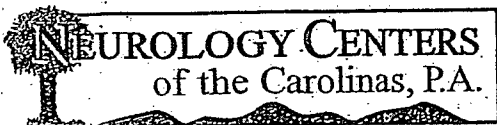
Fax 864-583-1311

7601 Torrance Blvd.

Spartanburg, SC 29302

DR. ROBERT RINGEL

APA 1



August 23, 2010

Tony J. Lister, attorney at law
421 Marion Avenue
Spartanburg, SC 29306-3609

Re: Beverly Wheeler
Chart # 53031

Dear Tony:

Beverly Wheeler was seen in followup. She has features consistent with bilateral carpal tunnel syndrome and loss of grip strength. As you know, she works with custodial services in district 6 at the Gable Middle School. She has no other activities outside of work requiring repetitive use of her hands, pulling, lifting or any other movement of that type. She does not have diabetes and has no underlying symptoms of a connective tissue disease.

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Sincerely yours,

Signed: Robert A. Ringel, M.D.
RAR/lew

R: 8/25/2010

T: 8/26/2010

Sound file: 016

Robert A. Ringel, M.D.

Robbie D. Buechler, M.D., Ph.D.

864-542-2510

Bogdan P. Gheorghiu, M.D.

John F. Rich, M.D.

864-583-1311

Ernesio Potes, M.D.

746-6000-186

Paul J. Zedler, M.D.

APP 168

Search for: SC 2010

PROCEDURE NOTE

July 9, 2010

PATIENT: Beverly Wheeler
CHART: 53031

After verbal consent, a right median carpal canal injection was performed with 4 mL of 1% lidocaine, 40 mg of triamcinolone. No complications. Follow up in two to three weeks. Continue splinting.

Signed: Robert A. Ringel, M.D.
RAR/lew
T: 7/13/2010

FOLLOW UP VISIT

June 28, 2010

PATIENT: Beverly Wheeler,
CHART: 53031

History of bilateral carpal tunnel syndrome. Splinting for a month has not improved her symptoms much.

Resting pulse: 68. Blood pressure: 112/66. Still has trace weakness both APBs, diminished light touch sensation distally in the median nerve distribution, areflexic, and normal gait.

Discussed medications. Refills. Plan right carpal canal injection. Followup to be arranged for the above.

Signed: Robert A. Ringel, M.D.
RAR/tv

FOLLOW UP VISIT

May 18, 2010

PATIENT: Beverly Wheeler

CHART: 53031

Nerve conduction - EMG studies performed. See results.

Follow up to be scheduled.

Signed: Robert A. Ringel, M.D.

RAR/tv

Handwritten note:
Beverly Wheeler
5/18/10



5-21-10

NERVE CONDUCTION AND ELECTROMYOGRAPHY TEST REPORT

PATIENT: Beverly Wheeler
DATE: May 18, 2010
CHART: 53031
REFERRING: James Taylor, MD
FAX: 560-1510

MUSCLE	FIB	FASCIC	MUP
R. pronator teres	0	0	Normal
R. first dorsal interosseous	0	0	Normal
R. abductor pollicis brevis	0	0	Normal

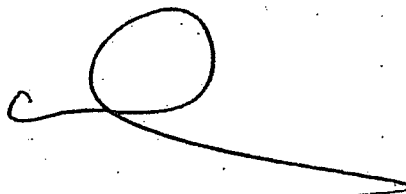
RESULTS:

Nerve conduction studies of both upper extremities reveal prolonged median palmar sensory latencies bilaterally. The right median SNAP was small. The right median distal motor latencies were prolonged. Insertion studies were normal.

CLINICAL IMPRESSION:

Findings are consistent with bilateral carpal tunnel syndrome.

Signed: Robert A. Ringel, MD
dsw



Neurology Centers of the Carolinas, P.A.

460 Langdon Street
Spartanburg, SC 29302
(864) 542-2510

Name: Wheeler, Beverly	Patient ID: 37693
Address:	Date of Birth:
Chart: 53031 BUE Denise S. Watts, R.NCS.T.	Gender: Female
Indication: CTS/Cervical radiculopathy	Date of Exam: 5/18/2010 8:17
Referring Physician: James Taylor, MD	
Examining Physician: Robert A. Ringel, MD	

Motor Nerve Conduction:

Nerve and Site	Latency	Amplitude	Segment	Latency Difference	Distance	Conduction Velocity
----------------	---------	-----------	---------	--------------------	----------	---------------------

Median.L

Wrist	3.4 ms	9.7 mV	Elbow-Wrist	4.8 ms	240 mm	50 m/s
Elbow	8.2 ms	9.1 mV	Wrist-Elbow	4.8 ms	mm	m/s

Ulnar.L

Wrist	3.0 ms	10.4 mV	Wrist-Axilla	7.8 ms	400 mm	51 m/s
Forearm (Ulnar)	5.2 ms	10.5 mV	Wrist-Forearm (Ulnar)	2.2 ms	110 mm	50 m/s
Below elbow	7.3 ms	10.0 mV	Forearm (Ulnar)-Below elbow	2.1 ms	100 mm	48 m/s
Above elbow	9.0 ms	10.0 mV	Below elbow-Above elbow	1.7 ms	90 mm	53 m/s
Axilla	10.8 ms	10.2 mV	Above elbow-Axilla	1.8 ms	100 mm	56 m/s

Median.R

Wrist	4.6 ms	8.5 mV	Elbow-Wrist	4.5 ms	240 mm	53 m/s
Elbow	9.1 ms	8.3 mV	Wrist-Elbow	4.5 ms	mm	m/s

Ulnar.R

Wrist	2.7 ms	17.4 mV	Wrist-Axilla	8.1 ms	450 mm	56 m/s
Forearm (Ulnar)	4.8 ms	17.3 mV	Wrist-Forearm (Ulnar)	2.1 ms	110 mm	52 m/s
Below elbow	7.0 ms	17.0 mV	Forearm (Ulnar)-Below elbow	2.2 ms	120 mm	55 m/s
Above elbow	8.5 ms	16.5 mV	Below elbow-Above elbow	1.5 ms	100 mm	67 m/s
Axilla	10.8 ms	15.8 mV	Above elbow-Axilla	2.3 ms	120 mm	52 m/s

F-Wave Studies

Nerve	F-Latency
Median.L	27.5
Ulnar.L	28.3
Median.R	26.4
Ulnar.R	30.5

Sensory Nerve Conduction:

Nerve and Site	Peak Latency	Amplitude	Segment	Latency Difference	Distance	Conduction Velocity
----------------	--------------	-----------	---------	--------------------	----------	---------------------

Median.L

Mid palm	2.4 ms	96 µV	Wrist-Mid palm	2.0 ms	80 mm	40 m/s
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Ulnar.L

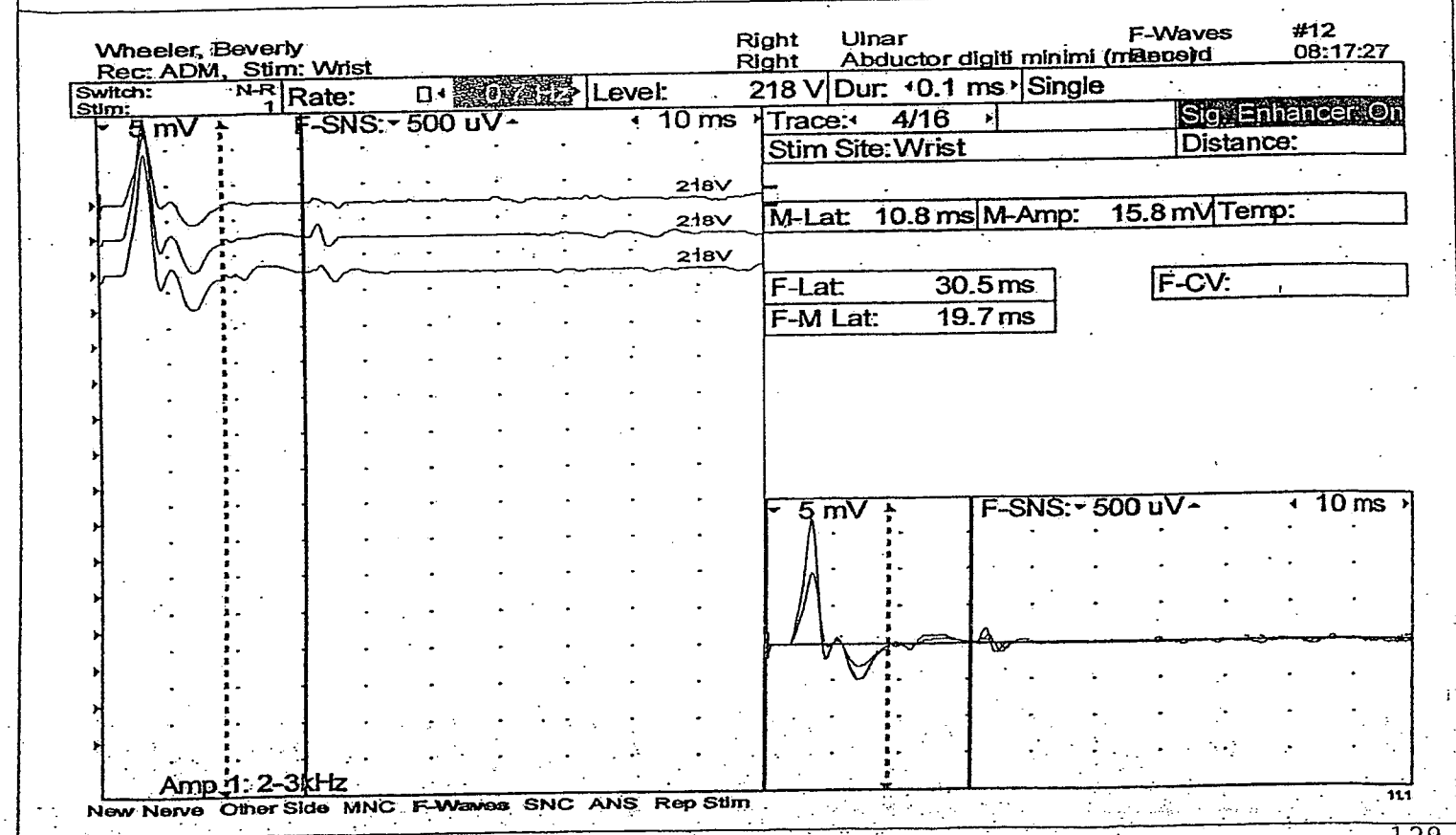
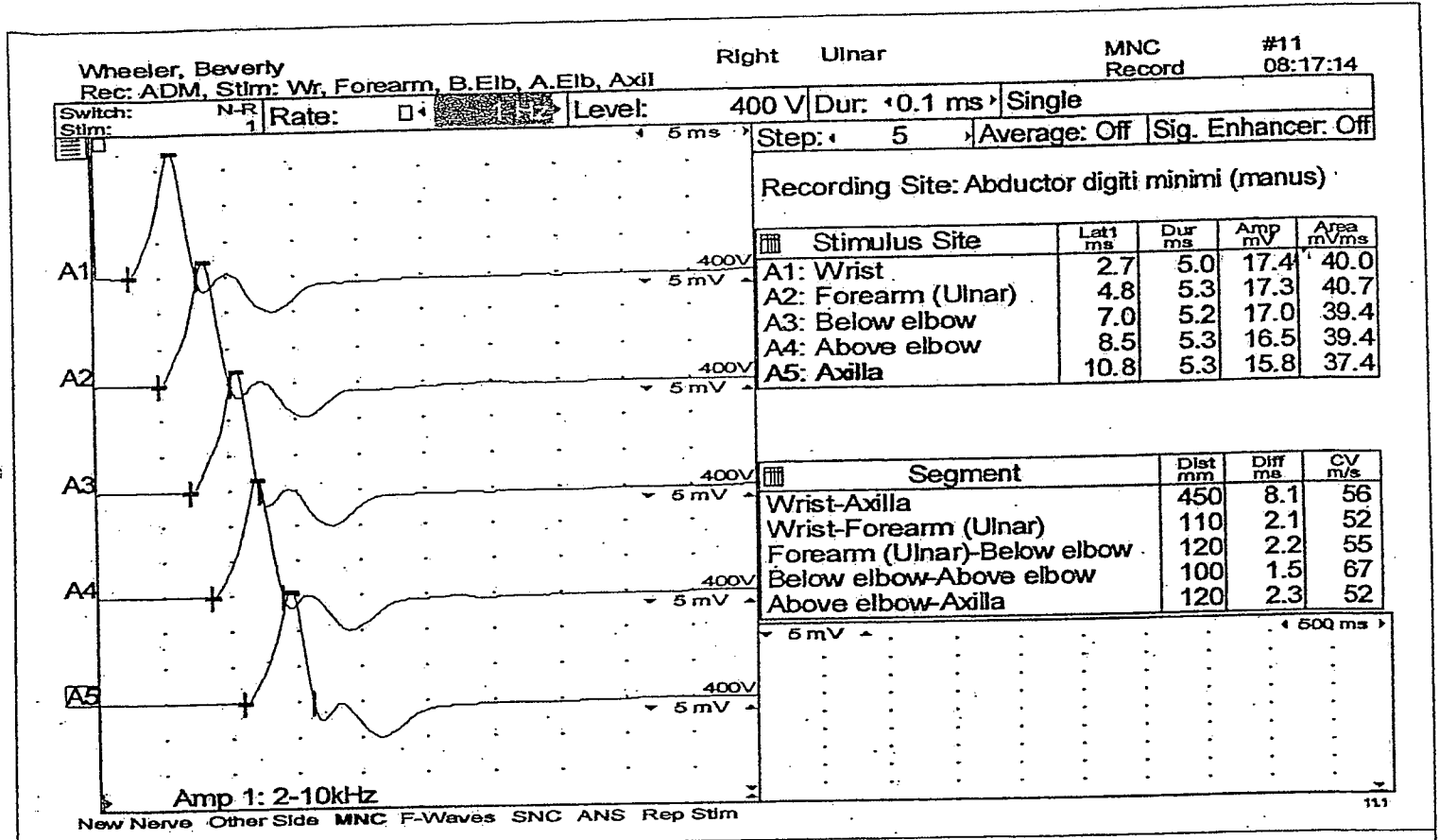
Mid palm	1.8 ms	34 µV	Wrist-Mid palm	1.4 ms	80 mm	56 m/s
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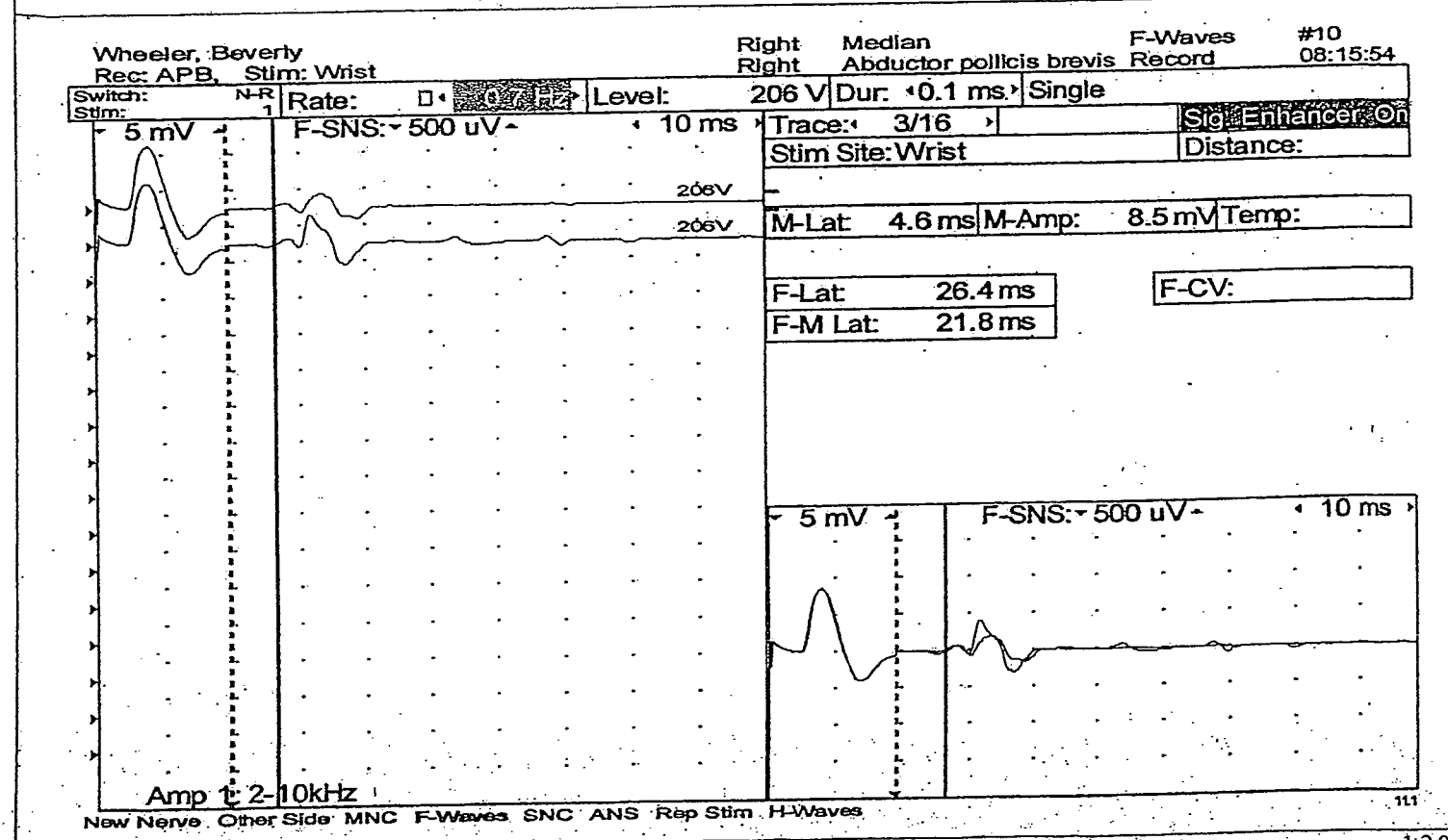
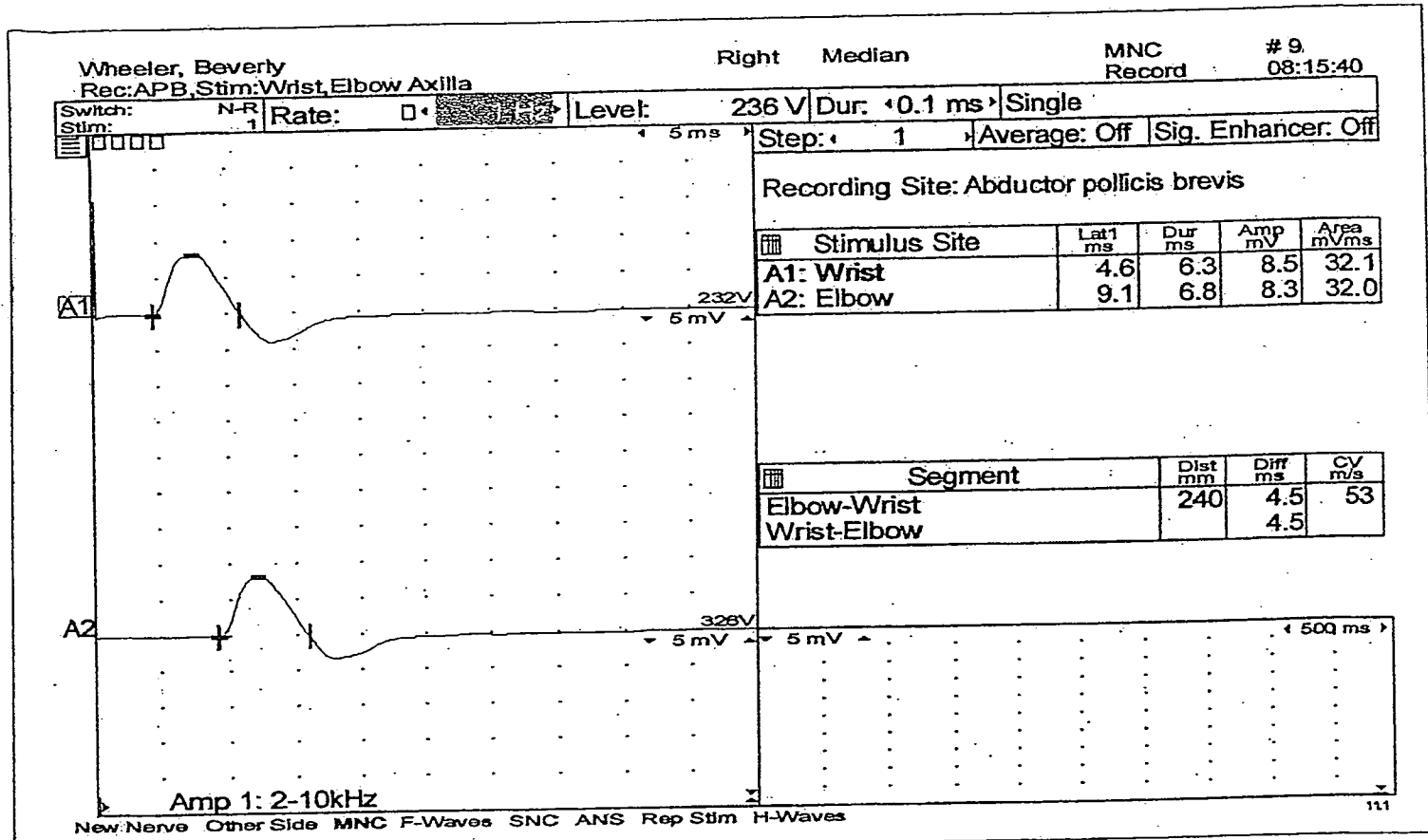
Median.R

Mid palm	2.8 ms	41 µV	Wrist-Mid palm	2.0 ms	80 mm	40 m/s
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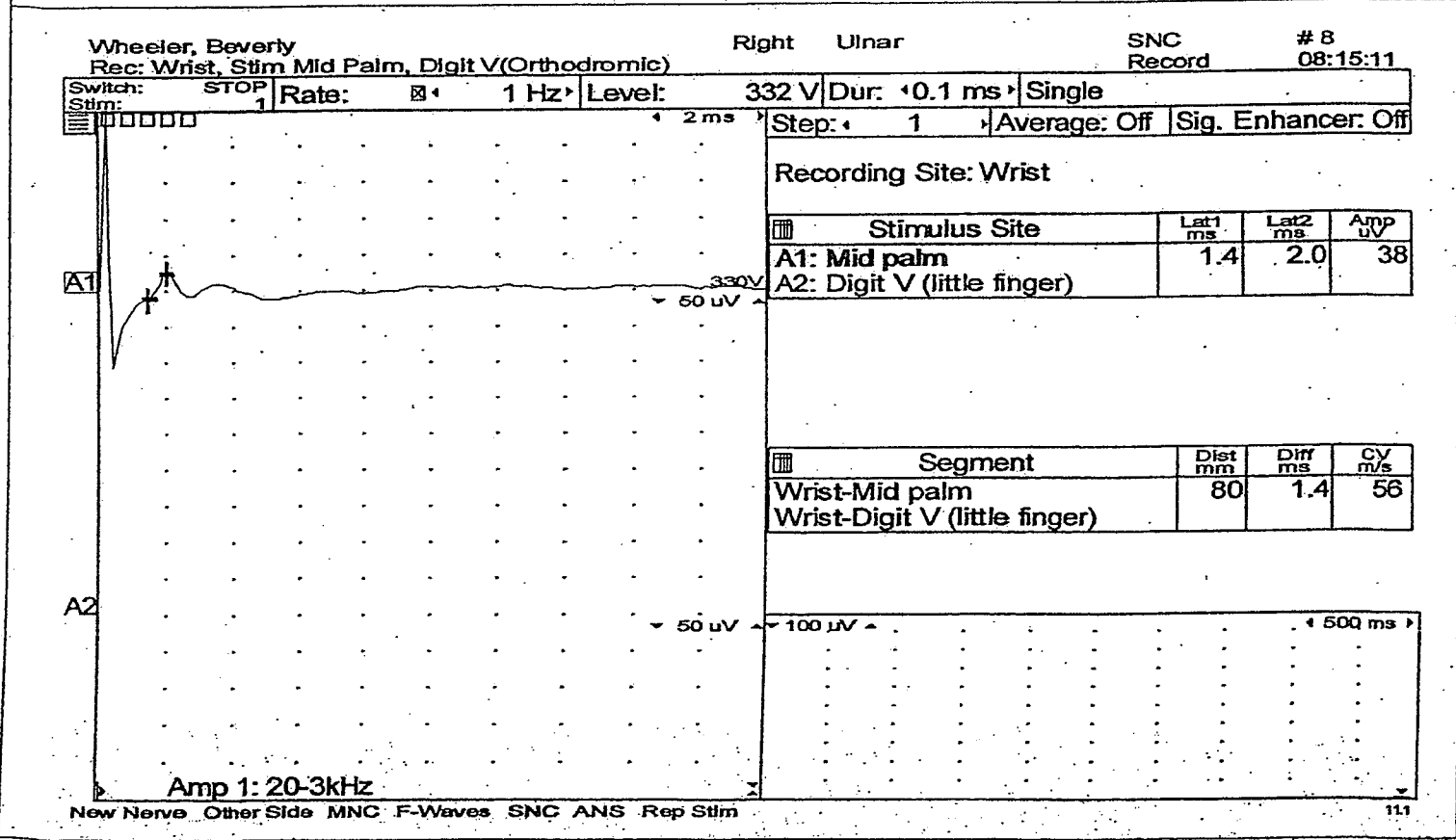
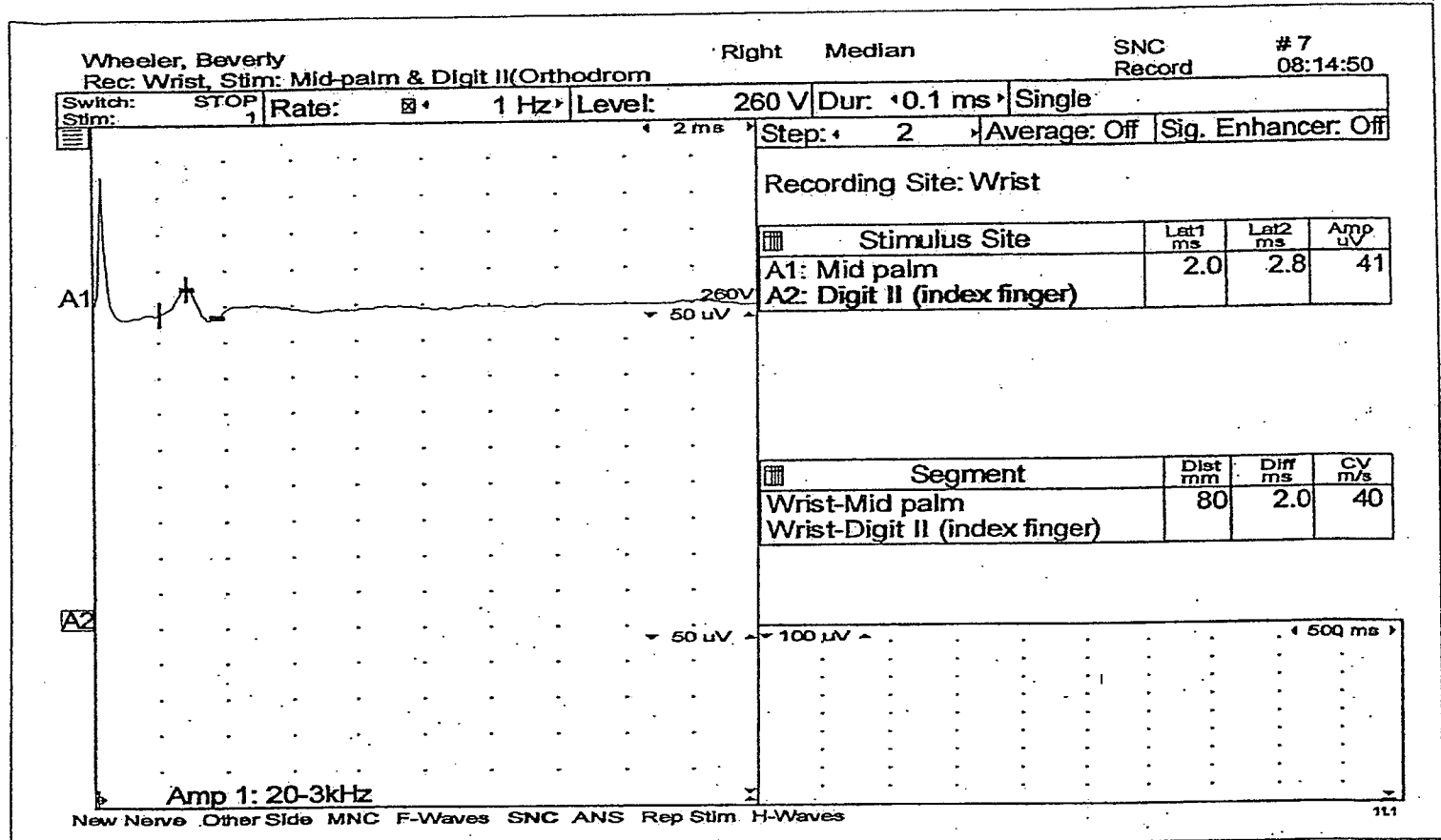
Ulnar.R

Mid palm	2.0 ms	38 µV	Wrist-Mid palm	1.4 ms	80 mm	56 m/s
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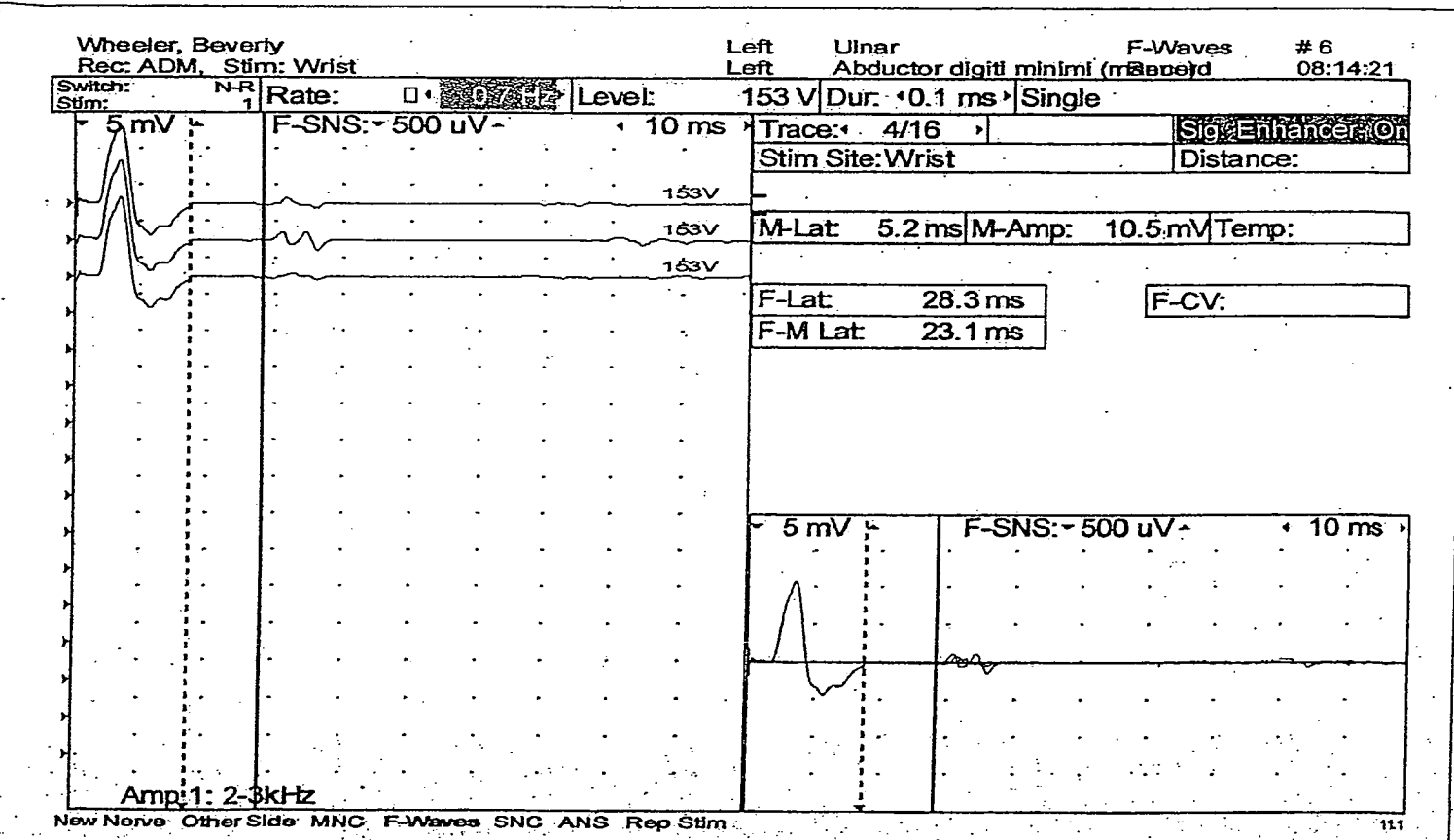
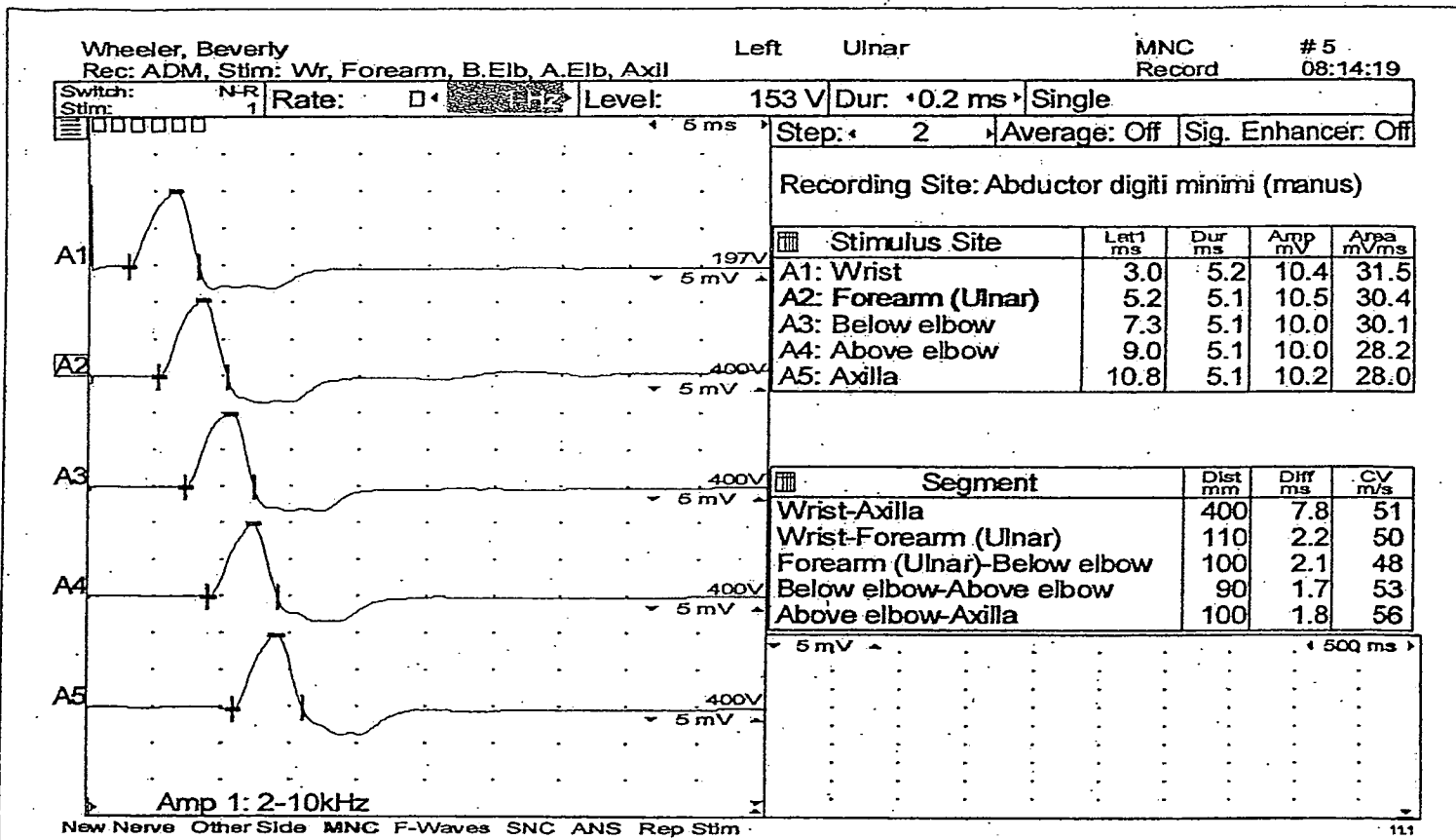




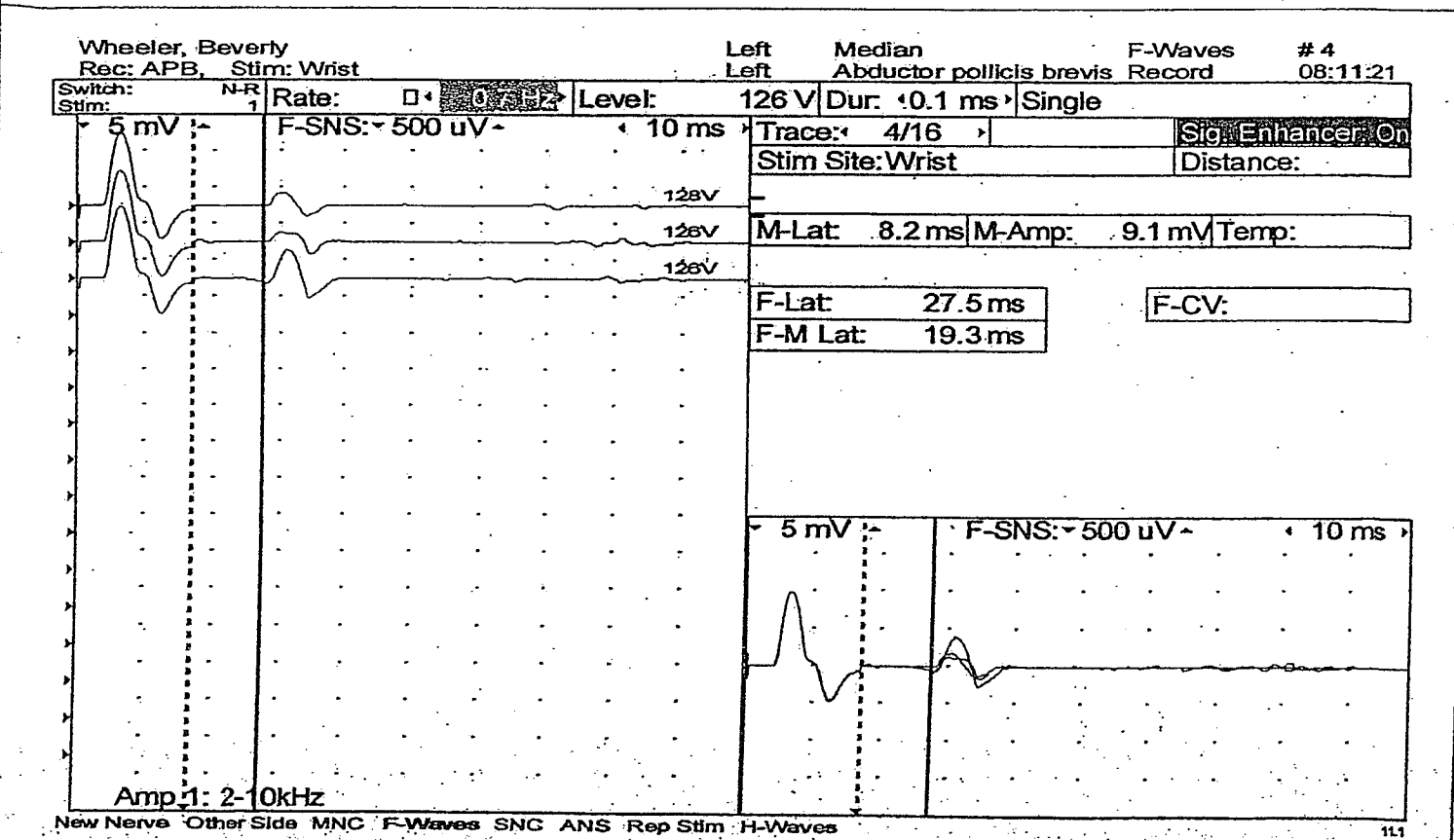
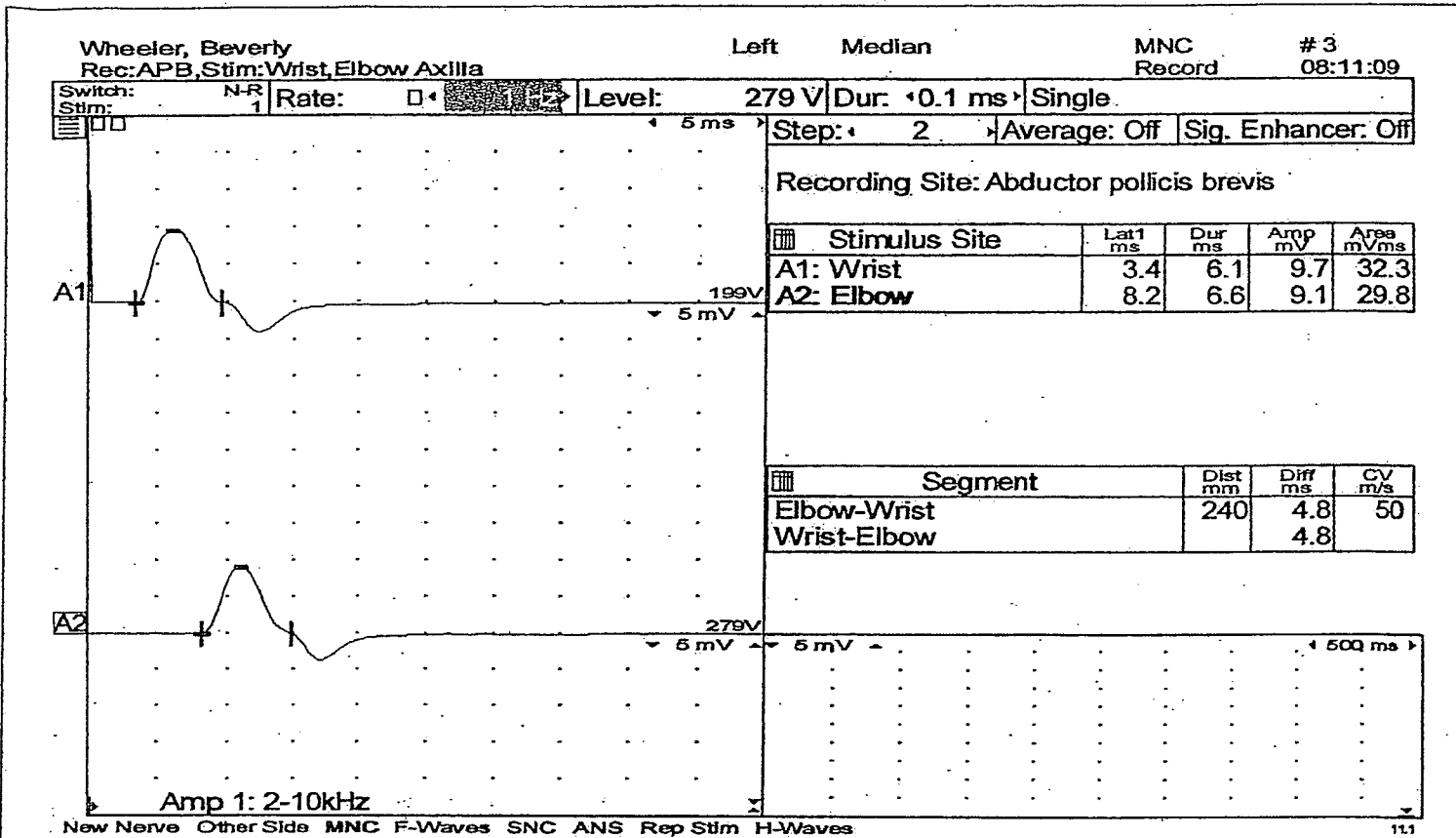
Neurology Centers of the Carolinas, PA

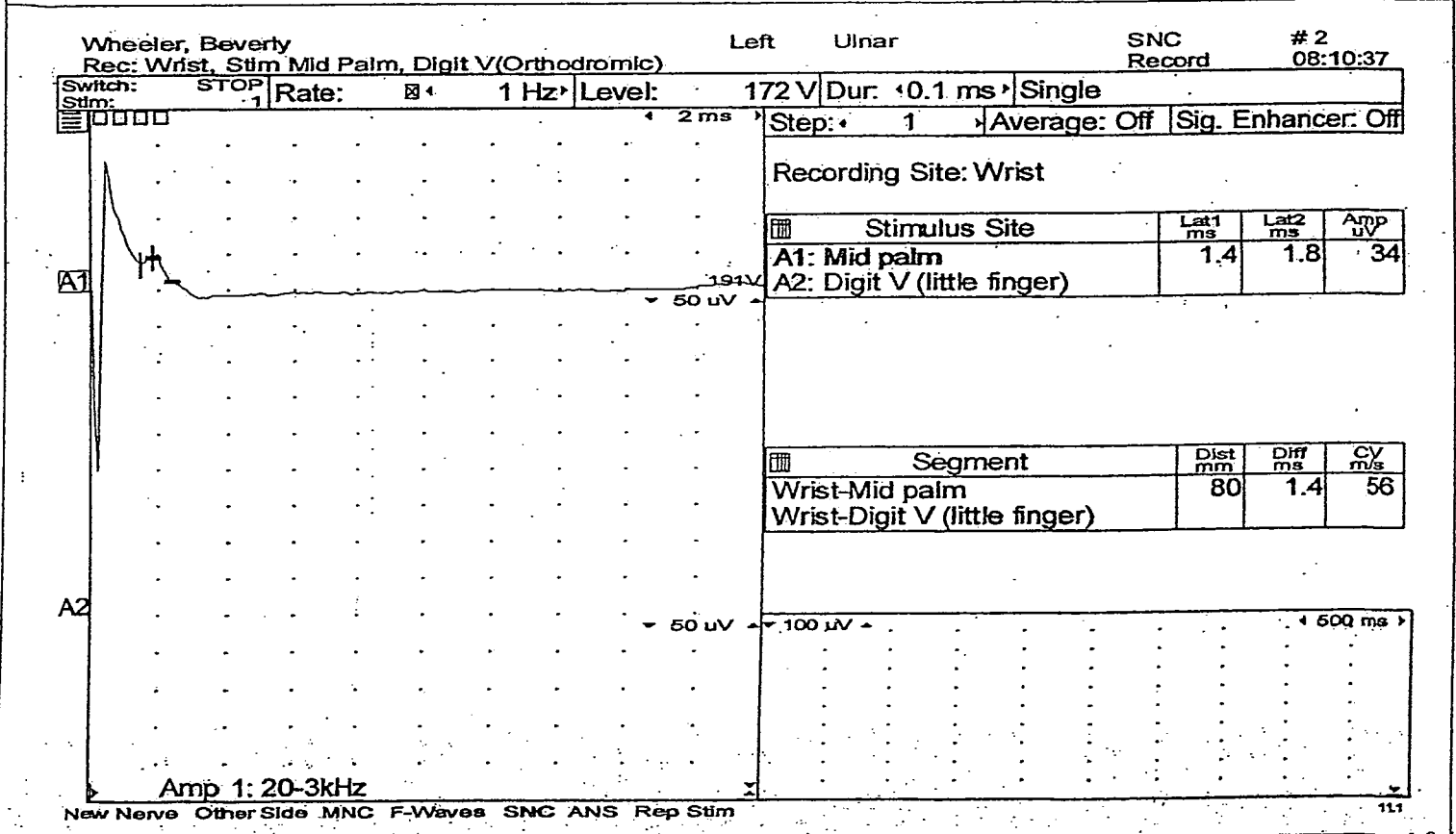
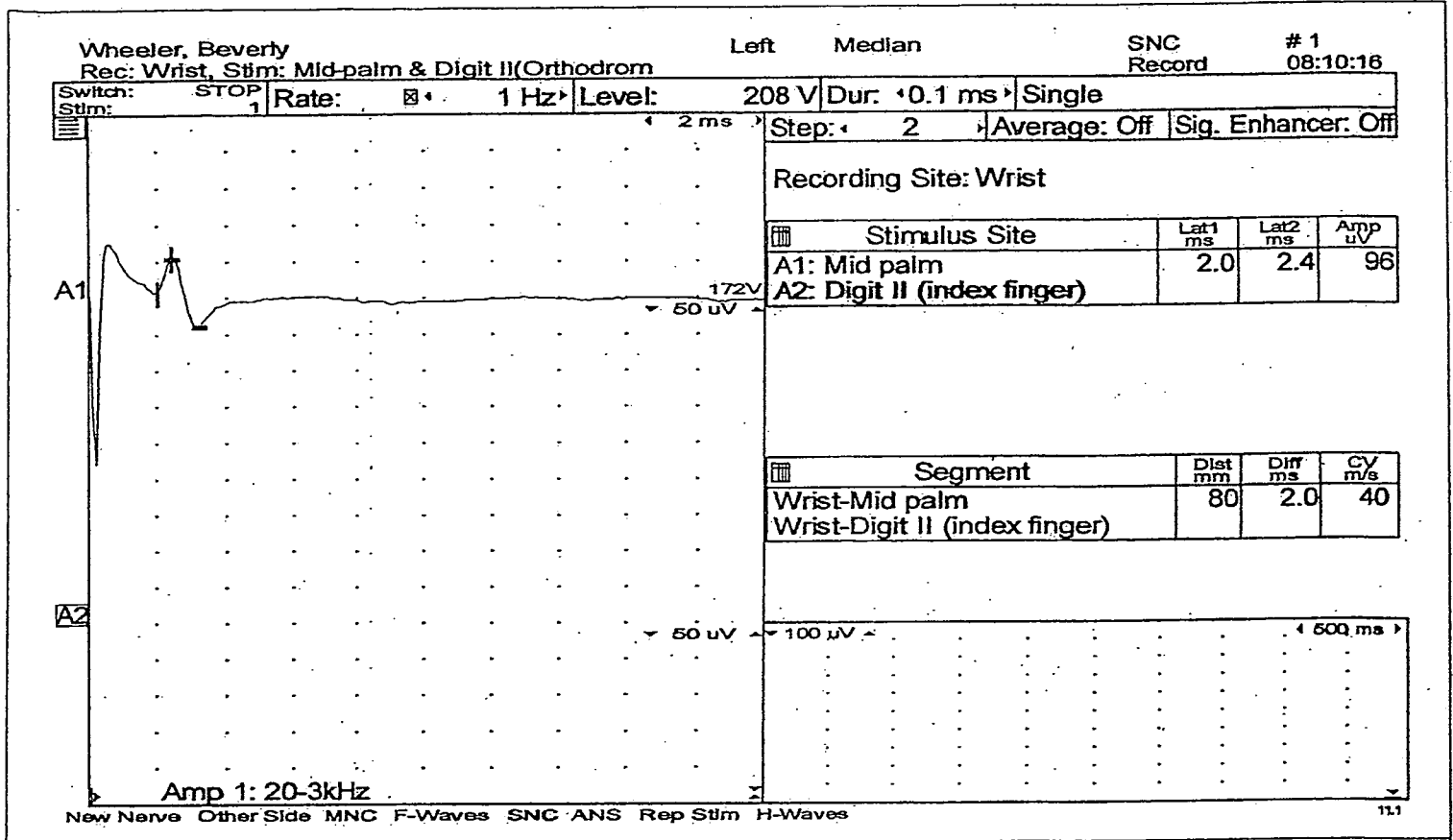


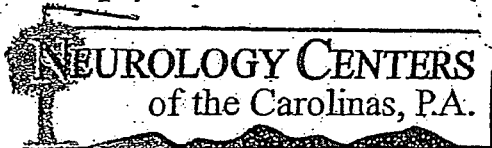
Neurology Centers of the Carolinas, PA



Neurology Centers of the Carolinas, PA







Multiple Sclerosis & Neuromuscular Disorders Neurorehabilitation
Disorders of Sleep & Fatigue Stroke & Neurovascular Ultrasound
Epilepsy & Clinical Neurophysiology Muscular Dystrophy Association

May 17, 2010

Mark Godenick, M.D.
853 North Church Street
Spartanburg, SC 29303-3077

Re: Beverly Wheeler
Chart # 53031 ✓

Dear Mark:

Thank you for referring Beverly Wheeler. Donna is a pleasant 47-year-old female. She complains of numbness in both hands, right greater than left, paresthesias radiating in the second and third digits primarily. She has some loss of grip strength. This occurs in the setting of no trauma, no diabetes, history of hypertension. She has a remote history of Bell's palsy, probably on the right side, from her recollection.

PAST MEDICAL HISTORY: Surgeries: Hysterectomy, GI or intestinal blockage, T&A remotely, thyroid cyst possibly diagnosed by biopsy. Illnesses: Hypertension, lactose intolerance.

DRUG ALLERGIES: Sulfa with rash.

MEDICATIONS: Zyrtec 10 mg q.d., Nexium 20 mg q.d., lisinopril 10 mg q.d., Lactaid 4500 q.a.m., Citracal and prednisone 20 mg q.d.

SOCIAL HISTORY: Tobacco use - none. Ethanol use - none. The patient is single with two children. She is working.

FAMILY HISTORY: Negative for associated illness. Social and family histories are otherwise negative.

REVIEW OF SYSTEMS: Denies other problems affecting eyes, ears, nose, mouth, pharynx, respiratory, cardiac, GI, GU, extremities, musculoskeletal, integument, vascular, endocrinologic, psychiatric, or neurologic systems.

PHYSICAL EXAMINATION: Appears in no acute distress. Pulse: 72. Respirations: 18. Blood pressure: 100/60. Weight: 129. Fundi reveal flat.

Robert A. Ringel, M.D.
Bogdan P. Gheorghiu, M.D.
Ernesto Potes, M.D.
Paulo L. Zorica, M.D.

Robbie D. Buechner, M.D., Ph.D.
John F. Pilch, M.D.

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APP 180

Phone: 864.542.2510
Fax: 864.583.1311
460 Langdon Street
Spartanburg, S.C. 29302

NEUROLOGY CENTERS
of the Carolinas, P.A.

Multiple Sclerosis & Neuromuscular Disorders Neurorehabilitation
Disorders of Sleep & Fatigue Stroke & Neurovascular Ultrasound
Epilepsy & Clinical Neurophysiology Muscular Dystrophy Association

Re: Beverly Wheeler
Chart # 53031
Page -2-

disks, normal vessels. Nose, mouth, pharynx, and ears are clear. Neck is without mass, stiffness, thyromegaly, or bruits. Chest is clear. Cardiac exam is without murmur. Abdomen is benign. Extremities are intact with pulses full and equal distally.

NEUROLOGIC EXAMINATION: Alert, oriented and appropriate. Had normal concentration, attention, memory and speech. Cranial nerves II-XII, cerebellar, motor and sensory exams were intact. Reflexes are plus symmetrically. Plantar responses flexor. Gait normal except for diminished light touch sensation in the distal median nerve distribution bilaterally.

The clinical findings are consistent with carpal tunnel syndrome. The findings were discussed. Nerve conduction and EMG studies are scheduled. Follow up at that time. I will keep you informed of followup. Thank you for this referral.

Sincerely yours,

Signed: Robert A. Ringel, M.D.
RAR/lew
T: 5/18/2010



Robert A. Ringel, M.D.
Bogdan P. Gheorghiu, M.D.
Ernesto Potes, M.D.
Paulo L. Zortea, M.D.

Robbie D. Buechler, M.D., Ph.D.
John F. Pilch, M.D.

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APP 181

Phone: 864.542.2510
Fax: 864.583.1311
460 Langdon Street
Spartanburg, S.C. 29302

DR. JOHN KEITH, JR.

APA 2

Orthopedic Specialties of Spartanburg, LLC

Mark D. Visk, M.D. LLC John E. Keith, Jr., M.D. LLC Stephen M. Kana, M.D. LLC
Anthony A. Sanchez, M.D. LLC, Thomas A. Leong, M.D. LLC, Marco A. Rodriguez, M.D. LLC
Karen L. Babish, PA-C, Jonathan E. York, PA-C, Casey S. Satterfield, PA-C
Jack B. Sizemore, PA-C, Roxanne M. Dingman ATC, OPA-C

PatientID: 84779
Patient Name: BEVERLY R WHEELER
Patient SS#:
Date of Birth:

Physician: JOHN E KEITH MD
Date of Service: 09/09/2010

HISTORY & PHYSICAL

CHIEF COMPLAINT: Bilateral carpal tunnel syndrome.

HX OF PRESENT ILLNESS: Ms. Wheeler is a 47-year old female who comes to the office today for bilateral carpal tunnel syndrome, right greater than the left. This has been bothering her for about the last six months. She has seen Dr. Ringel, and he has done splints and injections, but she continues to have problems. She has had EMG studies that showed bilateral carpal tunnel syndrome. She has numbness and tingling throughout the whole right hand, and it wakes her up from sleep at night. It is worse with using it, and it is relieved by heat and rest. Since the problem started, it has gotten worse.

PAST MEDICAL HISTORY: Positive for diabetes, hypertension, hypothyroidism, menopause, high cholesterol.

FAMILY HISTORY: Positive for hypertension, high cholesterol.

PAST SURGICAL HISTORY: Stomach surgery, hysterectomy, fibroids, cyst removed from her breast.

MEDICATIONS: Lisinopril, Nexium, Zyrtec.

ALLERGIES: Sulfa.

SOCIAL HISTORY: She is single. She is a custodian for District Six. She denies tobacco or alcohol use.

REVIEW OF SYSTEMS: Positive for anemia. All other systems are negative/normal.

PHYSICAL EXAM: She is a well-developed, well-nourished female in no apparent distress. She is alert and oriented x 3.

EYES: Reactive.

NECK: Good range of motion without pain. No lymphadenopathy.

PULMONARY: No labored breathing.

GI: Soft and non-tender.

ORTHOPEDIC EXAM: Examination of both hands reveals position Tinel's and Phalen's with decreased grip strength as well as numbness and tingling in the distribution of the median nerve.

IMPRESSION: Bilateral carpal tunnel syndrome, right greater than the left.

PLAN: At this time, we will proceed with a right carpal tunnel release. The patient understands the risks and benefits of surgery and wishes to proceed. The history, exam, and plan of care were all performed by Dr. John Keith, and I, Jonathan York, P.A.-C, have scribed these services on his behalf.

Jonathan E. York, PA-C/John E. Keith, M.D.

(JEY: acw)

Orthopedic Specialties of Spartanburg, LLC

Mark D. Visk, M.D. LLC John E. Keith, Jr., M.D. LLC Stephen M. Kana, M.D. LLC
Anthony A. Sanchez, M.D. LLC, Thomas A. Leong, M.D. LLC, Marco A. Rodriguez, M.D. LLC
Karen L. Babish, PA-C, Jonathan E. York, PA-C, Casey S. Satterfield, PA-C
Jack B. Sizemore, PA-C, Roxanne M. Dingman ATC, OPA-C

PatientID: 84779

Patient Name: BEVERLY WHEELER

Patient SS#:

Date of Birth:

Physician: JOHN E KEITH MD

Date of Service: 09/09/2010

ACTION TAKEN: BEVERLY WHEELER IS SCHEDULED FOR SURGERY (RIGHT CARPAL TUNNEL RELEASE) ON THURSDAY, 10/7/10 BY DR JOHN KEITH. SHE WILL REMAIN OUT OF WORK 4-6 WEEKS POST-OPERATIVELY.

Electronically Signed by: John E. Keith, MD on Thursday, September 09, 2010 11:49 am

Orthopedic Specialties of Spartanburg, LLC

Mark D. Visk, M.D. LLC John E. Keith, Jr., M.D. LLC Stephen M. Kana, M.D. LLC
Anthony A. Sanchez, M.D. LLC, Thomas A. Leong, M.D. LLC, Marco A. Rodriguez, M.D. LLC
Karen L. Babish, PA-C, Jonathan E. York, PA-C, Casey S. Satterfield, PA-C
Jack B. Sizemore, PA-C, Roxanne M. Dingman ATC, OPA-C

PatientID: 84779
Patient Name: BEVERLY R WHEELER
Patient SS#:
Date of Birth:

Physician: JOHN E KEITH MD
Date of Service: 09/09/2010

CHIEF COMPLAINT: Bilateral carpal tunnel syndrome.

HX OF PRESENT ILLNESS: Ms. Wheeler is a 47-year old female who comes to the office today for bilateral carpal tunnel syndrome, right greater than the left. This has been bothering her for about the last six months. She has seen Dr. Ringel, and he has done splints and injections, but she continues to have problems. She has had EMG studies that showed bilateral carpal tunnel syndrome. She has numbness and tingling throughout the whole right hand, and it wakes her up from sleep at night. It is worse with using it, and it is relieved by heat and rest. Since the problem started, it has gotten worse.

PAST MEDICAL HISTORY: Positive for diabetes, hypertension, hypothyroidism, menopause, high cholesterol.

FAMILY HISTORY: Positive for hypertension, high cholesterol.

PAST SURGICAL HISTORY: Stomach surgery, hysterectomy, fibroids, cyst removed from her breast.

MEDICATIONS: Lisinopril, Nexium, Zyrtec.

ALLERGIES: Sulfa.

SOCIAL HISTORY: She is single. She is a custodian for District Six. She denies tobacco or alcohol use.

REVIEW OF SYSTEMS: Positive for anemia. All other systems are negative/normal.

PHYSICAL EXAM: She is a well-developed, well-nourished female in no apparent distress. She is alert and oriented x 3.

EYES: Reactive.

NECK: Good range of motion without pain. No lymphadenopathy.

PULMONARY: No labored breathing.

GI: Soft and non-tender.

ORTHOPEDIC EXAM: Examination of both hands reveals positive Tinel's and Phalen's with decreased grip strength as well as numbness and tingling in the distribution of the median nerve.

IMPRESSION: Bilateral carpal tunnel syndrome, right greater than the left.

PLAN: At this time, we will proceed with a right carpal tunnel release. The patient understands the risks and benefits of surgery and wishes to proceed. The history, exam, and plan of care were all performed by Dr. John Keith, and I, Jonathan York, P.A.-C, have scribed these services on his behalf.
Jonathan E. York, PA-C/John E. Keith, M.D.
(JEY: acw)

Electronically Signed by: John E. Keith, MD on Tuesday, September 14, 2010 4:28 pm

303 East Wood Street, Spartanburg, SC 29303, Phone: 864-208-8800, Fax: 864-208-8857
www.orthopedicspecialties.com

Orthopedic Specialties of Spartanburg LLC

Mark D. Visk, M.D. LLC John E. Keith, Jr., M.D. LLC Stephen M. Kana, M.D. LLC
Anthony A. Sanchez, M.D. LLC, Thomas A. Leong, M.D. LLC, Marco A. Rodriguez, M.D. LLC
Karen L. Babish, PA-C, Jonathan E. York, PA-C, Casey S. Satterfield, PA-C
Jack B. Sizemore, PA-C, Roxanne M. Dingman ATC, OPA-C

PatientID: 84779

Patient Name: BEVERLY R WHEELER

Patient SS#:

Date of Birth:

Physician: JOHN E KEITH MD

Date of Service: 09/09/2010

Electronically Signed by: John E. Keith, MD on Tuesday, September 14, 2010 4:28 pm

Re: Beverly R. Wheeler

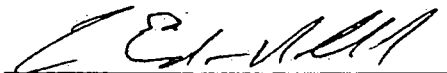
I have reviewed the job description of Beverly Wheeler, as well as her family doctor records and the records from Dr. Robert Ringel. It is my opinion to a reasonable degree of medical certainty that Beverly Wheeler's bilateral carpal tunnel syndrome is not directly causally related to the duties associated with her job as a custodian with Spartanburg School District Six.

Yes

No

Further comments below:

Highly unlikely the job directly caused this patient's
CTS


L. Edwin Rudisill, M.D.

10/19/10
Date

53031
R

LISTER, FLYNN & KELLY, PA
ATTORNEYS AT LAW
421 MARION AVENUE
SPARTANBURG, SOUTH CAROLINA 29306

- * Toney J. Lister
- * Lawrence E. Flynn, Jr.
- R. Keith Kelly

MAILING ADDRESS:
P.O. BOX 2929
SPARTANBURG, SC 29304-2929
TELEPHONE (864)582-3770
FAX (864)582-3553

Elinor V. Lister

*Certified Arbitrator/Mediator

August 10, 2010

Dr. Robert A. Ringel
460 Langdon St.
Spartanburg, SC 29302

Re: Beverly R. Wheeler
SSN:

Dear Dr. Ringel:

I had occasion to talk to Beverly Wheeler on August 9 as a result of her carpal tunnel in both wrists. Apparently she has worked as a custodian at District 6 for about 20 years with short interruptions due to other employment. Based on the nature of this work and her understanding of your comments, these problems she's now experiencing were either caused or aggravated by her work situation.

Because she only has ninety (90) days to put her employer on notice of a repetitive trauma type situation, I told her to go ahead and talk to her principal tomorrow. I feel strongly about her situation and agreed to file a workers' compensation claim on her behalf. To be successful today with a claim of this nature, there must be a causal connection that is established by medical evidence between the repetitive activities that occurred while the employee was engaged in the regular duties of her employment and the injury. Medical evidence means expert opinion or testimony stated to a reasonable degree of medical certainty, documents, records or other material that is offered by a licensed or qualified medical physician. To make sure that I'm not misquoting the Statutes, I am going to send you a copy of the same (42-1-172) and a copy of the Notice Statute (42-15-20).

Naturally, my question is going to be whether or not you can say to a reasonable degree of medical certainty that her problem of carpal tunnel was caused by repetitive trauma at work. Please attach a statement of your costs associated with this request. As always, I look forward to working with you. I am

Respectfully,

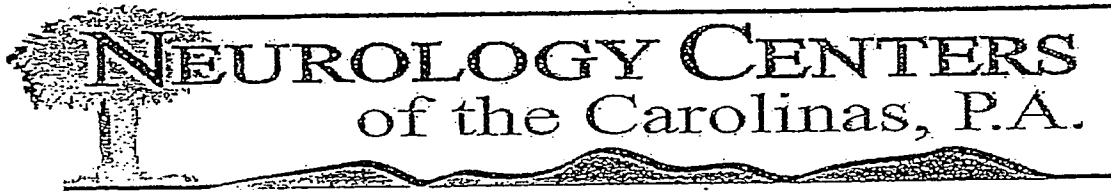
LISTER, FLYNN & KELLY, PA

Toney J. Lister
TJL/tbg

Enclosures

*6/22
have posted
court in
Pond
Appt 8/23 @ 9:20*

20 143



NEUROLOGY CENTERS of the Carolinas, P.A.

ROBERT A. RINGEL, M.D.
BOGDAN P. GHEORGHIU, M.D.
ERNESTO M. POTÉS, M.D.

PAULO L. ZORTEA, M.D.
ROBBIE D. BUECHLER, M.D.
JOHN F. PILCH, M.D.

DATE 5/17/10

NAME Beverly Renee Wheeler D.O.B. 1/63

ADDRESS _____ CITY Moore

STATE SC ZIP 29369 HOME TELEPHONE # (864) CELL # (864)

SOCIAL SECURITY _____ SINGLE MARRIED WIDOWED OTHER

EMPLOYER District six L.E. Gable Middle School PHONE # (864) 576-3500

ADDRESS Off Shoals Road CITY Roebuck STATE SC ZIP _____

SPOUSES NAME _____ D.O.B. 1/1

EMPLOYED BY _____ PHONE # _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

PARENT/GUARDIAN Rosa Lee Hoover Wheeler D.O.B. 7/1

EMPLOYED BY retired both PHONE # (864) 576-2497

ADDRESS _____ CITY Moore STATE SC ZIP 29369

EMERGENCY CONTACT Rosa Wheeler or Porsche Wheeler PHONE # 279-4225
576-2497

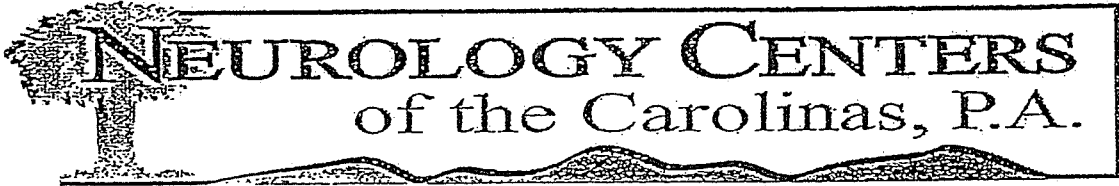
DRUG ALLERGIES Sulfur

REFERRING DOCTOR Dr. James Taylor PHONE # 560-6193

ADDRESS 853 N. Church Street CITY Spartanburg STATE SC ZIP 29303

PRIMARY CARE DOCTOR Dr. Bagenholm PHONE # 560-6193

ADDRESS 853 N. Church Street CITY Spartanburg STATE SC ZIP 29303



INSURANCE INFORMATION

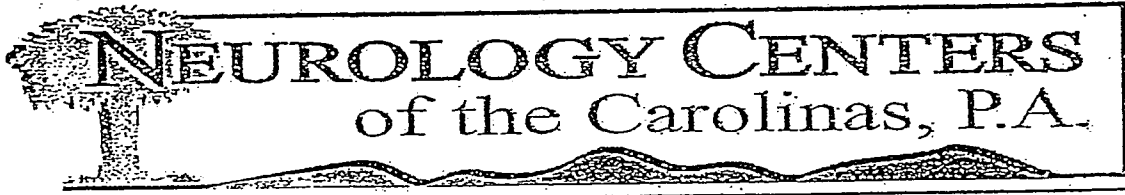
I HEREBY AUTHORIZE NEUROLOGY CENTERS OF THE CAROLINAS TO FURNISH INFORMATION TO INSURANCE CARRIERS CONCERNING MY TREATMENT AND HEREBY ASSIGN TO THE DOCTOR ALL PAYMENTS FOR MEDICAL SERVICES RENDERED TO DEPENDENTS OF MYSELF. I UNDERSTAND THAT I AM RESPONSIBLE FOR ANY AMOUNT NOT COVERED BY INSURANCE.

NAME OF PRIMARY COVERAGE Blue cross BlueShield State Health Plan
POLICY HOLDER'S NAME Beverly Renee Wheeler SS# _____
POLICY NUMBER 2CS 78232401 GROUP NUMBER _____
INSURANCE ADDRESS Blue cross BlueShield of South Carolina
CITY Columbia STATE SC ZIP 29260-0605 PHONE# 1-800-868-2520

NAME OF SECONDARY COVERAGE _____
POLICY HOLDER'S NAME _____ SS# 1 1
POLICY NUMBER _____ GROUP NUMBER _____
INSURANCE ADDRESS _____
CITY _____ STATE _____ ZIP _____ PHONE# _____

PATIENTS SIGNATURE Beverly R Wheeler DATE 5 / 17 / 10

INSURED'S SIGNATURE Beverly R Wheeler DATE 5 / 17 / 10



NEUROLOGY CENTERS of the Carolinas, P.A.

REVIEW OF SYSTEMS FORM

(CHECK ALL THAT APPLY)

Patient Name: Beverly Renee Wheeler Date Of Birth: _____
 Today's Date: May-17-2010

General

Fever Fatigue Headache Loss of Appetite

Eyes

Blurred Vision Double Vision Vision Loss Sensitivity to Light

Ear/Nose/Throat

Earache Tinnitus (ringing) Decreased Hearing Congestion Sore
 Throat Loud Snoring Difficulty Swallowing

Cardiovascular

Chest Pain Palpitations Fainting Shortness of Breath with Exertion

Respiratory

Cough Wheezing Shortness of Breath Sputum Bloody Cough

Gastrointestinal

Nausea Vomiting Diarrhea Constipation Bloody Stool Jaundice
 Abdominal Pain

Genitourinary

Burning Urination Urgency Incontinence Blood in Urine

Musculoskeletal

Lower Back Pain Neck Pain Joint Pain/Swelling Muscle Cramps Stiffness

Skin

Rash Itching Abnormal Lesions Ulcerations

Psychiatric

Depression Anxiety Memory Loss Delusions/Hallucinations Paranoia
 Suicidal Ideation

Endocrine

Cold/Heat Intolerance Excessive Thirst Frequent Urination Excessive weight loss/gain

Heme/Lymphatic

Abnormal Bruising Abnormal Bleeding Enlarged Lymph Nodes

Allergic/Immunologic

Urticaria Hay Fever Frequent or Persistent Infection HIV Exposure

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Center for Family Medicine-Residents
853 N.Church Street Suite 510 Spartanburg, SC 29303
864-560-6193 Fax: 864-560-0504

May 13, 2010
Page 1
Chart Document

BEVERLY RENE WHEELER
Female DOB: 7/6/954

Home: (864)576-3490 Cell: (864)576-4312
Ins: BC/BS ST (25) Grp: STATE

05/10/2010 - Office Visit: c/o rt hand pain & swelling
Provider: James Taylor, DO
Location of Care: Center for Family Medicine-Residents

Visit Type: Acute Visit

History of Present Illness:

Pt c/o Right hand pain and swelling. States she is having trouble opening the hand. States she is having numbness in her middle pinky and ring fingers. She has also notice he grip strength is reduced. Pt is a custodian for school system work includes cleaning.

Except as noted in HPI, ROS is neg for each body system including: Gen, Eye, ENT, CV, Resp, GI, GU, MS, Derm andNeuro.

Past Medical History:

Reviewed history from 03/25/2010 and no changes required:

- Hypertension
- Anemia
- Seasonal Allergies
- GERD
- Lactose Intolerance
- Arthritis
- Thyroid cyst - sees Dr. Gault

PREVENTIVE CARE:

- TDaP: --
- Influenza: --
- Pap smear: Negative 6/2009
- Mammogram: Negative 3/2010
- Vitamin D: Low 2/2010

Past Surgical History:

- Reviewed history from 08/18/2009 and no changes required:
- Hysterectomy for fibroids (did not take ovaries, did take cervix)-2005
- Ex-lap for intestinal blockage 8/07 with small bowel resection
- Cyst removed from left breast 1997

Family History:

Reviewed history from 08/20/2009 and no changes required:

- FH Hypertension--mother and father
- FH Hypothyroidism--father
- FH Heart attack--father
- FH Diabetes--father
- FH Arthritis--mother, father, and children
- FH Gout--father
- FH Cholesterol problems--mother

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Center for Family Medicine-Residents
853 N.Church Street Suite 510 Spartanburg, SC 29303
864-560-6193 Fax: 864-560-0504

May 13, 2010
Page 2
Chart Document

BEVERLY RENEE WHEELER
Female DOB: 64954

Home: (864)576-3497 Office: (864)576-4217
Ins: EC/BS ST (25) Grp: STATE

FH Heart problems—father

Social History:

Reviewed history from 10/11/2006 and no changes required:
Patient has never smoked.
Passive smoke exposure - no
Alcohol Use - no
Drug Use - no
HIV/High Risk - no
Works as maintenance in District 6 schools
Single, has two children

Review of Systems

See HPI

Vital Signs:

Patient Profile: 47 Years Old Female
Height: 63 inches
Weight: 128.25 pounds
Temp.: 97.8 degrees F oral
Pulse rate: 68 / minute
BP sitting: 127 / 80 (left arm)
Cuff size: regular

Pt. in pain? yes
Location: rt hand
Intensity: 8

Vitals Entered By: L. Dawn Norman, CMA (May 10, 2010 3:16 PM)

Nurse Facility Form

Vitals/Placed Pt in Room
Referral Setup

.Patient identified by two approved identifiers, name and DOB. Patient not taking any other medicine from other physicians,
OTC or herbal medications.....L. Dawn Norman, CMA May 10, 2010 3:17 PM

Physical Exam

General:

well developed, well nourished, in no acute distress.

Head:

normocephalic and atraumatic. Healing Pimple in scalp.

Eyes:

PERRL/EOM intact, conjunctiva and sclera clear with out nystagmus.

Neck:

25
148

BEVERLY RENEE WHEELER

Home: (864)576-2497 Office: (864)576-4212

Female DOB: 563000

Ins: BC/BS-ST(25) Grp: STATE

02/22/2010 - Phone Note: rx..Nexium.. denied ..needs appt
Provider: Allyson Bagenholm MD
Location of Care: Center for Family Medicine-Residents

Phone Note

Initial Intake:

Caller: fax cvs
Type of Call: Prescription
Concerns/Comments: Pt requesting refill for nexium ,last visit 6/2009Kathy K Henderson,
RN February 22, 2010 2:54 PM

Chart, med review Last nexium refill 6/2008 with 11 refills. Pt needs appt with PCP before getting refills. Please notify
pt. Thanks for your assistanceDoralyn Jones, DO February 23, 2010 9:50 PM
Left msg with "son" to have pt call our office ;Also left msg with pharmacy ,pt needs to be sen prior to refill
.....Judy Cantrell, RN February 24, 2010 10:53 AM

Clinical Lists Changes

Signed by Judy Cantrell, RN on 02/24/2010 at 10:54 AM

03/05/2010 - Office Visit: Chronic dz mgmt, sore throat
Provider: Allyson Bagenholm MD
Location of Care: Center for Family Medicine-Residents

Visit Type: Follow-up Visit

Chief Complaint: chronic dz mgmt and sore throat.

History of Present Illness:

Ms Wheeler is a 47 year old African-American female who presents today for a routine visit for GERD and hypertension followup.

She is also complaining of a sore throat for the past 2 days. She works as a custodian for District-6 schools and states that she does work with chemicals, but has also been exposed to "lots of sick kids the past few weeks". She is having some clear rhinorrhea, but denies any other symptoms such as sinus pressure, difficulty swallowing, dyspnea cyanosis, orthopnea, chest pain, nausea, vomiting or diarrhea.

She is also having some insomnia for the past few weeks.

Report run by Juana Cole

BEVERLY RENEE WHEELER

Home: (864)576-2497 Office: (864)576-4212

Female DOB: 663600

Ins: BC/BS ST (25) Grp: STATE

Past Medical History:

Reviewed history from 08/20/2009 and no changes required:

- Hypertension
- Anemia
- Seasonal Allergies
- GERD
- Lactose Intolerance
- Arthritis
- Thyroid cyst - sees Dr. Gault

Preventive Care Screening

Mammogram:

Date: 03/05/2010
Results: ordered today

Review of Systems

See HPI

Vital Signs:

Patient Profile: 47 Years Old Female
Height: 63 inches
Weight: 129.25 pounds
Temp: 97.0 degrees F oral
Pulse rate: 67 / minute
BP sitting: 123 / 68 (left arm)
Cuff size: regular

Pt. in pain? yes
Location: scre throat
Intensity: 2

Vitals Entered By: L. Dawn Norman, CMA (March 5, 2010 1:54 PM)

Nurse Facility Form

Vitals/Placed Pt in Room

Diagnostic Test Set-up

Patient identified by two approved identifiers, name and DOB. Patient not taking any other medicine from other physicians. OTC or herbal medications.....L. Dawn Norman, CMA March 5, 2010 1:54 PM

Report run by Juana Cole

BEVERLY RENEE WHEELER

Home: (864)576-2497 Office: (864)576-4212

Female DOB

663000

Ins: BC/BS ST (25) Grp: STATE

Physical Exam

General:

well developed, well nourished, in no acute distress.

Head:

normocephalic and atraumatic.

Eyes:

PERRL/EOM intact, conjunctiva and sclera clear with out nystagmus.

Ears:

TM's intact and clear with normal canals with grossly normal hearing.

Nose:

Mildly edematous turbinates, clear rhinorrhea

Mouth:

Oropharynx without exudate or post-nasal drip.

Neck:

no abnormal cervical nodes.

Lungs:

clear bilaterally to auscultation, no distress.

Heart:

regular rate and rhythm with normal S1, S2. no murmur

Neurologic:

no focal deficits with cranial nerves II-XII grossly intact

Skin:

No visible lesions or rashes.

Cervical Nodes:

no significant adenopathy.

Psych:

alert and cooperative; normal mood and affect; normal attention span and concentration.

Impression & Recommendations:

Problem # 1: HYPERTENSION, BENIGN (ICD-401.1)

BP today: 123/68. Stable; continue current medications. Refill Lisinopril x 6 months given today.

Patient has been advised of the adverse risks of uncontrolled high blood pressure, such as heart attack, stroke, kidney disease, retinopathy including blindness, and premature death.

Her updated medication list for this problem includes:

Lisinopril 10 Mg Tabs (Lisinopril) One tablet po q daily for blood pressure

Her updated medication list for this problem includes:

Lisinopril 10 Mg Tabs (Lisinopril) One tablet po q daily for blood pressure

Orders:

Office visit est exp prob (99213) (CPT-99213)

Problem # 2: G E R D (ICD-530.81)

Report run by Juana Cole

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female DOB: 03/00 Ins: BC/BS ST (25) Grp: STATE

Stable; continue current medications. Refill Nexium x 6 months given today.
Her updated medication list for this problem includes:

Nexium 20 Mg Pack (Esomeprazole magnesium) One tablet po q daily

Her updated medication list for this problem includes:

Nexium 20 Mg Pack (Esomeprazole magnesium) One tablet po q daily

Orders:

Office visit est exp prob (99213) (CPT-99213)

Problem # 3: THYROID CYST (ICD-246.2)

Assessment: Comment Only

Sees Dr. Gault and has appt with her next week.

Problem # 4: OTHER SCREENING MAMMOGRAM (ICD-V76.12)

Bilateral screening mammogram ordered today with instructions to proceed with diagnostic mammogram and/or ultrasound if any lesions noted.

Future Orders:

Mammogram screening both breasts (CPT-76092) ... 03/18/2010

Orders:

Mammogram screening both breasts (CPT-76092)

Problem # 5: FATIGUE (ICD-780.79)

TSH normal in 8/09. History of anemia; check CBC today. Also check Vitamin-D level. May also be due to patient's reported insomnia. Educational handout provided today.

Orders:

Office visit est exp prob (99213) (CPT-99213)

Problem # 6: SORE THROAT (ICD-462)

Likely viral URI, but chemical irritation also in differential given her exposure to chemicals at work. No specific findings on physical exam. Symptomatic care advised including rest, adequate hydration with water/gatorade. May use tylenol or motrin prn for discomfort.

The following medications were removed from the medication list:

Aleve 220 Mg Tabs (Naproxen sodium) 1 tablet po daily

Orders:

Office visit est exp prob (99213) (CPT-99213)

Other Orders:

Facility Fee- Office visit est minimal (99211) (CPT-99211)

Collect venous blood venipuncture (CPT-36415)

CMP (CPT-80053)

Lipid panel (CPT-80061)

Vit D, 25-Hydroxy (CPT-82306)

CBC w/auto diff WBC (CPT-85025)

Residents - Office visit, est, exp prob (99213) (CPT-99213)

Facility Fee - Office visit est exp prob (99213) (CPT-99213)

BEVERLY RENEE WHEELER
Female DOB 663000

Home: (864)576-2497 Office: (864)576-4212
Ins: BC/BS ST (25) Grp: STATE

Patient Instructions:

- 1) Bloodwork today to screen for cholesterol, anemia, check kidneys and liver, and vitamin-d level.
- 2) Mammogram crdered today.
- 3) Follow up with Dr. Gault for your thyroid next week as scheduled.
- 4) Refills of Nexium (acid reflux) and Lisinopril (high blood pressure) faxed to pharmacy - 90 days each with 1 refill each.
- 5) Please read the educational handout provided today on insomnia.
- 6) Return to clinic in 6 months for routine followup, or sooner if needed.
- 7) These instructions were printed and handed to the patient.

Prescriptions:

LISINOPRIL 10 MG TABS (LISINOPRIL) One tablet PO Q daily for blood pressure #90 x 1

Entered by: Raymond Romano, DO
Authorized by: Allyson Bagenholm MD
Signed by: Raymond Romano, DO on 03/05/2010
Method used: Electronically to
CVS - Reidville Road* (retail)
2397 Reidville Road
Spartanburg, SC 29301
Ph: 8645769268
Fax: 8645871309

RxID: 1583418798174130

NEXIUM 20 MG PACK (ESOMEPRAZOLE MAGNESIUM) One tablet PO Q daily #90 x 1

Entered by: Raymond Romano, DO
Authorized by: Allyson Bagenholm MD
Signed by: Raymond Romano, DO on 03/05/2010
Method used: Electronically to
CVS - Reidville Road* (retail)
2397 Reidville Road
Spartanburg, SC 29301
Ph: 8645769268
Fax: 8645871309

RxID: 1583418798074130

Patient was discussed with attending physician, Dr. Bouknight.
.....Raymond Romano, DO March 5, 2010 2:53 PM

PRECEPT NOTE

I discussed this patient with the resident at the time of the visit. FU chronic disease. Has sorethroat. Patient with HTN, GERD, hypothyroidism. suspect viral URI/work exposure as source of sorethroat. Labs today. Refill chronic medications. I reviewed the history and physical findings and agree with the assessment and treatment plan as documented in the resident's note. Bouknight, MD, Patricia.....March 9, 2010 11:49 AM

~~BEVERLY RENEE WHEELER~~ Home: (864) 576-7497 Office: (864) 576-0212
~~Female DOB: 03/00~~ Ins: BC/BS-ST(25) 6ip: STATE

Signed before import by Paige M. Gault, MD
Filed automatically on 09/15/2009 at 11:07 AM

10/08/2009 - Phone Note: Hot Flashes
Provider: Erin McDermott, RN
Location of Care: Carolina's Center for Diabetes and Endocrinology

Pt called and states she had a hot flash last night, and has been having them today as well. Asked if we could call something if for her.

.....Erin McDermott, RN October 8, 2009 2:49 PM

I called pt back on cell phone 205-1241 and left VM informing pt that Dr. Gault is out of town until Monday, but that I would get back to her as soon as Dr. Gault gets back. Informed pt that she may call PCP until then.

.....Erin McDermott, RN October 8, 2009 2:59 PM

Erin,
Please inform patient that I do not think the hot flashes are related to the thyroid, but could be related to the early stages of menopause. If she is interested in hormone replacement therapy, she needs an appt to discuss the risks and benefits, as this is a very complex decision. She should schedule an appt with either her PCP, OB'GYN, or me to discuss.

.....Paige M. Gault, MD October 12, 2009 8:22 AM

Called pt back on cell phone and informed her of above. Pt states she will talk to Dr. Gault about at next appt.

.....Erin McDermott, RN October 12, 2009 11:43 AM

Clinical Lists Changes

Signed by Erin McDermott, RN on 10/12/2009 at 11:43 AM

01/12/2010 - Internal Other: Appointment Canceled >48 PT CANCELLED AT
Provider: Paige M. Gault, MD
Location of Care: Carolina's Center for Diabetes and Endocrinology

Appointment status changed to canceled by
LinkLogic on 01/12/2010 9:10 AM.

Cancellation Comments

fup

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female DOB: 663000 Ins: BC/BS ST (25) Grp: STATE

future referrals from you. Again, we sincerely appreciate your consideration in allowing us to care for this very interesting and pleasant patient.

With warmest regards,
Paige Gault, MD
Carolina's Center for Diabetes and Endocrinology

Signed by Erin McDermott, RN on 08/25/2009 at 4:01 PM

09/08/2009 - Office Visit: USGFNA Left Thyroid

Provider: Paige M. Gault, MD

Location of Care: Carolina's Center for Diabetes and Endocrinology

Visit Type: USGFNA

Referred by: Dr. Richard Orr

PCP: Dr. James Taylor

Chief Complaint: Left Thyroid.

History of Present Illness:

USGFNA Left Thyroid. Copy of note faxed to Dr. Taylor.

Thyroid Ultrasound-guided FNA procedure note

Indication: "cold" lesion on thyroid scan corresponding to this thyroid cyst

FNA preprocedure counseling: The limitations of this procedure were discussed, including failure to obtain adequate amounts of cells. The small risk of procedure-induced bleeding and the possibility of infection were discussed with the patient; the bleeding risks are higher in patients on blood thinners, aspirin, or nonsteroidal anti-inflammatories. If the patient has discomfort after the biopsy, Tylenol is recommended in lieu of NSAIDs. The alternatives to this procedure were discussed. Every opportunity was provided to the patient to ask questions and all were answered. An informed written consent was obtained from the patient prior to the procedure.

Thyroid FNA biopsy procedure:

The area was prepped with Chloroprep. Subcutaneous lidocaine 1% was applied for anesthesia. Ultrasound was used for needle placement and 3 passes were made with a 27g needle. Sterile field was maintained with each pass. The patient tolerated the procedure well; no immediate complications were noted. Images have been filed in the patient's chart.

BEVERLY RENEE WHEELER

Home: (864)576-2497 Office: (864)576-4212

Female DOB: 3000

Ins: BC/BS ST (25) Grp: STATE

Impression & Recommendations:

Problem # 1: THYROID CYST (ICD-246.2)

USGFNA aspiration of the cystic fluid, and biopsy of the very thin wall was performed. She understands that we may not get adequate cytology with this lesion. She will be notified of results by phone or mail. If she does not hear from us, she will call the office.

Orders:

Ultrasonic guide for needle biopsy; imaging supervision & interpretation (CPT-76942)
Biopsy with image guidance (CPT-10022)

Future Orders:

TSH (CPT-84443) ... 02/08/2010
T4 free (CPT-84439) ... 02/08/2010
T3 Total (CPT-84480) ... 02/08/2010

Problem # 2: THYROID STIMULATING HORMONE, ABNORMAL (ICD-246.9)

Assessment: Unchanged

Thyroid Function Tests:

TSH: 0.377 (08/21/2009 4:12:00 AM)
Free T4: 1.18 (08/21/2009 4:12:00 AM)
Total T3: 138 (08/21/2009 4:12:00 AM)

Her TSH is just slightly below normal limits. No significant symptoms of hyperthyroidism. Will not treat at this time.

f/u in 4 months with labs 1 wk prior.

Orders:

Ultrasonic guide for needle biopsy; imaging supervision & interpretation (CPT-76942)
Biopsy with image guidance (CPT-10022)

Future Orders:

TSH (CPT-84443) ... 02/08/2010
T4 free (CPT-84439) ... 02/08/2010
T3 Total (CPT-84480) ... 02/08/2010

Signed by Paige M. Gault, MD on 09/08/2009 at 4:13 PM

Report run by Juana Cole

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female DOB: 63000 Ins: BC/BS ST (25) Grp: STATE

Provider: Erin McDermott, RN

Location of Care: Carolina's Center for Diabetes and Endocrinology

Carolina's Center for Diabetes and Endocrinology

853 North Church Street Suite 720C

Spartanburg, SC 29303

Phone: 864-560-6419 Fax: 864-560-7498

August 25, 2009

Dear Dr. Orr,

Thank you so much for requesting a consult for your patient BEVERLY WHEELER, in regard to the Thyroid.

During the initial clinic encounter your patient and I came to the following agreements and conclusions regarding each of the endocrine problems:

Impression & Recommendations:

Problem # 1: THYROID STIMULATING HORMONE, ABNORMAL (ICD-246.9)

This is a very unusual case. We have conflicting data. Her TSH has been mildly low. So mild that I would not recommend treatment for hyperthyroidism at this point. But in any case, her thyroid scan showed evidence of a hot nodule in the left lobe. I looked at the scan images myself and I completely agree with this. Interestingly, I do not see anything on today's ultrasound that would correlate with these findings. She has a completely normal appearing thyroid gland with the exception of a solitary typical-appearing 1.9 cm thyroid cyst in the left paraisthmic area. This has very little solid tissue and therefore, I don't think this could account for the area of increased uptake on the scan. Additionally, Dr. Joyce noted a cold area in the midline, superior aspect of the isthmus. Again, I don't really see anything on ultrasound and less he's talking about the thyroid cyst which I would describe as clearly left of the isthmus.

Thus, at this point we have to deal with the mildly low TSH, which is not bad enough to warrant treatment, but should be followed. To be completely thorough we will do a biopsy on the thyroid cyst. I explained to patient that it may be difficult to get adequate cytology as there is very little solid tissue in the cyst wall, but it is reasonable to attempt biopsy. She will be scheduled for this.

Orders:

Office consultation mod complex (99244) (CPT-99244)

CBC (CPT-85027)

TSH (CPT-84443)

T4 free (CPT-84439)

T3 Total (CPT-84480)

Collect venous blood venipuncture (CPT-36415)

Problem # 2: THYROID CYST (ICD-246.2)

I repeated the thyroid US and saw only a solitary, typical-appearing thyroid cyst in the left paraisthmic area measuring 1.97 x 1.14 x 0.74 cm. This has very little solid tissue. The maximum depth of the cyst wall is only 3 mm. In this solid area, there are macrocalcifications, but no microcalcifications. Vascularity is not increased. There are no other thyroid lesions seen.

If we may be of any further assistance, please feel free to contact us at your convenience. We welcome

Report run by Juana Cole

APP 202

37

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female DOB: 663000 Ins: BC/BS ST(25) Grp: STATE

Signed before import by Paige M. Gault, MD
Filed automatically on 08/25/2009 at 3:52 PM

08/25/2009 - Clinical Lists Update: Surgical Oncology Note
Provider: Paige M. Gault, MD
Location of Care: Carolina's Center for Diabetes and Endocrinology
This document contains external references

Surgical Oncology Note

Imported By: Erin McDermott, RN 08/25/2009 15:52:54

External Attachment:

Type: Image
Comment: External Document

Signed before import by Paige M. Gault, MD
Filed automatically on 08/25/2009 at 3:53 PM

08/25/2009 - Imaging Report: Head/Neck US-5/15/09
Provider: Paige M. Gault, MD
Location of Care: Carolina's Center for Diabetes and Endocrinology
This document contains external references

Head/Neck US-5/15/09

Imported By: Erin McDermott, RN 08/25/2009 15:52:06

External Attachment:

Type: Image
Comment: External Document

Signed before import by Paige M. Gault, MD
Filed automatically on 08/25/2009 at 3:52 PM

Report run by Juana Cole

BEVERLY RENE WHEELER

Home: (864)576-2497 Office: (864)576-4212

Female DOB

53000

Ins: BC/BS ST (25) Grp: STATE

08/25/2009 - Imaging Report: Thyroid Uptake & Scan--5/4/09
Provider: Paige M. Gault, MD
Location of Care: Carolina's Center for Diabetes and Endocrinology
This document contains external references

Thyroid Uptake & Scan--5/4/09

Imported By: Erin McDermott, RN 08/25/2009 15:52:31

External Attachment:

Type: Image
Comment: External Document

Signed before import by Paige M. Gault, MD
Filed automatically on 08/25/2009 at 3:53 PM

08/25/2009 - Registration Document: reg/consent/cancel form
Provider: Paige M. Gault, MD
Location of Care: Carolina's Center for Diabetes and Endocrinology
This document contains external references

reg/consent/cancel form

Imported By: Cindy Jolley 08/25/2009 11:33:14

External Attachment:

Type: Image
Comment: External Document

Signed before import by Paige M. Gault, MD
Filed automatically on 08/25/2009 at 11:33 AM

08/25/2009 - Letter: General Thank You Letter
Report run by Juana Cole

BEVERLY RENEE WHEELER

Female DOB

63000

Home: (864)576-2497 Office: (864)576-4212

Ins: BC/BS ST (25) Grp: STATE

Location of Care: Carolina Center for Diab & Endo - VAP

Past Medical History:

Hypertension
Anemia
Seasonal Allergies
GERD
Lactose Intolerance

Past Surgical History:

Hysterectomy for fibroids (did not take ovaries, did take cervix)-2005
Ex-lap for intestinal blockage 8/07 with small bowel resection
Cyst removed from left breast 1997

Family History:

FH Hypertension--mother and father
FH Hypothyroidism--father
FH Heart attack--father
FH Diabetes--father
FH Arthritis--mother, father, and children
FH Gout--father

Signed by Erin McDermott, RN on 08/18/2009 at 4:30 PM

08/20/2009 - Office Visit: Consult Thyroid

Provider: Paige M. Gault, MD

Location of Care: Carolina's Center for Diabetes and Endocrinology

Visit Type: Consult

Referred by: Dr. Richard Orr

PCP: Dr. James Taylor

Chief Complaint: Thyroid.

History of Present Illness:

Consult requested by Dr. Orr for evaluation of Thyroid. Copy of note faxed to Dr. Orr and routed to Dr. Taylor.

This very pleasant 46 year-old African-American woman was found to have a thyroid mass on examination by her primary physician, Dr. Taylor. Her TSH was slightly below normal limits at 0.343, T4 and T3 were normal. Of note, the month prior to these labs being drawn she had been diagnosed with these infection thought to be related to over use of inhaled

Report run by Juana Cole

APP 205

37

BEVERLY RENEE WHEELER

Home: (864) 576-2497 Office: (864) 576-4212

Female DOB

63000

Ins: BC/BS ST (25) Grp: STATE

steroids for her asthma. Also, she had received iodinated contrast a month prior. Reviewing her hospital chart, 2 prior TSHs were 0.194, which is mildly low, and another from November 2008 which was normal at 1.25. Thyroid scan showed a hot nodule in the left lobe. Dr. Joyce interpreted this scan as also having a cold nodule "mid line superior to the isthmus". The patient then had a thyroid ultrasound which showed a complex cyst in the upper pole of the left thyroid lobe and small nodules in the right lobe and isthmus. These were not large enough to be identified on the thyroid scan.

She has no symptoms of hyperthyroidism other than an occasional mild palpitations and tremor. She does complain of fatigue and has a history of anemia. She has a mild obstructive symptoms but these are not very bothersome to her, and she would prefer to not have surgery. She was seen by Dr. Orr who then referred her to me.

There is no family history of thyroid disease or thyroid carcinoma. She denies environmental and therapeutic radiation exposure.

Based on her history and physical exam, a repeat thyroid ultrasound was deemed necessary and was performed today in clinic.

Real-time B-mode ultrasound of the thyroid was performed in the transverse and craniocaudal views at multiple levels. The thyroid is normal in size, echotexture, and vascularity. The isthmus measures 0.42 cm. The left lobe measures 1.53 x 1.22 x 3.63 cm. The right lobe measures 1.36 x 1.35 x 3.97 cm. There is a solitary, typical-appearing thyroid cyst in the left paraisthmic area measuring 1.97 x 1.14 x 0.74 cm. This has very little solid tissue. The maximum depth of the cyst wall is only 3 mm. In this solid area, there are macrocalcifications, but no microcalcifications. Vascularity is not increased. There are no other thyroid lesions seen.

Past Medical History:

- Hypertension
- Anemia
- Seasonal Allergies
- GERD
- Lactose Intolerance
- Arthritis

Past Surgical History:

Reviewed history from 08/18/2009 and no changes required:
Hysterectomy for fibroids (did not take ovaries, did take cervix)--2005
Ex-lap for intestinal blockage 8/07 with small bowel resection
Cyst removed from left breast 1997

Family History:

- FH Hypertension--mother and father
- FH Hypothyroidism--father
- FH Heart attack--father
- FH Diabetes--father
- FH Arthritis--mother, father, and children
- FH Gout--father
- FH Cholesterol problems--mother
- FH Heart problems--father

Social History:

Report run by Juana Cole

BEVERLY RENEE WHEELER
Female DOB 63000

Home: (864) 576-2497 Office: (864) 576-4212

Ins: BC/BS ST (25) Grp: STATE

Reviewed history from 10/11/2006 and no changes required:

- Patient has never smoked.
- Passive smoke exposure - no
- Alcohol Use - no
- Drug Use - no
- HIV/High Risk - no
- Works as maintenance in District 6 schools
- Single, has two children

Risk Factors:

- Tobacco use: never
- Passive smoke exposure: no
- Drug use: no
- HIV high-risk behavior: no
- Caffeine use: 4 drinks per day
- Alcohol use: no

Family History Risk Factors:

- Family History of MI in females < 65 years old: no
- Family History of MI in males < 55 years old: no

Mammogram History:

Date of Last Mammogram: 10/24/2007

PAP Smear History:

Date of Last PAP Smear: 06/29/2009

Review of Systems

General

+ fatigue.

Eyes

Denies double vision.

ENT

+rare difficulty swallowing.

CV

+rare chest pain or discomfort.

Resp

Denies shortness of breath.

GI

- constipation.

MS

Denies muscle weakness.

Derm

Denies rash.

Neuro

Denies recent seizures.

Report run by Juana Cole

BEVERLY RENE WHEELER

Home: (864) 576-2497 Office: (864) 576-4212

Female DOB: 6/30/00

Ins: BC/BS ST (25) Grp: STATE

Endo

Denies weight change.

Heme

Denies abnormal bruising.

Vital Signs:

Patient Profile: 46 Years Old Female
Height: 63.0 inches
Weight: 132.5 pounds
BMI: 23.56
Pulse rate: 66 / minute
BP sitting: 150 / 92 (left arm)

Vitals Entered By: Erin McDermott, RN (August 20, 2009 9:20 AM)

Physical Exam

General:

well developed, well nourished, in no acute distress; normal wt.

Head:

normocephalic and atraumatic

Eyes:

PERRLA/EOM intact; conjunctiva and sclera clear; no proptosis, lid lag, or periorbital edema

Mouth:

no deformity or lesions

Neck:

no masses, or abnormal cervical nodes. Thyroid is diffusely enlarged and prominent with her slender neck. No distinct masses.

Chest Wall:

no deformities

Lungs:

clear bilaterally to A & P

Heart:

regular rate and rhythm, S1, S2 without murmurs, rubs, gallops, or clicks

Abdomen:

bowel sounds positive; abdomen soft and non-tender without masses, organomegaly, or hernias noted

MSK:

no deformity or scoliosis noted with normal posture and gait

Pulses:

pulses normal in all 4 extremities

Extremities:

no clubbing, cyanosis, edema, or deformity noted

Neurologic:

no focal deficits, CN II-XII grossly intact with normal reflexes, coordination, muscle strength and tone; no tremor or delay in relaxation phase

Report run by Juana Cole

408

BEVERLY RENEE WHEELER Home: (864) 576-2497 Office: (864) 576-0212
Female DOB: 63000 Ins: BC/BS-ST (25) Grp: STATE

Skin:

intact without lesions or rashes

Cervical Nodes:

no significant adenopathy

Psych:

alert and cooperative; normal mood and affect; normal attention span and concentration

Impression & Recommendations:

Problem # 1: THYROID STIMULATING HORMONE, ABNORMAL (ICD-246.9)

This is a very unusual case. We have conflicting data. Her TSH has been mildly low. So mild that I would not recommend treatment for hyperthyroidism at this point. But in any case, her thyroid scan showed evidence of a hot nodule in the left lobe. I looked at the scan images myself and I completely agree with this. Interestingly, I do not see anything on today's ultrasound that would correlate with these findings. She has a completely normal appearing thyroid gland with the exception of a solitary typical-appearing 1.9 cm thyroid cyst in the left paraisthmic area. This has very little solid tissue and therefore, I don't think this could account for the area of increased uptake on the scan. Additionally, Dr. Joyce noted a cold area in the midline, superior aspect of the isthmus. Again, I don't really see anything on ultrasound and less he's talking about the thyroid cyst which I would describe as clearly left of the isthmus.

Thus, at this point we have to deal with the mildly low TSH, which is not bad enough to warrant treatment, but should be followed. To be completely thorough we will do a biopsy on the thyroid cyst. I explained to patient that it may be difficult to get adequate cytology as there is very little solid tissue in the cyst wall, but it is reasonable to attempt biopsy. She will be scheduled for this.

Orders:

- Office consultation mod complex (99244) (CPT-99244)
- CBC (CPT-85027)
- TSH (CPT-84443)
- T4 free (CPT-84459)
- T3 Total (CPT-84480)
- Collect venous blood venipuncture (CPT-36415)

Problem # 2: THYROID CYST (ICD-246.2)

I repeated the thyroid US and saw only a solitary, typical-appearing thyroid cyst in the left paraisthmic area measuring 1.97 x 1.14 x 0.74 cm. This has very little solid tissue. The maximum depth of the cyst wall is only 3 mm. In this solid area, there are macrocalcifications, but no microcalcifications. Vascularity is not increased. There are no other thyroid lesions seen.

Orders:

- Office consultation mod complex (99244) (CPT-99244)
- Ultrasound, soft tissues of head and neck (CPT-76536)

Medications Added to Medication List This Visit:

- 1) Aleve 220 Mg Tabs (Naproxen sodium) 1 tablet po daily

Report run by Juana Cole

414

Center for Family Medicine-Residents
853 N.Church Street Suite 510 Spartanburg, SC 29303
864-560-6193 Fax: 864-560-0504

October 5, 2010
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Chart Document

BEVERLY RENEE WHEELER
Female DOP 563000

Home: (864)576-2497 Office: (864)576-4212
Ins: BCBS-SC(25) Grp: STATE

Carolina's Center for Diabetes and Endocrinology
853 North Church Street Suite 720C
Spartanburg, SC 29303
Phone: 864-560-6419 Fax: 864-560-7498

08/13/2009

RENEE WHEELER

MOORE, SC 29389 US

Dear Ms. BEVERLY WHEELER,

This is a reminder of your appointment scheduled for **THURSDAY, AUGUST 20, 2009**
@ 9:20a with DR GAULT. Please arrive 15-20 minutes prior to your appointment and bring your new patient paperwork, insurance card and picture Id. Also if you have a copay you are expected to pay that day. If you are going to be more more than 10 minutes late please call our office immediately.

Please call our office to confirm that you will be at this appointment and if you have any questions.

Please be aware that if you cancel this appointment without a 72 hour notice or if you do not show up for your appointment, we will not be able to reschedule as per our cancellation policy.

Your health and well being is very important to us. If you are unable to keep this appointment, please give 72 hours notice. We look forward to seeing you.

Sincerely,

Signed by Debra Gastinell, PCR II on 08/13/2009 at 10:04 AM

08/18/2009 - Clinical Lists Update: Chart Info Added--Thyroid

Provider: Erin McDermott, RN

Report run by Juana Cole

APP 210

42165

Center for Family Medicine-Residents
853 N.Church Street Suite 510 Spartanburg, SC 29303
864-560-6193 Fax: 864-560-0504

October 5, 2010
Page 50
Chart Document

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female DOB: 669000 Ins: BC/BS-ST (25) Grp: STATE

Carolina's Center for Diabetes and Endocrinology
853 North Church Street Suite 720C
Spartanburg, SC 29303
Phone: 864-560-6419 Fax: 864-560-7498

Date: May 28, 2009

Dear: BEVERLY RENEE WHEELER Mrn: 764954

You have been referred to Carolina's Center for Diabetes and Endocrinology by Dr. Ricahrd Orr. We have not been able to contact you by phone to schedule an appointment. Please call our office at 864-560-6419 to schedule this appointment.

Thank you,

Carolina's Center for Diabetes and Endocrinology
864-560-6419

Signed by Debra Gastinell, PCR II on 05/28/2009 at 11:38 AM

06/24/2009 - Office Visit: pap follow thyroid coughing
Provider: Brent Duncan MD
Location of Care: Center for Family Medicine-Residents

History of Present Illness:
Report run by Juana Cole

APP 211

4366

BEVERLY RENEE WHEELER

Home: (864) 576-2497 Office: (864) 576-4212

Female DOB:

663000

Ins: DC/BS/ST (25) 6ip: STATE

Pt wants pap done today. states has had abnl in past, last in 2007 abnl? also has had hysterectomy but cannot remember if still has cervix.

Also pt here for f/u of goiter, she was referred to Dr. Orr for surgical assesment of complex cyst and nodules. He then referred her to endocrinology for further w/u. she is to be eval'd in 8/09. have her f/u in 2-4 wks following this.

Past Medical History:

Reviewed history from 04/23/2008 and no changes required:

- Hypertension
- Anemia
- Seasonal Allergies
- GERD
- Lactose Intolerance

Past Surgical History:

Reviewed history from 10/02/2007 and no changes required:

- Hysterectomy for fibroids(did not take ovaries, did take cervix)-2005
- Ex-lap for intestinal blockage 8/07 with small bowel resection

Family History:

Reviewed history from 10/29/2008 and no changes required:

- FH Hypertension--mother and father
- Hypothyroid--father
- 2 maternal aunts - hyperthyroid (had surgical removal)

Social History:

Reviewed history from 10/11/2006 and no changes required:

- Patient has never smoked.
- Passive smoke exposure - no
- Alcohol Use - no
- Drug Use - no
- HIV/High Risk - no
- Works as maintenance in District 6 schools
- Single, has two children

Review of Systems

See HPI

Vital Signs:

Patient Profile: 46 Years Old Female
Height: 63.0 inches
Weight: 131.31 pounds
Temp: 97.4 degrees F tympanic

Report run by Juana Cole

BEVERLY RENEE WHEELER	Home: (864)576-2497	Office: (864)576-4212
Female DOB: 63600	Ins: BC/BS ST (25) Grp: STATE	

Pulse rate: 75 / minute
Pulse rhythm: regular
BP sitting: 125 / 68 (left arm)
Cuff size: regular

Pt. in pain? no

Vitals Entered By: Crystal I Waddell, LPN (June 24, 2009 3:27 PM)

patient identified by using two identifiers DOB and Name
Reconciliatory meds are ... aleve Crystal I Waddell LPN June 24, 2009 3:28 PM
Chaperone (15)

Physical Exam

General:

well developed, well nourished, in no acute distress.

Head:

normocephalic and atraumatic.

Eyes:

PERRLEOM intact, conjunctiva and sclera clear with out nystagmus.

Neck:

goiter

Breasts:

no masses, adenopathy or nipple discharge.

Lungs:

clear bilaterally to auscultation, no distress.

Heart:

normal S1, S2 without murmurs, rubs, gallops, or clicks.

Abdomen:

normal bowel sounds; no hepatosplenomegaly no ventral, umbilical hernias or masses noted.

Genitalia:

Pelvic Exam:

External: normal female genitalia without lesions or masses

Vagina: normal without lesions or masses

Cervix: surgically absent

Adnexa: normal bimanual exam without masses or fullness

Uterus: surgically absent

Pap smear: of vaginal cuff performed

Impression & Recommendations:

Problem # 1: GOITER (ICD-240.9)

to see endocrinologist in 8/09 will follow their recs.

Orders:

Report run by Juana Cole

APP 213

43
168

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female DOB: 563000 Ins: BC/BS ST(25) Grp: STATE

Office visit est exp prob (99213) (CPT-99213)

Problem # 2: SCREENING FOR MALIGNANT NEOPLASM OF THE CERVIX (ICD-V76.2)

pap of cuff, will notify of any abnl results.

Orders:

Pap Smear Thin Prep (CPT-88142)

Medicare/Medicaid Pap Collection (HCPCS-Q0091)

Office visit est exp prob (99213) (CPT-99213)

Other Orders:

Facility Fee - Office visit est exp prob (99213) (CPT-99213)

Case reviewed with attending. Brent Duncan MD June 28, 2009 1:34 PM
BEVERLY RENEE WHEELER was discussed with the resident at the time of the visit. Pertinent history and physical findings were reviewed with the resident. The diagnoses and treatment plan are detailed above and outlined by my assessment in these comments: 46 yo with goiter and need for pap. The above note was reviewed and signed after completion by the resident. I agree with the assessment and I approve the plan as indicated by my signature. Simon, MD, June 28, 2009 10:56 PM.

Signed by I Simon, MD on 06/28/2009 at 10:58 PM

06/29/2009 - Lab Report: PAP-NML
Provider: James Taylor, DO
Location of Care: Center for Family Medicine-Residents

Patient: BEVERLY R WHEELER
Note: All result statuses are Final unless otherwise noted.

Tests: (1) CYTOPATHOLOGY REPORT (SP)
CYTOPATHOLOGY REPORT "Result Below..."
RESULT: CYTOPATHOLOGY REPORT
CYTOPATHOLOGY REPORT

PATIENT:	WHEELER, BEVERLY R	ACCESSION NO:	SF09-17037
MRN:	064414	COLLECTED:	24 JUN 2009
PHYSICIAN:	TAYLOR, JAMES	RECEIVED:	25 JUN 2009
		SIGNED OUT:	29 JUN 2009

TESTING PERFORMED BY: CELLIGENT DIAGNOSTICS
106 VENTURE BLVD

46169

~~BEVERLY RENEE WHEELER~~ Home: (864)576-2497 Office: (864)576-4213
~~Female DOB 663000 Ins: BC/BS ST (25) Grp: STATE~~

SPARTANBURG, SC 29306
PH: (864) 583-3850
FAX: (864) 583-1405

SPECIMEN:
TYPE: THINPREP PAP TEST - IMAGER
REFLEX HPV
SOURCE: VAGINA -
SPECIMEN RECEIVED IN THINPREP VIAL.

SPECIMEN ADEQUACY:
SATISFACTORY FOR EVALUATION.

INTERPRETATION:
NEGATIVE FOR INTRAEPITHELIAL LESION OR MALIGNANCY

ELECTRONIC SIGNATURE: JMB 29 JUN 2009

JEAN BARROW; CYTOTECHNOLOGIST

HISTORY:
HYSTERECTOMY.

ICD9 CODE(S):
V76.47 SPEC SCREEN MALIG NEO VAG

----- END OF REPORT -----

Note: An exclamation mark (!) indicates a result that was not dispersed into the
flowsheet.
Document Creation Date: 06/29/2009 1:33 PM

(1) Order result status: Final
Collection or observation date-time:
Requested date-time:
Receipt date-time:
Reported date-time:
Referring Physician:
Ordering Physician: JAMES TAYLOR (T29103)
Specimen Source:
Source: WINSURGE
Filler Order Number: SP09-17037 WINSURGE
Lab site: SP09-17037

Signed by James Taylor, DO on 06/29/2009 at 4:30 PM

08/13/2009 - Letter: Appointment Reminder
Provider: Debra Gastinell, PCR II
Location of Care: Carolina's Center for Diabetes and Endocrinology

Center for Family Medicine-Residents
853 N. Church Street Suite 510 Spartanburg, SC 29303
864-560-6193 Fax: 864-560-0504

October 5, 2010
Page 49
Chart Document

BEVERLY RENEE WHEELER

Home: (864)576-2497 Office: (864)576-4212

Female DOB

663000

Ins: BC/BS ST (25) Grp: STATE

Sincerely

Center for Family Medicine-Residents

Appointment Date & Time: May 26, 2009 @ 10:30am

Name of Office: SRHS - Regional Surgical Specialists*

Richard Orr

SRHS - Regional Surgical Specialists*

101 East Wood Street

Gibbs Regional Cancer Center- 3rd Floor

Spartanburg, SC 29303

Office phone # : 864-560-1900

Center for Family Medicine-Residents

Signed by Mareka Stevens on 05/18/2009 at 10:45 AM

05/26/2009 - Consultation Report: Consultation Report: Dr Orr - referred to endocrinology

Provider: Joshua DeFriece, MD

Location of Care: Center for Family Medicine-Residents

This document contains external references

Consultation Report

Imported By: Laquanna Jefferies 06/10/2009 16:15:12

External Attachment:

Type: Image

Comment: External Document

Signed by Joshua DeFriece, MD on 06/17/2009 at 2:35 PM

05/28/2009 - Letter: Referral Letter to Patient

Provider: Debra Gustinell, PCR II

Location of Care: Carolina's Center for Diabetes and Endocrinology

BEVERLY RENEE WHEELER Home: (864)576-7497 Office: (864)576-6213
Female DOB: 3000 Ins: BC/BS ST (25) Grp: STATE

Location of Care: Center for Family Medicine-Residents

Clinical Lists Changes

Orders:

Added new Referral order of Referral (DC-99999) - Signed

Thyroid Biopsy referral.

.....James Taylor, DO May 18, 2009 8:47 AM

Signed by James Taylor, DO on 05/18/2009 at 8:47 AM

05/18/2009 - Letter: Appointment w/Specialist Letter
Provider: Mareka Stevens
Location of Care: Center for Family Medicine-Residents

Center for Family Medicine-Residents
853 N.Church Street Suite 510
Spartanburg, SC 29303
Phone: 864-560-6193 Fax: 864-560-0504

05/18/2009

BEVERLY RENEE WHEELER

MOORE, SC 29369 USA

Dear Ms. BEVERLY WHEELER,

Your doctor at Center for Family Medicine-Residents has asked me to schedule an appointment with another specialist. I have included the office information and appointment information below. If you would like to reschedule the appointment for a different date or time, please contact the office you are referred to. We will fax all records pertaining to your visit. Thank you.

49

172

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female DOB: 663000 Ins: BCBS ST (25) Gr: STATE

ASSESSMENT- Negative

RECOMMENDATION-

Routine screening mammogram of both breasts in 1 year.

Transcriptionist- RECHE BALLENGER
Reading Radiologist- John Harrill MD
Releasing Radiologist- John Harrill MD
Released Date Time- 05/14/09 1351

5534
5534

Signed by James Taylor, DO on 05/18/2009 at 7:20 AM

05/15/2009 - Imaging Report: US HEAD/NECK(THYROID,PARATHY,PARO- Cyst and Nodules
Provider: James Taylor, DO
Location of Care: Center for Family Medicine-Faculty

2468512 US HEAD/NECK(THYROID, PARATHY, PARO
S000064414 WHEELER, BEVERLY^RENEE
EXAM Date 5/15/09 1128
Thyroid ultrasound dated May 15, 2009

Multiple sonographic images of the thyroid were obtained. The right lobe measures 5 x 1.9 x 1.3 cm and the left lobe 4.1 x 1.8 x 1.7 cm. Thyroid isthmus measures 4 mm.

A complex cyst is present in the upper pole of the left lobe of the thyroid. This measures 1.5 x 0.8 cm. It does contain low level echoes and probably a septation. There is a 4 mm hypoechoic nodule in the right lobe of the thyroid and a 2 mm hypoechoic nodule in the isthmus.

Impression-

1. Complex cyst in the upper pole of the left lobe of the thyroid.
2. Small nodules in the right lobe and isthmus.

Transcriptionist- Brenda G Goode
Reading Radiologist- MICHAEL ENRIGHT MD
Releasing Radiologist- MICHAEL ENRIGHT MD
Released Date Time- 05/15/09 1701

12658
12658

Signed by James Taylor, DO on 05/18/2009 at 8:50 AM

05/18/2009 - Clinical Lists Update: Thyroid Biopsy Referral
Provider: James Taylor, DO

BEVERLY RENEE WHEELER	Home: (864)576-2497 Office: (864)576-4212
Female DOB: 5/30/00	Ins: BC/BS-ST(25) Grp: STATE

05/05/2009 - Lab Report: U/S Thyroid w/ possible biopsy
Provider: James Taylor, DO
Location of Care: Center for Family Medicine-Residents

In House Lab Entry

Office Lab Report

Name: BEVERLY RENEE WHEELER
ID:

Orders:

Added new Test order of US thyroid (CPT-76536) - Signed

.....James Taylor, DO May 8, 2009 2:44 PM

Signed by James Taylor, DO on 05/08/2009 at 2:44 PM

05/14/2009 - Imaging Report: MAMMOGRAM -NEG
Provider: James Taylor, DO
Location of Care: Center for Family Medicine-Faculty

2455358 MA MAMMOGRAM STATE EMPLOYEE
S000064414 WHEELER, BEVERLY^RENEE
EXAM Date
State Employee Mammogram-H
Reason for exam- screening.
Last mammogram was performed 1 year and 7 months ago.

Patient History-
Family history of breast cancer.
Excisional biopsy of the left breast.

STATE EMPLOYEE MAMMOGRAM-H
Bilateral CC and MLO view(s) were taken.
Prior study comparison- October 23, 2007, bilateral state employee
Mammogram-H. February 14, 2005, bilateral screening mammogram.
The breast tissue is average. No significant changes when compared
with prior studies.

51

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female-DOB: 53000 Ins: BC/BS ST (25) Grp: STATE

(1) Order result status: Final
Collection or observation date-time: 04/21/2009 16:C7
Requested date-time: 04/21/2009 16:D7
Receipt date-time: 04/23/2009 05:42
Reported date-time: 04/23/2009 05:42
Referring Physician: JAMES TAYLOR
Ordering Physician: JAMES TAYLOR (T29103)
Specimen Source: 2&BLOOD GOLD&GOLD TUBE
Source: LA01
Filler Order Number: 09111818561 LAD1
Lab site:
Producer ID *1:LC Lab Corp- ACCT NUMBER=39121220

Signed by James Taylor, DO on 04/23/2009 at 11:31 AM

05/04/2009 - Rx Refill: rx faxed
Provider: James Taylor, DO
Location of Care: Center for Family Medicine-Residents

Prescriptions:

LISINOPRIL 10 MG TABS (LISINOPRIL) One tablet PO Q daily for blood pressure #30 x3

Entered by: Amy Burch, RN
Authorized by: James Taylor, DO
Signed by: Amy Burch, RN on 05/04/2009
Method used: Faxed to
CVS - Reidville Road
2397 Reidville Road
Spartanburg, SC 29301
Ph: 864-576-8054 or 864-576-9268
Fax: 864-587-1309

RxD: 1557073369866840

auto fax request for above. last visit 4/21/09. rx faxed.....Amy Burch, RN May 4, 2009 4:23 PM

noted.
.....James Taylor, DO May 4, 2009 5:16 PM

Signed by James Taylor, DO on 05/04/2009 at 5:16 PM

BEVERLY RENEE WHEELER Home: (864) 576-2497 Office: (864) 576-4213
Female DOB: 6300 Ins: BC/BS ST(25) Grp: STATE

Location of Care: Center for Family Medicine-Faculty

2458530 NM THYROID UPTAKE AND SCAN
S090064414 WHEELER, BEVERLY^RENEE
EXAM Date
Nuclear Medicine Radioactive Iodine Uptake and Thyroid Scan May 5,
2009

Indication- Patient with borderline suppressed TSH of 0.343. Palpable nodule.

Radiopharmaceutical- 6 uCi I-131 p.o., followed by 10 mCi Tc-99m pertechnetate IV

Findings- The patient has a palpable nodular fullness midline in the neck above the isthmus. She complains of nonspecific symptoms of some hair loss, and sometimes feeling hot. She has no weight loss but reports having a murmur with flutter but not having any recent increased difficulties with this. T4 is normal at 1.25 and T3 is normal at 3.2.

Radioactive iodine uptake is 7.5% at 2 hours and 29% at 24 hours. These values are within normal limits. On scan imaging the thyroid is overall normal in size but there does seem to be a roughly 1-1.5 cm hypertrapping nodule anteriorly in the left lobe midpole. This is away from the palpable fullness. An additional anterior view with a lead marker over the palpable fullness was done and this is demonstrated to be superior to the isthmus where there is relative photopenia, suggesting this is a cold nodule.

Impression-

1. At the site of palpable fullness/nodule midline superior to the isthmus there seems to be a cold nodule. This would not be the cause for hyperthyroidism and is indeterminate. I recommend a thyroid ultrasound was to biopsy to be performed at that time if the study remains suspicious.

2. There does seem to be a small hyperfunctioning nodule in the left lobe midpole anteriorly. This could be a source for the patient's suppressed TSH. After determination of the cold nodule status correlation should be done to determine whether the patient has true symptomatic findings of hyperthyroidism that would warrant therapy.

Transcriptionist- n/a
Reading Radiologist- William T Joyce MD
Releasing Radiologist- William T Joyce MD
Released Date Time- 05/05/09 1401

3393
3393

Signed by James Taylor, DO on 05/08/2009 at 2:44 PM

BEVERLY RENEE WHEELER

Home: (864) 576-2497 Office: (864) 576-4212

Female DOB

66300

Ins: BC/BS ST(25) Grp: STATE

Phone Note

Initial Intake:

Caller: pt

Concerns/Comments: She called for lisinopril rx, informed faxed 3/30 Kathy K Henderson, RN
April 2, 2009 10:08 AM

Clinical Lists Changes

Signed by Kathy K Henderson, RN on 04/02/2009 at 10:08 AM

04/21/2009 - Office Visit: routine

Provider: James Taylor, DO

Location of Care: Center for Family Medicine-Residents

Chief Complaint: routine.

History of Present Illness:

Pt here to f/u up on HTN and thyroid labs/enlargement. Pt states she feels like her thyroid is enlarging slowly. No difficulty swallowing. No palpitations. No diaphoresis. Pt also states she is waking up midway through the night and having difficulty return to sleep. Duration: approx 4 wks, no new acute event. Drinks coffee and sodas. No sleep meds.

Hypertension History:

She notes no problems with any antihypertensive medication side effects.

Positive major cardiovascular risk factors include hypertension. Negative major cardiovascular risk factors include female age less than 55 years old, no history of diabetes or hyperlipidemia, negative family history for ischemic heart disease, and non-tobacco-user status.

Further assessment for target organ damage reveals no history of ASHD, cardiac end-organ damage (CHF/LVH), stroke/TIA, peripheral vascular disease, renal insufficiency, or hypertensive retinopathy.

Past Medical History:

Reviewed history from 04/23/2008 and no changes required:

Hypertension

Anemia

Seasonal Allergies

GERD

Lactose Intolerance

BEVERLY RENEE WHEELER

Home: (864)576-2497 Office: (864)576-0212

Female DOB:

63000

Ins: BCBS-SC (25) Grp: STATE

Past Surgical History:

Reviewed history from 10/02/2007 and no changes required:
Hysterectomy for fibroids(did not take ovaries)--2005
Ex-lap for intestinal blockage 8/07 with small bowel resection

Family History:

Reviewed history from 10/29/2008 and no changes required:
FH Hypertension--mother and father
Hypothyroid--father
2 maternal aunts - hyperthyroid (had surgical removal)

Social History:

Reviewed history from 10/11/2006 and no changes required:
Patient has never smoked.
Passive smoke exposure - no
Alcohol Use - no
Drug Use - no
HIV/High Risk - no
Works as maintenance in District 6 schools
Single, has two children

Review of Systems

General

Complains of Insomnia.

Denies fever, chills, anorexia, and fatigue.

Eyes

Denies eye irritation and eye pain.

ENT

Denies nasal congestion and sore throat.

CV

Denies chest pain or discomfort and palpitations.

Resp

Denies cough and shortness of breath.

GI

Denies nausea, vomiting, and change in bowel habits.

Neuro

Denies seizures and tremors.

Psych

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female DOB: 663000 Ins: BC/BS ST (25) Grp: STATE

Denies anxiety and depression.

Vital Signs:

Patient Profile: 46 Years Old Female
Height: 63.0 inches
Weight: 129.8 pounds
Temp: 97.8 degrees F oral
Pulse rate: 71 / minute
BP sitting: 128 / 88 (left arm)
Cuff size: regular

Pt. in pain? no

Vitals Entered By: Amy Burch, RN (April 21, 2009 2:52 PM)

Pt. identity verified by name and DOB. Pt. is not taking any medications from other Doctors, herbal medications, or OTC meds.....Amy Burch, RN April 21, 2009 2 52 PM

Nurse Facility Form

Vitals/Placed Pt in Room

Physical Exam

General:

well developed, well nourished, in no acute distress. Slender

Head:

normocephalic and atraumatic.

Eyes:

PERRL/EOM intact, conjunctiva and sclera clear with out nystagmus. No exolthalmos

Mouth:

no deformity or esions with good dentition.

Neck:

thyromegaly (smooth) with L>R. Neck otherwise supple with midline trachea

Lungs:

clear bilaterally to auscultation, no distress.

Heart:

normal S1, S2 without murmurs, rubs, gallops, or clicks.

Abdomen:

normal bowel sounds; no hepatosplenomegaly

Cervical Nodes:

no significant adenopathy.

Psych:

alert and cooperative; normal mood and affect; normal attention span and concentration.

BEVERLY RENEE WHEELER

Home: (864)576-2497 Office: (864)576-4212

Female DOB:

563000

Ins: BC/BS ST (25) Grp: STATE

Impression & Recommendations:

Problem # 1: THYROMEGALY (ICD-240.9)

NM thyroid scan. F/U 1 month to review results. Also will need pap smear at that time.

Orders:

Office visit est exp prob (99213) (CPT-99213)

Residents - Office visit, est, exp prob (99213) (CPT-99213)

NM Thyroid scan and uptake (CPT-78007)

Problem # 2: THYROID STIMULATING HORMONE, ABNORMAL (ICD-246.9)

Recheck thyroid hormones.

Orders:

T3 free (CPT-84451)

T4 free (CPT-84459)

TSH (CPT-84443)

Office visit est exp prob (99213) (CPT-99213)

Residents - Office visit, est, exp prob (99213) (CPT-99213)

Problem # 3: HYPERTENSION, BENIGN (ICD-401.1)

Controlled cont lisinopril.

Her updated medication list for this problem includes:

Lisinopril 10 Mg Tabs (Lisinopril) One tablet po q daily for blood pressure

Orders:

Residents - Office visit, est, exp prob (99213) (CPT-99213)

Problem # 4: OTHER SCREENING MAMMOGRAM (ICD-V76.12)

Mammogram ordered.

Orders:

Mammogram screening both breasts (CPT-76092)

Residents - Office visit, est, exp prob (99213) (CPT-99213)

Other Orders:

Facility Fee- Office visit est minimal (99211) (CPT-99211)

Hypertension Assessment/Plan:

The patient's hypertensive risk group is category A: No risk factors and no target organ damage. Her calculated 10 year risk of coronary heart disease is 3 %. Today's blood pressure is 128/88. Her blood pressure goal is < 140/90.

Patient Instructions:

1) Please schedule a follow-up appointment in 1 month.

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female-**DOE** 5663000 Ins: BC/BS ST (25) Grp: STATE

.....I discussed this patient with the resident at the time of the visit. I reviewed the history and physical findings above. We discussed the following diagnoses: Goiter - enlarging. We then discussed the following management and treatment options: repeat TSH, T4, T3 and get Uptake Scan. This is verified by my electronic signature...Robert E McDonald, MD
April 21, 2009 9:53 PM

Case reviewed with attending. James Taylor, DO April 22, 2009 12:08 PM

Signed by Robert E. McDonald, MD on 05/06/2009 at 1:57 PM

04/21/2009 - Lab Report: THYROID STIMULATING HORMONE 0.343 wml
Provider: James Taylor, DO
Location of Care: Center for Family Medicine-Faculty

Patient: BEVERLY WHEELER
Note: All result statuses are Final unless otherwise noted.

Tests: (1) THYROID STIMULATING HORMONE (50295)
Thyroid Stimulating Hormone
[L] 0.343 uIU/mL 0.350-5.500 *1

Note: An exclamation mark (!) indicates a result that was not dispersed into the flowsheet.

Document Creation Date: 04/21/2009 5:03 PM

(1) Order result status: Final
Collection or observation date-time: 04/21/2009 16:07
Requested date-time: 04/21/2009 16:07
Receipt date-time: 04/21/2009 17:33
Reported date-time: 04/21/2009 18:03
Referring Physician: JAMES TAYLOR
Ordering Physician: JAMES TAYLOR (T29103)
Specimen Source: 2&BLOOD GOLD3&GOLD TUBE 3
Source: LA01
Filler Order Number: 09111818563 LA01
Lab site:
Producer ID *1:SRMC SPARTANBURG REGIONAL MEDICAL CENTER

Signed by James Taylor, DO on 04/22/2009 at 8:30 AM

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4213
Female DOB: 663000 Ins: BC/BS ST (25) Grp: STATE

Provider: James Taylor, DO
Location of Care: Center for Family Medicine-Faculty

Patient: BEVERLY WHEELER
Note: All result statuses are Final unless otherwise noted.

Tests: (1) T3 Free-REF LAB (15407)
Order Note: PERFCRMD AT: BN
Order Note: LabCorp Burlington
Order Note: 1447 York Court
Order Note: Burlington, NC 272153361
Order Note: LAB DIRECTOR: William F Hancock, MD PHONE: 800-762-4344
! T3 Free 3.2 pg/mL 2.3-4.2 *1

Note: An exclamation mark (!) indicates a result that was not dispersed into the flowsheet.

Document Creation Date: 04/23/2009 5:43 AM

(1) Order result status: Final
Collection or observation date-time: 04/21/2009 16:07
Requested date-time: 04/21/2009 16:07
Receipt date-time: 04/23/2009 05:42
Reported date-time: 04/23/2009 05:42
Referring Physician: JAMES TAYLOR
Ordering Physician: JAMES TAYLOR (T29103)
Specimen Source: 2&BLOOD GOLD&GOLD TUBE
Source: LA01
Filler Order Number: 09111818559 LAD1
Lab site:
Producer ID *1:LC Lab Corp- ACCT NUMBER=39121220

Signed by James Taylor, DO on 04/23/2009 at 11:32 AM

04/21/2009 - Lab Report: T4 Free 1.25-WNL
Provider: James Taylor, DO
Location of Care: Center for Family Medicine-Faculty

Patient: BEVERLY WHEELER
Note: All result statuses are Final unless otherwise noted.

Tests: (1) T4 Free Non Dialysis-REF LAB (20067)
T4, Free(Direct) 1.25 ng/dL 0.61-1.76 *1

Note: An exclamation mark (!) indicates a result that was not dispersed into the flowsheet.

Document Creation Date: 04/23/2009 5:43 AM

BEVERLY RENEE WHEELER Home: (864)576-7497 Office: (864)576-0212
Female DOB: 63000 Ins: BC/BS ST (25) Grp: STATE

Please let the patient know that the labs were normal. Recommendation is to retest labs at a future date. I recommend returning in 6-8 weeks and we will recheck labs then.

.....Katrina Harpe, MD November 8, 2008 12:18 PM

Pt. notified & returns correct verbal understandingKathy K Henderson, RN November 10, 2008 9:37 AM

Signed by Kathy K Henderson, RN on 11/10/2008 at 9:37 AM
Signed by Katrina Harpe, MD on 11/10/2008 at 9:38 AM

03/30/2009 - Rx Refill: LISINOPRIL 10 MG TABS
Provider: Katrina Harpe, MD
Location of Care: Center for Family Medicine-Residents

Prescriptions:

LISINOPRIL 10 MG TABS (LISINOPRIL) One tablet PO Q daily for blood pressure #30 x 0

Entered by: Kathy K Henderson, RN
Authorized by: Katrina Harpe, MD
Signed by: Kathy K Henderson, RN on 03/30/2009
Method used: Faxed to ...
CVS - Reidville Road
2397 Reidville Road
Spartanburg, SC 29301
Ph: 864-576-8054 or 864-576-9268
Fax: 864-587-1309

RxD: 1554043806817210

.rx faxed, has 4/21 appointmentKathy K Henderson, RN March 30, 2009 2:50 PM

Noted.

.....Katrina Harpe, MD March 30, 2009 4:31 PM

Signed by Katrina Harpe, MD on 03/30/2009 at 4:31 PM

04/02/2009 - Phone Note: rx
Provider: Kathy K Henderson, RN
Location of Care: Center for Family Medicine-Residents

BEVERLY RENE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female-DOB: 6300 Ins: BC/BS ST(25) Grp: STATE

Note: An exclamation mark (!) indicates a result that was not dispersed into the flowsheet.

Document Creation Date: 11/04/2008 3:31 PM

(1) Order result status: Final
Collection or observation date-time: 10/29/2008 11:45
Requested date-time: 10/29/2008 11:45
Receipt date-time: 11/04/2008 15:30
Reported date-time: 11/04/2008 15:30
Referring Physician: KATRINA HARPE
Ordering Physician: KATRINA HARPE (H98124)
Specimen Source: 2&BLOOD GOLD&GOLD TUBE
Source: LA01
Filler Order Number: 08303872C72 LAD1
Lab site:
Producer ID *1:LC Lab Corp- ACCT NUMBER=39121220

Signed by Katrina Harpe,MD on 11/08/2008 at 12:12 AM

11/07/2008 - Phone Note: lab results
Provider: Katrina Harpe,MD
Location of Care: Center for Family Medicine-Residents

Phone Note

Initial Intake:

Caller: 205-1241
Concerns/Comments: pt calling for lab results, unsignedKathy K Henderson, RN November 7, 2008 9:06 AM

Clinical Lists Changes

Problems:

Added new problem of COUGH (ICD-786.2) - Signed
Added new problem of FEVER UNSPECIFIED (ICD-780.60) - Signed

Orders:

Added new Service order of Insert non-indwelling bladder catheter (CPT-51701) - Signed
Added new Test order of CBC w/manual cell count (CPT-85032) - Signed
Added new Test order of Influenza A& B antigen (rapid) (CPT-87804) - Signed
Added new Test order of Urinalysis automated w/micro (CPT-81001) - Signed
Added new Test order of Urine bacteria culture & sensitivity (CPT-87088) - Signed
Added new Test order of Respiratory syncytial virus antigen(Rapid) (CPT-87280) - Signed

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female DOB: 63000 Ins: BC/BS ST (25) Grp: STATE

10/29/2008 - Lab Report: T3 -- 133 (wnl)
Provider: Katrina Harpe,MD
Location of Care: Center for Family Medicine-Faculty

Patient: BEVERLY WHEELER
Note: All result statuses are Final unless otherwise noted.

Tests: (1) T3 Total-REF LAB (12550)
Order Note: PERFORMED AT: BK
Order Note: LabCorp Burlington
Order Note: 1447 York Court
Order Note: Burlington, NC 272153361
Order Note: LAB DIRECTOR: William F Hancock, MD PHONE: 888-200-5439
Triiodothyronine Serum
133 ng/dL 85-205 *1

Note: An exclamation mark (!) indicates a result that was not dispersed into the flowsheet.
Document Creation Date: 11/04/2008 3:31 PM

(1) Order result status: Final
Collection or observation date-time: 10/29/2008 11:45
Requested date-time: 10/29/2008 11:45
Receipt date-time: 11/04/2008 15:30
Reported date-time: 11/04/2008 15:30
Referring Physician: KATRINA HARPE
Ordering Physician: KATRINA HARPE (H98124)
Specimen Source: 2&BLOOD RED&RED TUBE
Source: LA01
Filler Order Number: 08303872C76 LA01
Lab site:
Producer ID *1:LC Lab Corp- ACCT NUMBER=39121220

Signed by Katrina Harpe,MD on 11/08/2008 at 12:12 AM

10/29/2008 - Lab Report: Free t4 -- 1.11 (wnl)
Provider: Katrina Harpe,MD
Location of Care: Center for Family Medicine-Faculty

Patient: BEVERLY WHEELER
Note: All result statuses are Final unless otherwise noted.

Tests: (1) T4 Free Non-Dialysis-REF LAB (20067)
T4, Free(Direct) 1.11 ng/dL 0.61-1.76 *1

Center for Family Medicine-Residents
853 N.Church Street Suite 510 Spartanburg, SC 29303
864-560-6193 Fax: 864-560-0504

October 5, 2010
Page 31
Chart Document

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female DOB: 663000 Ins: BC/BS ST (25) Grp: STATE

Added new Test order of T4 free (CPT-84439) - Signed
Added new Test order of T3 Total (CPT-84480) - Signed

Signed by Kathy K Henderson, RN on 10/21/2008 at 10:52 AM
Signed by Kathy K Henderson, RN on 10/21/2008 at 10:52 AM

10/27/2008 - Append: certified letter 10/21
Provider: Sarah Keels, RN
Location of Care: Center for Family Medicine-Residents

Patient informed and verbalizes understanding of above. Patient transferred to make an appointment.

Signed by Sarah Keels, RN on 10/27/2008 at 9:39 AM

10/21/2008 - Letter: Call your Nurse Letter
Provider: Kathy K Henderson, RN
Location of Care: Center for Family Medicine-Residents

Center for Family Medicine-Residents
853 N.Church Street Suite 510
Spartanburg, SC 29303
Phone: 864-560-6193 Fax: 864-560-0504

10/21/2008

BEVERLY RENEE WHEELER
MOORE, SC 29369 US

Dear Ms. BEVERLY WHEELER,

Please call us at 864-560-6193. It is most important you call as soon as this letter is
spoken with a Nurse. Tell the Nurse you Received a "Call your Nurse letter".

received. Ask to

63 186

BEVERLY RENEE WHEELER

Home: (864)576-2497 Office: (864)576-4212

Female DOB

63000

Ins: BC/BS ST (25) Grp: STATE

Thank You,

Center for Family Medicine-Residents

Signed by Kathy K Henderson, RN on 10/21/2008 at 10:49 AM

10/29/2008 - Office Visit: f/u test results, get lab work
Provider: Katrina Harpe, MD
Location of Care: Center for Family Medicine-Residents

Visit Type: Follow-up Visit

Chief Complaint: F/U on thyroid abnormality.

History of Present Illness:

Patient here for f/u on abnormal TSH last office visit. Had initially been ordered b/c of enlarged thyroid at last office visit and complaints of some coughing and hoarseness. States pt mentioned an abnormal thyroid to her mother and per pt's mother, there is a strong family history of thyroid disorders, with several aunts who have had thyroidectomies, and also a cousin.

Past Medical History:

Reviewed history from 04/23/2008 and no changes required:

- Hypertension
- Anemia
- Seasonal Allergies
- GERD
- Lactose Intolerance

Past Surgical History:

Reviewed history from 10/02/2007 and no changes required:

- Hysterectomy for fibroids (did not take ovaries)--2005
- Ex-lap for intestinal blockage 8/07 with small bowel resection

Family History:

- FH Hypertension--mother and father
- Hypothyroid--father
- 2 maternal aunts - hyperthyroid (had surgical removal)

Social History:

- Reviewed history from 10/11/2006 and no changes required:
- Patient has never smoked.

BEVERLY RENEE WHEELER

Home: (864)576-2497 Office: (864)576-4212

Female DOB:

63000

Ins: BC/BS ST (25) Grp: STATE

Passive smoke exposure - no
Alcohol Use - no
Drug Use - no
HIV/High Risk - no
Works as maintenance in District 6 schools
Single, has two children

Review of Systems

GI

Complains of constipation.

Denies abdominal pain, diarrhea, and change in bowel habits.

Vital Signs:

Patient Profile: 45 Years Old Female
Height: 63.0 inches
Weight: 126.7 pounds
BMI: 22.53
Temp: 97 degrees F tympanic
Pulse rate: 87 / minute
BP sitting: 120 / 88

Pt. in pain? yes
Location: neck, head
Intensity: 5
Type: aching

Vitals Entered By: Sheri G. Blackwell , RN (October 29, 2008 11:18 AM)

Patient identified by two approved identifiers, name and DOB. Pt is not taking any OTC, herbal or medications prescribed by other physicians. October 29, 2008 11:19 AM

.....Sheri G. Blackwell , RN October 29, 2008 11:19 AM

Physical Exam

General:

well developed, well nourished, in no acute distress. Slender

Eyes:

PERRL/EOM intact, conjunctiva and sclera clear with out nystagmus. No exolthalmos

Neck:

thyromegaly (smooth) with L>Rno bruit. Neck otherwise supple with midline trachea

Lungs:

clear bilaterally to auscultation, no distress.

BEVERLY RENEE WHEELER

Home: (864) 576-2497 Office: (864) 576-4212

Female DOB: 63000

Ins: BC/BS ST (25) Grp: STATE

Heart:

normal S1, S2 without murmurs, rubs, gallops, or clicks.

Impression & Recommendations:

Problem # 1: GOITER (ICD-240.9)

*** THIS PATIENT WAS SEEN FOR APPROXIMATELY 15 MINUTES, AND GREATER THAN HALF OF THIS TIME WAS SPENT IN FACE-TO-FACE COUNSELING REGARDING her abnormal TSH and follow-up abwork. Also reviewed potential implications/causes including benign hyperthyroidism, a more malignant cancer, etc. Also discovered pt has a strong FHx of thyroid disorders. T3 and free T4 ordered. If confirmation for hyperthyroid received, will do a NM uptake scan. Refer appropriately afterwards.

Orders:

Residents - Office visit, est, exp prob (99213) (CPT-99213)
Office visit est exp prob (99213) (CPT-99213)

Problem # 2: THYROID STIMULATING HORMONE, ABNORMAL (ICD-246.9)

see #1.

Orders:

Residents - Office visit, est, exp prob (99213) (CPT-99213)
Office visit est exp prob (99213) (CPT-99213)

Other Orders:

Facility Fee- Office visit est minimal (99211) (CPT-99211)

Nurse Facility Form

Vitals/Placed Pt in Room

Case reviewed with attending Katrina Harpe, MD November 3, 2008 6:11 AM

I discussed this patient with the resident at the time of the visit. Pt has a goiter and abn thyroic fct tests. Treatment options discussed with patient. I reviewed the pertinent history and physical findings with the resident and agree with the assessment and treatment plan as noted above. This is verified by my electronic signature... Mark T. Godenick, MD
MPH, October 29, 2008 3:56 PM

Signed by Mark Godenick, MD on 11/03/2008 at 8:47 AM

Signed by Katrina Harpe, MD on 11/03/2008 at 8:49 AM

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-0212
Female DOB: 663000 Ins: BC/BS ST(25) Grp: STATE

Collection or observation date-time: 10/16/2008 15:20
Requested date-time: 10/16/2008 15:20
Receipt date-time: 10/16/2008 16:01
Reported date-time: 10/16/2008 16:39
Referring Physician: KATRINA HARPE
Ordering Physician: GINGER BOYLE (B27170)
Specimen Source: 2&BLOOD GOLD3&GOLD TUBE 3
Source: LA01
Filler Order Number: 08290809192 LA01
Lab site:
Producer ID *1:SRMC SPARTANBURG REGIONAL MEDICAL CENTER

Signed by Katrina Harpe, MD on 10/17/2008 at 5:23 PM

10/17/2008 - Phone Note: certified letter 10/21
Provider: Katrina Harpe, MD
Location of Care: Center for Family Medicine-Residents

Phone Note

Initial Intake:

Caller: Katrina Harpe, MD called at 4:37 PM (10/17/2008)
Concerns/Comments: Call made, but no answer (and no answering machine)

Attempted to call pt regarding her thyroid value (the blood test done in clinic on Thursday).

The blood test shows that her thyroid is making too much hormone (which would be why her thyroid is enlarged because it is working more to make more hormone - just like a muscle). - radioiodine uptake test.

There are some further blood tests that will need to be done. If those blood tests confirm that she has Hyperthyroidism, then she will need to do a further imaging test.

She should schedule an appointment for this week to address these results and to get bloodwork done if possible.

.....Katrina Harpe, MD October 17, 2008 4:44 PM

no answerKathy K Henderson, RN October 20, 2008 8:48 AM

no answer, certified letter mailedKathy K Henderson, RN October 21, 2008 10:49 AM

Clinical Lists Changes

Problems:

Added new problem of THYROID STIMULATING HORMONE, ABNORMAL (ICD-246.9) - Signed

Added new problem of GOITER (ICD-240.9) - Signed

Orders:

Report run by Juana Cole

APP 235

67
190

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female DOB: 063000 Ins: BC/BS ST(25) Grp: STATE

Initial Intake:

Caller: 205-1241

Concerns/Comments: Insurance will not pay for protonix, will cover nexium or meprazole Kathy
K Henderson, RN June 10, 2008 3:08 PM

Prescriptions:

NEXIUM 20 MG PACK (ESOMEPRAZOLE MAGNESIUM) One tablet PO Q daily #30 x 11

Entered and Authorized by: Reetu Grewal, MD

Signed by: Reetu Grewal, MD on 06/10/2008

Method used: Faxed to ...

CVS - Oak Forest Plaza

2401 Reidville Road

Spartanburg, SC 29301

Ph: 864-576-4399 or 864-576-9268

Fax: 864-587-1309

RxD: 1528730242418760

rx faxed.

.....Reetu Grewal, MD June 10, 2008 3:17 PM

Clinical Lists Changes

Medications:

Changed medication from PROTONIX 40 MG TBEC (PANTOPRAZOLE SODIUM) One tab PO Q daily to NEXIUM 20
MG PACK (ESOMEPRAZOLE MAGNESIUM) One tablet PO Q daily - Signed

Rx of NEXIUM 20 MG PACK (ESOMEPRAZOLE MAGNESIUM) One tablet PO Q daily; #30 x 11; Signed; Entered by:
Reetu Grewal, MD; Authorized by: Reetu Grewal, MD; Method used: Faxed to CVS - Oak Forest Plaza, 2401 Reidville
Road, Spartanburg, SC 29301, Ph: 864-576-4399 or 864-576-9268, Fax: 864-587-1309

Signed by Reetu Grewal, MD on 06/10/2008 at 3:17 PM

10/16/2008 - Office Visit: cough, N&V

Provider: Katrina Harpe, MD

Location of Care: Center for Family Medicine-Residents

Visit Type: Acute Visit

Chief Complaint: cough and post-tussive emesis.

History of Present Illness:

The patient presents with cough. The symptoms began 3 weeks ago. Works as a custodian at a school. Does use
strong aerosol scented cleaner and when dusting. Does have some eye irritation, and it is all worse when at work. Feels
drainage in throat. The patient complains of nasal congestion, sore throat, and vomiting, but denies fever, chills,
headache, and ear pain. Associated Symptoms include normal appetite and normal activity. Positive factors include

Report run by Juana Cole

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female DOB: 663600 Ins: BC/BS ST (25) Grp: STATE

contact with similar symptoms. Negative Factors include no exposure to chronic cough and hx of asthma. Previous evaluation has included nothing and allergy evaluation.

Past Medical History:

Reviewed history from 04/23/2008 and no changes required:

- Hypertension
- Anemia
- Seasonal Allergies
- GERD
- Lactose Intolerance

Past Surgical History:

Reviewed history from 10/02/2007 and no changes required:

- Hysterectomy for fibroids(did not take ovaries)--2005
- Ex-lap for intestinal blockage 8/07 with small bowel resection

Family History:

Reviewed history from 10/11/2006 and no changes required:

- FH Hypertension--mother and father
- Hypothyroid--father

Social History:

Reviewed history from 10/11/2006 and no changes required:

- Patient has never smoked.
- Passive smoke exposure - no
- Alcohol Use - no
- Drug Use - no
- HIV/High Risk - no
- Works as maintenance in District 6 schools
- Single, has two children

Review of Systems

General

Denies anorexia and weight loss.

ENT

Denies difficulty swallowing.

Vital Signs:

Patient Profile: 45 Years Old Female
Height: 63.0 inches
Weight: 126.5 pounds

Report run by Juana Cole

APP 237

6A
192

BEVERLY RENEE WHEELER Home: (864) 576-2497 Office: (864) 576-4212
Female-DOB: 663000 Ins: BC/BS ST(25) Grp: STATE

BMI: 22.49
Temp: 98.5 degrees F
Pulse rate: 79 / minute
BP sitting: 119 / 77 (left arm)
Cuff size: regular

Pt. in pain? no

Vitals Entered By: Linda Milwood, LPN (October 16, 2008 2:12 PM)

Two patient identifiers obtained. Name & DOB.

Patient denies taking any OTC meds, herbal meds or any meds prescribed by other physicians not already listed on chart.

.....Linda Milwood, LPN October 16, 2008 2:13 PM

Physical Exam

General:

well developed, well nourished, in no acute distress.

Head:

normocephalic and atraumatic. No sinus tenderness

Eyes:

PERRLE/EOM intact, conjunctiva and sclera clear with out nystagmus.

Ears:

Clear serous fluid behind ears, but landmarks easily visualized. TM's intact and clear with normal canals with grossly normal hearing.

Nose:

Mildly edematous turbinates with partial air flow obstruction.

Mouth:

post nasal drip.

Neck:

thyromegaly (smooth) with L>Rno bruit. NEck otherwise supple with midline trachea

Lungs:

clear bilaterally to auscultation, no distress.

Heart:

normal S1, S2 without murmurs, rubs, gallops, or clicks.

Impression & Recommendations:

Problem # 1: URI (ICD-465.9)

Patient likely has viral uri. Afebrile. Antibiotics not indicated currently. Advise that symptoms should resolve independently. Likely exacerbated by allergic rhinitis (#2). Over the counter medicines work somewhat on symptoms in adults. Recommend frequent hand-washing to avoid spreading virus or obtaining other virus. Pt advised that a humidifier will help if nose becomes dry. Keep thermostat between 68-70 degrees. Use medications as directed. Do not drive if

Center for Family Medicine-Residents

853 N.Church Street Suite 510 Spartanburg, SC 29303
864-560-6193 Fax: 864-560-0504

October 5, 2010

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Chart Document

BEVERLY RENEE WHEELER

Home: (864)576-2497 Office: (864)576-4212

Female DOB

663000

Ins: BC/BS ST (25) 6ip: STATE

using sedating OTC meds.

L

Her updated medication list for this problem includes:

- Zyrtec 10 Mg Tabs (Cetirizine hcl) One tab et po q daily for allergies
- Tessalon Perles 100 Mg Caps (Benzonatate) 1-2 tabs po every 8 hrs prn for cough

Orders:

Residents - Office visit, est, exp prob (99213) (CPT-99213)

Problem # 2: ALLERGIC RHINITIS, SEASONAL (ICD-477.0)

See #1. Rx for flonase given. Patient does not desire zyrtec.

Orders:

Office visit est exp prob (99213) (CPT-99213)
Residents - Office visit, est, exp prob (99213) (CPT-99213)

Her updated medication list for this problem includes:

- Zyrtec 10 Mg Tabs (Cetirizine hcl) One tab et po q daily for allergies
- Flonase 50 Mcg/act Susp (Fluticasone propionate) 2 sprays each nostril daily

Problem # 3: THYROMEGALY (ICD-240.9)

TSH found to be low, indicating likely hyperthyroid, which would be consistent with patient's general body habitus also. Attempt to contact pt regarding returning for further labs and workup made. Will continue attempt

Orders:

TSH (CPT-84443)
Office visit est exp prob (99213) (CPT-99213)
Residents - Office visit, est, exp prob (99213) (CPT-99213)

Medications Added to Medication List This Visit:

- 1) Flonase 50 Mcg/act Susp (Fluticasone propionate) 2 sprays each nostril daily
- 2) Tessalon Perles 100 Mg Caps (Benzonatate) 1-2 tabs po every 8 hrs prn for cough

Other Orders:

Facility Fee- Office visit est minimal (99211) (CPT-99211)

Prescriptions:

TESSALON PERLES 100 MG CAPS (BENZONATATE) 1-2 tabs po every 8 hrs PRN for cough #30 x 1

Entered and Authorized by: Katrina Harpe, MD

Signed by: Katrina Harpe, MD on 10/16/2008

Method used: Faxed to ...

CVS - Oak Forest Plaza

2401 Reidville Road

Spartanburg, SC 29301

Ph: 864-576-4399 or 864-576-9268

Fax: 864-587-1309

RxD: 1539789306169260

BEVERLY RENEE WHEELER

Home: (864) 576-2497 Office: (864) 576-4212

Female DOB: 03000

Ins: BC/BS ST (25) Grp: STATE

FLONASE 50 MCG/ACT SUSP (FLUTICASONE PROPIONATE) 2 sprays each nostril daily #trade x 1

Entered and Authorized by: Katrina Harpe, MD

Signed by: Katrina Harpe, MD on 10/16/2008

Method used: Faxed to ...

CVS - Oak Forest Plaza

2401 Reidville Road

Spartanburg, SC 29301

Ph: 864-576-4399 or 864-576-9268

Fax: 864-587-1309

RxD: 1539789126169260

Nurse Facility Form

Vitals/Placed Pt in Room

Case reviewed with attending Katrina Harpe, MD October 20, 2008 1:31 PM

This patient was discussed with the resident at the time of the visit. Pertinent history and physical findings were reviewed with the resident. The diagnoses and treatment plan are detailed above and outlined by my assessment in these comments. Pt w/ cough/cold leading to emesis over last 2wks. Sx consistent w/ AR. Tx w/ flonase and tessalon perles. Noted enlarged thyroid. Will check labs; f/u on results.

**Noted low TSH--will get further labs and poss imaging.

Ginger Boyle, MD October 19, 2008 7:03 AM

.....Ginger Boyle, MD October 20, 2008 3:54 PM

Signed by Ginger Boyle, MD on 10/20/2008 at 3:54 PM

10/16/2008 - Lab Report: THYROID STIMULATING HORMONE - low 0.274

Provider: Katrina Harpe, MD

Location of Care: Center for Family Medicine-Faculty

Patient: BEVERLY WHEELER

Note: All result statuses are Final unless otherwise noted.

Tests: (1) THYROID STIMULATING HORMONE (50295)

Thyroid Stimulating Hormone

[L] 0.274 uIU/mL

0.350-5.500

*1

PLEASE NOTE CHANGE IN REFERENCE RANGE

Note: An exclamation mark (!) indicates a result that was not dispersed into the flowsheet.

Document Creation Date: 10/16/2008 4:40 PM

(1) Order result status: Final

Report run by Juana Cole

APP 240

72195

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female DOB: 663000 Ins: BC/BS ST(25) Grp: STATE

Urea Nitrogen	8 mg/dL	6-20	*1
Sodium	138 mmol/L	133-146	*2
Potassium	4.4 mmol/L	3.5-4.9	*3
Chloride	107 mmol/L	100-111	*4
Carbon Dioxide	26.6 mmol/L	23.0-32.6	*5
Glucose	82 mg/dL	77-117	*6
Creatinine	0.7 mg/dL	0.6-1.2	*7
Calcium	8.9 mg/dL	8.9-10.3	*8
Bun/Creat Ratio	11	8-23	*9
Osmolality Calculation			
	273 mOsm/kg	271-318	*10
Anion Gap	9 mmol/L	6-13	*11

Note: An exclamation mark (!) indicates a result that was not dispersed into the flowsheet.

Document Creation Date: 04/23/2008 5:36 PM

(1) Order result status: Final
Collection or observation date-time: 04/23/2008 16:20
Requested date-time: 04/23/2008 16:20
Receipt date-time: 04/23/2008 17:09
Reported date-time: 04/23/2008 17:35
Referring Physician: REETU GREWAL
Ordering Physician: REETU GREWAL (G97319)
Specimen Source: 2&BLOOD GREEN-GEL&GREEN GEL TUBE
Source: LA01
Filler Order Number: 08114897602 LA01
Lab site:
Producer ID *1:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *2:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *3:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *4:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *5:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *6:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *7:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *8:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *9:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *10:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *11:SRMC SPARTANBURG REGIONAL MEDICAL CENTER

Signed by Reetu Grewal, MD on 04/23/2008 at 7:55 PM

08/10/2008 - Phone Note: rx change
Provider: Reetu Grewal, MD
Location of Care: Center for Family Medicine-Residents

Phone Note

Report run by Juana Cole

APP 241

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Center for Family Medicine-Residents
853 N.Church Street Suite 510 Spartanburg, SC 29303
864-560-6193 Fax: 864-560-0504

October 5, 2010
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Chart Document

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female DOB: 663000 Ins: BC/BS ST (25) Grp: STATE

12606

Signed by Reetu Grewal, MD on 10/24/2007 at 1:51 PM

10/24/2007 - Clinical Lists Update: Mammogram
Provider: Reetu Grewal, MD
Location of Care: Center for Family Medicine-Residents
This document contains external references

Patient: BEVERLY WHEELER
Note: All result statuses are Final unless otherwise noted.

Tests: (1) Mammogram ()
MAMMOGRAM COMPLETE

Note: An exclamation mark (!) indicates a result that was not dispersed into the
flowsheet.

Document Creation Date: 10/29/2007 11:04 AM

(1) Order result status: Final
Collection or observation date-time: 10/24/2007 00:00
Requested date-time: 10/24/2007 00:00
Receipt date-time: 10/24/2007 00:00
Reported date-time: 10/24/2007 00:00
Referring Physician:
Ordering Physician: (g97319)
Specimen Source:
Source: DocuTrakLab
Filler Order Number:
Lab site:

External Attachment:

Type: Image
Comment: External Document - Imported By: Wendy Davis MRC on 10/29/2007

Filed automatically (without signature) on 10/29/2007 at 11:04 AM

Signed by Reetu Grewal, MD on 10/29/2007 at 11:04 AM

04/04/2008 - Rx Refill: LISINOPRIL 5 MG TABS
Provider: Reetu Grewal, MD
Location of Care: Center for Family Medicine-Residents

Report run by Juana Cole

APP 242

197

BEVERLY RENEE WHEELER Home: (864) 576-2497 Office: (864) 576-4212
Female DOB: 68000 Ins: BC/BS ST (25) Grp: STATE

Prescriptions:

LISINOPRIL 5 MG TABS (LISINOPRIL) One tablet PO Q daily for blood pressure #30 x 0

Entered by: Kathy K Henderson, RN
Authorized by: Reetu Grewal, MD
Signed by: Kathy K Henderson, RN on 04/04/2008
Method used: Faxed to ...
CVS - Oak Forest Plaza
2401 Reidville Road
Spartanburg, SC 29301
Ph: 864-576-4399 or 864-576-9268
Fax: 864-587-1309

rx faxed, transferred for appointment Kathy K Henderson, RN April 4, 2008 3:53 PM
..... Reetu Grewal, MD April 6, 2008 7:27 PM

Signed by Reetu Grewal, MD on 04/06/2008 at 7:27 PM

04/23/2008 - Office Visit: routine visit
Provider: Reetu Grewal, MD
Location of Care: Center for Family Medicine-Residents

Chief Complaint: followup hypertension.

History of Present Illness:

Patient is doing well, but states that whenever she eats ice cream she feels bloated and gassy She thinks she may be lactose intolerant.

Hypertension History:

She denies headache, chest pain, palpitations, dyspnea with exertion, orthopnea, PND, peripheral edema, visual symptoms, neurologic problems, syncope, and side effects from treatment. She notes no problems with any antihypertensive medication side effects. Further comments include: States that blood pressures at work are systolic: 130s-140s and diastolics in the 90s.

Positive major cardiovascular risk factors include hypertension. Negative major cardiovascular risk factors include female age less than 55 years old, no history of diabetes or hyperlipidemia, negative family history for ischemic heart disease, and non-tobacco-user status.

Further assessment for target organ damage reveals no history of ASHD, cardiac end-organ damage (CHF/LVH), stroke/TIA, peripheral vascular disease, renal insufficiency, or hypertensive retinopathy.

Past Medical History:

Hypertension
Anemia

Report run by Juana Cole

BEVERLY RENEE WHEELER

Home: (864)576-2497 Office: (864)576-4212

Female DOB

663600

Ins: BC/BS ST (25) Grp: STATE

Seasonal Allergies
GERD
Lactose Intolerance

Past Surgical History:

Reviewed history from 10/02/2007 and no changes required:
Hysterectomy for fibroids (did not take ovaries)--2005
Ex-lap for intestinal blockage 8/07 with small bowel resection

Family History:

Reviewed history from 10/11/2006 and no changes required:
FH Hypertension--mother and father
Hypothyroid--father

Social History:

Reviewed history from 10/11/2006 and no changes required:
Patient has never smoked.
Passive smoke exposure - no
Alcohol Use - no
Drug Use - no
HIV/High Risk - no
Works as maintenance in District 6 schools
Single, has two children

Preventive Care Screening

Mammogram:

Date: 10/24/2007

Results: normal

Review of Systems

See HPI

General

Denies fever, chills, and fatigue.

ENT

Denies earache and nasal congestion.

Resp

Denies cough, shortness of breath, and wheezing.

GI

Complains of gas and abdominal bloating.

Denies indigestion, abdominal pain, and diarrhea.

BEVERLY RENEE WHEELER

Female DOB:

1000

Home: (864)576-2497 Office: (864)576-4212

Ins: BC/BS-ST (25) Grp: STATE

Derm

Denies itching and rash.

Psych

Denies anxiety and depression.

Allergy

Complains of seasonal allergies.

Vital Signs:

Patient Profile: 45 Year Old Female
Height: 63 inches
Weight: 120.50 pounds
Temp: 97.6 degrees F tympanic
Pulse rate: 69 / minute
BP sitting: 120 / 94 (left arm)
Cuff size: regular

Pt. in pain? no

Vitals Entered By: Christina Stepp, LPN (April 23, 2008 4:02 PM)

Physical Exam

General:

well developed, well nourished, in no acute distress.

Head:

normocephalic and atraumatic.

Nose:

no deformity, discharge, inflammation, or lesions.

Mouth:

no deformity or lesions with good dentition.

Neck:

no masses, thyromegaly, or abnormal cervical nodes.

Lungs:

clear bilaterally to auscultation, no distress.

Heart:

normal S1, S2 without murmurs, rubs, gallops, or clicks.

Abdomen:

normal bowel sounds; no hepatosplenomegaly no ventral, umbilical hernias or masses noted.

Skin:

intact without lesions or rashes.

Cervical Nodes:

no significant adenopathy.

Psych:

BEVERLY RENEE WHEELER

Home: (864)576-2497 Office: (864)576-4212

Female DOB:

663000

Ins: BC/BS ST (25) Grp: STATE

alert and cooperative; normal mood and affect; normal attention span and concentration.
Two patient identifiers obtained. Name & DOB.
Patient denies taking any OTC medicine, Herbal medicine or medications prescribed by other physicians.
Christina Stepp, LPN April 23, 2008 4:02 PM

Nurse Facility Form

Vitals/Placed Pt in Room

Impression & Recommendations:

Problem # 1: HYPERTENSION, BENIGN (ICD-401.1)

Appears well controlled today, but diastolic still high and patient still getting higher readings at work, will increase lisinopril to 40 mg, and check bmp today.

Her updated medication list for this problem includes:

Lisinopril 10 Mg Tabs (Lisinopril) One tablet po q daily for blood pressure

Orders:

BMP (CPT-80048)

Residents - Office visit, est, exp prob (99213) (CPT-99213)

Office visit est exp prob (99213) (CPT-99213)

Problem # 2: LACTOSE INTOLERANCE (ICD-271.3)

Rx for lactase given, patient advised she may need to buy otc lactaid.

Orders:

Residents - Office visit, est, exp prob (99213) (CPT-99213)

Office visit est exp prob (99213) (CPT-99213)

Medications Added to Medication List This Visit:

- 1) Zyrtec 10 Mg Tabs (Cetirizine hcl) One tablet po q daily for allergies
- 2) Lisinopril 10 Mg Tabs (Lisinopril) One tablet po q daily for blood pressure
- 3) Lactaid 4500 Unit Chew (Lactase) One tablet po prior to eating dairy

Other Orders:

Facility Fee- Office visit est minimal (99211) (CPT-99211)

Hypertension Assessment/Plan:

The patient's hypertensive risk group is category A: No risk factors and no target organ damage. Her calculated 10 year risk of coronary heart disease is 4 %. Today's blood pressure is 120/94. Her blood pressure goal is < 140/90.

Patient Instructions:

- 1) Please schedule a follow-up appointment in 6 months.

Center for Family Medicine-Residents
853 N. Church Street Suite 510 Spartanburg, SC 29303
864-560-6193 Fax: 864-560-0504

October 5, 2010
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Chart Document

BEVERLY RENEE WHEELER Home: (864) 576-2497 Office: (864) 576-4212
Female DOB: 00 Ins: BC/BS ST (25) Grp: STATE

Prescriptions:

LACTAID 4500 UNIT CHEW (LACTASE) One tablet PO prior to eating dairy #90 x 6

Entered and Authorized by: Reetu Grewal, MD

Signed by: Reetu Grewal, MD on 04/23/2008

Method used: Faxed to ...

CVS - Oak Forest Plaza
2401 Reidville Road
Spartanburg, SC 29301
Ph: 864-576-4399 or 864-576-9268
Fax: 864-587-1309

ZYRTEC 10 MG TABS (CETIRIZINE HCL) One tablet PO Q daily for allergies #30 x 6

Entered and Authorized by: Reetu Grewal, MD

Signed by: Reetu Grewal, MD on 04/23/2008

Method used: Faxed to ...

CVS - Oak Forest Plaza
2401 Reidville Road
Spartanburg, SC 29301
Ph: 864-576-4399 or 864-576-9268
Fax: 864-587-1309

LISINAPRIL 10 MG TABS (LISINAPRIL) One tablet PO Q daily for blood pressure #30 x 6

Entered and Authorized by: Reetu Grewal, MD

Signed by: Reetu Grewal, MD on 04/23/2008

Method used: Faxed to ...

CVS - Oak Forest Plaza
2401 Reidville Road
Spartanburg, SC 29301
Ph: 864-576-4399 or 864-576-9268
Fax: 864-587-1309

Case reviewed with attending. Reetu Grewal, MD April 23, 2008 4:14 PM

I discussed this patient with the resident at the time of the visit. Pt seen for htn and lactose intolerance. I reviewed the pertinent history and physical findings with the resident and agree with the assessment and treatment plan as noted above. This is verified by my electronic signature... Mark T. Godenick, MD MPH, April 23, 2008 4:58 PM

Signed by Mark Godenick, MD on 04/23/2008 at 4:58 PM

04/23/2008 - Lab Report: BASIC METABOLIC PANEL
Provider: Reetu Grewal, MD
Location of Care: Center for Family Medicine-Faculty

Patient: BEVERLY WHEELER

Note: All result statuses are Final unless otherwise noted.

Tests: (1) BASIC METABOLIC PANEL (13500)

Report run by Juana Cole

APP 247

79 202

Center for Family Medicine-Residents
853 N.Church Street Suite 510 Spartanburg, SC 29303
864-560-6193 Fax: 864-560-0504

October 5, 2010
Page 12
Chart Document

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female DOB: 663000 Ins: BC/BS ST (25) Grp: STATE

(1) Order result status: Final
Collection or observation date-time: 10/11/2006 15:C3
Requested date-time: 10/11/2006 15:03
Receipt date-time: 10/11/2006 18:07
Reported date-time: 10/12/2006 12:09
Referring Physician: REETU GREWAL
Ordering Physician: REETU GREWAL (G97319)
Specimen Source: 2&BLOOD RED&RED TUBE
Source: LA01
Filler Order Number: 06284458199 LAD1
Lab site:
Producer ID *1:SRMC SPARTANBURG REGIONAL MEDICAL CENTER

Signed by Reetu Grewal, MD on 10/13/2006 at 12:51 PM

10/02/2007 - EKG Report: EKG Report
Provider: Reetu Grewal, MD
Location of Care: Center for Family Medicine-Residents
This document contains external references

EKG Report

Imported By: Lashann Long 10/02/2007 17:38:28

External Attachment:

Type: Image
Comment: External Document

Signed before import by Reetu Grewal, MD
Filed automatically on 10/02/2007 at 5:39 PM

10/02/2007 - Office Visit: annual physical
Provider: Reetu Grewal, MD
Location of Care: Center for Family Medicine-Residents

Chief Complaint: annual physical

Hypertension History:

Report run by Juana Cole

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female-DOB: 563000 Ins: BC/BS-ST(25) Grp: STATE

She denies headache, chest pain, palpitations, dyspnea with exertion, orthopnea, PND, peripheral edema, visual symptoms, neurologic problems, syncope, and side effects from treatment. She notes no problems with any antihypertensive medication side effects. Further comments include: Had several readings while at work of 140s-150s over 80s.

Positive major cardiovascular risk factors include hypertension. Negative major cardiovascular risk factors include female age less than 55 years old, no history of diabetes or hyperlipidemia, negative family history for ischemic heart disease, and non-tobacco-user status.

Further assessment for target organ damage reveals no history of ASHD, cardiac end-organ damage (CHF/LVH), stroke/TIA, peripheral vascular disease, renal insufficiency, or hypertensive retinopathy.

Past Medical History:

Reviewed history from 10/11/2006 and no changes required:

- Anemia
- Seasonal Allergies
- History of left breast
- GERD

Past Surgical History:

Hysterectomy for fibroids(did not take ovaries)-2005
Ex-lap for intestinal blockage 8/07 with small bowel resection

Family History:

Reviewed history from 10/11/2006 and no changes required:

- FH Hypertension--mother and father
- Hypothyroid--father

Social History:

Reviewed history from 10/11/2006 and no changes required:

- Patient has never smoked.
- Passive smoke exposure - no
- Alcohol Use - no
- Drug Use - no
- HIV/High Risk - no
- Works as maintenance in District 6 schools
- Single, has two children

Preventive Care Screening

Mammogram:

Date: 10/02/2007
Results: ordered

Pap Smear:

Date: 10/02/2007
Results: No Cervix

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female-DOB: 563000 Ins: BC/BS ST (25) Grp: STATE

Review of Systems

See HPI

General

Denies fever, chills, and malaise.

Eyes

Denies eye irritation and discharge.

ENT

Denies earache and nasal congestion.

Resp

Denies cough, shortness of breath, and wheezing.

GI

Denies indigestion, nausea, vomiting, and abdominal pain.

Derm

Denies itching and rash.

Psych

Denies anxiety and depression.

Allergy

Complains of seasonal allergies.

Vital Signs:

Patient Profile: 44 Year Old Female
Height: 63 inches
Weight: 114.9 pounds
Temp: 96.2 degrees F tympanic
Pulse rate: 67 / minute
BP sitting: 137 / 76 (left arm)
Cuff size: regular

Vitals Entered By: Amy Montjoy, RN (October 2, 2007 8:42 AM)

Pt. identity verified by name and DOB. Pt. is not taking any herbal medications or OTC meds. Pt is taking Hydrocodone-APAP 7.5-500mg 1-2 every 6 hours pm pain and Protonix 40 mg po everyday from Dr Nguyen..... Amy Montjoy, RN October 2, 2007 8:42 AM

Nurse Facility Form

Vitals/Placed Pt in Room

Diagnostic Test Set-up

Report run by Juana Cole

82

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female DOB: 900 Ins: BC/BS-ST (25) Grp: STATE

Patient scheduled for mammogram for 10/23/07 @10:20..Order faxed via computer..... L. Dawn
Stevenson, CMA October 2, 2007 9:27 AM

Physical Exam

General:

well developed, well nourished, in no acute distress.

Head:

normocephalic and atraumatic.

Eyes:

PERRLEOM intact, conjunctiva and sclera clear with out nystagmus.

Ears:

TM's intact and clear with normal canals with grossly normal hearing.

Nose:

no deformity, discharge, inflammation, or lesions.

Mouth:

no deformity or esions with good dentition.

Neck:

no masses, thyromegaly, or abnormal cervical nodes.

Breasts:

no masses, adenopathy or nipple discharge.

Lungs:

clear bilaterally to auscultation, no distress.

Heart:

normal S1, S2 without murmurs, rubs, gallops, or clicks.

Abdomen:

normal bowel sounds; no hepatosplenomegaly no ventral, umbilical hernias or masses noted.

Msk:

no deformity or scoliosis noted of thoracic or lumbar spine.

Extremities:

no clubbing, cyanosis, edema, or deformity noted with norma full range of motion of all joints.

Skin:

intact without lesions or rashes.

Cervical Nodes:

no significant adenopathy.

Psych:

alert and cooperative; normal mood and affect; normal attention span and concentration.

EKG

Procedure date: 10/02/2007

Findings:

normal: Normal sinus rhythm with rate of: 73, no evidence of LVH

BEVERLY RENEE WHEELER

Home: (864)576-2497 Office: (864)576-4213

Female DOB:

063000

Ins: BC/BS ST (25) Grp: STATE

Impression & Recommendations:

Problem # 1: Preventive Health Care (ICD-V70.0)

Will get screening mammogram, patient does not need pap smear, EKG is normal. Reviewed labwork from 1 year prior which was all wnl.

Problem # 2: HYPERTENSION, BENIGN (ICD-401.1)

Will start lisinopril, low dose, reevaluate at next visit and increase dose if needed.

Her updated medication list for this problem includes:

Lisinopril 5 Mg Tabs (Lisinopril) One tablet po q daily for blood pressure

Orders:

Residents - Office visit, est, exp prob (99213) (CPT-99213)

Office visit est exp prob (99213) (CPT-99213)

Problem # 3: G E R D (ICD-530.81)

Her updated medication list for this problem includes:

Protonix 40 Mg Tbec (Pantoprazole sodium) One tab po q daily

Orders:

ECG (12 Lead) w/intel & report (CPT-93000)

Office visit est exp prob (99213) (CPT-99213)

Medications Added to Medication List This Visit:

1) Protonix 40 Mg Tbec (Pantoprazole sodium) One tab po q daily

2) Lisinopril 5 Mg Tabs (Lisinopril) One tablet po q daily for blood pressure

Other Orders:

Facility Fee - Office visit est exp prob (99213) (CPT-99213)

Mammogram screening both breasts (CPT-76092)

Facility Fee - Office visit est exp prob (99213) (CPT-99213)

Hypertension Assessment/Plan:

The patient's hypertensive risk group is category A: No risk factors and no target organ damage. Her calculated 10 year risk of coronary heart disease is 2 %. Today's blood pressure is 137/76. Her blood pressure goal is < 140/90.

Patient Instructions:

1) Please schedule a follow-up appointment in 6 months.

2) Take all medications as prescribed.

Prescriptions:

CLARITIN 10 MG TABS (LORATADINE) One tab PO Q daily #30 x 5

Entered and Authorized by: Reetu Grewal, MD

Signed by: Reetu Grewal, MD on 10/02/2007

Method used: Print then Give to Patient

BEVERLY RENEE WHEELER

Home: (864)576-2497 Office: (864)576-0212

Female DOB: 000

Ins: BC/BS ST (25) Grp: STATE

LISINOPRIL 5 MG TABS (LISINOPRIL) One tablet PO Q daily for blood pressure #30 x 5

Entered and Authorized by: Reetu Grewal, MD

Signed by: Reetu Grewal, MD on 10/02/2007

Method used: Print then Give to Patient

PROTONIX 40 MG TBEC (PANTOPRAZOLE SODIUM) One tab PO Q daily #30 x 11

Entered and Authorized by: Reetu Grewal, MD

Signed by: Reetu Grewal, MD on 10/02/2007

Method used: Print then Give to Patient

Case reviewed with attending. Reetu Grewal, MD October 2, 2007 9:14 AM

The patient BEVERLY WHEELER is a 44 Year Old who was discussed with the resident at the time of the visit. I reviewed the patient's presenting concerns and outline a plan of action based on patient's history and exam. The pt's medical issues reviewed today are hypertension and GERD. Preventive care issues reviewed.. The above note was reviewed and signed after completion by the resident. The note is consistent with our discussion and my exam. Simon, MD, October 4, 2007 5:48 PM

Signed by I Simon, MD on 10/04/2007 at 5:49 PM

10/23/2007 - Imaging Report: mammogram negative

Provider: Reetu Grewal, MD

Location of Care: Center for Family Medicine-Faculty

2045112 MA MAMMOGRAM STATE EMPLOYEE

S000064414 WHEELER, BEVERLY^RENEE

EXAM Date 10/23/07 1050

Patient History-

Family history of breast cancer.

Excisional biopsy of the left breast.

STATE EMPLOYEE MAMMOGRAM-H

Bilateral CC and MLO view(s) were taken.

Prior study comparison- February 14, 2005, bilateral screening mammogram.

The breast tissue is dense.

ASSESSMENT- Negative

RECOMMENDATION-

Routine screening mammogram of both breasts in 1 year.

Transcriptionist- 22231

Reading Radiologist- Peter Ryan MD

Releasing Radiologist- Peter Ryan MD

Released Date Time- 10/24/07 1039

12606

Report run by Juana Cole

APP 253

8508

BEVERLY RENEE WHEELER

Home: (864) 576-7497 Office: (864) 576-4212

Female-DOB:

563000

Ins: BC/BS ST(25) Grp: STATE

10/11/2006 - Office Visit

Provider: Reetu Grewal, MD

Location of Care: Center for Family Medicine-Residents

Visit Type: Annual Physical

Chief Complaint: annual physical and Abdominal Pain.

History of Present Illness:

Having allergy symptoms, with post nasal drip, runny nose, taking tylenol sinus without much relief. Also with itchy watery eyes, and sneezing. Has had seasonal allergies in the past, but never took medication for it. Doing well, but wants a general check up. Also complaining of dyspepsia, mostly with fried foods, and tomato sauce.

Dyspepsia History:

The patient notes that the symptoms began approximately 07/06/2006. She has no alarm features of dyspepsia including no history of melena, hematochezia, dysphagia, persistent vomiting, or involuntary weight loss > 5%. There is no prior history of GERD. The patient does not have a prior history of documented ulcer disease. The dominant symptom is heartburn or acid reflux. An H-2 blocker medication is currently being taken. No previous upper endoscopy has been done.

.res

Past Medical History:

Anemia
Seasonal Allergies
History of left breast
GERD

Past Surgical History:

Hysterectomy for fibroids(did not take ovaries)-2005

Family History:

FH Hypertension--mother and father
Hypothyroid--father

Social History:

Patient has never smoked.
Passive smoke exposure - no
Alcohol Use - no
Drug Use - no
HIV/High Risk - no
Works as maintenance in District 6 schools
Single, has two children

Risk Factors:

BEVERLY RENEE WHEELER

Home: (864) 576-2497 Office: (864) 576-4212

Female DOB

663000

Ins: BC/BS ST (25) Grp: STATE

Tobacco use: never
Passive smoke exposure: no
Drug use: no
HIV high-risk behavior: no
Alcohol use: no

Mammogram History:

Date of Last Mammogram: 10/07/2005
Results: Norma Bilateral

Review of Systems

General

Denies fever, chills, and weight loss.

Eyes

Denies double vision and blurring.

ENT

Denies earache, nasal congestion, and sore throat.

CV

Denies chest pain or discomfort, racing/skipping heart beats, shortness of breath with exertion, palpitations, and swelling of hands or feet.

Resp

Denies cough, shortness of breath, and wheezing.

GI

Complains of indigestion.

Denies nausea, vomiting, abdominal pain, diarrhea, and constipation.

GU

Denies urinary urgency, kidney pain, trouble starting urinary stream, painful urination, and night time urination.

Derm

Denies itching.

Neuro

Denies headaches.

Psych

Denies anxiety and depression.

g

Vital Signs:

Patient Profile: 43 Year Old Female
Height: 63 inches
Report run by Juana Cole

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female DOB: 63000 Ins: EC/BS ST (25) Grp: STATE

Weight: 120.9 pounds
Temp: 98.0 degrees F oral
Pulse rate: 77 / minute
BP sitting: 143 / 78 (left arm)

Vitals Entered By: Patricia G Williams, LPN (October 11, 2006 2:32 PM)

pt identified using two identifiers, name and date of birth
pt not taking otc meds or meds from any other dr. of herbal mecs

Nurse Facility Form

Vitals/Placed Pt in Room
Chaperone (15)
Diagnostic Test Set-up
Patient scheduled for bilateral mammogram for 11-28-06 @ 11:00. Order faxed to 560-6613..... L. Dawn
Stevenson, CMA October 11, 2006 3:04 PM
n

Physical Exam

General:

well developed, well nourished, in no acute distress.

Head:

normocephalic and atraumatic.

Ears:

M's intact and clear with normal canals with grossly normal hearing.

Nose:

clear nasal discharge.

Mouth:

post nasal drip, good dentition.

Neck:

no masses, thyromegaly, or abnormal cervical nodes.

Breasts:

deferred per patient's request

Lungs:

clear bilaterally to auscultation.

Heart:

normal S1, S2 without murmurs, rubs, gallops, or clicks.

Abdomen:

normal bowel sounds; no hepatosplenomegaly no ventral, umbilical hernias or masses noted.

Msk:

no deformity or scoliosis noted of thoracic or lumbar spine.

Pulses:

pulses normal in all 4 extremities.

Extremities:

no clubbing, cyanosis, edema, or deformity noted with normal full range of motion of all joints.

Skin:

intact without lesions or rashes.

BEVERLY RENEE WHEELER

Home: (864)576-2497 Office: (864)576-4212

Female DOB: 1000

Ins: BC/BS ST (25) Grp: STATE

Cervical Nodes:

no significant adenopathy.

Psych:

alert and cooperative; normal mood and affect; normal attention span and concentration.

Impression & Recommendations:

Problem # 1: WELL WOMAN (ICD-V70.0)

BP mildly up although not high enough to warrant treatment today. Will check baseline labs, and get screening mammogram as well, patient deferred breast exam today.

Orders:

CMP (CPT-80053)

Lipid panel (CPT-80061)

TSH (CPT-84443)

CBC (CPT-85027)

Mammogram, screening, both breasts (CPT-76092)

Residents - Office visit, new, detailed (99203) (CPT-99203)

Problem # 2: ALLERGIC RHINITIS, SEASONAL (ICD-477.0)

Will treat with loratadine.

Orders:

Residents - Office visit, new, detailed (99203) (CPT-99203)

Office visit, new, detailed (99203) (CPT-99203)

Problem # 3: GERD (ICD-530.81)

Will try ranitidine today, and check for h.pylori antibody as well.

Her updated medication list for this problem includes:

Ranitidine Hcl 150 Mg Caps (Ranitidine hcl) 1 qhs and 1qam

Orders:

H.pylori,antibody (CPT-86677)

Residents - Office visit, new, detailed (99203) (CPT-99203)

Office visit, new, detailed (99203) (CPT-99203)

Orders:

H.pylori,antibody (CPT-86677)

Medications Added to Medication List This Visit:

1) Claritin 10 Mg Tabs (Loratadine) One tab po q daily

2) Ranitidine Hcl 150 Mg Caps (Ranitidine hcl) 1 qhs and 1qam

Other Orders:

Facility Fee - Office visit, est, exp prob (99213) (CPT-99213)

Facility Fee - Office visit, est, exp prob (99213) (CPT-99213)

BEVERLY RENE WHEELER Home: (864)576-2497 Office: (864)576-4212
Female DOB: 10/00/1960 Ins: EC/BS ST (25) Grp: STATE

Dyspepsia Assessment/Plan:

Step Therapy: GERD Treatment Protocols:

Step-1: started
H-2 blocker chosen: Ranitidine 150mg by mouth at bedtime

Prescriptions:

RANITIDINE HCL 150 MG CAPS (RANITIDINE HCL) 1 qhs and 1qam #60 x 3

Entered and Authorized by: Reetu Grewal, MD

Signed by: Reetu Grewal, MD on 10/11/2006

Method used: Print then Give to Patient

CLARITIN 10 MG TABS (LORATADINE) One tab PO Q daily #30 x 3

Entered and Authorized by: Reetu Grewal, MD

Signed by: Reetu Grewal, MD on 10/11/2006

Method used: Print then Give to Patient

Allergies:

Added new allergy of SULFA

Case reviewed with attending. Reetu Grewal, MD October 11, 2006 3:05 PM

This patient was discussed with the resident at the time of the visit. Pertinent history and physical findings were reviewed with the resident. The diagnoses and treatment plan are detailed above and outlined by my assessment in these comments. New pt to practice, here for dyspepsia, heavy menses resulting in TAH, then anemia, seasonal allergies. Will try ranitidine and behav modif for GI sx. Will check labs; f/u on results. Pt declined full exam/breast today. Will refer for mammo; have RTO for BP check.

Ginger Boyle, MD October 13, 2006 5:06 PM

Signed by Ginger Boyle, MD on 10/13/2006 at 5:08 PM

10/11/2006 - Lab Report: CBC 13.1

Provider: Reetu Grewal, MD

Location of Care: Center for Family Medicine-Faculty

Patient: BEVERLY WHEELER

Note: All result statuses are Final unless otherwise noted.

Tests: (1) COMPLETE BLOOD COUNT (20050)

White Blood Cell Count

8.2 K/cmm

4.5-11.0

*1

Report run by Juana Cole

APP 258

903

BEVERLY RENEE WHEELER Home: (864)576-2497 Office: (864)576-4212
 Female DOB: 000 Ins: BC/BS ST(25) Grp: STATE

Red Blood Cell Count [H]	5.20 million/cmm	3.90-5.10	*2
Hemoglobin	13.1 g/dL	12.0-15.6	*3
Hematocrit	39.8 %	35.0-46.0	*4
Mean Corpuscular Volume			
	[L] 76.6 fL	85.0-98.0	*5
Mean Corpuscular Hemoglobin			
	[L] 25.1 pg	28.0-33.0	*6
Mean Corpuscular Hemoglobin Concentration			
	32.8 g/dL	32.5-36.0	*7
Red Cell Distribution Width			
	14.2 %	11.5-14.5	*8
Platelet	222 K/cmm	130-400	*9

PRELIMINARY RESULTS - WBC MAY BE FALSELY INCREASED AND PLT MAY BE FALSELY DECREASED DUE TO PLT CLUMPING. REVIEW OF SMEAR PENDING.

Note: An exclamation mark (!) indicates a result that was not dispersed into the flowsheet.

Document Creation Date: 10/11/2006 5:19 PM

(1) Order result status: Final
 Collection or observation date-time: 10/11/2006 15:03
 Requested date-time: 10/11/2006 15:03
 Receipt date-time: 10/11/2006 18:07
 Reported date-time: 10/11/2006 18:18
 Referring Physician: REETU GREWAL
 Ordering Physician: REETU GREWAL (G97319)
 Specimen Source: 2&BLOOD LAV&LAVENDER TUBE
 Source: LA01
 Filler Order Number: 06284458198 LAD1
 Lab site:
 Producer ID *1:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
 Producer ID *2:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
 Producer ID *3:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
 Producer ID *4:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
 Producer ID *5:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
 Producer ID *6:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
 Producer ID *7:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
 Producer ID *8:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
 Producer ID *9:SRMC SPARTANBURG REGIONAL MEDICAL CENTER

The following lab values were dispersed to the flowsheet with no units conversion:

Red Blood Cell Count, 5.20 MILLION/CMM, (F) expected units: /mm3
 Mean Corpuscular Hemoglobin Concentration, 32.8 G/DL, (F) expected units: %
 Platelet, 222 K/CMM, (F) expected units: 10*3/mm3

Signed by Reetu Grewal, MD on 10/12/2006 at 7:30 AM

Report run by Juana Cole

APP 259

91214

BEVERLY RENEE WHEELER

Hcmr: (864)576-2497 Office: (864)576-0212

Female DOB: 63000

Ins: BC/BS ST (25) Grp: STATE

10/11/2006 - Lab Report: TSH 0.3

Provider: Reetu Grewal, MD

Location of Care: Center for Family Medicine-Faculty

Patient: BEVERLY WHEELER

Note: All result statuses are Final unless otherwise noted.

Tests: (1) THYROID STIMULATING HORMONE (50295)

Thyroid Stimulating Hormone

0.3 uIU/mL

0.3-5.5

*1

Note: An exclamation mark (!) indicates a result that was not dispersed into the flowsheet.

Document Creation Date: 10/12/2006 11:18 AM

(1) Order result status: Final

Collection or observation date-time: 10/11/2006 15:03

Requested date-time: 10/11/2006 15:03

Receipt date-time: 10/11/2006 18:07

Reported date-time: 10/12/2006 11:13

Referring Physician: REETU GREWAL

Ordering Physician: REETU GREWAL (G97319)

Specimen Source: 2&BLOOD GOLD&GOLD TUBE

Source: LA01

Filler Order Number: 06284458197 LAD1

Lab site:

Producer ID *1:SRMC SPARTANBURG REGIONAL MEDICAL CENTER

Signed by Reetu Grewal, MD on 10/13/2006 at 12:51 PM

10/11/2006 - Lab Report: COMPLETE BLOOD COUNT

Provider: Reetu Grewal, MD

Location of Care: Center for Family Medicine-Faculty

Patient: BEVERLY WHEELER

Note: All result statuses are Final unless otherwise noted.

Tests: (1) COMPLETE BLOOD COUNT (20050)

White Blood Cell Count

8.2 K/cmm

4.5-11.0

*1

Red Blood Cell Count [H] 5.20 million/cmm

3.90-5.10

*2

Hemoglobin 13.1 g/dL

12.0-15.6

*3

Hematocrit 39.8 %

35.0-46.0

*4

Mean Corpuscular Volume

Report run by Juana Cole

BEVERLY RENEE WHEELER Home: (864) 576-2497 Office: (864) 576-4212
Female DOB: 3000 Ins: BC/BS ST (25) Grp: STATE

Mean Corpuscular Hemoglobin	[L] 76.6 fL	85.0-98.0	*5
Mean Corpuscular Hemoglobin Concentration	[L] 25.1 pg	28.0-33.0	*6
Red Cell Distribution Width	32.8 g/dL	32.5-36.0	*7
Platelet	14.2 %	11.5-14.5	*8
	222 K/cmm	130-40C	*9

PRELIMINARY RESULTS - WBC MAY BE FALSELY INCREASED AND PLT MAY BE FALSELY DECREASED DUE TO PLT CLUMPING. REVIEW OF SMEAR PENDING. SIGNIFICANT PLATELET CLUMPING PRESENT ON SMEAR. PRELIMINARY RESULTS ARE POSSIBLY ERRONEOUSLY LOW. RECOMMEND ALTERNATE COLLECTION PROTOCOL BE FOLLOWED:
LAVENDER & BLUE TUBES COLLECTED & KEPT WARM UNTIL DELIVERY FOR IMMEDIATE ANALYSIS.

Note: An exclamation mark (!) indicates a result that was not dispersed into the flowsheet.

Document Creation Date: 10/11/2006 5:54 PM

(1) Order result status: Final
Collection or observation date-time: 10/11/2006 15:03
Requested date-time: 10/11/2006 15:03
Received date-time: 10/11/2006 18:07
Reported date-time: 10/11/2006 18:54
Referring Physician: REETU GREWAL
Ordering Physician: REETU GREWAL (G97319)
Specimen Source: 2&BLOOD LAV&LAVENDER TUBE
Source: LA01
Filler Order Number: 06284458198 LAD1
Lab site:
Producer ID *1:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *2:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *3:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *4:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *5:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *6:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *7:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *8:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *9:SRMC SPARTANBURG REGIONAL MEDICAL CENTER

The following lab values were dispersed to the flowsheet with no units conversion:

Red Blood Cell Count, 5.20 MILLION/CMM, (F) expected units: /mm3
Mean Corpuscular Hemoglobin Concentration, 32.8 G/DL, (F) expected units: %
Platelet, 222 K/CMM, (F) expected units: 10*3/mm3

BEVERLY RENEE WHEELER

Hbmr: (864)576-2497 Office: (864)576-4212

Female DOB:

663000

Ins: BC/BS ST (25) Grp: STATE

Signed by Reetu Grewal, MD on 10/12/2006 at 7:30 AM

10/11/2006 - Lab Report: CMP wnl

Provider: Reetu Grewal, MD

Location of Care: Center for Family Medicine-Faculty

Patient: BEVERLY WHEELER

Note: All result statuses are Final unless otherwise noted.

Tests: (1) COMPREHENSIVE METABOLIC PANEL (13505)

Urea Nitrogen	7 mg/dL	6-20	*1
Sodium	133 mmol/L	133-146	*2
Potassium	4.5 mmol/L	3.5-4.9	*3
Chloride	101 mmol/L	100-111	*4
Carbon Dioxide	27.7 mmol/L	23.0-32.6	*5
Glucose [L]	75 mg/dL	77-117	*6
Creatinine	0.8 mg/dL	0.6-1.2	*7
Calcium	9.0 mg/dL	8.9-10.3	*8
Total Protein	6.8 g/dL	6.1-8.0	*9
Albumin	3.9 g/dL	3.5-4.9	*10
Alanine Transferase	15 IU/L	8-39	*11
Alkaline Phosphatase	93 IU/L	35-108	*12
Aspartate Aminotransferase	20 IU/L	12-33	*13
Total Bilirubin	0.8 mg/dL	0.0-1.5	*14
Bun/Creat Ratio	9	8-23	*15
Osmolality Calculation [L]	263 mOsm/kg	271-318	*16
Anion Gap	9 mmol/L	6-13	*17
Immunoglobulin G	2.9 g/dL	2.0-3.7	*18
Albumin/Globulin Ratio	1.3	0.9-2.4	*19

Note: An exclamation mark (!) indicates a result that was not dispersed into the flowsheet.

Document Creation Date: 10/11/2006 5:39 PM

(1) Order result status: Final

Collection or observation date-time: 10/11/2006 15:03

Requested date-time: 10/11/2006 15:03

Receipt date-time: 10/11/2006 18:07

Reported date-time: 10/11/2006 18:38

Referring Physician: REETU GREWAL

Ordering Physician: REETU GREWAL (G97319)

Specimen Source: 2&BLOOD GOLD&GOLD TUBE

Source: LA01

Filler Order Number: 06284458195 LA01

Lab site:

Producer ID *1:SRMC SPARTANBURG REGIONAL MEDICAL CENTER

Producer ID *2:SRMC SPARTANBURG REGIONAL MEDICAL CENTER

Report run by Juana Cole

BEVERLY RENEE WHEELER

Home: (864) 576-2497 Office: (864) 576-4212

Female-DOB:

663000

Ins: BC/BS ST(25) Grp: STATE

Producer ID *3:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *4:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *5:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *6:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
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Producer ID *17:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *18:SRMC SPARTANBURG REGIONAL MEDICAL CENTER
Producer ID *19:SRMC SPARTANBURG REGIONAL MEDICAL CENTER

Signed by Reetu Grewal, MD on 10/12/2006 at 7:29 AM

10/11/2006 - Lab Report: LIPIDS Chol 159, Trig 40, LDL 93
Provider: Reetu Grewal, MD
Location of Care: Center for Family Medicine-Faculty

Patient: BEVERLY WHEELER

Note: All result statuses are Final unless otherwise noted.

Tests: (1) LIPID PROFILE (12221)

Cholesterol	159 mg/dL	0-200	*1
Triglycerides [L]	40 mg/dL	44-150	*2
High Density Lipoprotein	54 mg/dL	40-60	*3
Low Density Lipoprotein	93.0 mg/dL	0.0-100.0	*4
Very Low Density Lipid	8 mg/dL	5-35	*5

Note: An exclamation mark (!) indicates a result that was not dispersed into the flowsheet.

Document Creation Date: 10/11/2006 5:39 PM

(1) Order result status: Final

Collection or observation date-time: 10/11/2006 15:03

Requested date-time: 10/11/2006 15:03

Receipt date-time: 10/11/2006 18:07

Reported date-time: 10/11/2006 18:38

Referring Physician: REETU GREWAL

Ordering Physician: REETU GREWAL (G97319)

Specimen Source: 2&BLOOD GOLD&GOLD TUBE

Report run by Juana Cole

BEVERLY RENEE WHEELER

Home: (864)576-2497 Office: (864)576-4212

Female DOB:

63000

Ins: BCBS ST (25) Gr: SPATP

Source: LA01

Filler Order Number: 06284458196 LA01

Lab site:

Producer ID *1:SRMC SPARTANBURG REGIONAL MEDICAL CENTER

Producer ID *2:SRMC SPARTANBURG REGIONAL MEDICAL CENTER

Producer ID *3:SRMC SPARTANBURG REGIONAL MEDICAL CENTER

Producer ID *4:SRMC SPARTANBURG REGIONAL MEDICAL CENTER

Producer ID *5:SRMC SPARTANBURG REGIONAL MEDICAL CENTER

Signed by Reetu Grewal, MD on 10/12/2006 at 7:30 AM

10/11/2006 - Lab Report: HELICOBACTER PYLORI neg

Provider: Reetu Grewal, MD

Location of Care: Center for Family Medicine-Faculty

Patient: BEVERLY WHEELER

Note: All result statuses are Final unless otherwise noted.

Tests: (1) HELICOBACTER PYLORI (40175)

1 HELICOBACTER PYLORI "Result Below..." *1

RESULT: HELICOBACTER PYLORI (D)

Specimen: BLOOD

Collected: 10/11/2006 15:C3

Status: Final

Last Updated: 10/12/2006 12:C9

Results (Final)

H. Pylori IgG (Qualitative enzyme linked fluorescent immunoassay)=Negative

Interpretations: Negative: <0.75

Equivocal: >=0.75 TO <1.00

Positive: >=1.00

This assay has not been established for patients <18 yrs of age
TEST RESULT VALUE= 0.18

Note: An exclamation mark (!) indicates a result that was not dispersed into the
flowsheet.

Document Creation Date: 10/12/2006 12:10 PM