THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Hon. Alison R. Lee, Circuit Court Judge

RECEIVED
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SC Court of Appeals

Case No. 2011-CP-40-03561

Gertrude Shiver,.....Claimant, Appellant,

v.

Palmetto Health Richland, Employer,
Key Risk Management Services, Inc., TPA
Palmetto Hospital Trust Services, Carrier,
Trident Regional Medical Center, Employer,
Zurich American Insurance Company, Carrier,.....Respondents,

RECORD ON APPEAL
VOLUME VIII

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MIDLANDS INTERNAL MEDICINE

PHYSICAL EXAMINATION

NAME: Gertrude Shiver
SS#: 249-98-2546
DATE: 03/29/04

The patient is a 49-year-old black female with past medical history significant for hypertension, paroxysmal supraventricular tachycardia, gastroesophageal reflux disease with stricture status post dilation times two, and chronic back and neck pain, who basically presents for complete physical exam. The patient notes that she is doing relatively well. She continues to have chronic back and neck pain and is followed by Carolina Spine Clinic in Charleston. She notes that she needs to go back there for an injection as oral medications are not necessarily helpful. She really has no other major complaints and otherwise feels relatively well.

PAST MEDICAL HISTORY: As above.

PAST SURGICAL HISTORY:

1. Breast reduction in 1997
2. Myomectomy in 1995

ALLERGIES:

1. Tetanus caused severe edema and induration with pain
2. CT dye gave her hives and palpitations.
3. PPD caused hives and palpitations as well.

CURRENT MEDICATIONS:

1. Cardizem CD 120mg q day
2. Tenormin 25mg bid
3. Bextra 20mg q day
4. Baby aspirin daily
5. Tylenol prn
6. Skelaxin prn
7. Ultram qid prn
8. Aciphex 20mg q day
9. Lortab prn, which is rare

SOCIAL HISTORY: The patient does not smoke, nor does she drink alcohol. She is not married and has no children and is currently not sexually active. She is originally from Gaston and lived in Charleston but has been in Columbia since 1998. She was a cardiac nurse but became disabled due to back pain. She now works in Medical Records for Richland Memorial Hospital and notes a moderate amount of stress. She puts in about 40 hours a week.

MIDLANDS INTERNAL MEDICINE
PHYSICAL EXAMINATION

NAME: Gertrude Shiver
SS#: 249-98-2546
DATE: 03/29/04

FAMILY HISTORY: The patient's father died in his 60's from a stroke. Mother passed away at the age of 90. She had diabetes, dementia, and a stroke in the end as well. She denies any overwhelming amount of heart disease in the family but does note hypertension and strokes. She also notes diabetes. There is a history of breast cancer in the family and her sister had colon cancer in her 50's. There is a strong history of arthritis as well.

DIET AND EXERCISE: The patient's diet is fair. Her exercise is minimal.

REVIEW OF SYSTEMS: The patient does note occasional sinus headaches but these are minimal in nature. She gets her eyes checked yearly by Dr. Blake. She notes significant amounts of left-sided neck pain that, at times, radiates into her left shoulder and notes muscular tightness. Skelaxin and Ultram do seem to be somewhat helpful. She notes fluctuating bowel habits, mostly with constipation. Seems to be worsened on Ultram. She did have a colonoscopy in 2002 and interestingly did have an adenomatous polyp that will need to be repeated. She notes diffuse abdominal and pelvic pain. She continues to have ankle pain and was evaluated by the Miller Clinic. She notes some insomnia. She notes some fatigue. All other systems reviewed at this time and negative.

PHYSICAL EXAMINATION: Vital signs noted.
GENERAL: Pleasant, in no acute distress.
HEENT: Normocephalic, atraumatic. Pupils equal, round and reactive to light and accommodation. Extra-ocular movements intact. Funduscopic exam unremarkable. TM's clear. Oropharynx clear with moist mucus membranes.
NECK: No JVD. No lymphadenopathy. No thyromegaly. No bruits.
LUNGS: Clear to auscultation and percussion bilaterally.
CARDIOVASCULAR: Bradycardiac. Normal S1 and S2. There are no murmurs, rubs, or gallops auscultated.
ABDOMEN: Soft, nondistended. There is mild tenderness diffusely. There are positive bowel sounds in all quadrants. There is no hepatosplenomegaly or mass.
BREASTS: No dominant masses. Mild fibrocystic changes. Some scar tissue from previous mammoplasty. No nipple inversion. No skin dimpling. No axillary nodes.
UROGENITAL: The patient has normal external female genitalia. Cervix visualized. Pap smear obtained. By manual exam, unremarkable. Perhaps some mild irregularity to the uterus.
RECTAL: No masses. Normal sphincter tone. Guaiac negative stool.
EXTREMITIES: No clubbing, cyanosis, or edema. The patient has 2+ distal pulses bilaterally.
NEUROLOGIC: Grossly intact.

MIDLANDS INTERNAL MEDICINE

PHYSICAL EXAMINATION

NAME: Gertrude Shiver
SS#: 249-98-2546
DATE: 03/29/04

ASSESSMENT AND PLAN:

1. Paroxysmal supraventricular tachycardia. Continue current regimen. The patient seems to be extremely well controlled. She did have a recent Holter monitor, which was normal. EKG was not repeated today.
2. Reflux with overlapping stricture, status post dilation. Continue Aciphex on a daily basis.
3. Adenomatous polyp. Will call the patient in May for repeat colonoscopy as she is due this year.
4. Neck pain. Needs to go back to Charleston Spine Institute, where she is also followed for her chronic back pain.
5. Abdominal discomfort. The patient did have a CT scan but this was done without contrast. We will try ultrasound of the pelvis and abdomen for further evaluation.
6. Fatigue. Will check endocrinologic and metabolic etiologies.
7. Diffuse arthralgias. Again, consider rheumatologic panel in the future.
8. Routine health maintenance. Have encouraged increasing exercise, perhaps non weight bearing, for instance an exercise bike. She is otherwise completely up to date.

Jeffrey D. Hook, MD

MIDLANDS INTERNAL MEDICINE

OFFICE VISIT NOTE

NAME: Gertrude Shiver
SS#: 249-98-2546
DATE: 10/19/04

The patient is a 50-year-old black female with past medical history significant for hypertension, paroxysmal supraventricular tachycardia, gastroesophageal reflux disease with stricture status post dilation times two, and chronic back and neck pain, who basically presents with new onset of rash. The patient notes that she has had an extremely pruritic rash on the back of her neck. She denies any new exposures, such as detergents, soaps, jewelry, etc. She claims that it is limited to the back of her neck. She also notes that her left nipple has been itching but she sees no rash there. She denies any discharge or mass. She has no other major complaints and otherwise has been doing relatively well. She has been followed by The Miller Clinic in Charlotte and has had some injections performed to her left ankle and she does note some improvement in this regards. She has no other major complaints.

PAST MEDICAL HISTORY: Unchanged since previously documented in the chart.
PAST SURGICAL HISTORY: Unchanged since previously documented in the chart.
ALLERGIES: Unchanged since previously documented in the chart.
MEDICATIONS: Unchanged since previously documented in the chart.
SOCIAL HISTORY: Unchanged since previously documented in the chart.
FAMILY HISTORY: Unchanged since previously documented in the chart.

REVIEW OF MEDICATIONS:

1. Cardizem CD 120mg q day
2. Tenormin 25mg bid
3. Bextra 20mg q day
4. Baby aspirin daily
5. Tylenol prn
6. Skelaxin prn
7. Ultram qid prn
8. Aciphex 20mg q day
9. Lortab prn.

REVIEW OF SYSTEMS: See History of Present Illness. All other systems reviewed at this time and negative.

MIDLANDS INTERNAL MEDICINE

OFFICE VISIT NOTE

NAME: Gertrude Shiver
SS#: 249-98-2546
DATE: 10/19/04

PHYSICAL EXAMINATION: Vital signs noted.

GENERAL: In no acute distress.

HEENT: Unremarkable.
NECK: No JVD. No bruits.
LUNGS: Clear.
CARDIOVASCULAR: Bradycardiac. Normal S1 and S2.
BREASTS: No palpable masses. No nipple inversion. No nipple discharge. No visible rash. Minimal fibrocystic change. No axillary nodes. No skin dimpling.
ABDOMEN: Benign
EXTREMITIES: No edema.
NEUROLOGICAL: Intact.
SKIN: Macular erythematous rash on the posterior aspect of the neck. It is nonvesicular, minimally raised, and somewhat excoriated.

ASSESSMENT AND PLAN:

1. Rash. Appears to be a contact dermatitis. I have given the patient some Olux foam to use on a daily basis. The patient was encouraged to pay closer attention to any new exposures. If she is not seeing any improvement, consider dermatologic consultation. She was also told that she could use oral Benadryl if needed, which would likely help with some of the itching. We will follow.
2. Left nipple itching. Again, no rash is visible. It does not appear that this is related to the rash that she has on the back of her neck. Her exam is unremarkable. She is up to date on mammogram. I have reassured her in this regards.
3. Paroxysmal supraventricular tachycardia. Asymptomatic on current regimen.
4. Reflux. Continue Aciphex.
5. Right hand "shocks." Again, continues. Likely due to disc disease in her neck.
6. Left ankle pain. Again, has improved with injections by The Miller Clinic in Charlotte.
7. Abdominal discomfort. This has been persistent and felt to be due to adhesions.
8. Low back pain. Again, improved with nerve blocks. Followed by facet blocks at Charleston Spine Institute.
9. Routine health maintenance. Up to date.

Jeffrey D. Hook, MD

(1459)

MIDLANDS INTERNAL MEDICINE

OFFICE VISIT NOTE

NAME: Gertrude Shiver
SS#: 249-98-2546
DATE: 02/15/06

The patient is a 51-year-old black female with past medical history significant for hypertension, paroxysmal supraventricular tachycardia, gastroesophageal reflux disease with stricture status post dilatation times two, chronic back and neck pain, left ankle pain, and left chest wall pain, who basically presents with complaints of acute onset of left ear pain times one week and recent complaints of nausea, vomiting, and diarrhea. The patient claims that symptoms began approximately one week ago with left ear pain. She has used Hydrogen Peroxide in her ear, which she claims has given her little benefit. She notes that the ear feels clogged, as though there is fluid behind it. She claims that she may have had some low grade fever, even though she did not check her temperature. This persisted until the weekend, when she suddenly developed nausea, vomiting, and loose stool. This was associated with some abdominal cramping but without any significant pain. She denies any hematochezia, dark or tarry stool, or frank blood. She has felt somewhat weak, as she has not been able to eat due to the nausea. She has been trying to increase her fluid intake, actually with orange juice. She really has no other major complaints.

PAST MEDICAL HISTORY: Unchanged as previously documented in the chart.
PAST SURGICAL HISTORY: Unchanged as previously documented in the chart.
ALLERGIES: Unchanged as previously documented in the chart.
MEDICATIONS: Unchanged as previously documented in the chart.
SOCIAL HISTORY: Unchanged as previously documented in the chart.
FAMILY HISTORY: Unchanged as previously documented in the chart.

REVIEW OF MEDICATIONS:

1. Cardizem CD 120mg q day (branded)
2. Tenormin 25mg bid (branded)
3. Mobic 15mg q day
4. Baby aspirin q day
5. Tylenol prn
6. Skelaxin prn
7. Ultram prn (Ultram 100 mg qd)
8. AcipHex 20mg q day
9. Maalox prn
10. Lortab prn (....)
11. Gabitril 4mg q HS
12. Lidoderm prn →

(Lyrica 100 mg bid

(1460)

MIDLANDS INTERNAL MEDICINE

OFFICE VISIT NOTE

NAME: Gertrude Shiver
SS#: 249-98-2546
DATE: 02/15/06

REVIEW OF SYSTEMS: See History of Present Illness. All other systems reviewed at this time and negative.

PHYSICAL EXAM: Vital signs noted. The patient is afebrile.

GENERAL: In no acute distress.

HEENT: Mild serous fluid seen behind the left TM. Right TM clear, otherwise unremarkable.
NECK: No JVD. No bruits. No lymphadenopathy.
LUNGS: Clear.
CARDIOVASCULAR: Bradycardiac.
ABDOMEN: Obese, soft, nontender. There are slightly hyperactive bowel sounds. No hepatosplenomegaly or mass.
EXTREMITIES: No edema.
NEUROLOGIC: Nonfocal.

ASSESSMENT AND PLAN:

1. Serous otitis media. Will treat the patient with Duraphen Forté, ½ tablet bid. I doubt that this will affect her paroxysmal supraventricular tachycardia. She was also given some Zoto Otic HC drops to use on an as needed basis.
2. Viral gastroenteritis. Will treat the patient with Phenergan 25mg q 4 to 6 hours prn nausea. She was also given some Levsin sublingual to use for cramping. I told her that I do not want her to use any antidiarrheals, as this is the body's mechanism to get rid of the underlying virus. If she develops any significant abdominal pain, etc., she will let me know. She was given an excuse to miss today and tomorrow of work.
3. Paroxysmal supraventricular tachycardia. Asymptomatic on current regimen.
4. Reflux. Continue AcipHex with prn Maalox.
5. Degenerative disc disease. Known in her cervical and lumbosacral spine. Continue Mobic with prn Ultram.
6. Left-sided intracostal rib pain. Felt to be neuralgic in nature. She will continue Lidoderm as needed.
7. Routine health maintenance. Otherwise up to date.

Jeffrey D. Hook, MD

MIDLANDS INTERNAL MEDICINE ASSOCIATES
PRACTICE LIMITED TO INTERNAL MEDICINE

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JEFF D. HOOK, M.D.
LAURIE F. KOHN, M.D.
JEAN A. MASSEY, Ph.D., A.N.P.

GERTRUDE SHIVER
DOB: 05/19/54
DOS: 06/21/06

Fell on both knees and left hand

Ms. Shiver says she fell at church about three weeks ago and hurt and fell on her knees and outstretched hands. Since then she has had quite a bit of pain in both of her knees. She says that she really cannot get down on her knees to pray because it is so uncomfortable. She also has had quite a bit of continuing pain in her left wrist. She says she has been taking Mobic and Ultram for breakthrough pain and she says that it just does not seem to be getting any better at all. So she is wondering what she needs to do.

OBJECTIVE:
VITAL SIGNS: Her weight is 189 pounds. Temperature is 97.4. Pulse is 76. Respirations are 16. Blood pressure is 110/70.
HEENT: Unremarkable.
NECK: Supple.
LUNGS: Clear.
HEART: S1, S2. No rubs, gallops, or murmurs.
EXTREMITIES: There is no tenderness to palpation on the knees. There is full range of motion bilaterally. There is a little bit of tenderness along the thenar surface of the left hand.

X-rays appear to show no acute findings.

ASSESSMENT: As above.

PLAN: We will go ahead and get her set up to see an orthopedist as soon as possible.

Jean A. Massey, RN, PhD, ANP

JAM/SM/mt

MIDLANDS INTERNAL MEDICINE
OFFICE VISIT NOTE

NAME: Gertrude Shiver
SS#: 249-98-2546
DATE: 10/20/06

The patient is a 52-year-old black female with past medical history significant for hypertension, paroxysmal supraventricular tachycardia, gastroesophageal reflux disease with stricture status post dilatation times two, chronic back and neck pain, left ankle pain, and left chest wall pain felt to be neuralgic in nature, who basically presents for follow-up of her medical problems. The patient suffered a fall in May. She basically injured her right wrist and both of her knees. She basically had no significant findings on x-ray and has been seen ultimately by Dr. Noojin at Moore Orthopedics. He suspects that she still suffers from a left wrist tendonitis and bilateral patellofemoral syndrome on both knees. She has been in physical therapy, is using a wrist splint and braces, but is still having some discomfort. The patient does note that she has apparently lost her job. She claims that she wrote a book about her life's experiences and included some things about her job, which apparently management was not pleased with. She is considering legal counsel in this regards. She also notes that over the last three weeks, she has been having persistent nausea. She denies any vomiting. She denies any abdominal pain. She denies any change in her bowel habits. She denies any hematochezia, melena, etc. She actually has had no vomiting, fever, or chills. She just has the sensation of nausea. She is using her AcipHex. She notes that this does not seem to be working as well as it once was, as she is having some minimal dyspepsia. She denies any true dysphagia. She really has no other major complaints.

PAST MEDICAL HISTORY: Unchanged as previously documented in the chart.
PAST SURGICAL HISTORY: Unchanged as previously documented in the chart.
ALLERGIES: Unchanged as previously documented in the chart.
MEDICATIONS: Unchanged as previously documented in the chart.
SOCIAL HISTORY: Unchanged as previously documented in the chart.
FAMILY HISTORY: Unchanged as previously documented in the chart.

REVIEW OF MEDICATIONS:
1. Cardizem CD 120mg q day (branded)
2. Tenormin 25mg bid (branded)
3. Mobic 15mg q day
4. Baby aspirin q day
5. Tylenol prn
6. Skelaxin prn
7. Ultram CR 100mg q day (bid)
8. AcipHex 20mg q day (changed to Nexium 40mg q day)
9. Maalox prn
10. Lortab prn
11. Lyrica 100mg bid
12. Lidoderm, 12 hours on and 12 hours off

MIDLANDS INTERNAL MEDICINE

OFFICE VISIT NOTE

NAME: Gertrude Shiver
SS#: 249-98-2546
DATE: 10/20/06

REVIEW OF SYSTEMS: The patient is still following with Dr. Brandt of Pain Management. She has a mild peripheral neuropathy, which has been stable on Lyrica. She notes that her blood pressures have been well controlled and she has had only minimal palpitations, which have been short lived and quite rare.

PHYSICAL EXAM: Vital signs noted.

GENERAL: In no acute distress.

HEENT: Unremarkable.
NECK: No JVD. No bruits.
LUNGS: Clear.
CARDIOVASCULAR: Regular.
ABDOMEN: Benign.
EXTREMITIES: No edema.
NEUROLOGIC: Nonfocal.
MUSCULOSKELETAL: Some tenderness over the radial aspect of the left wrist, as well as some tenderness along the patellar region of both knees.

ASSESSMENT AND PLAN:

1. Nausea. Unsure of the etiology. We discussed her diet, which has not necessarily changed. She is on no new medications at this point. At this time, as she is having mild breakthrough dyspepsia, we will go ahead and place her on Nexium 40mg q day. If she is not getting relief, we had discussed perhaps a swallowing study to ensure she is not developing any further stricture. We will be following her closely.
2. Paroxysmal supraventricular tachycardia. Stable on current medications.
3. Hypertension. Well controlled.
4. Degenerative disc disease. Continue Mobic 15mg daily.
5. Left-sided intercostal rib pain. Felt to be neuralgic in nature. Continue Lyrica, Ultram CR, and Lidoderm patch.
6. Abdominal discomfort. Again, has not had significant problems since lysis of adhesions. She will follow with Dr. Odom, if needed.

MIDLANDS INTERNAL MEDICINE

OFFICE VISIT NOTE

NAME: Gertrude Shiver
SS#: 249-98-2546
DATE: 10/20/06

ASSESSMENT AND PLAN: (cont.)

7. Mild peripheral neuropathy. With negative work-up. Continue Lyrica.
8. Routine health maintenance. Basically up to date. She was given a flu shot.
9. Disposition. Apparently, the patient's wrist and knee pain were felt to be pre-existing conditions from her insurance company. We have written that this accident actually took place in May, when she was seen here three weeks later in June. Our office manager, Debbie, discussed this with her insurance company that she had had no knee and wrist pain prior to this date.

Jeffrey D. Hook, MD

MIDLANDS INTERNAL MEDICINE

PHYSICAL EXAMINATION

NAME: Gertrude Shiver
SS#: 249-98-2546
DATE: 04/27/07

The patient is a 52-year-old black female with past medical history significant for hypertension, paroxysmal supraventricular tachycardia, gastroesophageal reflux disease with stricture status post dilation times two, chronic back and neck pain, left ankle pain, left chest wall pain felt to be neuralgic in nature, and bilateral knee and right wrist pain, who basically presents for complete physical exam. The patient notes all-in-all, she feels as though she is doing well. She continues to have a variety of pain, basically regarding her chronic back and neck pain. Her left ankle pain, fortunately, has somewhat improved, as well as her left chest wall pain. She did fall back in May of 2006 injuring her right wrist and both of her knees. She has followed with Dr. Noojin at Moore Orthopedics and is currently using Mobic for anti-inflammatory effect and Ultram CR for pain control. She has also been on Lyrica as needed for her thoracic neuralgia, which seems to be reasonably well controlled, along with Lidoderm. She does note that she is perhaps more fatigued. However, she does note that she is currently unemployed and is basically living a sedentary lifestyle. Other than that, she has no major complaints and basically feels well.

PAST MEDICAL HISTORY: As above.

PAST SURGICAL HISTORY:
1. Breast reduction in 1997
2. Myomectomy in 1995
3. Laparoscopic lysis of adhesions by Dr. Odom in 2004

ALLERGIES:
1. Tetanus caused severe edema with localized induration
2. CT dye has given her hives and palpitations.
3. PPD caused hives and palpitations.
4. Questionable sulfa drugs

CURRENT MEDICATIONS:
1. Cardizem CD 120mg q day (branded)
2. Tenormin 25mg bid (branded)
3. Mobic 15mg q day
4. Baby aspirin q day
5. Tylenol prn
6. Skelaxin prn (rare)
7. Ultram CR 100mg bid
8. Nexium 40mg q day

CURRENT MEDICATIONS: (cont.)

9. Lyrica 100mg bid prn
10. Lidoderm prn
11. Ultrase, two prior to meals.

SOCIAL HISTORY: The patient is not a smoker, nor does she drink alcohol. She is not married and has no children, and is not sexually active. She is originally from Gadsden and has lived in Charleston but has lived back to Gadsden since 1998. She was a cardiac nurse but became disabled due to back pain. She is currently unemployed. She apparently had to leave Medical Records at Palmetto Richland due to some political issues. She is currently enrolled at ECPI and is taking courses in medical administration. In her free time, she is generally reading but, again, stays quite sedentary.

FAMILY HISTORY: The patient's father died in his 60's from a stroke. Mother passed away at the age of 90 with diabetes, dementia, which is felt to be multi-infarct. She denies any overwhelming amounts of heart disease in the family but does note hypertension and stroke. She also notes diabetes. There is a history of breast cancer in her family as well as a sister who passed away from colon cancer in her 50's. There is a strong history of arthritis as well.

DIET AND EXERCISE: The patient's diet has been fair. Her water intake is reasonable. She denies any caffeine. Her exercise has been extremely poor.

REVIEW OF SYSTEMS: The patient is up to date on eye exam with Dr. Blake. She does have occasional nausea, which she relates perhaps to her medications. She does have Phenergan available, if needed. She really is asymptomatic in regards to her reflux on Nexium, unless she overeats. Again, she has significant pain, somewhat diffusely. She does have a mild peripheral neuropathy but her neurologic work-up was negative. This does not seem to be quite as active as it once was. She notes rare diarrhea. She did have another colonoscopy by Dr. Saleeby, which was completely unremarkable. She does take Ultrase prior to meals, which she claims has helped to some degree. She does note a moderate amount of fatigue. She notes that her periods have begun to fluctuate but she denies any hot flashes. She does note that, at times, she has a mild amount of drainage from her mammoplasty scar on the left but can use Neosporin, which resolves it. She has no other major complaints. All other systems reviewed at this time and negative.

MIDLANDS INTERNAL MEDICINE

PHYSICAL EXAMINATION

NAME: Gertrude Shiver
SS#: 249-98-2546
DATE: 04/27/07

PHYSICAL EXAM: Vital signs noted.

GENERAL: Pleasant, in no acute distress.

HEENT: Normocephalic, atraumatic. Pupils equal, round, and reactive to light and accommodation. Extraocular movements intact. Funduscopic exam unremarkable. TM's clear. Oropharynx clear with moist mucus membranes.
NECK: No JVD. No bruits. No lymphadenopathy. No thyromegaly.
LUNGS: Clear to auscultation and percussion bilaterally.
CARDIOVASCULAR: Bradycardic. Normal S1 and S2. No murmurs, rubs, or gallops auscultated.
CHEST WALL: Left-sided chest pain, mild in nature. Does appear improved. This is throughout the left-sided chest wall.
BREASTS: No dominant masses. Mild fibrocystic changes. Scar tissue noted from previous mammoplasty. No nipple inversion. No skin dimpling. No axillary nodes.
ABDOMEN: Soft, nondistended, nontender. Positive bowel sounds in all quadrants. No hepatosplenomegaly or mass.
UROGENITAL: Normal external female genitalia. Cervix visualized. Pap smear obtained. Bimanual exam, unremarkable.
RECTAL: Normal sphincter tone. No palpable masses. Guaiac negative stool in the vault.
EXTREMITIES: No clubbing, cyanosis, or edema. The patient has 2+ distal pulses bilaterally.
NEUROLOGIC: Grossly intact.

LABS:

1. EKG was obtained and reveals a normal sinus rhythm. There are no significant ST T-wave abnormalities.
2. Urinalysis was obtained and negative.

ASSESSMENT AND PLAN:

1. Paroxysmal supraventricular tachycardia. Asymptomatic on current regimen.
2. Hypertension. Extremely well controlled.
3. Reflux. Continue Nexium with prn Maalox.
4. Diffuse joint complaints. Continue Mobic and Ultram. She has been evaluated by Orthopedics and Pain Management.

MIDLANDS INTERNAL MEDICINE

PHYSICAL EXAMINATION

NAME: Gertrude Shiver
SS#: 249-98-2546
DATE: 04/27/07

ASSESSMENT AND PLAN: (cont.)

5. Left-sided intercostal rib pain. Felt to be neuralgic in nature. Continue Ultram CR, Lyrica, and Lidoderm.
6. Abdominal discomfort. Has somewhat improved. She did undergo lysis of adhesions, which was helpful. She did have recent colonoscopy. She does feel as though the Ultrase has been somewhat helpful.
7. Fatigue. Will check all endocrinologic and metabolic markers.
8. Change in periods. Will check an FSH level.
9. Onychomycosis. The patient defers on Lamisil treatment.
10. Routine health maintenance. Basically up to date. As she had a normal colonoscopy in 2007, she will likely not be due until 2012 and Dr. Saleeby will take over. She is otherwise completely up to date. We have strongly encouraged her to begin a more regimented exercise program, watch her diet more closely, and try to get some of her weight off.

Jeffrey D. Hook, MD

SHIVER, Gertrude
#4559

CHARLESTON SPINE & PHYSICAL MEDICINE
PROGRESSNOTE

July 1, 2003\ Patient is seen in follow up. Has fortunately seen good benefit with the injections accomplished in series 6/3/03 (left cervical facet injections, 5 levels) and 6/4/03 (left shoulder girdle and left lateral neck Myobloc chemodenervation). Patient estimates overall about 80% relief. Still feels that she has persisting pain in left anterior chest wall (upper aspect) and left anterior shoulder region which is "new" and related to most recent injury on the job when a group of charts fell onto her neck and shoulder on left side.

Impression: 1. Flared left sided cervicothoracic and shoulder girdle myofascial pain (with flared cervical facet-generated pain concomitant) secondary to work-related contusion to left neck and shoulder region 10/24/02, good relief noted with recent focal injection therapies, now considered at MMI.
2. History of chronic multifactorial cervicalgia, worse on left, initially symptomatic following injuries 4/20/97 (MVA) and 10/11/97 (work injury) with 5% DRE Category II impairment assessed 7/29/98, followed by additional aggravation of particularly cervical facet injuries in 11/25/00 MVA, with additional 3% impairment assessed 8/13/01, date of MMI.
3. Chronic, currently stable multifactorial low back pain.

Recommendations/Discussion: There is no change regarding impairment assessed for lumbar pathology in past. Refer to 6/4/03 progress note for details.

As of today's date, we can likely assume Gertie at MMI regarding injuries sustained on the job 10/24/02 due to contusion to left neck and shoulder region with charts. Patient appears to have had flaring of primarily myofascial pain, but also had flaring of cervical facet-generated pain components on left side. Fortunately, patient has gotten significant benefit with treatment directed toward these injuries.

Assuming MMI as of today's date for work injury sustained 3/23/02 to cervical spine and left shoulder girdle, and based on ***AMA Guides to the Evaluation of Permanent Impairment, 5th edition***, I can assess no additional impairment for this injury, as previous impairments have been assessed for both myofascial and cervical facet-generated pain, which was present in this patient to great extent even prior to 10/24/02 injury on the job. Although patient does have residual anterior shoulder and left upper chest wall pain and discomfort which has appeared as "new" myofascial injury following 10/24/02 accident on the job, this would require assessment for myofascial pain, and based on recommendations per ***AMA Guides to the Evaluation of Permanent Impairment, 5th edition*** interpretation, it is inappropriate to add further impairments for this type of injury, particularly when impairments have addressed myofascial injuries in this region previously.

Patient had majority of injuries that have resulted in additional impairment cervical spine occurring on 11/25/00. This not only flared neck pain (particularly cervical facet-generated pain component), but also significantly flared multifactorial low back symptoms. Assessments for impairments (where necessary) have already been addressed in regard to these various injuries sustained 11/25/00.

Although patient is released today from active care regarding injuries sustained 10/24/02, patient is candidate for intermittent use of cervical facet and/or trigger point management with focal injections for flares. I can address issues regarding future medical care via Life Care Plan if this becomes necessary. Patient to continue with home exercise protocol life-long. Patient would also benefit from regular aerobic activity at least 3x weekly. Patient is allowed to continue with usual duties, as her work site requirements are primarily for sedentary work at desk/computer, where she is in health information management, working in Columbia for Palmetto Richland Memorial Hospital. There have been no additional restrictions regarding this patient relating to work injury 10/24/02. Follow up hereafter prn.

Gregory M. Jones, M. D.

GMJ/bjl

cc: Palmetto Health Trust
Attn: Lori Sharpe

(1470)

7/11/03

TRIDENT
Regional Medical Center
Sports Medicine & Rehabilitation Center
9330 Medical Plaza Drive
Charleston, South Carolina
29406-9195
Hotline 797-6687

PHYSICAL THERAPY: INITIAL EVALUATION

Patient: Shiver, Gertrude

Physician: Dr. Cook

Date: 01/30/95

Diagnosis: Right shoulder strain.

Past Medical History: The patient states this is insignificant.

Subjective: The patient states she fell onto her hands and knees on 01/23/95. This happe
at work where she is a nurse. The patient reports visiting the emergency room where x-r
were taken and reported negative at that time. The patient reports she is right h
dominant and is off work until she is okay to return by the physician. The patient repo
her occupation is a nurse and requires some heavy lifting. The patient's major compla
today is of shoulder and neck pain that is irritated by reaching behind her back and
increased at night. At home the patient is treating her pain with heat and 200 mg of Mot
when it hurts, approximately 2 times per day. The patient also reports a dull sensat
inside her right ear. Her sleeping position is usually on her left side or back.

Objective: Functional Activities: The patient is cautious donning and doffing her jack
ROM: Right shoulder internal rotation is limited to the level of the PSIS, abduction is
90°, forward flexion is to 170°, and external rotation is to 90°. Left ROM is WNL. Cervi
ROM is limited side bending right to 20°, left 40° and extension 30°. Others, W
Strength: Upper extremities: Left is WNL. Right is deferred secondary to increased P
and patient apprehension. Special Tests: Horizontal adduction with increased pain
approximately 100°, but AC joint was cleared. Palpation: Point tender at sternoclavicul
mid clavicle, and minimal tenderness at AC. Muscle splinting throughout the supraspinat
infraspinatus, trapezius, and cervical paraspinals.

Treatment: The patient performed self ROM with the overhead pulleys, self passive ROM w
upper extremity on a level surface, pendulums, and instructed on application of ice 2-3 t
per day.

Assessment: This is a 40-year-old black female with complaints of right shoulder and
pain with increasing intensity at night. The patient displays limited cervical and shou
ROM and wide spread muscle splinting.

Goals:
1. Increase cervical side bending to the right by 5° within 3 visits.
2. Increase right shoulder internal rotation [illegible] reaching L1 l
within 3 visits.
3. Further assessment next visit.

RECEIVED

Plan: Continue the shoulder ROM involving the cane and further assessment to clarify the
treatment and progression. Patient will be seen 3 times per week for 1 week.

Thank you very much for this referral.

Signature of Therapist: Camille Hashing, S.P.T. / Beth Fantone, P.T. Date 2/2/95

Signature of Physician _____ Date _____

CH/BF:EFS/cnb

(1471)

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SHIVER, Gertrude *#4559* **May 9, 2003**

CHIEF COMPLAINT: Left sided neck and shoulder pain; throat discomfort with voice change.

HISTORY OF PRESENT ILLNESS: Patient is a 48 year old female who is well known to this practice, who is complaining of persistent left sided neck and shoulder pain since injury occurring on the job 10/24/02.

Patient states that she was at her job, her supervisor accidentally dropped a thick chart, chart striking the left side of patient's neck and shoulder, this occurring 10/24/02. Patient states that she has been under care of Dr. Hook since that time, but pain has not returned to "baseline" level. Patient initially noted primarily stabbing and burning pain left side of neck and shoulder, flared from baseline level, but then beginning approximately 12/25/02, patient notes that she has had problems with her voice, volume decreased, unable to talk in more than whisper, unable to sing. Patient notes that during this time, she has had excessive secretions in back of throat and nasally, and although her voice and throat problems have not clear completely she did have most of her voice come back in mid-February. Patient has had anterior throat pain associated with her increased throat and nasopharyngeal secretions and voice abnormalities. Patient has continued to work since injury to neck and shoulder. Patient unsure as to whether throat and voice problems related to 10/24/02 work injury. No prior history of similar condition. Has had four sessions of PT in formal PT, now on home exercise program.

PAST MEDICAL HISTORY: Past medical history significant. Surgical history is quite significant as well. This history includes a heart conduction defect with myomectomy 1995, breast reduction surgery 1997, no prior spine surgeries, but patient has multiple injury histories to spine. Patient was initially seen in this practice 3/4/98 for low back symptoms due to MVA 4/20/97, with flaring of these symptoms following work-related lifting injury 10/11/97.

Patient underwent conservative treatment, was placed at MMI July 1998, assessed DRE Category II impairment to cervicothoracic spine for chronic cervical strain syndrome, and DRE Category II impairment to lumbosacral spine for symptomatic disc bulge with partial myofascial low back pain components.

Patient was then involved in MVA 11/25/00. This caused major problems in regard to low back symptoms, and patient developed thereafter bilateral sciatica complaints. Patient's treatment in this practice began on 12/18/00 relating to MVA 11/25/00, and patient remained under our care for symptomatic disc pathology in lumbar spine and recurrent/flared cervicothoracic pain through 2001. Patient was assumed at MMI 5/7/01 for lumbar injuries sustained 11/25/00, assessed no additional impairment at that time as patient's disc lesion at L4-5 had stabilized symptomatically. However, patient did have significant worsening/aggravation of cervicothoracic injuries sustained 11/25/00, and additional 3% impairment assessed for additional injuries to cervical spine in 11/25/00 MVA on date of MMI for cervical injuries 8/13/01. Patient has required intermittent even since assessment of MMI, and this has included occasional use of cervical facet/facial injections, with last visit occurring 11/20/01 relating directly to that accident of 11/25/00.

Patient was unfortunately involved in another work injury on 3/22/02, injured low back when chair flipped backward when she fell, and treatment from 6/10/02 initial assessment through follow ups and a set of three epidural blocks in fall of 2002 relates to the patient's lumbar spine condition and flaring of low back pain from work injury 3/22/02. Patient was last seen 11/14/02 for pre-block assessment, and had the last block on 11/14/02 in series of three.

REVIEW OF SYSTEMS: Patient has history of palpitations relating to her cardiac disease. Currently on medication for this. Also hypertension controlled with Cardizem. Takes one baby aspirin daily, no other blood thinners. Has history of IBS with intermittent problems with constipation. Also has prior history of bone and joint/spinal pain, see PMH above. Has history of headaches, difficulty sleeping. Otherwise noncontributory, no sexual dysfunction, no immune or blood disorders, no depression or psychiatric history, no diabetes or cancer history, no fibromyalgia history, no weight change.

MEDICATIONS: Ultram 50 mg 1 po q6h prn pain. Other medications include Bextra 20 mg po q daily (both given by Dr. Jeff Hook, patient's primary physician). Other medications include 1 baby aspirin q daily. Humibid 600 mg LA 1 tablet q12h, Tenormin 25 mg 1 bid, Cardizem 120 mg tablet q daily, and Skelaxin 400 mg q8h prn muscle spasm.

ALLERGIES: Contrast dye ("seizure-like activity"), tuberculin skin test (palpitations, itching, rash with whelps on body). Also tetanus toxoid (hematoma formation at injection site).

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HISTORY: Patient is single, no children, works full time at Palmetto Richland Memorial Hospital in Columbia for past 2 1/2 years, work as a health information management specialist, inputs data into computer, also pulls records, files, makes charts, analyzes and assembles records. Does require some lifting, usually not heavy. Long sitting required. Nonsmoker, no alcohol use. Lives in Gadsden, SC. Dr. Jeff Hook is patient's primary and referring physician regarding this consult today.

FAMILY HISTORY: Positive for diabetes in sisters and one brother. Also history of colon cancer in one sister.

PHYSICAL EXAMINATION: Reveals a pleasant cooperative female, familiar to me from previous treatment, height 5' 3 1/2", weight 194 pounds. Upper extremity exam reveals negative Hoffman's, negative Spurling's, negative foraminal compression test, but both of the latter tests cause an increase in left sided neck pain (basically on any motion of the cervical spine side to side or with extension pain noted in left neck and left upper shoulder), no focal sensory deficits in dermatomal pattern either upper limb, reflexes are 1+ in triceps, 2+ in biceps, and trace, but symmetric in brachioradialis bilaterally. No definite focal motor deficits or atrophy either upper limb in myotomal pattern, no impingement at either shoulder, no subacromial or AC joint tenderness on either side. Marked trigger points noted left upper trapezius, left levator scapulae, and left supraspinatus, with similar findings noted left anterior and posterior scalene muscles mid-bellies, and left sternocleidomastoid as well as digastric, with most marked trigger points noted left splenius capitis and left splenius cervicis. Marked tenderness also noted over cervical facets at almost all levels from C2-3 down to cervicothoracic junction to varying degrees, with only moderate tenderness noted over greater occipital nerve route, none noted on right side. Moderate tenderness also noted over right cervical facets at C3-4 to C5-6 levels to moderate extent. Although there are minimal trigger points right upper shoulder and right lateral neck muscles in same region as on left side, these are no where near as tender or as large as the ones on left side. Cervical range is significantly limited, but particularly lateral bending and extension most difficult for patient. No CVA tenderness to percussion, no scapulohumeral motion deficits or scapular winging. HENT exam deferred.

IMAGING: Cervical spine plain radiographs accomplished today reviewed. Mild inferior endplate osteophytes noted at C4 and C6, more significant at C5, with earlier osteophyte superior endplate at C7 level. I can appreciate no definite loss of disc space height at any level on lateral views, and there is no evidence of listhesis or abnormal motion on flexion/extension views, other than limited extension. Standard neutral lateral views show reversal of normal cervical lordosis. Bilateral oblique views show no significant neuroforaminal narrowing at any level on either side. AP views show evidence of mild atherosclerosis both carotids, no lateral subluxations or acute injuries noted. Odontoid views normal with normal symmetry.

IMPRESSION:
1. History of contusion/blow to left lateral neck and left proximal/upper shoulder region 10/24/02 while on the job, with persistent left sided neck and upper shoulder pain in spite of prior conservative measures.
2. History of chronic cervicothoracic myofascial and facet-generated pain, previously stable, now likely flared/recurrent, S/P most recent work-related injury 10/24/02, no evidence of cervical radiculopathy clinically either upper limb.
3. History of chronic L4-5 and L5-S1 symptomatic disc lesions with associated low back pain and bilateral sciatica, with history of recent flaring of discogenic and non-discogenic pain components following work-related fall from chair 3/22/02 (previously stable S/P MVA 11/25/00, with history of prior initial injury 10/11/97).

RECOMMENDATIONS/DISCUSSION: Fortunately, patient appears to have been stabilized in regard to the injuries sustained on the job 3/22/02. This patient received treatment 6/10/02 through 11/14/02, and since we have completed the series of three epidural blocks 9/19/02, 10/17/02, and 11/14/02, patient has achieved a return to "baseline" level in relation to the flaring of low back and leg/buttock symptoms following work-related fall out of chair onto lower back 3/22/02. It is my opinion that patient can be considered at MMI regarding injuries sustained on the job to lumbar spine 3/22/02, and based on *AMA Guides to the Evaluation of Permanent Impairment, 5th edition*, patient has likely suffered no additional impairment to lumbar spine relating to those injuries, to a reasonable degree of medical certainty. It appears that this patient suffered most problems with the accident of 11/25/00, this was the most significant injury suffered in this "egg-shell" patient, and extensive care was necessary to stabilize her condition relating to that injury event. Patient has been assessed at MMI previously for that specific injury event as well.

In regard to this new injury of 10/24/02, patient is not yet considered at MMI. It is my opinion that patient would likely benefit from treatment directed toward the trigger points and cervical facets. Patient is to come in with driver 5/13/03, can go ahead with focal injection therapies, will hopefully be able to get patient back to "baseline" level in regard to cervical injuries sustained 10/24/02 without use of cervical epidural block.

In regard to the complaints of voice change, increased nasopharyngeal/oropharyngeal secretions, and throat soreness/pain, this appears to have begun approximately 2 months after contusion to left side of neck and shoulder 10/24/02. I would suggest that patient seek care with Dr. Hook, and if he feels that it is appropriate (if not already accomplished), patient may benefit from evaluation and treatment with otolaryngologist. I cannot clearly relate the ENT symptoms to the work injury of 10/24/02, to a reasonable degree of medical certainty; would defer to otolaryngologist for determination of relatedness of this condition to any specific injury event.

Gregory M. Jones, M. D.
GMJ/bjt

cc: Sandy Saukas, RN

(1473)

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SHIVER, Gertrude #4559

December 18, 2000

CHIEF COMPLAINT: Recurrent neck pain with right greater than left shoulder pain; low back pain with bilateral sciatica.

HISTORY OF PRESENT ILLNESS: Patient is a 46 year old female known to me from previous treatment for low back injuries primarily, who is seen specifically for IME/second opinion, relating to injuries sustained in MVA 11/25/00.

Patient was at stable level following most recent epidural block for recurrent discogenic low back pain accomplished 11/9/00 by me, had gotten good relief with this, and had not significant leg symptoms with this recent flaring. Her previous treatment prior to 9/21/00 left paracentral epidural block, 10/11/00 follow up, and second block above date had been completed in July 1998 when patient was assessed for DRE Category II impairments to cervicothoracic spine for chronic sprain syndrome and lumbosacral spine for symptomatic disc bulge with partial myofascial pain components. Low back symptoms were due to 4/20/97 MVA, and then patient had flaring of symptoms following 10/11/97 work-related lifting injury. Patient's neck symptoms had been stable until this most recent accident of 11/25/00, has had significant flaring of neck and bilateral shoulder pain but no headache complaints, and no significant arm symptoms. Patient had had flaring of low back symptoms (no leg symptoms at that time), and had epidurals 9/21/00 and 11/9/00 by me at L4-5 level with good response. Then on 11/25/00, within two weeks of the second block, was involved in MVA where another vehicle hit her from behind. Has had significant increase in low back symptoms and development of bilateral sciatica symptoms down into calves.

PAST MEDICAL HISTORY: As above, no major surgeries or hospitalizations otherwise, except for myomectomy 1995 and breast reduction surgery 1997. No other major illnesses.

REVIEW OF SYSTEMS: Positive for possible conduction defect cardiac, has had intermittent problems with hypertension as well as intermittent episodes of bronchitis. Has history of irritable bowel syndrome with intermittent constipation. Prior low back and neck symptoms as above. Otherwise noncontributory, no sexual dysfunction, no immune or blood disorders. No depression or psychiatric history, no diabetes or cancer history, no headache complaints, no fibromyalgia history, no sleeping difficulties or weight change.

MEDICATIONS: Arthrotec, also Vicodin and Flexeril for pain and muscle spasm, given by Dr. Ronald Steen. Other medications by primary physician include Procardia, Prevacid, Tenormin, and Levsin for irritable bowel syndrome.

ALLERGIES: Imaging dye preparations, PPD testing, and tetanus toxoid.

SOCIAL HISTORY: Patient is single, no children, is a medical records assistant at Richland Memorial Hospital, has been at that job for over two months, had previously worked as nurse, works prn as RN at nursing home. Nonsmoker, no alcohol use, lives in Gadsden, SC, Dr. Jaiprakash Patel is patient's primary physician.

FAMILY HISTORY: Positive for diabetes, otherwise noncontributory.

PHYSICAL EXAMINATION: Reveals a pleasant cooperative female familiar to me from previous treatment, no acute distress, no significant antalgia, height 5' 3 1/2", weight 197 pounds. Lower extremity exam reveals downgoing plantar responses, no clonus, negative SLRs bilaterally at 90 degrees sitting, no focal motor deficits, no focal sensory deficits to light touch, reflexes 2+ and symmetric patellar and Achilles responses. No increase in pain on internal and external rotation at the hips. However there is bilateral hip bursal tenderness and SI joint as well as sciatic notch tenderness of marked nature. Also significant tenderness over bilateral L3-4 through L5-S1 lumbar facet regions.

PHYSICAL EXAMINATION: Upper extremity exam reveals negative Hoffman's, negative Spurling's, negative foraminal compression test, no definite focal motor deficits either upper limb, there is slight decrement to light touch over left dorsoradial hand comparing side to side, reflexes are 1+ and symmetric triceps, biceps, and brachioradialis. No CVA tenderness to percussion, no scapulohumeral motion deficits or scapular winging. There is tenderness over bilateral cervical facets from C2-3 through C6-7 to varying degrees, bilateral shoulder girdle trigger points usual sites, with lateral neck muscle trigger points usual sites, somewhat worse on left than right. No impingement at either shoulder, no subacromial or AC joint tenderness. No lateral epicondylar tenderness at either elbow.

IMAGING: No new imaging taken today, none available for review. Prior MRI 3/14/98 showed evidence of lateral disc bulge in neural foramen on left with focal protrusion/herniation with annular tear L4-5. No electrodiagnostic testing previously accomplished in this patient.

IMPRESSION:
1. Persisting/flared low back pain with new onset bilateral sciatica, rule out new disc level injury, with previously stable L4-5 disc protrusion/shallow HNP, symptoms flared, S/P MVA 11/25/00.
2. Recurrent cervicalgia with myofascial and facet-generated components, S/P recent MVA 11/25/00, with previously stable myofascial pain (chronic sprain syndrome) S/P initial MVA 4/20/97, flared with work injury of 10/11/97.

RECOMMENDATIONS/DISCUSSION: Patient is still at MMI in regard to injuries sustained previously on 4/20/97 and flared on 10/11/97. This does not change fact that patient had chronic myofascial pain in cervical region, nor that patient had a symptomatic L4-5 disc bulge/shallow herniation left paracentral within neural foramen with primarily low back pain as resultant symptomatology. This would account for the DRE Category II 3-5% impairment for myofascial injuries for cervical region as of 7/29/98, and DRE Category II 5% lumbosacral spine injuries as of 7/29/98. This also accounts for treatment on 9/21/00 and 11/9/00 for flare of discogenic pain with follow up visit 10/11/00 between these blocks.

Any treatment hereto forward should be related specifically to injury date of 11/25/00, to a reasonable degree of medical certainty. Patient had already gotten expected and significant benefit with the block procedures accomplished earlier this year for her flaring of primarily low back pain.

My concern is the development of the sciatica symptoms, and also evidence of possible facet injury concomitant with myofascial injuries in cervical region. Therefore, I would suggest the following considerations today:

1. Continue with appropriate PT in Dr. Patel's office for now.
2. Continue with oral meds as above, no change in these for now.
3. Since patient appears neurologically stable, would place patient on no specific restrictions regarding vocational and/or avocational pursuits; patient should use caution in any heavy lifting, pushing, or pulling greater than 25-30 pounds however.
4. Follow up in 3-4 weeks, sooner if need arises.
5. Consideration for new MRI lumbar spine (and possibly electrodiagnostic testing as well LEs) if symptoms persist in low back and/or legs.
6. Further work up cervical region if warranted if symptoms persist.
7. Patient is not yet considered at MMI regarding any flaring or new injuries sustained in cervical or lumbar region 11/25/00.

Gregory M. Jones, M. D.

GMJ/bjl

cc: Jaiprakash N. Patel, M. D.

(1475)

12/25/00

Supervisor's Report of Employee Occurrence (S. C.)

Bloodborne Exposure ☐
Other Injury ☑ Facility Name _____ Occurrence Number _____ OSHA Log Case # _____

BLOCKS 1-5 TO BE COMPLETED BY EMPLOYEE

(1) PLEASE PRINT

Name Gertrude Shaw
Address 1026 Cinquire Church Rd
City Cheraw State S.C.
Zip 29527 Home ph 803-537-3892
Social Security # 249-98-2546

(2) OCCURRENCE

Date: 1/20/03 Time: 0030 ☑ AM ☐ PM
Reported to (Supervisor's name) Bev Cooley
Date 1-20-03
2nd Floor Location of occurrence
Hall near Medical Time Began Work

(3) SEX
☐ Male ☑ Female

(4) BIRTHDATE
05/19/54

(5) MARITAL STATUS
☑ Single ☐ Married ☐ Separated ☐ Divorced ☐ Widowed

(6) EMPLOYMENT
☑ Full time ☐ Part time ☐ Other
Medical Records Dept./Nursing unit
Employment Date / /
437-7188 Ext 4025 Dept./Unit phone #
Medical Records Clerk Job Title
Cost Center #

(7) DATE OF REPORT
01/21/03

(8) EMPLOYEE'S DESCRIPTION OF OCCURRENCE

I was leaving work in the Medical Records dept. when I fell in the Hallway. Housekeeping was cleaning the floor and the whole floor was wet. I slid & was in the middle of the hallway. My whole body hurts especially my back, knees, feet and elbows & left wrist

What was employee doing just before incident?

Gertrude Shaw
Employee Signature

1-21-03
Date

BLOCKS 9-17 TO BE COMPLETED BY SUPERVISOR

(9) INJURY TYPE

- ☐ Abrasion
- ☐ Airborne/Droplet exposure ☐ biological ☐ chemical
- ☐ Allergic reaction
- ☐ Amputation
- ☐ Animal bite/sting
- ☐ Bloodborne exposure*
  - ☐ needlestick/sharp object
    - Type of sharps device involved in injury: _____
  - ☐ other bloodborne exposure
  - ☐ body fluid exposure/no Visible blood
- ☐ Burns ☐ electrical ☐ chemical ☑ thermal
- ☑ Contusion/bruise
- ☐ Cut/laceration
- ☐ Foreign body
- ☐ Fracture
- ☐ Human bite/scratch
- ☐ Puncture ☐ Clean needle ☐ Other:
- ☐ Skin irritation ☐ Latex exposure ☐ Dermatitis ☐ Other:
- ☐ Strain/sprain ☐ Pushing/pulling ☐ Lifting patient ☐ Lifting other
- ☐ No apparent injury
- ☐ Other:

(10) PART OF THE BODY

Ankle	☐ left	☐ rt	Hand	☑ left	☐ rt	Abdomen	☐
Arm	☐ left	☐ rt	Hip	☐ left	☐ rt	Back	☑
Ear	☐ left	☐ rt	Knee	☑ left	☐ rt	Chest	☐
Elbow	☑ left	☑ rt	Leg	☐ left	☐ rt	Face	☐
Eye	☐ left	☐ rt	Shoulder	☐ left	☐ rt	Groin	☐
Finger(s)	☐ left	☐ rt	Toe(s)	☐ left	☐ rt	Head	☐
Foot	☑ left	☑ rt	Wrist	☑ left	☐ rt	Neck	☑

Previous injury, same part? ☑ Y ☐ N Date: / /
Describe:

(11) ACTIVITY INVOLVED

- ☐ Contact w/ heat or cold
- ☐ Lifting/moving other±
- ☐ Pushing/pulling material
- ☐ Other:
- ☐ Contact w/ tox. substance
- ☐ Motor vehicle related
- ☑ Slip/trip/fall
- ☐ Other:
- ☐ Lifting/moving patient±
- ☐ Patient care
- ☐ Struck by/against
- ☐ None:

± Assisting Device Used:
☐ Transfer belt ☐ Mechanical lift ☐ 2-person lift

(12) POSSIBLE CAUSE

- ☐ Equipment failure
- ☐ Miscommunication
- ☐ Personal protective equip not provided
- ☐ Unknown
- ☐ Exposure to unguarded equipment
- ☐ Other external factors
- ☐ Policy/procedure not followed
- ☑ Other (describe): See #8
- ☐ Improper body mechanics
- ☐ Patient initiated
- ☐ Weather
- ☐ Lack of supervision
- ☐ Personal protective equip not used
- ☐ Workplace violence

(13) MANAGER'S FOLLOW-UP

☐ Retraining ☐ Counseling ☐ None Required
(Please complete section on reverse side or attach report)
Warnings: ☐ Verbal ☐ Written ☐ Other

(14) WITNESSES

Name 2 ENV. Services Employees
Dept Lab Employee
Phone
Phone

(15) EXPOSURE SOURCE PATIENT INFO

Record/ID# _____ Rm# _____
HIV Status: + - Other
HBV Status: + - Other
HCV Status: + - Other
Patient's Physician

(16) INITIAL TREATMENT

☐ Employee health ☐ Emergency Rm ☐ Physician ☐ Hospitalized ☐ Refused Treatment
☑ No Treatment ☐ Other:
Briefly describe treatment: To the Health Works

Date returned to work: / / If employee died, date of death:
Rendered by:

(17) PHYSICIAN/IC PROVIDER

Name Dr. Hooks
Address Medland
Internal Medicine
Date / / Time
Phone

Pam Scaglione RN
Supervisor/Manager's Signature

Administration on duty
Supervisor/Manager Title

1/21/03
Date

x4007
Phone

Supervisor signature indicates the form is complete and accurate according OSHA requirements

* With any sharp object injury or bloodborne exposure, an EPINet form must be completed by exposure management personnel

** Completion of appropriate section on reverse side is mandatory

Treatment Memo History

Patient ID: 249-98-2546 Patient Name: GERTRUDE SHIVER Injury ID: 4 Treatment ID: 3

F3 Memo Date	F3 Memo	Changed By	Changed Date & Time
02/27/2003	249-98-2546 Gertrude Shiver 1/22/03 12:30PM	MKPR	02/27/2003 11:15

Message received (reviewed) from Ms. Shiver on the answering machine reporting that she had fallen and hurt herself and that her perineum was hurting "real bad." Phone # left for return call.

13:30 PM
I returned the phone call to Ms. Shiver. She reported again that she had fallen. I offered repeatedly to see her in HealthWorks for care. She refused to come sating that we couldn't help her and she did not want any part of Dr. Durkin. She stated that she had been rude to by Dr. Durkin & the staff. She said she knew there was no one here to help her, just nurse practitioners and nurses who take direction from Dr. Durkin and no other doctors. She said "we" couldn't order her anything for pain. I advised her that nurse practitioners could prescribe pain medications such as Motrin, Aleve but not narcotics, but we could consult with the doctor if something more was needed. Again she stated that she did not want to see Dr. Durkin citing an incident when he referred her to a MD @ Providence who was rude to her when he found out that she was a worker's comp. pt. She also said that she had seen Dr. Bethea and Dr. Walsh who were also rude to her. Again, I offered to see her and she said that she didn't want anyone looking at her perineum. She preferred her OB/GYN MD. I advised her that since we were the contact for injured employees, that we should see her for reimbursement purposes by Worker's Compensation and the hospital. I offered to see her this PM (1/22/03) or tomorrow 1/23/03. Again, she refused & stating that she could not come today as she had to go to a funeral. Ms. Shiver stated that she would call Mary Kaye Parham, NP on Friday, 1/24/03 when she returns from personal time off.

Sarah H. Stafford, RN, ANP

Sarah H. Stafford, RN, ANP

(1477)

Treatment Memo History

Patient ID: 249-98-2546 Patient Name: GERTRUDE SHIVER Injury ID: 4 Treatment ID: 1

F3 Memo Date	F3 Memo	Changed By	Changed Date & Tin
02/28/2003	1/22/03 8:30 AM Gertrude Shiver 249-98-2546	SHS	02/28/2003 12:14

Message reviewed on telephone answering machine by Pam, Nursing Supervisor, Ext. 4013 that Ms. Shiver had fallen on a slippery floor.Ms. Shiver was complaining with pain in her back, knees, elbows, wrists, feet and perineum. Ms. Shiver works 3-11 PM in Medical Records. The supervisor stated that she advised Ms. Shiver to Contact HealthWorks.

Sarah H. Stafford, RN, ANP

Sarah H. Stafford, RN, ANP

(1478)

Therapist Use

HPRC PHYSICAL THERAPY INITIAL EVALUATION

Patient's Name Gertrude Shiver — Chart # 343091

Medical Diagnosis (L) Post Tib — Codes 726.72

Treatment Diagnosis (L) Foot Pain / Weakness — Codes 719.47 / 728.9

Date of Onset 11/15/01 — Date of Start of Care 1/20/04

Surgery ∅ — Date ∅

INTEGUMENTARY SYSTEM

Integrity	Not Impaired	Impaired
Integumentary disruption relevant to treatment area	☑	☐
Continuity of skin color relevant to treatment area	☑	☐

TTP (L) Post tib tendon into canal region medially

Other: Big 8 Girth (R) 46.5cm (L) 48cm

MUSCULOSKELETAL SYSTEM

	Not Impaired	Impaired
Gross Range of Motion	☒	☐
Gross Strength	☒	☐

Other/Special Tests: ↓'d Eversion eccentric control (L) vs (R) c WBAT. ↓'d Heelstrike c ↑ Forefoot strike on IC (R)

Weight Bearing Status: ☐ FWB ☒ PWB ☐ TDWB ☐ NWB

Specific Strength: ☐ Not Tested / Not Applicable

Strength (manual muscle test): ☐ WNL ☒ WNL Except:

Movement/Muscle	Grade		Muscle	Grade	
Ankle	Left	Right		Left	Right
DF	4 /5	5 /5		/5	/5
PF	4-/5	4-/5		/5	/5
In	4+/5	5 /5		/5	/5
Ev	4 /5	5 /5		/5	/5
	/5	/5		/5	/5

Specific ROM: Involved: ☐ Right ☒ Left ☐ Both ☐ WNL

Range of motion: ☐ Grossly impaired ☒ WNL except:

Range of motion	Left		Right	
Ankle	active	passive	active	passive
DF	10°		3	
PF	60		50	

☐ Additional Documentation Attached

Assessment: ☐ See Treatment Diagnosis Pt has tendency @ times following direction but able to grasp concept 2nd time around. Exhibit poor eccentric control c Evening c Med Strength

Short Term Goals: 9+ wk. STG: 1) Report ↓ pain c Standing 5/10 (L) foot in 5 visits. 2) Std MT Box (R) to progress strength for safe AMB. in Sundals 3.) 5# isotonics ankle 4way in

Long Term Goals: 1) AMB Pt ↓ 5 (L) foot pain in 6wks

Therapeutic Exercise 15 Min. Dynamic Activity: ∅

Treatment: HEP, Pt issued GTC 3 20cc Ketoprofen c 3.0 mAmps to (L) Sub Malleolus to Navicular region iontophoresis.

Rehab Potential: ____ Poor ____ Fair X Good Home Program Given ☒ Pictures ☒ Written

Plan: ☒ Per Frequency / Duration & Goals Add Seated CKC Work.

MD Followup: 2/26/04

Frequency: TIW Duration 6wks Is patient aware of diagnosis & prognosis? ☒ Yes ☐ No

Contraindications: ∅

M. John PTS 3926 — 1/20/04

Therapist Signature / License No. — Date

RS Form 431B Rev. 09/03 Odyssey Printing & Graphics, Main St. Village, Columbus, (1479)

\TIENT INFORMATION

Name SHIVER , GERTRUDE Date 8/04/06

Diagnosis: (B) wrist sprain (719.7)
(B) PTS (719.46)

Treatment: 1) DT ex x 8
(D) MD 2) MH (B) knee x 10
3) Cx cold c (B) wrist + knees
4) Home Mgt - issued written HEP for (B) wrist/(B) knee, issued pain #2
use of heat/ice @ home

History: See dictation.

(1480)

COLUMBIA REHABILITATION CLINIC, INC
INITIAL EVALUATION

Date: August 4, 2006
Re: Gertrude Shiver
MD: Dr. Noojin
DX: Bilateral wrists sprain (717.7 and bilateral patellofemoral syndrome (719.46).

SUBJETIVE HISTORY: This is a very pleasant female who was referred to us with the above diagnosis. The patient reports a fall in which she landed on her right wrist and both knees causing pain and she also reports her left wrist being strained at work with repetitive tasks. The patient reports initial x-rays of the left wrist and both knees were negative by her family physician and she was referred to Dr. Noojin and he diagnosed her with bilateral patellofemoral syndrome and bilateral wrist sprains/strains and then referred to physical therapy. The patient's medications include Ultram. Next follow-up with Dr. Noojin is on September 1, 2006.

PMH is as listed in chart. Medications are as listed in the chart.

OBJECTIVE EXAMINATION:

Pain: Patient rates her left knee pain a 3/10 and right knee pain a 5/10 and she rates her bilateral wrist pain a 4-5/10.

Strength:

Grip Strength: Right hand 30 lbs versus left hand at 20 lbs.

Bilateral Quads – Grossly 4-/5 with c/o quad sets.

AROM

Right Wrist - Flexion 60°, extension 35°, ulnar and radial deviation WNL.

Left Wrist – Flexion 50°, extension 40°, ulnar/radial deviation WNL.

Bilateral Knees - WNL

Effusion/Girth: Measurement left mid patella 16 ½" versus right mid patella at 16".

Sensation: Intact to light touch throughout both hands and both lower extremities.

Palpation: Diffuse tenderness at both wrists through the volar aspect with the right being greater than the left. Tender with palpation to the patella tendon bilaterally.

ASSESSMENT: Patient presents with bilateral wrist sprains and patellofemoral syndrome with weakness, tightness in the hamstrings and pain with ADL's such as ascending and descending the steps, as well as pain with bilateral wrist AROM for ADL's. The patient is an excellent candidate for skilled PT.

Short Term Goals:
(2 weeks)
1. Patient to be independent with written HEP.
2. Patient to report a 25% decrease in pain.
3. Increase AROM at both wrists for flexion/extension by 5-10°.

Long Term Goals:
(4 weeks)
1. Patient to be 80-90% symptom free.
2. Patient's ROM to be WNL throughout both wrists.
3. Patient's strength to increase by 10 lbs. for grip strength at both hands.
4. Patient's quad set to increase by one-half MMT grade.

Prognosis: Good

PLAN: Plan to see patient in physical therapy 2 x weekly over the next 6 weeks as per ordered by MD for patient education, ROM, stretching, strengthening/stabilization, mobilization, and modalities as needed.

Chris Ballew, PT

CB/jc

FRANCIS XAVIER HOSPITAL

PHYSICAL THERAPY

4674297 17 03-02-95 BAP1
SHIVER.GERTRUDE 189551
CROUCH.WILLIAM E...DR.
411 MEETING STREE
CHARLESTON SC 29403

O/P Age/Sex _____

Date 3-2-95 Initial Eval ✓ Re-Eval ____ D/C Eval ____ I/P ____ O/P ✓
Admitting Diagnosis Incarcerated ® phrenic mass, Surgery & Date n/a
Treatment Requested eval + treat
Referring Physician Dr. W. Crouch Primary Physician _____

S: Subjective/Patient History Pt. is a 48 y/o BF referred to PT 2° to having ® phrenic mass pain. Pt. reports having improved health. Pt. states pain on his ® lateral aspect of chest 3 x 5 wks ago. Pain does not radiate but is sharp in nature.

O: Objective:
Range of Motion ✓ WNL ____ WFL
Limitations _____
Strength ✓ WNL ____ WFL
Limitations ® phrenic 3+/5, 3+/5, abduction 4+/5, int. rotation 3+/5, ext. rotation 4/5
Sensation/Palpation/Atrophy: Pt. reports paresthesias intact in all extremities. No reports of numbness or tingling. Pt. having muscle spasms in ® shoulder & outside region. Pt's ® pectoralis major, and having some tenderness
Home Situation Pt. lives by herself. Pt. is a nurse at a local hospital.
Equipment 0
Functional Level prior to Admission Pt. is having pain in PT. pt. has been I & all activities but has experienced pain & all movements

Functional Ability/Gait at Present:
Bed mobility: I
Supine → Sit: I
Sit → Stand: I
Transfers: I
Balance: Good
Gait: (1) wt. bearing status R L ____ NWB ____ TDWB ____ PWB ✓ WBAT/WBTT
(2) Assistive Device: Std. Walker ____ Roll. Walker ____ Crutches ____ Cane ____ N/A ✓
(3) Level Surfaces: Assist Needed I
(4) Distance Ambulated Unlimited distances
(5) Stairs: Assist Needed I
(6) Self Care Activities _____

Pain Pt. reports having pain primary basis. Pt. states pain comes & goes but mostly pain is at night. At night pain is 5/10 & typically 3/10 ~
Neurological Status 0 = normal & 10 = worst pain. Pt. has pain, turning from back about to the top of the chest. Pt has pain & all cervical motions
Observations/Special Tests: ⊖ Drop Arm test. Pt. noted as having a forward head, rounded shoulders & thoracic kyphosis in sitting

(1483)

Human Performance & Rehabilitation Centers, Inc.

PHYSICAL THERAPY INITIAL EVALUATION

Patient's Name Gertrude Shaw

Today's Date 11-13-02

Date of Birth 5-19-54

Chart # 343091

CURRENT CONDITION(S) / CHIEF COMPLAINTS

What areas do you have problems with that brings you to our office today?

a
- ☐ Right Leg
- ☐ Right Knee
- ☐ Right Ankle
- ☑ Neck Pain Left side
- ☐ Right Shoulder
- ☐ Right Arm
- ☐ Right Elbow
- ☐ Low Back
- ☐ Right Back
- ☐ Other _____
- ☐ Left Leg
- ☐ Left Knee
- ☐ Left Ankle
- ☑ Left Shoulder
- ☐ Left Arm
- ☐ Left Elbow
- ☐ Mid Back
- ☐ Left Back

b When did the problem(s) begin (date)? 10 24 02

c How did it happen? Injury Yes ☑ No ☐
- Accident ☑ Fall ☐ Other ☐ _____
- At Work ☑ At Home ☐ Other ☐ _____
- In Competition ☐ Unknown ☐
- Onset? Acute ☑ Gradual ☐
- Pain Frequency? Constant ☑ Intermittent ☐ _____

d Have you had this problem(s) before? Yes ☑ No ☐
- a. What did you do for the problem(s)? Physical Therapy ☐ Medication ☑ Physician ☑ Chiropractor ☐ Other ☐ _____ It still bothers
- b. Did the problem(s) get better? Yes ☑ No ☐
- c. How long did the problem(s) last? _____

e When is the problem(s) worse? AM ☑ PM ☐ Sitting ☐ Standing ☐ Walking ☐ At night ☐ Other ☐ Constant pain.

Painscale: 0.....1.....2.....3.....4.....5.....6.....7½.....8.....9.....10 Max.. pain

f Are you seeing anyone else for the problem(s)? (Check all that apply.)

(1) ☐ Acupuncturist
(2) ☐ Cardiologist
(3) ☐ Chiropractor
(4) ☐ Dentist
(5) ☑ Family Practitioner
(6) ☐ Internist
(7) ☐ Massage Therapist
(8) ☐ Neurologist
(9) ☐ Obstetrician/Gynecologist
(10) ☐ Occupational Therapist
(11) ☐ Orthopedist
(12) ☐ Osteopath
(13) ☐ Pediatrician
(14) ☐ Physical Therapist
(15) ☐ Podiatrist
(16) ☐ Psychologist/Counselor
(17) ☐ Physiatrist
(18) ☐ Rheumatologist
(19) ☐ Other: _____

OTHER CLINICAL TESTS - Within the past year, have you had any of the following tests? (Check all that apply.)

a ☐ Angiogram
b ☐ Biopsy
c ☐ Bone Density
d ☐ Bone Scan
e ☑ CT Scan 6MW PS
f ☐ Doppler ultrasound
g ☐ Echocardiogram
h ☐ EKG (electrocardiogram)
i ☐ EMG (electromyogram)
j ☑ Mammogram
k ☑ MRI
l ☐ Myelogram
m ☐ NCV (nerve conduction velocity)
n ☐ Pulmonary Function Test
o ☐ Spinal tap
p ☐ Stress test (eg. treadmill, bicycle)
q ☐ Urine tests
r ☑ X-rays
s ☐ Other: _____

FUNCTIONAL STATUS / ACTIVITIES LEVEL

Do you have difficulty with any of the following? (Check all that apply.)

Locomotion / Movement:
- ☐ Walking in the house
- ☐ Walking in the community
- ☑ Walking up or down stairs
- ☐ Walking on uneven terrain
- ☐ Getting in and out of bed
- ☐ Getting in and out of a chair
- ☐ Getting in and out of a car
- ☐ Driving a car
- ☐ Riding in a car
- ☐ Sitting
- ☐ Sleeping in normal position
- ☑ Using arm for overhead activities
- ☐ Using arm for activities at shoulder level

Requires Assistive Devic
- ☑ None
- ☐ Walker
- ☐ Crutch
- ☐ Cane
- ☐ Wheelchair
- ☐ Sling

Home Management:
- ☑ Vacuuming
- ☐ Dishwashing
- ☑ Laundry
- ☐ Shopping
- ☐ Caring for Family
- ☑ Carrying groceries/bag

Personal Care:
- ☐ Grooming
- ☐ Bathing
- ☐ Dressing
- ☐ Eating
- ☐ Toileting
- ☐ Reading
- ☐ Using telepho

Community / Work Activities / Integration:
- ☐ At Work _____
- ☐ At School _____
- ☐ At Recreation/Play/Activities _____

What normal activities do you want to return to after compl physical therapy other than those listed above? Sec 6
to lift objects (heavy), more fi
Sleep

ADDITIONAL INFORMATION: I want my he
pain to return to baseline

(1484)

Patient

Therapist Us

Medical Diagnosis Cervical Strain Codes 847.0

Treatment Diagnosis Neck Pain Codes 723.1

Date of Onset 10/24/02 Date of Start of Care 11/13/02

Surgery G Date

COMMUNICATION, AFFECT, COGNITION, LEARNING STYLE (Not Impaired / Impaired)

- Communication (eg, age-appropriate): ☒ Not Impaired ☐ Impaired
- Orientation X 3 (person/place/time): ☒ Not Impaired ☐ Impaired
- Emotional/behavioral responses: ☒ Not Impaired ☐ Impaired

Sx. States had chest fall onto ② side start neck on 10/24/02, been using some ice & heat and it helps some.

EDUCATION NEEDS:

- ☐ Disease process
- ☐ Safety
- ☐ Use of devices/equipment
- ☐ Activities of daily living
- ☐ Exercise program
- ☐ Other:

INTEGUMENTARY SYSTEM (Not Impaired / Impaired)

Integrity

- Integumentary disruption relevant to treatment area: ☒ Not Impaired ☐ Impaired
- Continuity of skin color relevant to treatment area: ☒ Not Impaired ☐ Impaired

Other: TTP ② UT

MUSCULOSKELETAL SYSTEM (Not Impaired / Impaired)

- Gross Range of Motion: ☒ Not Impaired ☐ Impaired
- Gross Strength: ☒ Not Impaired ☐ Impaired
- Other:

Specific Strength:

Strength (manual muscle test): ☐ WNL ☐ Grossly impaired grading ___ / 5 except:

Muscle	Grade Left	Grade Right	Muscle	Grade Left	Grade Right
Shld	4-/5	5/5		/5	/5
Re. (ER)	4+/5	5/5		/5	/5
Tricep	4+/5	5/5		/5	/5
Bicep	4+/5	5/5		/5	/5
	/5	/5		/5	/5

Specific ROM:

Range of motion: ☐ Grossly impaired ☐ WNL except:

Range of motion	uninvolved R L active	uninvolved R L passive	involved R L active	involved R L passive
Cervical				
✓/Ext	WNL	Ext & SB 30°		
Rot	WNL			
SB	↓ @ 25°			
Shldr	WNL	Hyp 2+ (B)		

☐ **Additional Documentation Attached**

Short Term Goals: 1) Reports ↓ pain to 5/10 or better in 2 wks
2) Rate Iscore less ↑ activity scale in 3 wks
3) ↑ SOL ham by 10-15° in 3 wks

Long Term Goals: 1) Able use ② Arm for OH activities ↑ limitation in 4-5 wks

Rehab Potential: ___ Poor ___ Fair X Good **Home Program Given** ☒ Pictures ☐ Written

Therapeutic Exercise 10 **Min.** **Dynamic Activity** ___ **Min.**

Tx: MEP. Pt. education ↑ Rx. choice of Rx

A: Has likely ② UT strain ↑ tenderness Pt. should get relief ↑ HEP and Heat/Ice @ home.

Followup: if no ↓ go to Orthopedic MD

Frequency: QW **Duration** 4 wks **Is patient aware of diagnosis & prognosis?** ☒ Yes ☐ No

Contraindications: +

How does patient/client best learn? ☒ Pictures ☐ Reading ☒ Listening ☐ Demonstration ☐ Other:

M. [illegible] PT 3926 — 11/13/02

Therapist Signature / License No. **Date**

(1485)

The Fall of a Nurse...

(What Is Wrong with Gerly?)

by

Gertrude Shiver

(1486)

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This book is written in dedication to the memory of my parents, Peter and Lucy Adkins Shiver. My mother was better known as "Kirk" to her many friends and acquaintances. Through them, God allowed me to be on earth. It is also dedicated to my beloved Aunt, Evangelist Rebecca Adkins Nolan.

A special dedication is made in the memory of my loving sister,
Ruth Shiver Shuler.

(1487)

Purpose

Since my ordeal with Trident Regional Medical Center began in 1994, I have been misunderstood by so many people. To dispel some misconceptions, I have attempted to reveal my innermost self which I have kept secret for over forty years. I hope by doing so, I can help someone else who might find themselves in the same predicament that I found myself in. Unbeknownst to me, the appointed time had come for my trial of life events which had been ordained for me many years ago. In addition, I need to know the identity of the tall white man that chased me around 1958 or 1959 in Gadsden, South Carolina.

(1488)

(1989)

Chapter 1

It was a sunny day in September of 1988, when I made my way to Trident Regional Medical Center in Charleston, South Carolina, because I had heard that a dynamic African-American nurse manager was employed there. Her name was Mrs. Gwendolyn Kitt, and I hoped that she would be a mentor for me. I had never really had a mentor since finishing nursing school and I felt the need for one. It was during this time that I also enrolled at Trident Technical College in Charleston, South Carolina, in their Paralegal Program to learn something about the law for my own benefit. For two years I attended the program, and I graduated in the summer of 1990 *Cum Laude.*

After having Mrs. Kitt as my nurse manager for about three years, she resigned her position as nurse manager which left me a little devastated. Although we had never been very close, I had learned a lot from her. As I continued working on the third floor, an approximately forty-four bed unit which housed telemetry and medical-surgical patients, I watched as different nurse managers came and went. I spent most of my time working and I didn't have much life outside of nursing. It had been my ambition to pursue a Master's Degree in Nursing Informatics, but I never finished getting myself prepared to take the Graduate Record Exam. I continued to work and to participate with The Tri-County Black Nursing Association and its different functions. During this time, I joined several other local nursing organizations.

For these first few years at Trident Regional Medical Center, just the normal everyday conflicts occurred between nurses and their co-workers. The only memorable event that occurred to me during this time happened around 9 P.M. on Christmas Day, December 25, 1991, when one of my co-workers, Colleen Rumble, RN, slammed the wooden door of the supply room into my right upper arm without saying excuse me. As a matter of fact, she laughed and went on about her business. About a day or so after this, I

had to work on the unit doing my regular duties with my arm in a sling after visiting the emergency room of the hospital. I remembered some of the patients making a joke about me having to work with my arm in a sling. At this particular time, I didn't know anything about how this hospital treated their injured workers or the fraud that was going on there. My charge nurse, Lucy Bellon, claimed that she didn't have anyone to do my share of the work; therefore, I had to remain on duty. It wasn't until September of 1994 that my real ordeal began.

(1490)

Chapter 2

It was in the early morning hours of September 25, 1994, when I fell over a dark blue chair onto the floor while going to check on a telemetry patient who was having some dysrhythmia. I wasn't assigned to care for this particular patient. It just happened that I was the one who answered the telephone call from the telemetry technician to go and check on the patient, and I felt that it was my duty since I had received the call. After this incident, I had my first real contact with Anita Korbe, the occupational health nurse, and Dr. C. T. Cook, one of the doctors at Trident Industrial Medicine, which was housed on the Trident Regional Medical Center grounds. After getting off work on the morning of October 24, 1994, I went to visit Dr. C. T. Cook for the last time concerning my fall of September 25, 1994. Before leaving Dr. Cook's office, he made the following statement, "Come back if you are having any pain."

After leaving his office that morning, I fell while going up the steps of the human resource office to visit Mrs. Korbe. With these two falls, I had some injuries to my left foot and ankle, left side, both knees, etc.

Once again around 2 A.M. on the morning of January 23, 1995, I fell on the first floor of the hospital while going to pick up some medications for one of my patients. One of the open heart surgery patients had developed a wound infection after going home, and he subsequently returned to the third floor for care. One of the licensed practical nurses didn't write the antibiotic order on his medication administration record on the day that the patient returned. Consequently, the patient missed several doses of his antibiotic. It wasn't until I was doing chart audits on January 23, 1995, that I discovered the error.

After calling the pharmacy, I went down to retrieve the medication. After leaving the pharmacy, I went by the canteen to get a sandwich to take back

to the floor to eat. The environmental service workers were there mopping, cleaning, and waxing the floors. Over on the other side of the hall, one of the workers had placed the wet caution sign near the bathroom door. As some visitors and I walked in the hallway near the canteen, I fell down but none of the visitors did. As a result, I injured my feet and ankles, chest, right shoulder and arm, neck, knees, etc. In less than six months, I had fallen at the hospital three times. The last time that I fell was the most agonizing time for me, because that is the time that I was made to suffer the most.

During this time, Mrs. Korbe and some of the other white nurses and doctors were verbally abusive to me. I was out sick for about three weeks or so, and Mrs. Korbe and Robin Beaver from Alexsis, the hospital's Workers' Compensation carrier, would constantly call me on the telephone and leave all kinds of messages on my answering machine.

Included was one concerning settling a claim over the telephone with the insurance company. Each time that I would visit the Trident Industrial Medicine Office, the nurses and the receptionist would laugh at me and make jokes about Workers' Compensation. I knew that the law said that they were supposed to take care of me, but they were not doing it. Instead, they were constantly abusing me, especially the white doctors and nurses. They didn't care what they were doing to me because they knew that no lawyer in Charleston would represent me in a suit against the hospital.

They made me suffer with my pain, especially my chest pains. Mrs. Korbe was trying to force me to work the telemetry monitors when it hurt me so badly even to lift my right arm. Then she started to harass me about using my left arm only, which was impossible because I was right-handed.

This was a very difficult time for me, and during this time I really did some soul searching. I didn't understand why some of the white people in Charleston were abusing and mistreating me. Never before had I experienced such cruelty and evil like this from white people. There were many nights that I stayed up crying because I couldn't find an attorney to represent me against the Trident Regional Medical Center. It was during this time that I also learned that it was next to impossible to find an attorney in Charleston who was willing to represent a person with a medical malpractice case against some physicians at Trident Regional Medical Center and The Medical University of South Carolina. I didn't know who to confide in, so I started talking to my niece Sheila about the problems that I was having in Charleston.

During these times, I didn't know what was wrong with me or why it was that I kept falling. Often, I wondered what had caused an angel of mercy to fall from grace. Although I had made some mistakes, I had tried to live a clean and decent life and I didn't bother anybody. Never did I want to live what short time that I had on earth in trouble and strife. During this time, I couldn't find a lawyer to help me and I didn't know what to do. I kept read-

(1991)

ing my Bible and praying to God the way my mother had taught me to do every since I was a child. Finally, my mind started to direct my path.

Subsequently, I started by reporting the occupational health nurse to the State Board of Nursing for South Carolina. When I returned to work in March of 1995, the abuse continued in intensity. Every time that they would do something illegal to me, I would have to record it; I couldn't rest until I did. Frequently, the words that flowed from my pen didn't seem as if they were my words. During the time that I was on light duty, I was sent to the nursing office to do some work on the computers. While in the office one day, my mind told me that they should have a Workers' Compensation policy in one of their hospital manuals.

During the time that some of the workers in administration were in the office, I was looking at the manual, but yet I could not see it. After everyone had left the room, I saw the manual right in front of my eyes. When I opened the manual, I was right on the page that said, "Employee Injury Policy." Immediately while glancing over the policy, I saw that it was in conflict with state law. The effective date of the policy was October 1988, one month after I had become an employee of the hospital, and it had been revised in June of 1993. I grabbed the policy and went and xeroxed a copy of it. During this time, I learned that the hospital didn't pay its permanently injured employees Workers' Compensation but I didn't know how that was done.

After working in the office for about a week, I received a letter from Robin Beaver, the hospital's Workers' Compensation insurance carrier dated February 14, 1995, that my Workers' Compensation claim had been denied. Upon receiving the letter, Ms. Susan Mahoney, the assistant director of nursing, told me that I couldn't work in the office anymore and that I had better go and find a counselor. I informed her that I didn't know anybody because I had already called around to a number of attorneys in Charleston. At this particular time, I didn't know that this was a dirty trick that was being played upon me. Every time that I would mention Trident Hospital's name, the attorneys would refuse to help me.

When I was in the parking lot of the hospital that evening, Julie Turner, one of my former co-workers who had previously injured her shoulder at work, came and told me that I should go and visit Thomas M. White, an attorney at the Steinberg Law Firm in Goose Greek, South Carolina. She stated that he had helped her and a number of other injured workers from Trident Hospital and he really knew how to handle the Workers' Compensation cases.

After this, I was forced to go back to work on a very hostile unit with my injuries. I had to continue my care with my private physician, William E. Crouch, while my private insurance company, Maginnis and Associates, paid for my care. I really caught hell with the verbal abuse from some of the nurses. In addition, the charge nurses would overload me with the heaviest and

hardest patients in spite of my injuries. During these times, I made some patient care errors and some peculiar occurrences started happening to me at work. In addition, the nurses started making fun of my handwriting, which had gotten worse since my fall of January 23, 1995.

I was constantly being bombarded with retaliation from the nurses because I had reported the hospital to the Workers' Compensation Commission and Mrs. Korbe to the Board of Nursing. The retaliation and abuse became worse, especially after Mrs. Renatta Loquist, the Executive Director of the Board of Nursing, dismissed the complaint against Mrs. Korbe. The situation got so bad that I ended up reporting myself to the Board of Nursing. One night during April of 1995, I developed hypertension and I had to drive myself from Trident Hospital to the city of Charleston to St. Francis Hospital to receive care.

It was after I had received the letter from Robin Beaver and about the end of March of 1995, when I first went to Attorney White's office. I took along a copy of the employee injury policy that I had xeroxed, and he was very thankful that I had brought the policy to him. After my initial contact with him, I left his office. After this contact, I received a Form 50 from the Workers' Compensation Commission for me to fill out. When I met with him in his office later, he stated that he had already interceded and sent one form through the mail.

On one occasion when I met with him in his office, he started asking me what I knew about the Workers' Compensation laws of the state. He acted very surprised to find that I was a four-year registered nurse with a paralegal certificate, even though I had never worked in a legal office, and that I had recently obtained an insurance certificate. I guessed he was in that old thinking mode, that a black woman couldn't achieve an education. I wanted so badly to tell him that black women could be more than just maids and prostitutes. During this time, he made comments about Workers' Compensation and about the things they didn't do anymore. At this particular time, I didn't comprehend all of his hints nor did I know anything about his ethics.

After this, it was around May of 1995, when he called me to his office again to do a deposition with E. Douglas Pratt-Thomas. At this particular time, I didn't know who E. Douglas Pratt-Thomas was. Before this, Attorney White had subpoenaed a copy of my gynecological records and I believed he gave a copy to Attorney E. Douglas Pratt-Thomas. He had tricked me into coming to do the deposition by stating that Mr. Pratt-Thomas was the Workers' Compensation Judge and that he was very nice. This was the first time that I had been an injured worker and claimant and physically exposed to the Workers' Compensation system in the State of South Carolina. It turned out that Mr. Pratt-Thomas was actually the Workers' Compensation Attorney for Trident Regional Medical Center.

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During the deposition, every time that I would say something Attorney White would be very rude to me. Before I came to the office, he had had one of his secretaries call me at the house and request that I bring one of my check stubs along. When I got to the office, Attorney White fussed with her and asked me who had told me to bring my check stub along. They really had taken me for a fool. After the deposition was over, he tried to trick me into dropping the charges against the occupational health nurse, Anita Korbe, stating that there was some money under the table. I could not drop the charges because the nurses on third floor at Trident Regional Medical Center were continuously harassing me and verbally abusing me. After the deposition, I wrote Attorney White a letter telling him that I didn't want him for my attorney anymore, and I included some biblical text, as I often do when I am deeply troubled.

It was in June of 1995, that I was scheduled for surgery. Imagine me, a forty-one year old nurse being scheduled for surgery for the very first time in my life. As a matter of fact, I had never before been hospitalized even though I had been a nurse for a number of years. I was one scared cookie, and it was something else being on the receiving end of a needle and a scalpel. The surgery went well though, and I didn't end up with any complications. It wasn't until October of 1995, that I injured my abdominal incision when I fell at my apartment complex at 411 Meeting Street late one evening after dark. My right foot had gotten caught in a black drainage pipe that someone had left on the sidewalk and I fell on the concrete.

I had asked my youngest sister, Ruth, to come to South Carolina to be with me for support during surgery. She had previously worked as a nursing assistant and she was familiar with the general routine of hospitals. It was during my hospital stay that Attorney White called and influenced my sister Ruth about continuing as my attorney. Upon her urging, I gave in and let him continue to be my attorney.

I was at home recovering from surgery when Attorney White called several times for me to meet with him at his office. I was unable to do this because I had received special instructions about driving and climbing stairs. Then he started making arrangements for me to meet him in his downtown office where several times I was required to meet with him upstairs. It was during these times, that he started to become verbally abusive to me and I could see anger in his face. Sometimes, the white female office workers would be laughing at me when I came out of the room with Attorney White. On one occasion, Attorney White even made a joke about Anita Hill who had some trouble with Clarence Thomas. Sometimes, he would trick me and make me sign forms without giving me a chance to read them. I tried to leave several times, but I couldn't find anyone to help me with my case. He tried several times to get me to stop seeing my private physician.

On one of these occasions, Attorney White, upon E. Douglas Pratt-Thomas urging, tricked me into going to see Dr. James J. McCoy, one of the white

orthopedic physicians on the grounds of Trident Hospital. I didn't know at that time that one of their main aims were to separate me from my private physician. This physician took my hand and squeezed it really hard, and then he took my right hand and pushed it up hard behind my back, reinjuring my chest. Afterward, he told me never to come back to his office, and he made his medical notes read as if I didn't have any permanent injuries to my shoulder and feet.

According to my medical leave of absence, I was supposed to have returned to work around the middle of August of 1995; but Anita Korbe, the occupational health nurse, wouldn't let me. When I went to the office, she made a joke about me being the first one that she had ever used her new thermometer on. Also, she made fun of my doctors and Workers' Compensation and about my injuries and my hypertension. Then she had to look at my abdominal incision without providing me any privacy. Although my wound wasn't infected nor was it draining, she gave me a hospital policy on infected and draining wounds. Afterward, she made a loud call on the speaker-phone to the charge nurse about me returning to work.

It was around September of 1995, that I received a call from Attorney White about coming to the downtown office to meet with him. When I got to the room in the downtown office, he closed the door behind me. After this, he went and sat down in a chair. There was a big brown chair near the table which I was unable to move, and the chair seemed to be glued to the floor. In order for me to sit in the chair, I had to squeeze my body in between the chair and table. During this time, he had his head down looking toward the floor. I asked him what he was doing because I thought he had lost his contact lens. He told me that he was looking at the work that was being done on his building.

After that, he stated that he had some good and bad news for me. He then threw the Workers' Compensation check at me, and then he told me what the orthopedic doctor, James J. McCoy, at Trident Hospital had written about me and my injuries in his notes. I told him that I already knew about what he had written. He then started cursing me, my private physician, and my insurance company, stating that they had gone too far. He called me a name which I believed was, "Nigger bitch," and then he asked me if I was in love with the doctor. I told him that that was my doctor and that I did love him. I didn't know what to do or say when Attorney White had me hemmed up in that room and he was asking me all those questions. I opened my mouth and the words came out, and I didn't know where the words came from.

Evidently, he did not understand a physician-patient relationship, or an attorney-client relationship. He had been pretending to represent me when all along he was actually working for Trident Regional Medical Center against me. He had forced me to sign some papers before this episode while covering part of the papers up. I was afraid of Thomas, and he had threat-

ened me several times while we were in the upstairs room. Also, he had threatened me that he would settle my case if I didn't call him. I didn't call him, but I wrote him a letter instead.

Subsequently, around September 15, 1995, I wrote to the Workers' Compensation Commissioner requesting that his name be taken off of my cases, and I left my cases in the hand of the commission. Later on, around September 20, 1995, I reported Attorney White to the Board of Commissioners on Grievances and Discipline but he lied his way out of it. In response, I received a letter after the investigation from Mrs. Jean Toal from the Supreme Court of South Carolina where the complaint against Thomas M. White had been dismissed. This was very disheartening for me that the Supreme Court had believed Attorney White's words over mine. I was reminded of how during slavery and afterward, how the white man's words were always believed over the black man's words, no matter how blatant and deceitful the white man was.

It was around October 20, 1995, while I was emptying a patient's Foley catheter that some urine was ejected up into my right eye and on the right side of my face. The incident was strange because the urine went underneath my eyeglasses into my right eye. Ms. Willie Dickerson, the third floor supervisor at that time, came in angry early that morning and before I could tell her; she ran me off the unit. I developed an eye infection and an infection on the right side of my face. I had emptied patients' Foley catheters many times before and this was the first time that anything like this had ever happened to me. Because of the actions of the occupational health nurse related to my infections, I reported the incident to The Center for Disease Control in Atlanta, Georgia.

During November of 1995, I went to visit a Mr. Wilson, a career counselor at the South Carolina Vocational Rehabilitation office in Charleston because of the injuries to my shoulder and feet. He told me all kinds of lies and he refused to help me because he said that he worked for one of the doctors at Trident Sports Medicine. It was also around November of 1995, that I started receiving collection letters from a collection agency in Charleston for the care that I had received at Trident Regional Medical Center while I was under Workers' Compensation. During all this confusion, I forgot about my renewal form for my nursing license for the year of 1996. It was supposed to have arrived in the mail during September of 1995, but it never came. Ms. Willie Dickerson would periodically make hints about it, but I didn't understand what she was talking about.

Around December of 1995, when I still hadn't received my nursing license renewal form, I called to the office in Columbia and requested one. Someone was continuously giving me the run around about my renewal form. I ended up sending two checks to the office, and they still wouldn't send me my nursing license. As a result, I had to drive to Columbia in

(1993)

January of 1996, and I almost fought to obtain my nursing license. I never knew who the persons were that was causing me so much trouble but one of the ladies spoke with an accent. Later on, I found out that some of the nurses at Trident Regional Medical Center, especially in nursing administration, were behind some of this harassment.

In January of 1996, Attorney E. Douglas Pratt-Thomas and I went before the Workers' Compensation Commissioner, G. Byron Lyndon. Even though Attorney White had indicated a number of injuries on the claim form, E. Douglas Pratt-Thomas only had one injury listed on his form. I never received anything for any of my permanent injuries for the falls of 1994 and 1995, nor did their Workers' Compensation carrier pay for some of my medication that I received from Revco Drugs.

In February of 1996, I also received a letter from the emergency room physician stating that my bill was not under Workers' Compensation. I was also reported to the Credit Bureau. During this time, I was literally ran out of my apartment at 411 Meeting Street in Charleston, and Trident Hospital had a lot to do with that, too. Some of the white people in Charleston are very vengeful. Often, I have wondered "What if" the black people as a whole had risen up and gotten revenge for the enslavement and maltreatment of their forefathers.

Around May of 1996, I read that Renatta Loquist, the Executive Director of the Nursing Board of South Carolina was leaving. Also, the CEO of Trident Regional Medical Center, Frank Murphy, and the occupational health nurse, Anita Korbe left the hospital and I never knew the reasons why they left. After all of those falls at Trident Regional Medical Center, I lost a considerable amount of hair in spots that never really grew back. Through all of these trials, I continued to pray to God the way my mother had taught me to do every night since I was a child. Everything was relatively quite for me at the hospital and in Charleston from then on until 1997, when the second phase of my ordeal began.

(1994)

Chapter 3

It was around the beginning of the year in 1997, that Mrs. Lynda Adams started to make out the work schedule in a way that prevented me from going to church on Sunday. In March of 1997, I was at work when my heart went into an irregular rhythm with a rate as high as 225 beats per minute. I was taken to the emergency room, but the nurses and doctors didn't do anything for me until my heart had converted on its own into a normal sinus rhythm. I had several more episodes of dysrhythmia until my physician placed me on an antiarrhythmic.

On April 29, 1997, I was on my way home from work when Melissa Seelbinder slammed her truck into the back of my car and pushed it further down the road, as I slowed my car down because of some oncoming traffic. A lot of drainage was coming from the back of my car and I thought she had burst the gas tank. It had rained all that night but the sun was up early that morning. After I couldn't get my cellular phone to work, a motorist stopped by and I asked her to call the police. After that, she left and didn't give me her name. When the policeman finally arrived, (He was actually a highway patrolman), we told him what had occurred. The drainage was still coming from my car onto the pavement and I pointed this out to him. Mrs. Seelbinder even asked him for a ticket but he refused to give her one. Mrs. Seelbinder was working in one of the offices recently acquired by Trident Regional Medical Center and her husband, Gary, was working at the Charleston Air Force Base.

Around May of 1997, an article appeared in *The South Carolina Nurse* announcing that a Legal Nurse Consultant Program was going to be started at the College of Charleston. The article was interesting to me and I thought this would be something that could be beneficial to me, because I was always looking for something to keep my brain cells stimulated. When I went to the

Citadel to request a copy of my transcript, there was one white lady in the records department who was very rude and nasty with me for no apparent reason. After I had requested that all of my school transcripts be sent to the College of Charleston, I sent in my essay that was a prerequisite for entrance into the program. Later on, I went in for a scheduled interview with Mrs. Peggy Camps, an attorney who was residing in Beufort County. When I arrived at the office, the people there seemed so cold toward me.

During my first contact with Mrs. Camp she made the comment, "Oh, I finally got to meet you." While she was conducting the interview she made the statement that I had to learn to get along with the lawyers. I didn't understand where she was coming from. When I told her that I was interested in Workers' Compensation and Employment Law, she made the following comment, "I'm with the defense. You should go into medical malpractice." After the interview with her, I didn't think anything else about it. I never did receive an acceptance letter into the program. When I called back to the office at the College of Charleston, a white guy in the office claimed that they never received my transcripts.

After I had a new set of transcripts sent to the college, I still never received an official acceptance to the program. After several inquiries, they sent me a contract with some harsh stipulations. They wanted the majority of the money for the program before I could enter the program. After reading over the harsh stipulations, I decided against going to the College of Charleston. After I had been living in Charleston for a while, I had heard rumors about how the white people had treated the black students when they tried to enroll in their colleges, especially at the MUSC College of Nursing.

Around July of 1997, Mrs. Sharon Zimmer, the manager at The Charleston Arms Apartment where I was now living, sent me a renewal notice that stated that my six months lease was $405.00 per month. Ever since I had been in Charleston, I had only been getting a six months lease each time. When I went to the office to renew my lease, Mrs. Zimmer stated that the six months lease had gone up to $420.00 per month. I told her that the manager before her had said that the rent would not go up like that. Mrs. Zimmer stated that she was doing it because all of the apartment complexes in Charleston had done it. She tricked me into getting a twelve month lease for $405.00 per month. At that time, I was not aware that this was part of an elaborate scheme that some of the white people connected with Trident Hospital had been planning against me for months to drain me of my money. Later on, I learned that it would have been better if I could have rented from someone private rather than from the apartment complexes in Charleston.

During this time, I was at home recuperating from another surgery that I had had in June of 1997. Once again, my sister Ruth had returned from Georgia to be with me during this second surgery. While I was recuperating, my mind wasn't on evil things and evildoers. I was only interested in getting

well and returning to work. It was around the middle of August of 1997, when I was able to return to work. Although I had previously had some trouble with Lynda Adams, RN, I went on about my business and I didn't think anything of it. I thought everything was going all right until Saturday, October 11, 1997, when I heard and felt something pop in my lower back as I was helping my Jewish patient up in the bed, so that he could sit on the side of the bed. Along with this, I developed some left sided pain. From then on, it seemed as if all hell had broken loose. As before, the doctors and nurses were abusive to me but to a greater degree, starting with Dr. Todd W. Christensen in the emergency room.

Once again, I was under the Workers' Compensation practiced by Trident Regional Medical Center. I was out of work until Monday, October 13, 1997, when I was required to go to Trident Industrial Medicine, even though I didn't want to. There, I met some of the same abusive and nasty white nurses that I had encountered before in 1994 and 1995. After going from Trident Industrial Medicine and Trident Sports Medicine, I ended up at The Carolina Spine Institute with Dr. George F. Warren. I had received some light duty instructions at the Trident Industrial Medicine Office, but Mrs. Bridget Denzik, RN, would not make any allowances for me to follow them. Therefore, I ended up with some complications, especially some hemorrhoids from all the strain of full duty. They had taken some health history from me at the Trident Sports Medicine and at The Carolina Spine Institute which they were later to use against me. It was also at the Carolina Spine Institute where I met Karen Shelton, RN, who was coordinating my care through the hospital's Workers' Compensation system.

Around this time, I received a call from my niece Cynthia informing me that she had to go home because my oldest sister Sarah was crying. Sarah was having some trouble and she had spent all of the money that she had saved up to get herself a new car. I instructed Cynthia to let me know what was wrong with Sarah and that I would give her some money to help her get a new car, but I never heard anymore from Cynthia. One day Cynthia called and announced that they were coming to Charleston. I never wanted Sarah to know anything about the trouble that I was having in Charleston nor did I want her to come to Charleston. Sarah is very vulnerable, and I didn't want her involved in the evilness that was going on there.

Yet, she had started getting my nieces to bring her to Charleston anyway. After their arrival, we went out shopping and sightseeing. Later when we were at the restaurant eating, she made this comment, "You can find yourself another job. It may not be what you want but you can find yourself another job." At this particular time, I was sick and I didn't want to start a scene in the restaurant. Besides, I didn't know what she was talking about. Later, when we arrived back at my apartment, she grabbed what she thought was my Bible and started telling me things about different religions. Next, she

(1995)

told me that I had hatred in my heart and jumped up and ran into my bedroom. I didn't follow her up on this either because I was already under enough pain and stress. Once again, Cynthia just sat there and didn't say a word.

At the Carolina Spine Institute, I was being rushed through a plan of care by Dr. Warren and Karen Shelton. They sent me to the Professional Rehabilitation Office in Charleston to receive some physical therapy. During this time, I was watching the telemetry monitors as part of the requirements of my light duty. Before I had finished my physical therapy, Dr. Warren had me back on the floor doing my regular nursing duties. All of this time, he said he was treating me for muscle sprain. On November 25, 1997, I visited Dr. George Warren's office because I had developed some pain in my leg, my right foot, and the area near my right lateral ankle on the night of November 20, 1997. It was on the night of November 20, 1997, that I was given a full patient load in spite of my physical condition.

In addition, I developed a limp in my right leg. At the time of my visit while he was doing some range of motion exercises on my right leg, I had some excruciating pain in the area where my right thigh joins my pelvis. When I yelled out in pain, he didn't say anything but turned his back on me and went out of the room. He came back into the room a short time later but he didn't tell me anything to do for the pain. Dr. Warren did not order an MRI, CAT scan, myelogram, or an X-Ray to reassess my condition. He sent me right back to work in this same condition. All the while that I was back at work providing patient care on third floor, Mrs. Denzik would leave word with the charge nurses to overburden me with the hardest and heaviest patients.

Because no one told me what to do about the problems that I was having with my right leg, I called my physical therapist, Mrs. Kristina Sullivan, at the Professional Rehabilitation Office. She told me to do some stretching exercises to my right leg and to continue doing the other exercises that she had taught me to do on the previous schedule that she had given me. Subsequently, the limp cleared up after about two weeks. During this time, someone at work had placed a memo in my mailbox that had a Trident Health System Workers' Compensation Monthly Injury Lost Time Calendar attached to it. These documents were from, Mrs. Mary Ann Dziejma, RN, the Work Injury Coordinator. I knew that this procedure didn't seem right but I didn't call her to question her about it.

On the evening of December 2, 1997, I received a call on my answering machine from Karen Shelton. She wanted me to go and see a Mr. Ron Thompson the next day at the Professional Rehabilitation Office, but she never indicated who Ron Thompson was. In a few minutes, another call was on my answering machine from a Mr. Ron Thompson requesting that I come to see him the next day. He never indicated who he was either. I thought he was another therapist wanting me to come back to the office, so that I could receive some exercises for my right leg.

(1996)

On the last day that I had a session with my physical therapist, Mrs. Sullivan, she had indicated that Dr. Warren often sent the patients back for a second series of physical therapy. I called Mrs. Shelton later that night to find out who Mr. Thompson was, but she never answered my call. That night, I packed some comfortable clothes and took them along with me when I went to work. I was expecting to do some exercise with the physical therapist the next morning. After getting off work late that morning on December 3, 1997, I called to let Mr. Thompson know that I was coming.

When I got to the office, a tall white man by the name of Mr. Thompson took me into a closed office alone and started asking me all kinds of personal questions and writing things down on a pad. He never told me what his title was at this particular time and I didn't know that he was a psychologist. If I had known that he was a psychologist, I would never have gone to see him. He was very angry with me and his face was turning very red as we kept arguing back and forth with each other. I resented the fact that Mrs. Shelton would send me to this strange angry white man.

Some of the questions he asked were: "Do you believe in God?" I acknowledged the fact that I did believe in God. "What have you got against Trident Hospital?" I replied that Trident Hospital had its' good and bad points like any other place. "Have you ever been raped?" I told him that it was none of his business whether I had been raped or not. By this time, I was becoming very frustrated with him. I knew it wasn't appropriate for a black woman alone in the room with a strange angry white man to reveal anything about her sexual history.

At that particular time, I thought he was threatening to rape me because he was becoming angrier and his face was turning redder. He kept asking me about rape repeatedly. "What do you do with all of your money?" I told him that I paid bills and helped my family. Then, he asked about my hometown and whether I lived alone. Then I asked, "What are you doing? You don't have any right asking me those personal questions and it's none of your business whether I have been raped or not. You didn't tell me you were going to ask me any personal questions when you brought me into this office." All the while, I had thought Mrs. Shelton wanted me to come to the office to receive some more physical therapy for my right leg and foot.

When I told him that he had brought me there under false pretenses, he replied, "You put Mrs. Shelton on the answering machine and you didn't talk to me this morning." When I said to him that I wasn't going to answer any more questions, he stated that it was required by Workers' Compensation that he assess my stress level since I had a lower back injury. He was very angry and his face was continuing to turn redder. I stated that my stress level was nothing compared to what it was when I fell three times at the hospital and I was mistreated. Then he asked, "Why don't you let Dr. Warren give you an injection in your back?" I replied, "I am afraid of paralysis." He

became angrier at me and we argued some more while he was continually asking me some questions.

After his questioning, I was getting ready to leave when he pulled out a booklet with some questions in it and he told me that I couldn't go until I answered the questions. The booklet contained some questions that were part of a psychological test. He showed me how to mark the answers to the questions, and he said that I had to answer the questions. I replied that I was not going to take the test since I was not crazy. Once again, he stated that the test was required by Workers' Compensation. After that, I told him that I would only take the test if I could have a copy of my answers. He assured me that I could have a copy of my answers. Before he led me out of the office into the physical therapy area to a desk so that I could take the exam, he taunted, "Keep on believing in God and going to church, and see if God can help you now." I replied, "I shall forever believe in God."

Later on as I was taking the exam, Mr. Thompson came by and stated that he had to leave to go somewhere. "Give the test papers to the girl behind the desk when you finished," he said. Once again, I asked him if I could have a copy of my answers. He replied, "Ask the girl at the desk and she will give you a copy." When I finished the test, I took it and gave it to the white girl at the front desk; but when I asked her for a copy of my answers, she refused to give me one. She stated, "Mr. Thompson told me not to give you a copy." Even after I argued with her for a while, she still refused to give me a copy. Then she replied that Mr. Thompson said that I could check with the Workers' Compensation coordinator about the test. I never bothered with it anymore, and I never heard from Mr. Thompson again. After that, I went home late that day to try to get some rest; but I was unable to get much. I was so nervous that night that I was afraid to go outside after dark to go to work. Therefore, I called the job and told them that I was not coming to work.

Late one night out of the blue after this incident with Ron Thompson, I received a call from my sister Sarah informing me that she had gotten a new car and that some man had given her eight hundred dollars for her old car. Then she said, "That is the only way I could *see* that I could get me a new car. That is the only way I could *see* that I could get me a new car." After this, she hung up the telephone. As for Cynthia, she made one more trip to Charleston when she was on her way to Germany. Never once did she mention anymore to me about the previous trouble Sarah was having.

Next, the process of my job termination began. Starting on December 24, 1997, I was suddenly called into the office by Bridget Denzik, RN, and given a managerial record of verbal warning about my "illegible handwriting." She never gave me an adequate reason why she had started targeting my handwriting nor my nurse's notes. Next, she started to make some smart comments about my handwriting. I told her that the hospital was well aware of my penmanship as well as the State Board of Nursing. She then answered

me, "You should not even be in nursing." Subsequently, I asked her for a copy of the managerial record of verbal warning, and she refused to give me a copy. As I was leaving the room, she got on the telephone and called someone. In a few minutes, she came into the hall grinning and handed me a copy of the managerial record of verbal warning. I didn't understand what this was all about, nor did I have any prior warning about what had just transpired.

Every since I reinjured myself on October 11, 1997, I was sick continuously. It got to the point where my previous heart medication was not controlling my rapid heart rate anymore and my private physician had to switch me to another medication to control the dysrhythmias. I even developed some other medical problems which required treatment and I had to miss some days from work in order to have the tests and procedures done.

On January 6, 1998, I visited Dr. Warren and Karen Shelton for the last time. Before I went in to see him, Mrs. Shelton desperately tried her best to convince me to take an injection in my lower back as she had once done in the past. She asked me why didn't I leave the third floor and go into home health nursing. I told her that I had spent all of my time and money on hospital nursing and that home health nursing did not pay anything. Furthermore, I was afraid that I would be raped if I went into unfamiliar homes. I had heard about several instances where home health nurses got raped by some of their patients' male family members in the home. She then made the comment, "Oh, that is my fault, I hadn't thought about that." Then she said that I was making twenty dollars an hour, and I replied that I was not making twenty dollars an hour.

After that, she again tried desperately to convince me to let Dr. Warren give me an injection in my back. She never explained the procedure to me, nor did she give me any written or oral instructions on how the procedure was done. In addition, she didn't tell me the necessity of the procedure. I wasn't aware that the orthopedists gave an injection in the spine just for a muscle sprain. Dr. George Warren was going to paralyze me with the spinal needle. Since no one gave me any information, I didn't agree to the procedure. Next, I went in to see Dr. Warren. As usual, he sat far back from me and he seemed so cold and distant. In addition, his skin seemed so white.

Thereafter, he tried desperately to get me to agree to an injection in the lower part of my back; but neither he nor Mrs. Shelton explained the purpose and benefit of this injection. Furthermore, they didn't mention if any other patient had benefited from these injections or not. I was frightened of this procedure since paralysis is a risk. Because of this risk, I didn't agree to the procedure. During my conversation with Dr. Warren, he later stated that the injection was an option, and he never told me exactly where in my spine that he was planning on inserting the needle.

Next, he added that he was not going to make me come back to the office; but if I wanted to come back to see him then I could. I never went

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back because he did not offer me any other treatment. The only thing that he told me to do was to continue doing my home exercises and to walk. On several occasions when I had visited Dr. Warren in the past, he seemed to ignore my complaints. His mind seemed to be in another world and he didn't seem to be listening to me at all. I would continuously complain of lower back and left side pain, but he would insist that the pain was coming from my muscles even though the pain felt like it was bone pain. He claimed that I would have the muscle pain for a very long time. Sometimes, I would hear a crunching sound in my lower back as I moved around.

On January 23, 1998, I was again called into the office by Bridget Denzik, RN, and given a written managerial record of warning about my "illegible handwriting," and "time management." Another stipulation given to me at that time was that I should begin work at 2300 every night and punch out at 0730 every morning. No consideration was given for the heavy patient load, the critical condition of the patients, nor for the continued pain that I was having in my lower back, side, and sometime in my right leg and foot. Mrs. Denzik was really being very cruel to me and having fun doing it. She was a young registered white nurse who had been bucking to become the new supervisor of the third floor. This young woman had come to Charleston from another state, which I believe was Indiana, and her husband worked at the Charleston Air Force Base.

While I was out recuperating from my last surgery which was in June of 1997, she had obtained the supervisory position on the third floor. Previously, she had been the charge nurse on the night shift. Often, she would overburden me with the heaviest and most difficult patients. In addition, she would require me to take the first admission about ninety-eight percent of the time when I was at work. It didn't matter whether the patient was admitted to another hall on the unit where I wasn't assigned. At that particular time, the third floor at Trident Regional Medical Center had three halls, two of these halls had private rooms and one hall had semi-private rooms. Even when the licensed practical nurse admitted the patient, I would end up having to do the physical assessment. Sometimes, I was so tired and painful that I would make the exclamation, "Oh, Father!" I never told anyone what I meant by this expression. Soon after Bridget heard me making this expression, she started picking at me and making fun of me about it. She never knew that I was calling on my Heavenly Father to give me strength to make it through the night.

It was during January of 1998, that I also received a statement from Dr. Todd W. Christensen's office, he was the emergency room physician who had treated me on October 11, 1997, as a result of the work related injury. The statement indicated that my insurance company had paid part of the bill and that I was responsible for the balance. When I called to find out what this was all about and to remind them that I had visited the emergency room only

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because I was injured at work, one of the girls in the office said, "You see that hospital over there; we don't pay Workers' Comp." The statement that I received from Dr. Christensen's office turned out to be a bogus one because my private insurance company never paid anything toward that bill. God only knew how many permanent injured employees lives had been ruined by Trident Regional Medical Center and some of the Workers' Compensation physicians and attorneys in Charleston.

As a worker at the hospital, you essentially gave up your legal rights. Hence, you could easily be a target for all kinds of harassment. Similarly, one night in January of 1998, the emergency medical service truck was at my apartment complex and the truck blocked in my car so that I was unable to leave to go to work. After calling the job and telling them that I would be late for work, I called the officer at the apartment complex to let him know what was going on. After a while, the white emergency medical technicians came out to the truck laughing but there was not a patient with them. They got into the truck and drove away, but they had already made me late for work.

Because Mrs. Denzik was in the process of terminating me with a work related injury, I reported the hospital to the Workers' Compensation Commission after the second episode with her. Then on February 9, 1998, Lynda Adams, RN, the director of cardiac services, called me at home and stated that I was on indefinite suspension because of a patient complaint that had occurred on Sunday night. After I informed her that I didn't work on Sunday night, she quickly hung up the phone. In about ten minutes, she called again and stated that she had meant Saturday night. Next, she stated that she had so many papers on her desk and that she was going to show me what suspension was. I remained on indefinite suspension without any source of income until March 27, 1998, when she terminated me. She was harassing me over the telephone from February 9 until February 14, 1998, when I finally took the telephone off the hook.

On February 18, 1998, she sent two young white men in dark blue uniforms to my apartment to terrorize me. I didn't know who the young men were because they never introduced themselves. Their dark blue uniforms were very similar to if not the same as, the ones that the North Charleston policemen wore. On the day of their arrival, I was still in bed because I was sick and tired after spending all day at St. Francis Hospital the day before. I had taken some tests and suffered some seizure-like activity afterward. My doorbell made an obnoxiously loud sound, and they continuously rang the doorbell. I jumped up from my sleep and went to the door with a ragged gown on, and there they were standing talking with Mrs. Adams over a speaker phone. Mrs. Adams was making a lot of noise as she spoke loudly over the speaker phone. I was very startled and frightened. I didn't know what to do. I was unable to see their name tags and they stayed outside my door making the loud commotion for a while and then they finally left.

It was on February 2, 1998, that I started to send in my claim forms to the Workers' Compensation Commission in Columbia, S. C. After work on this particular morning, I stopped by the North Charleston Branch of the post office to send in my three handwritten claim forms. One of the white postal workers there was giving me some trouble with my certified mail which contained my Workers' Compensation claims, and I never received the green card back after I mailed my certified letter. I knew what she was doing was wrong, but something wouldn't let me do anything about it. I was being led through the motions with my enemies.

On February 17, 1998, I sent in another claim form by certified mail after receiving some instructions from a Ms. Vivian Brown in the claims department at the Workers' Compensation Commission. The assistants in the Workers' Compensation Commission claims department would not send the green card back each time that I sent in a claim form. On February 26, 1998, I further jeopardized my health by driving to Columbia to hand-deliver a claim form which I had a Ms. Vikki Singleton to stamp and sign for me. The assistants in the claim office would not process this claim either. It turned out that Lynda Adams had had Gregory S. Line hold my claim forms.

Because I didn't receive the green cards back, I wasn't sure that they had received the forms of February 2 and February 17, 1998. Subsequently, I put a tracer on both set of claim forms and both sets had been delivered to the Workers' Compensation Commission. Later on when I called and tried to speak with the Director of Claims, Ms. Vikki Singleton, the assistants would not let me speak with her. Ms. Vivian Brown, Mr. Gregory S. Line, Ms. Juliet Weeks, and a white female in the Judicial Department were all working with Trident Regional Medical Center against me. As a result, I wrote to the Postal Service in Washington, D. C., about the problems that I was having with my green cards, the postal clerks, and the assistants in the Workers' Compensation Commission office, but I never received any response.

On May 5, 1998, I gave Mrs. Singleton a letter and some documentation notifying her of the problems and the people who I knew were involved in giving me a hard time about my claim forms. After this, I received an angry letter from a Mr. Michael Grant LeFever, the Executive Director of the Workers' Compensation Commission.

On April 9, 1998, during our regular Trident Nursing Association meeting in Charleston, I encountered Ms. Latrell P. Fowler, RN, the president of the South Carolina Nurse's Association. She was making little smart remarks to me about not having any health insurance and some comments concerning Mrs. Renatta S. Loquist, RN. Then she played a game about me not having any health insurance. She went around to several members' desks at the meeting putting down a piece of paper with some numbers on them. Then she asked about how many people would soon not have health insurance. My desk had the piece of paper with the right amount on it. After this, she wanted every one to stand up and give their name and their place of employment. At that time, I had been terminated; so I did not stand up. The new president of our local chapter then stood up and stated that he worked for Trident Regional Medical Center. Latrell Fowler kept making smart comments toward me and she kept making references to Renatta Loquist, and that South Carolina was a "right to work state." She kept making references to the "Powers to be" of the State of South Carolina and what they could do. Next, she made a statement that a bill concerning licensed practical nurses had recently passed without the signature of Governor David Beasley.

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Since I had been terminated from employment in March of 1998, Trident Regional Medical Center had made sure that no one would hire me. They had been planning an elaborate scheme against me for many months and it had now come to fruition. I had been trying to find some employment without success. Several times when I called to the Labor Board of South Carolina, a recording of a white man's voice came on saying, "South Carolina is a right to work state." I thought about all the many times my forefathers had been beaten and forced to work in the fields of South Carolina. Everywhere that I turned for help, there was someone with white skin standing in my way. They were at every state agency that I contacted, including the South Carolina Vocational Rehabilitation Office in Charleston. I felt boxed in as if I was about to suffocate.

It was very distressing and disheartening for me not to have a job when I had been working and supporting myself for the majority of my life. I had gone from being a productive to an unproductive citizen. I was like a little lamb in the midst of a pack of angry wolves waiting to be devoured. They were trying to stump a poor little black nurse like me who had come from humble beginnings into the ground. One didn't have to belong to the hood to be in a gang. Also during this time, I learned that some of the black Charlestonians was part of the crowd that were against me. Things became so bad that I finally reported the hospital to Governor David Beasley in May of 1998.

During his term, the governor had revised some of the Workers' Compensation laws of South Carolina, and Trident Regional Medical Center had devised its way of getting around the laws. About two weeks before I reported the hospital, Channel 4 television station in Charleston, South Carolina, kept flashing my private physician's name across the screen during the news hour saying that his license had been suspended. At that time, I thought they were referring to something in the past, but they were referring to the present time. Subsequently, he had to close his practice which was the most distressing and disheartening of all the events that had occurred in Charleston.

Then around the last of May of 1998, I received an angry call over the telephone from a person who said that he was a Mr. Donald Lundgren, an investigator from the Board of Nursing. He stated that the hospital had

reported me to the Board but he refused to tell me what the complaint was all about. Next, he told me to write some general statements about my nursing care which I did, and I sent it to the Board of Nursing.

After I was terminated from my job, I made several trips to my home in Gadsden, South Carolina. On one of these occasions, Sheila informed me that she had found a new job at the University of South Carolina. On another one of these occasions, she had a mysterious accident with her car. Several times she and Sarah had set me up but I could not see what they were doing to me, nor did I understand why and what they were doing to me. At another time, Sarah made fun of my injured back. One other time, Sarah was angry and stated that I was taking some legal courses and that I had hatred in my heart. I didn't understand where all of this was coming from because she didn't have anything to do with me taking some legal courses. It got to the point where I didn't trust this branch of my family anymore.

It was after I had reported the hospital to Governor Beasley around May of 1998, that I attempted to obtain my medical records from my various physicians. The girls in Dr. George Warren's office, especially one of the nurses named Ty, were giving me such a run around about my medical records. In addition, Sharon, one of the workers in Dr. Gregory Jones office, was also giving me a hard time about my medical records. It wasn't until I had obtained a copy of my medical records from Dr. George Warren that I realized that Ron Thompson was a psychologist. Dr. George Warren had falsified his records and written many incorrect entries in it about me. In Dr. Warren's notes, he indicated that I had been evaluated by Mr. Ron Thompson: "He raises concerns about her psychological well-being and feels that there are elements of conversion." I knew that all of my pain and complaints were physically real and that they were not of a psychological nature. After reading Dr. Warren's notes, I called the hospital to try to get a copy of the so-called psychological assessment that had been done on me by Ron Thompson. Mrs. Mary Ann Dziejma stated that the records belonged to Trident Hospital and that I would have to hire an attorney to subpoena the records. I really needed the records to see what psychological diagnoses he had labeled me with.

While I was attending nursing school, I remembered reading an article some place where some white psychologists were so quick to label a smart black person with a psychological diagnosis. Subsequently, I sent a certified mail to the Professional Rehabilitation Office and I called the office to request a copy of the psychological assessment. One of the girls in the office told me that Mr. Thompson had run away from Charleston about two weeks ago and hadn't left any forwarding address; therefore, the certified mail came back. There was a lot of secrecy going on even among my family members during these times, and I never knew exactly what was happening. I never knew exactly what Trident Hospital had done against me nor

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did I know who all the people were that were involved in the scheme. One of the nurse managers had scampered away from Trident Hospital and had gone to Franklin C. Fetter Clinic to work in downtown Charleston.

During June of 1998, I was really sick and the doctors could not figure out what was wrong with me. In addition to being very hoarse, I developed a terrible cough where I would bring up copious amount of secretions and sometimes I would cough all night long and part of the day. Also, I was unable to swallow solid food and I lost about twenty pounds within a week. It was doing this time that I first began to notice some strange movements within my body. Sometimes, it was impossible for me to distinguish between fantasy and reality. At times, I was up all night writing letters and composing documents on my computer because I could not sleep. During these times, the words just poured forth from within me but they weren't my words. Some days, I didn't know how I managed to keep going because of the severe coughing and weakness.

One day in June of 1998, while I was sitting on the floor in my apartment watching television, I received an angry call from someone over the telephone and the person stated that he was one of the workers from MCI, the long distance telephone company. About two days before the call, I had dropped my telephone and ruined my answering machine. The person was trying to get me to change my long distance service from AT&T to MCI. First he stated, "I am trying to save you some money, mon-ney, mon-n-n-ney, mon-n-n-n-ney. During all of the time that I was talking to this person, I kept hearing a voice inside my head saying, "You already have God, don't switch over to Satan." The person kept saying that he was trying to save me some money and the only thing that I had to do was to hang up the phone. Then, when the operator called, I must pick up the receiver and say, "Yes." He promised me that he would send me two free movie passes to the Blockbuster Movie if I did this. I kept asking him what was going to happened to AT&T if I switched over to MCI. He never gave me a satisfactory answer.

When I told him that I was going to keep AT&T and that I was not going to switch over to MCI, he became very angry and started yelling at me over the telephone. Subsequently, I hung up the telephone. It was then that I recognized the voice of the caller as being that of Ron O. Thompson, the psychologist. It was around this time that Sheila began to get very nasty and rude with me on the telephone for no apparent reason. One night when I was trying to read some in my Bible, I came across Galatians 6:7 which reads as follows, *Be not deceived; God is not mocked: for whatsoever a man soweth, that shall he also reap*. This passage of scripture seemed to stand out from the rest.

Around July of 1998, I reported Dr. George Warren to the South Carolina Board of Medical Examiners. Around July 17, 1998, I received a letter from the Carolina Spine Institute informing me that Dr. Warren would no longer be associated with them, effective August 4, 1998. Also in July of

1998, I reported Ron O. Thompson to the South Carolina Board of Examiners for Licensure of Professional Counselors, Associate Counselors, and Marital and Family Therapists, but I never heard anything from the investigation. It was during this time that I read in the *South Carolina Bar News*, a newsletter for lawyers, that Attorney E. Douglas Pratt-Thomas belonged to the Workers' Compensation Committee.

During this time, I was trying to find an attorney who would be willing to help me with my accident case. Upon the advice of a Columbia attorney, I contacted several attorneys in Charleston with no avail. He recommended that I call again to the Steinberg law firm, which I did. Upon calling the Steinberg law firm, one of the angry white attorneys stated that he owned three law firms in Charleston. When I told him that the Columbia attorney had told me to contact him and about me coming to his office to talk with him, he replied, "You coming here? You must be coming through the back door. This is a Jewish law firm. Yes, I own three law firms in Charleston." After this, I told him that I was sorry that there was a conflict of interest and I hung up the phone. Then I began to ask myself the following questions: Why were some of the Jewish people my enemies? Did this law firm help only Jews? Did he know that it was a Jewish patient that had reinjured my back?

In August of 1998, I decided to visit some historical sites before leaving Charleston because I didn't know when it would be safe for me to return after leaving. I had to leave in August when my lease to my apartment ran out. It was only in July of 1998, after Dr. Michael Sagatelian had prescribed some medications to clear up my bronchioles that I began to feel a little better. Later on, I was able to take in solid foods again. On Saturday, August 15, 1998, I spent most of the day at Magnolia Plantation and Gardens; afterward, I visited Drayton Hall. After the house tour at Drayton Hall, I started walking toward the Ashley River. When I was almost to the river, I felt the worst pain that I have ever had in my right knee and I could barely walk. Somehow, I made it back to my car. As I was heading out from the plantation, I had to stop by the slave graveyard. While hobbling toward the graveyard, I couldn't help thinking about how the State of South Carolina had been built on the backs of slaves. Often, I had wondered what the State of South Carolina would have been like if the Europeans had been made to carry their own bricks.

From the tour at Magnolia Plantation, I learned that some of the slaves in this area had come from Barbados. My mother's maternal grandfather, Willis King, had come from the West Indies through Charleston and I didn't know if he had any connections to the slaves in this area or not. He had ended up in Richland County around Hopkins, South Carolina, where he married Ms. Jane Aye. They had three daughters, Lucy (my grandmother), Rosa, and Hattie. My grandmother, Lucy, had been born sometime after slavery ended. As I visited the graves in the graveyard, I thought about how one man could

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use his skin color to justify his dominance over another. I knew that the color of one's skin didn't have anything to do with one's intelligence.

From an elderly lady in Charleston who I used to live with, I learned that there used to be a tree in Charleston located on Ashley Avenue called the "hanging tree." There, gangs of whites used to hang the African-Americans. Images that I had seen in the newspaper and on television that depicted the African-Americans as being the worst people on earth kept running through my head. Many other old thoughts began to run through my mind. Once again, I pondered the idea about one God creating all races of mankind. Somewhere during my youth, I remembered reading about the fallen angels mating with the inhabitants on earth and producing children. I wondered what had happened to all of those genes throughout the years.

After spending sometime in the graveyard, I headed for home with the severe pain still in my right knee. Also, I had learned from Mrs. Viola Deas whom I used to live with that there were some black people in Charleston who had owned slaves. These slaves were mostly the family members of the owners. Contrary to whites owning blacks, this was more of a survival tactic for the black family. During May of 1999, and every time that I would drive through the islands of Charleston, it seemed as though I could see the shadows of the slaves across the fields.

Charleston had become a very hostile place for me. Although I had lived there about fourteen years, I was never really accepted. I was still a stranger and an outsider in a strange land. If you or your family were not born in Charleston, you were always considered an outsider. My parents had always taught me to be very careful how I treated strangers that came amongst me. Charleston is a very corrupt place, and I knew that some of the people were backward in their thinking and very recalcitrant to change. A lot of the negative things that I had read and heard about white people were all coming true. I continued to endure a lot of wrongdoing against me until I finally left Charleston in August of 1998.

After looking back over Charleston's history, I knew that I was not the only one who had ever been ostracized from the Charleston community. I returned home to Gadsden, South Carolina, to be dependent on my brother William after being independent for so many years. It was very hard on me trying to adjust to this situation. In addition, I didn't feel safe anymore because I didn't know who to trust. I didn't know which person was part of Trident Health Care System and who was on their payroll; neither did I know what Trident Health Care System had done against me because of Workers' Compensation in South Carolina.

Then there were the people employed by the State of South Carolina who were my enemies. I had to try to deal with some increasing animosity that was occurring at home. No one knew the pain and anguish that I had to go through. When my enemies came upon me, I was left standing alone.

Basically, I had no one to confide in except God. Once again, I had to go through a lot of humiliation and disappointment trying to find some gainful employment. Even though I could still work, no one would hire me. I prayed for the day when I could leave this state, because I didn't want to live in a state that was being controlled by some of the white people from the low country. In spite of it all, I continued to pray to God the way my mother had taught me to do ever since I was a child.

In August of 1998, I started school at Midlands Technical College in The Health Information Management Program. I had to learn some new skills in another field since no one would hire me in nursing anymore because of my injuries and because I had to list Trident Regional Medical Center as my last place of employment. I continued to be humiliated by being rejected for jobs. During the Fall semester, Mrs. Elizabeth Hicklin, my advisor, signed me up for Psychology 201, a general psychology course. One evening during a general classroom discussion, Mr. Kenneth Hindgardner, my instructor, mentioned that traumatic events that happen to female children always come back when the female was in her early forties. He didn't know why this occurred nor did he mention the name of the phenomenon. I have not been able to find out the name of the phenomenon, nor have I been able to do any research on the subject. After this discussion, I finally finished putting together some of the accidents and occurrences that had happened to me thus far in my life, including those at Trident Regional Medical Center and in Charleston, South Carolina.

(1502)

Chapter 4

One day when I was about four and a half years old, my mother sent me out into the yard to play with my older siblings, Peter, Ruth, and Joseph while she did her housework. They were supposed to have been watching me as I played in the yard. It wasn't too long afterward that they decided to go over the creek to Mrs. Julia Watson's store to buy some cookies and candy. I wanted to go with them to the store so that I could get some candy, but they told me that I couldn't go. Each one of my siblings got one of my father's old wagon wheels and started rolling them toward the road. Each time that I started out behind them, they would run me back into the yard and they would tell me that I couldn't go with them. Yet, I was still determined to go. They ran me back into the yard several times before I decided to stay. I stood on the porch and watch them going down the road until I couldn't see them anymore; then I started out to the road to follow them. I made it from the house to the road and down the road behind them I went.

I was almost near the front of Pleasant Grove Baptist Church when a big black car passed by me and went and parked on the side of the road. Out of the car stepped a tall white man and he started walking toward me. A strange warm feeling came over me and I knew that I didn't want to get into the car. I used to run and hide from Claude Sapp, but this white man looked different. Over into the graveyard I went to find some place to hide, with the tall white man right behind me. Alas, there was no place for me to hide. He ran behind me in the graveyard until he finally got me hemmed up behind a tombstone. I was standing behind the tombstone and he was standing in front. I ran to the left of the grave and he came and stood in front of me. Then, I ran to the right of the grave and he came and stood in front of me. Each time that I would try to leave the graveyard, he would run and stand in

front of me and wouldn't let me pass. As I stood on top of the grave, I felt so alone in the graveyard because there was no one there to help me. I don't remember crying in the graveyard, but more than likely I was. In addition, I probably was barefooted on the grave because my siblings and I used to go around in the country during those times without any shoes on, and I don't know if my left foot had contact with the grave first or not.

It was my mother's belief that we weren't supposed to step on a grave nor walk across one. While standing on top of the grave, the only thing that I wanted to do was to get back into the road, so that I could look for my brothers and sister. I stood there on top of the grave for a while, but the tall white man never said anything to me as he stood there just looking at me. Once again, I ran on the right side of the grave and he came and stood in front of me. I ran on the left side of the grave and he came and stood in front of me. He had me continuously going back and forth across the grave. This went on for a while until finally I ran between his legs and out of the graveyard and over across the road I went. I came to the embankment of the road where I held unto the grass and crawled up it. It was either wire grass, nut grass, or both that helped me up the embankment. We had both of these types of grasses growing in Gadsden and Ruth and I used to wash and plait the long roots, and we used the grass as our doll babies.

I was standing on top of the embankment on the edge of old man G. C. Caldwell's field watching the white man as he came out of the graveyard and started up the embankment behind me. Just about that time, my siblings came around the curve in the road and saw us and they started running and yelling. He turned around and went back to his car. I watched him as he got into his car and drove away up the road toward Red Hill Baptist Church. I never really forgot the incident, but it never bothered me either. How could I have forgotten the incident when just about everywhere that I went I would always see a church or a graveyard?

At this particular time, I never knew that this incident would come back one day to haunt me. I never made it to the store that day to get my candy; besides, I didn't have any money. Furthermore, I never told a soul what had happened to me that day near the front of Pleasant Grove Baptist Church and I don't think my brothers and sister did either. We weren't supposed to leave the yard and go over the creek to Mrs. Julia's store without permission. My mother would have whipped all of us if she had known, and my father would have whipped us again when he came home from work.

Before, I alluded to the fact that this man looked different from Claude Sapp. Mr. Sapp was my father's attorney from Columbia. Often, he and his secretary would come for a ride into the country and they would stop by to visit my mother. Each time that he would come to our house my mother would say to me, "Here comes Claude Sapp." I would run and hide any place that I could, even in the wood box under the table; but he would

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always manage to find me. I was afraid of him, but I know now that he didn't mean any harm. Then too, I remembered him talking about my big round eyes and my long thick braids.

During these times, my father was a farmer and he also worked as a janitor at the University of South Carolina. My father didn't get an education because he had worked the fields while some of his other brothers and sisters learned a trade. When I was a child, I was afraid of white people. Every night I used to pray that God wouldn't let the white people hurt me. Also, I remembered how old man G. C. Caldwell used to yell and use profanity when he caught my siblings and me making a footpath through his wheat field.

Now, to look at some more unusual events that happened to me. When I was a child, my mother would often tell me biblical stories from the Old Testament. I was fascinated by the stories, especially the ones about the Prophets Elijah and Elisha. Every time I would ask my mother, "Where is God?" She would reply, "God is in the church." I guess this was the simplest answer that she could give me to stop me from asking her so many questions. For you see, I was a very inquisitive child. Then too, she probably thought that I was too young to understand the concept of heaven. My mother didn't know how my brain was processing the information she was giving me during these times. Soon, I started longing to go to church to be near God.

One Sunday morning when I was about three years old, I got up early to go to church. My mother told me to go back to bed because she didn't have time to fix me for church because she had to help with my oldest sister Sarah. Sarah frequently used her birth position in the family to get her way. Even though I protested, I ended up going back to bed. When I awoke the house was quiet, and Mother and Sarah had gone to church and the other children were still sleeping. I stole out of the house and started down the road toward Pleasant Grove Baptist Church. I was almost to the church with my night clothes on when Mrs. Lucille McLemore, one of the ladies from the church came along and found me in the road. She put me into her car and brought me back home, and I never did get to church that Sunday. I was so glad when I was able to fix myself for church even though I still needed help combing my hair and ironing my dresses.

Sometimes when I was in the yard playing, I would hear my parents calling me; but when I went to my parents neither one of them had called me. At other times, I felt as though something was drawing me toward the church. Occasionally when I went to bed at night, I would hear a strange noise in my left ear. My sister Ruth didn't understand what was going on with me when I told her about the noise, though.

On the night of January 23, 1995, I fell on the first floor of Trident Regional Medical Center in an area where two visitors had walked and didn't fall. After I had fallen and a stranger, Mr. Tim Crosand, had helped me up off of the floor, my eyes were directed toward the floor at the spot where I

had fallen. I saw something that resembled a misty cloud of smoke that rose from the floor and went to the ceiling of Trident Regional Medical Center and disappeared. It started off from the floor similar to how a whirlwind starts up from the ground. At this particular time, I thought that it was a water vapor that I had seen.

As a child, I was never exactly a stranger to the graveyard. My mother would frequently take trips to Pleasant Grove and Red Hill Church graveyards. Sometimes, my mother would take me with her to the graveyards. At other times, I didn't know my mother had gone to the graveyard until she had returned home. My mother had family and friends buried in both graveyards. In my mother's time, it didn't matter how distant a relative you were. If she could trace you anywhere within the bloodline, you were still considered close kin and part of the immediate family. This had come about as a result of so much pain and suffering the black family had gone through when it was ripped apart during slavery. There were a lot of problems and ill-effects that came along with slavery and its aftermath. My mother knew most of the dead in the graveyards personally, and others were people whom her mother had told her about. I guess this was a type of oral history and I don't know whether it had its beginnings in Africa or not.

As we would go through the graveyards, I would read the names and the inscriptions on the tombstones and my mother would tell me something about the dead person. Some of the dead were buried with their hands folded across their chest. My mother didn't tell me what this meant because so much of our ancient wisdom and knowledge had been lost during the horrible years of slavery in South Carolina. It was my mother and my sister Lucy that taught me how to read and write at a very early age. For me, the graveyards weren't just places of memories, for they were places that reinforced the alphabets and numbers that I had learned. There weren't many children's books at home for me to read because we were poor, but my mother did have a children's Bible. On many occasions, Lucy had me reading out of her school books.

When we went to Red Hill Church graveyard, I would read the names and inscriptions on the tombstones as we slowly made our way to the Shiver's area of the graveyard. There was the grave of my father's sister, Christina Sims, who used to be a nurse. Also, there were the graves of my grandparents, William and Sarah Adams Shiver. Although my Aunt Minnie Davis was still alive during these times, my mother told me how she had left law school against my grandfather's wishes and had gotten married. I don't remember my mother telling me that much about my father's ancestors and many relatives. The Shiver people tended to have large families and they were very religious and strict.

My mother also had a sister named Minnie. One day after it had rained, my mother went into the bush to pick some blackberries. Along with her went her sister Minnie and her baby brother Thomas. Unbeknownst to my

mother, there was a snake lurking in the blackberry patch. While they were picking blackberries, the snake bit her sister Minnie. My mother picked up her sister and ran home with her. At that time, my mother didn't know anything about first aid for a snake bite. The people did everything that they could but Minnie's life wasn't spared. Every time that my mother told me the story about her sister, I could see the pain in her eyes. Deep down inside, I knew that she somehow felt responsible for her sister's death.

When I was growing up, the Shiver family was the only family living along the dirt road with the three churches, Congaree Baptist, Pleasant Grove Baptist, and Red Hill Baptist. My mother used to always refer to the Congaree Baptist Church as the "Fork Church." This was the only name that I knew for this church until around 2002. As a slave, my mother's paternal grandmother, Rebecca Herring (Herron or Hirons) Adkins used to sit in the balcony of the Fork Church. The slaves were restricted in their worship and none of them could hold a position in the church. They (the slave masters and the pastor) had baptized Rebecca in the cold and freezing water in the creek behind the church which was known as "Tom's Creek." Rebecca lived to be around one-hundred and sixteen years old and she bore around nineteen children. One of her children was Benjamin Adkins, my grandfather, and he was the only child that she was allowed to keep.

There was a lot of sin and evilness that went on in South Carolina during slavery. My mother told me of an instance where a white man tied a black woman to a tree in the woods and raped her. During these times, they bred the slaves in South Carolina so that there would be more workers for the fields. Rebecca was married to Daniel Adkins. The only thing that I knew about my mother's paternal grandfather was that he came from a boat that landed in Virginia. Through the process of selling and reselling of the slaves, he ended up in Richland County in South Carolina.

Rebecca's sister, whose complexion was much lighter than hers, was a "wet nanny." A wet nanny was a slave who breast fed white babies, and only certain black women were chosen for this role. Sometimes, the black babies were snatched from their mother's breast so that the white babies could feed. Perhaps the slave master thought that the black women were like cows. On one of the plantations where Rebecca was, the little black children had to eat out of a trough like the pigs. She had been on one of those plantations around the Sand Hills area of Eastover, South Carolina. There was one plantation where the white slave master had to have sex with all of the young black virgins before he would allow them to get married. More than likely, he impregnated some of them.

My mother had visited the Fork Church some during her youth; but like her grandmother, she had to sit in the balcony of the church. I don't know whether some of my father's people had come from the Fork Church or not. More than likely, some of them did. When I was growing up, my younger

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brothers and a friend of the family used to go into the Fork Church and Pleasant Grove Church graveyards and get the pennies and other change off the graves. In all the times that I have visited the graveyards, I never recall seeing any pennies or other change in the graveyard of Red Hill Church. Perhaps the people of these two churches were copying religious and superstitious beliefs from each other.

Around 1868, after the Civil War, a large group of ex-slaves and their descendants, around five hundred people or more made an exodus from the Fork Church. This was around the era of the Black Codes when the Southern States did everything that they could to beat the black man down and place him back at the bottom of the totem pole. The first and most stringent of these laws were passed in October of 1865, in South Carolina and Mississippi with both of these states having a black majority population. Around 1867, Congress adopted some new Radical Reconstruction policies which the military governors who had taken control used to suspend these laws. There was so much emphasis placed on race and skin color during these times. It was made to seem as though the black people were the worst people on earth.

After the people left the Fork Church, they met in a bush arbor until they could build an edifice to God, which was Red Hill Church. How many churches in South Carolina had been built by black hands? These people wanted to worship God fully, to obtain an education, and to become self-sufficient. They had never wanted to be slaves in the first place. It just happened that they were caught up in a system that was beyond their control and a system that was imposed on them by the white man.

By now, there were some Native American and Caucasian genes within the gene pool. There had been some sex in the cotton fields, in the woods, in the slave shacks, and in the big houses of South Carolina. All of the sex that went on wasn't rape. There was actually love between some of the couples, but there were no marriages per se. Later on, South Carolina passed laws against interracial marriages; yet the state couldn't control human sexuality. Their African ancestors had been subdued and dragged to strange and unfriendly lands where they had lost all connections to their tribes and homelands. Nevertheless, they didn't lose their dignity or their connection to their Creator.

Although they had been called many derogatory names, they were still Africans. There were many nights when they stole into the woods to worship their Creator. Eventually, the slave masters put a stop to their form of worship and their knowledge about drum making was lost; but they never lost connection to their Creator. I believe that there was a time when South Carolina passed laws against the African slaves playing their drums.

For many years, Red Hill Church has been a beacon in the Gadsden Community. Around 1907, there arose a dispute among some of the congregants

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and some of them pulled away and formed Pleasant Grove Baptist Church. There are a number of African-American Churches in and around the Gadsden Community that came from Red Hill Baptist Church. Some members of my mother's and father's families had to leave South Carolina to obtain an education and employment because of the racial climate and the Jim Crow Laws that were present here. My mother grew up under Harry Campbell, Mike Arant, and Judge Weston's rules. When the black people became too old and feeble or were unable to work the fields, they would be put off the land. This was the time after slavery when the black people around the Gadsden, Hopkins, and Eastover areas were sharecropping. Sometimes, the only enjoyment the people had were during the times that they were in church serving God.

I was so glad when I started school and I was able to go to the library. There was some violence at home and I used to bury myself in a book to escape the madness. By now, I had fallen in love with the written word, and I would check out enough books to last me until I visited the library again. Often, I felt like I had been born into the wrong family. My childhood and my young adult life were centered around the church and school. I made it through elementary school, high school, technical school, and college. In May of 1982, I graduated from the University of South Carolina with a Bachelor's Degree in Nursing. Out of my mother's seven children, I was the only one that had obtained a college education. There was some envy and jealousy among some of my family members which I ignored.

One Saturday morning after getting off from work from Trident Regional Medical Center, I drove home to Gadsden because I had really been missing my mother all week. I was living and working in Charleston and I didn't know that this would be our last trip to the graveyard together. By this time, my mother was becoming feeble and her mind was deteriorating. I was just about home when it started to rain very hard. After arriving home, I fell asleep on the sofa because I was really tired. While I was asleep, I heard my mother singing. Suddenly, I woke up and peeped out of the window. The rain had stopped, and there was my mother standing at the end of the road that led to our house. She was singing a hymn and looking up the road toward Red Hill Church. Standing beside her was a stray dog that she had taken in, and he was wagging his tail. I grabbed my shoes and ran and caught up with her. My mother began telling me stories as she had done so many times in the past as we started up the road toward Red Hill Church. Even though I had heard these stories many times, I never grew tired of hearing them.

Several times during her life, my mother reminded me that I might leave the earth before she did. Although she never said so, I believed my mother could see spirits. We walked and talked that evening until we finally reached the graveyard. As we made our way through the graveyard, I read the names

and the inscriptions on the tombstones and my mother told me something about each dead person. My mother had a remarkable long-term memory and she was very smart, even though she didn't have much formal education. There were some fresh graves in the graveyard. My mother didn't know these dead people directly but she knew of their parents, grandparents, and great-grand parents. It was funny because the dog seemed to be listening the whole time to our conversation. We went over to the Shiver's section of the graveyard to visit my father and his parents and some of his siblings' graves. My mother and I stayed in the graveyard a long time that evening visiting the different graves.

Finally, we started out of the graveyard through the Scott's section. My eyes caught sight of a pretty green plant which I thought was a fern growing near the fence at the edge of the graveyard. My mother helped me pull up the plant and she gathered up some of the dirt that was around its roots. We took the plant home and my mother planted it in her yard. My mother always had a green thumb, even when she used to plant her vegetable garden when I was a child. She would always get her sweet potatoes and other vegetables to grow when she transplanted them. My brother Peter took after my mother in this respect. When I returned home again from Charleston, my pretty plant that I thought was a fern was actually a locust tree and it was growing and thriving in my mother's yard.

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Chapter 5

Even though I never told him anything about my past, Reverend Alphonso R. Blake of Charleston, South Carolina, saw that something extraordinary was happening to me. In December of 1998, I called to Palmetto Legal Services in Columbia to do some volunteer work. The first thing that Mrs. Primus, the African-American managing attorney said to me in an angry voice was, "If you think volunteering here is going to lead to a job, you better look elsewhere." I didn't pay this any mind and I went and volunteered anyway. She spoke with an accent and I believed she was from Charleston, South Carolina.

In January of 1999, after the office had opened back up after the Christmas Holidays, she made some smart remarks to me about Christmas and myself. This was something else which I didn't pay any attention to. Although my life had been ordered by the God of Abraham, Isaac, and Jacob, I was never alienated from Christ. Besides, it wasn't time for Christ to return to earth yet. On another occasion, Mrs. Primus made a comment to the effect that I was trying to bankrupt the hospital. I didn't know what she was talking about at this time either. It was also around January of 1999, that Sarah developed a mysterious ailment in her throat. Later on, I learned that a bed had fallen on the foot of a white nurse at Trident Hospital who had bothered me when I worked there.

During the latter months of 1998, I had sent in my application for renewal of my nursing license. Upon this renewal, the license came back quicker than usual. Then around December 3,1998, I received a letter from the State Board of Nursing. Enclosed was a proposed Stipulation and Petition where the Board of Nursing was threatening to take my license away from me. Basically, they wanted me to admit that while I was employed at Trident Hospital that I had failed to demonstrate and apply the knowledge,

skill and care that is ordinarily possessed and exercised by other nurses and required by the generally accepted standards of the profession in my treatment of patients. As part of a sanction, the Board wanted me to immediately enter treatment with a mental health professional approved by them. In addition, I would have to pay a civil penalty of $250.00 within ninety days from the date of the Board's action on the petition. I didn't sign the Stipulation and Petition, and then I had to start the process of looking for an attorney to represent me before the Board of Nursing. There was never an end to the harassment I had to endure from Trident Regional Medical Center.

In January of 1999, I elicited the help of the American Nurses Association and the Nurse's Service Organization in trying to find a suitable attorney. Upon the advice of the American Nurses Association, I contacted the American Association of Nurse Attorneys, whose office was located in Florida. A white man in the office said that he wasn't going to help me because I was prejudiced against white people and that I must look in the phone book for an attorney. I didn't know of any white person that I was prejudiced against. Actually, I had never had much dealing with white people until I went into nursing. Furthermore, it hadn't been too awfully long since some of the barriers of segregation had been broken down in South Carolina and this state still had a long way to go. There were some white people in the Low Country and in Columbia, South Carolina that were prejudiced against me.

After this, I contacted the South Carolina Nurses Association where I was directed to a Ms. Patricia Wark of Lexington, South Carolina. I met with this attorney in February of 1999, and she seemed as if she was willing to help me. After she had met with the Board's Attorney, Mr. S. Philip Lenski, I was advised to wait for a complaint that was more specific because the one that I had received in December of 1998 was too vague. I never did receive anything else from the Board of Nursing.

After I had injured my back further on October 11, 1997, at Trident Regional Medical Center, I was supposed to have been on "light duty." This was a concept in the Workers' Compensation Laws of South Carolina where the injured worker couldn't refuse light work if it was offered to her/him by the employer. At this time, I was required to work harder and more strenuously than I had before the accident. As a result, I developed some hemorrhoids and some other gastrointestinal complications. I was referred by my gastroenterologist to a Doctor Rudolph Rustin, who had offices in downtown Charleston at the Roper Hospital Medical Office complex and at Trident Hospital. Even though I visited him several times at his Roper Hospital Office, I never received a statement from my insurance company concerning the bill. I had to pay a co-payment even though my plan with Maginnis and Associates didn't require me to do so.

Since it was getting near the end of the year, I sent them a letter in October and November of 1998, requesting that they file the claims with my

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insurance company or that they send me the necessary papers so that I could file them. It had been early in the year that I had made the visits. After checking with my insurance company, I found out that they had never submitted any of the claims. When I finally received the necessary papers, I filed them with my insurance company and they got paid for their services. After this, I never had any more contact with Dr. Rustin's office again.

There was never any end to the stress I had to endure and the pain that Trident Health Care System was causing me, all because of some Workers' Compensation injuries. Nevertheless, I continued to pray to God the way my mother had taught me do every night since I was a child. In August of 1998, I had taken my accident case from Attorney Daniel E. Martin, Jr., of Charleston South Carolina, because he wasn't being cooperative with my physicians. At this particular time, I didn't know that it was too late because he had already deliberately ruined my case. Subsequently, I had given the case to a local attorney in Columbia. When I had gotten my papers back from Daniel E. Martin, Jr., I never took the time to scrutinize them.

On March 23, 1999, I had to release the local Columbia attorney because he couldn't go to Charleston to represent me in a case. When I got my papers back, I saw that the highway patrolman, D. C. Patrick, had falsified the accident report as to the place of the accident, the speed, and the occurrence of the accident. Also, the adjuster for Geico Insurance Company, Allen Owens of Charleston, had falsified some entries on his report. Upon a friend's advice, I contacted Senator John C. Land's law office in Manning, South Carolina, twice and his son was very angry with me both times for contacting their office about helping me with my accident case. After finding another local Columbia attorney, he wasn't able to do much for me nor was he able to go to Charleston to handle a case for me.

My car accident of April 29, 1997, was compounded upon the three falls that I had had at Trident Hospital. The accident happened on April 29, 1997, as I was going home from work. It had rained that night, but the next morning the sun was out. I was on the ramp that came from Highway 78 going toward the side road that led into Interstate 26 when the accident occurred. I was coming down the ramp at over 45 miles per hour at that time. Every since September of 1988, I had been traveling this way and I had never seen a speed limit sign. As I was approaching the yield sign, I looked to my right and I saw two cars fast approaching on the side road. I slowed my speed because I didn't want to cause a chain wreck. As I slowed my speed with the car still moving, Mrs. Seelbinder, the motorist behind me, slammed into the rear end of my car with the most impact being on the driver's side.

With the impact, she pushed my car further along the road. In the process, she bent the rubber bumper on my Subaru and she caused the bumper to come loose from being attached to both sides of my car. My body went up and back, but my seat belt prevented my chest from hitting the

steering wheel. My head also went forward and backward. When I finally came to a stop, I got out of my car and the other motorist backed her truck (jeep) away from my car. There was some liquid draining from the back of my car onto the pavement and I thought the other motorist had burst my gas tank. There was no damage to Mrs. Seelbinder's vehicle, though. Cars were going around us as I tried to get my cellular phone to work. I was working with the phone well over ten minutes when some of my co-workers came by and tried to help me.

Finally, a passing motorist came by and I asked her to call the police. It was well over thirty minutes before the highway patrolman finally arrived and my car was still draining liquid onto the pavement. Mrs. Seelbinder and I pointed this out to the patrolman. Mrs. Seelbinder told him that she had run into my car when I slowed down for the oncoming traffic. She even asked him for a traffic ticket, but he did not give her one. When the patrolman came on the scene, the accident had already happened and both vehicles were at a standstill.

After the accident, I was hesitant about obtaining an attorney because I didn't know who to trust after the ordeal I had gone through with Attorney Thomas M. White of the Steinberg law firm of Goose Creek, South Carolina. When I first called Attorney Martin's office about representing me, it wasn't until a few days later that his secretary, Mrs. Murray, contacted me and told me that Attorney Martin would represent me. I first encountered Attorney Martin around the first week in May of 1997. When I went to his office, I gave Mrs. Murray a copy of the accident form which I had sent to my automobile insurance company, Traveler's Insurance Company. After receiving a copy, she asked me the highway patrolman's name but I couldn't understand his last name either. She also had a small preprinted form in her hand similar to the one that is used in the hospital. The form was folded over and I asked her what was the form she had in her hand. She stated that it was a form to give Attorney Martin permission to represent me. Then she asked me to sign my name on the line, which I did.

Afterwards, Attorney Martin came out of an office, but he didn't say anything to me about the form that I had just signed. He only asked me a scant amount of questions about the accident. Then he and Mrs. Murray continuously tried to get me to go and see a Dr. Roy Wood, Internist/Immunologist. When I told him that I had been instructed by the emergency room nurses to go and see an orthopedic surgeon at the Charleston Bone and Joint Office, he seemed to get angry with me. I knew that an orthopedist was more appropriate for me because of the whiplash-like type of injury and the pain that I was having in my neck and back. Next he asked to see the instructions and then he made the comment, "Oh, you are going to see a specialist." Afterwards, he went out to my car and took some pictures of it.

Although I had automobile insurance with Traveler's Insurance Company, I never heard anything from anybody about fixing my rubber

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bumper. During this time, I was preparing myself for surgery in June of 1997, and I thought Attorney Martin was taking care of the matter of getting someone to fix my rubber bumper. I didn't call back to his office to inquire about it, nor did I ever visit his office again. It wasn't until well after October 11, 1997, when I had already reinjured my back and left side at work at Trident Regional Medical Center that Alan Owens, the adjuster from Geico, came rushing to my apartment to do an adjustment on my car. He took some more pictures of my car and indicated on the form that the left side of the car was "prior dented" which wasn't so. He didn't say anything about the dent in my rubber bumper or that the bumper had come loose from the sides of my car. It wasn't until about a day or so later after Mr. Owens had been to my apartment that I heard from Mrs. Murray out of Attorney Martin's office inquiring about the damaged rubber bumper. This was almost six months after the car accident had occurred.

Before I had the magnetic resonance imaging of my lower back in March of 1998, my physician had been trying to get Attorney Daniel E. Martin, Jr., to sign a letter of protection so that he could receive payment for his work. It wasn't until around May of 1998, that I found out that Attorney Martin had flatly refused each time to cooperate with my physician. When I contacted his office to find out what was going on, his secretary, Mrs. Murray, was very nasty with me. In addition, my private insurance company and the hospital's Workers' Compensation carrier refused to pay for my treatment, too. Therefore, I had to pay for my own care. When I wrote Attorney Martin to take him off my case, he sent me a two-page contract stapled together with my signature affixed at the bottom of the last page. I had never seen the contract before, nor did Attorney Martin ever go over a contract with me. In one of the letters that I received from him he made reference to the fact that he hoped that I got what I deserved.

After discovering that the automobile accident report had been falsified by the highway patrolman, D. C. Patrick, I wrote a letter to W. Peter Langehans, the chief inspector at the South Carolina Department of Public Safety on June 27, 1999. After this, I received a call from a Caption R. W. Stewart of Charleston, South Carolina, around the end of July of 1999. He reported that Mr. Patrick had retired from the force in 1998, because of some injuries and that he hadn't left any forwarding address. Also, he stated that the patrolman didn't have to come back and change the accident report if he didn't wanted to. I was concerned because the falsified report had become part of my permanent driving record and I didn't know how to get it purged. In addition, it did caused my insurance premiums to go up. So much was being done by other people to completely ruin me.

On August 20, 1999, I received a letter from Chief Inspector W. Peter Langehans stating that the investigation was completed. Because of confidentiality issues, he couldn't tell me anything about the investigation. I guess

the highway patrolman was more important than me recovering anything from the injuries that I had sustained in the car accident. Then around October 3, 1999, I sent a letter to B. Boykin Rose, director of the South Carolina Department of Public Safety. He was a Charleston native and he also wouldn't do anything to help me because he claimed that I had waited two years after the accident to file a claim. It was difficult to investigate my allegations because of the timeliness of my letter. He also wrote that former Trooper Patrick's April 29, 1999, Uniform Traffic Collision Report reflected the officer's best knowledge, opinion, and belief covering the accident.

At the time of the accident and beyond, I had no reason to believe that he would falsify the accident report because of me. I had never had this happen to me before and I was naïve about the law enforcement people in the Low Country. In addition, I didn't know that Trident Hospital was behind all of this. Around September 26, 1999, I also sent a letter to Charlie Condon, attorney general for the State of South Carolina, who was also from Charleston concerning the problems I was having with my automobile case, but he also claimed that he was unable to help me.

Because I needed to bring a lawsuit against the Geico Insurance Company and the second local attorney in Columbia, South Carolina, couldn't go to Charleston to represent me, I was referred to an attorney, W. Scott Palmer, of Santee, South Carolina, by the Turnipseed law firm of Columbia, South Carolina. It was around July of 1999, that I first visited the law firm of W. Scott Palmer. I had liked the law firm and the paralegal, George F. Goodwin. As destiny would have it, this didn't work out either. The law firm had agreed to take the car accident case at first and later on it had agreed to help me with the Workers' Compensation case.

On my second visit to the office, which was August 27, 1999, I met Attorney W. Scott Palmer who had a standoffish attitude toward me. He showed me a black and white picture of my car that didn't show any damage. I didn't know where the black and white picture had come from, because Attorney Daniel E. Martin, Jr., had taken some colored pictures and I had taken some too. The only thing I could think of was the pictures that the adjuster had taken. This picture was also causing trouble between me and the Geico Insurance Company.

In addition, I had missed some days from work because of the accident. To make it seem like I hadn't missed any days from work, Lynda Adams, the coordinator for Cardiac Services at Trident Regional Medical Center, had gotten the secretary, Joan Haney, to pay me my "paid time off" days on the days that I was absent. In addition, I had agreed to work some extra hours for coverage for third floor which I wasn't able to do because of the accident. Mrs. Melissa Sheets, a human resource representative at Trident Regional Medical Center had written a letter that I had not lost any time from work nor did I have a formal leave of absence related to my automobile accident.

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The administration from Trident Regional Medical Center really had it fixed so that I could not recover anything from my accident case.

It was impossible for them not to have known anything about my accident since I was an employee there and they seemed to have somebody in all of my business. As an employee, I had to let my employer know the reason why I was not able to be at work. In addition, I really didn't have much privacy as an employee of Trident Regional Medical Center because I didn't know anyone in the community who didn't have connection with the hospital in some way. I didn't know that they were the type of people that would interfere in your everyday life away from the job.

Since the workers in the W. Scott Palmer's Law office had acted so coldly toward me that day of August 27, 1999, I wrote some letters to the office trying to explain what had happened. Also, I told them about the trouble I had had with Trident Hospital, Attorney Daniel E. Martin, Jr., and Dr. George F. Warren of the Carolina Spine Institute. The paralegal, George Goodwin, became very angry with me and said that I was making a lot of allegations and that Attorney Palmer wasn't going to represent me. I wasn't making any allegations; I was just telling him things that had actually happened to me. Even when I tried to explained things over the telephone to him, he wouldn't listen. When I told him that an adjuster needed to look at my car because it was in the same condition as it was in after the accident, he stated that he had already had an adjuster to look at it.

Subsequently, he started calling late in the evening telling me that I was supposed to get a large sum of money for my accident, around $20,000 or more. On one occasion, he told me that I didn't have to reimburse my insurance company under subrogation if I didn't receive a letter from them. There were a number of other things that weren't right. He kept this up until one evening he called and said he had settled my case without my permission. He was very angry and said I must come on down there and get the check, but I was afraid to go near their office again. Subsequently, I called the Geico Insurance Company and one of its representative's told me to call the police because Attorney Palmer had done something illegal to me. She never indicated to me what it was, though. I didn't know what to do about the trouble that I was having with the paralegal, George Goodwin. After calling one of the legal offices in Columbia, I was told to write a complaint to the Lawyers Disciplinary Counsel.

After obtaining my papers back, I still had a very difficult time trying to find a lawyer who would go to Charleston to represent me. One of the problems was because of the hostile climate that still existed in Charleston against me. In addition, I think the lawyers were afraid of Columbia/HCA and Trident Regional Medical Center. I had two witnesses as to the scene and place of the accident, but they would never answer me when I tried to contact them.

Around October of 1999, after I had filed for a hearing with the Workers' Compensation Commission, I received some papers from Attorney E. Douglas Pratt-Thomas. He was trying to force me to come back to Charleston to his office for a deposition. I didn't do this because of the attitude of some of the people in Charleston and the hostile environment that still existed there, and I wasn't going to be caught up in an office with him in that type of environment. Along with the papers that he sent were some write-ups on me from different patients that the nurses had written but none of the nurses had signed their names to the write-ups. Also, I finally received a copy of the so-called Psychological Clinical Evaluation that Ron O. Thompson, M.A., Ph.D., had done on me. There were over two pages included which were filled with lies about my behavior. In the end, he had said I had the *Diagnostic Impressions*: 300.11, conversion disorder with physical and sensory symptoms. This diagnosis had been taken from the *Diagnostic and Statistical Manual of Mental Disorders*, but the edition was unknown. His recommendations were that I should received further evaluation and counseling if I didn't quickly respond well to appropriate Orthopedic Work Injury Management.

After reading this, I realized that the doctors, lawyers, nurses, etc., had it all arranged so that I would not recover anything from Geico Insurance Company nor would I receive anything from Alexis, the Worker' s Compensation carrier for Trident Hospital for the injuries that I had sustained from my automobile accident and my work-related injury. White and black people had done me wrong in the past but never on this grander scale. The people in Charleston were very brazen in what they had done against me because they knew that no attorney in Charleston or the surrounding area would help me legally against them. Even though I had suffered a lot mentally and physically from what they had done to me, I continued to cry out to God for protection against my enemies. There were quite a few injured nurses that had suffered or had their condition made worse because of the doctors and nurses at Trident Hospital and their Workers' Compensation policy.

There was some sunshine amidst all of the hailstorms that I had to go through. On November 8, 1999, I had to go before Commissioner Holly Saleeby Atkins without an attorney representing me. Although Attorney E. Douglas Pratt-Thomas got away with a lot, he still had to pay something for my back and for the magnetic resonance imaging that had been done.

I continued my studies in the Health Information Management Program while I endured the hailstorms. On April 8, 1999, I went to a speaking engagement at Midlands Technical College featuring Mark Mathabane, a renowned South African writer. Although I was living in South Carolina, I could relate to the pains and struggles he and his family had gone through living in South Africa. This was especially so since my ordeals while living in

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Charleston, South Carolina. On April 18, 1999, I was inducted into the Phi Theta Kappa Society, an international honor society for two-year college students.

Chapter 6

Things had begun to look a little brighter for me. In November of 1999, Commissioner Atkins told me to resubmit my Workers' Compensation claims for the three falls I had previously had at Trident Hospital. I had finished one year in my new program of study and I was looking forward to graduation and obtaining a decent job in my new field. Then in December of 1999, I was finally able to participate in the South Carolina Vocational Rehabilitation, which I was prevented from doing while I was in Charleston, South Carolina.

Around the beginning of March 2000, I received a complaint from the Board of Nursing signed by a Richard W. Simmons, II, which didn't correspond with the Stipulation and Petition that I had received from the Board of Nursing in December of 1998. He had sent the letter to my old Charleston address even though I had already notified them of my new address. The hearing was set for March 15, 2000. In the complaint, it stated that I had been terminated on March 27, 1998, because of my treatment of patients. This was entirely untrue. After receiving the complaint, I sent a copy to my attorney, Ms. Wark.

Around March of 2000, I met with Ms. Wark at her downtown office. She started questioning me as if I was guilty of mishandling patients, etc., which I had never done. Then she started reading a negative letter that was written by Bridget Denzik, my old nurse manager, who had helped cause all of the trouble for me in my last year at Trident Hospital. The letter said something to the effect that the other nurses didn't include their names because of fear that I would have done something to them. She was talking about the write-ups that Attorney E. Douglas Pratt-Thomas had sent me before the Workers' Compensation hearing in November of 1999. I knew

that I wasn't an animal and that I had never deliberately hurt anyone. Also, I knew that I didn't have a weapon to kill anyone. They were the ones that were attacking me from every direction.

Then I showed Ms. Wark the psychological clinical evaluation that was done by Ron O. Thompson and explained to her the association between it and the Stipulation and Petition that I had received from the Board of Nursing in December of 1998. When I showed her the write-ups that E. Douglas Pratt-Thomas had sent me, she showed me a similar group of write-ups that included all the patients' names and the names of the nurses that had written the write-ups. These were a group of registered white nurses which included Bridget Denzik, Laura Macel, Donna Hutchins, Christina P. White, and Eleanor F. Overby. Once again, they had ganged up on me. One of the write-ups was from the wife of the Jewish patient who had reinjured my back. I didn't really know if this was a complaint from her or not. The nurses at Trident Hospital were good at making up lies when they were out to get another worker and making false statements in the employee record. There was never an end to the personal vendetta that was being waged against me because I had been injured while under the Workers' Compensation laws of South Carolina.

During the course of our meeting of March 8, 2000, Ms. Wark made a statement as to what Bridget Denzik was doing and that she was only going to sit back and listen during the hearing. She told me that there would be some family members there to testify against me. Never once did she say what she was going to do in my behalf. After this meeting, I left her office.

I continued with my studies, but I was feeling like I had the whole State of South Carolina riding on my back. Around March 13, 2000, when I got home from clinicals, there was a message on my answering machine from Ms. Wark that the hearing for March 15, 2000, had been cancelled. Then I called Ms. Wark to find out what had happened. She stated that the Board's attorney had said that one of the family members that were going to testify against me was sick and that he was going to have to reschedule the hearing. She seemed to get angry with me when I asked her when. Then she told me that when the attorney contacted her, then she would contact me.

Around May 6, 2000, I received another letter and a notice of a hearing for May 31, 2000, from a Richard W. Simmons, II. I went to visit Ms. Wark on May 30, 2000, expecting to be prepared for the hearing. I was totally in the dark about what was going on with her and this attorney. She never wrote me a letter about the status of my case like she had done with Mr. Phil Lenski, nor did she tell me about the phone conversation she had had with Mr. Simmons. I was expecting to sit down and talk with Ms. Wark on this day, but that never happened. Also, I was expecting to see the letter and answer that she sent to the opposing attorney, but she never showed it to me.

I didn't know that she and the Board's attorney already had me set up when I went to her downtown office on May 30, 2000.

When I arrived at the downtown office in Lexington, South Carolina, near 2 P.M., Mrs. Wark told me to go shopping or to eat at the Greek restaurant because she was waiting on a paper that the attorney from the Board of Nursing was going to fax over to her. It was only going to be about thirty minutes. I went shopping at the local outlet store and returned to her office around 4 P.M., but the paper had not been faxed over yet. I asked the secretary in the office as to what time the office would be closing and she replied that the office would close at 5 P.M. Then I left the office and went down to the Greek restaurant to order a salad.

While I was in the middle of eating my salad, Ms. Wark came into the restaurant and interrupted me. She had a Stipulation and Petition for me to sign. I told her that I was not going to sign it because I was not guilty of the lies that the nurses had written about me. She sounded angry and stated that the Board of Nursing hadn't said that I was guilty. Then she stated that the lowest that I could get was a private reprimand and that this would be between the Board and myself and that my employers would not know. She never told me the basis for the private reprimand. If I were to do anything else, my license would be taken away from me.

After reading the Stipulation and Petition, I told her that there were a lot of things in it that I did not agree with. She then marked through a line and said that she was going to change it. Against my better judgment, she finally tricked me into signing the Stipulation and Petition. After this, I asked her what time she was going to leave the office and if the Stipulation and Petition was going to interfere with some possible claims that I still had against Trident Hospital. She replied that the petition was not going to affect the claims. She was with me from about five or ten minutes, and she stated that she would be at the office until 5 P.M. She never explained the legal language or the Codes of Law on the petition.

After she left the restaurant, I thought about what had just occurred and I stopped eating my salad and ran to the office and the secretary told me that she had already gone. She had not faxed the Stipulation and Petition that I had signed back to the attorney, nor did she leave me a copy. Then, I called her at her home office and told her to tear up the Stipulation and Petition and not to submit it to the Board's attorney because I wasn't going to lie about myself. Next, I told her that I was not guilty of mistreating any patients and I didn't care if the world knew that I had to have a hearing before The Board of Nursing. In addition, I wasn't going to give up my legal rights. Again, she angrily said that the Board was not saying that I was guilty, and that a reprimand would be the best thing for me. Then, she stated that the Board's attorney was not in the office even though he had told her that he would be there until 5 P.M.

After that, I told her that I needed to talk to some other attorneys. When I asked her did she think I was guilty, she replied, "No." I then asked her why wasn't she fighting for me, but she never answered me. Yet, the whole time I was paying her for her services. She then gave me several examples of what could happen to me if I had a hearing before The Board of Nursing. When I told her that if my license was suspended that I could always appeal, she stated, "That would take a long time." After this, she gave me instructions to call her at ten o'clock on Wednesday morning, May 31, 2000, and she would have had time to talk with the Board's attorney. After that, we would then go for a hearing.

When I got home, she had left a message with my brother stating that my hearing was postponed, and that she was going to call me. She never did call. I called her around 8 A.M., and left a message on her answering machine on May 31, 2000, requesting that she tear up the Stipulation and Petition and that she subpoena a copy of the written warning given to me on January 23, 1998, by Bridget Denzik so that I could use it in my defense. At 10 A.M. on Wednesday, May 31, 2000, I called Ms. Wark and she asked me, "What do you want me to do?" I told her that I wanted her to subpoena a copy of the written warning given to me by Bridget Denzik on January 23, 1998, to use for my defense and that I wanted to go to a hearing. I needed this document for my defense. She then stated, "Oh, you want to go to a hearing." Then she stated that the Board's attorney had another paper for me to sign and that I had better do it soon. I told her that I was not going to sign any more papers, and I told her again to tear up the Stipulation and Petition that she had gotten me to sign yesterday. After this, she hung up the phone.

I was at my clinical site when I called her, after I had made prior arrangements with my instructor to leave to go to the hearing on May 31, 2000. Finally, I made up my mind to seek the help of another attorney who would be willing to represent me. On June 2, 2000, I sent for my money and my file back. I didn't receive my file and she took some of the money which I didn't think was appropriate. She gave me some other problems, so I had to report her to the Disciplinary Counsel. I was so thankful that I was able to stop this attorney from railroading me with the Board of Nursing attorney. I really didn't know whether she was competent or not. I found another local attorney who was willing to help me against the Board of Nursing's attorney.

My troubles were not over yet, but I felt better with my new attorney. During the interim after March 15, 2000, when my hearing with the Nursing Board was cancelled, I had a run in with Attorney E. Douglas Pratt-Thomas and Commissioner Ann M. Mickle. The rehearing of my Workers' Compensation case concerning my prior falls at Trident Regional Medical Center was to be held on April 12, 2000. I was scheduled for a hearing with Commissioner Donald L. Van Riper, but Commissioner Mickle switched

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with him. The hearing never officially took place on April 12, 2000, because I was made to withdraw my Form 50.

On April 12, 2000, when I arrived early to the hearing room at the Perimeter Center in Charleston, South Carolina, Commissioner Mickle made me leave the room until Attorney E. Douglas Pratt-Thomas arrived. I had to wait outside in the hallway until the attorney went inside the room. After awhile, she sent him back into the hall to get me. When I arrived in the room, Commissioner Mickle told me to come and sit in a chair next to her. After that, she and E. Douglas Pratt-Thomas started to put on a show. She was very nasty and rude with me, and she pretended like she didn't know anything about my case. Then she asked Attorney Pratt-Thomas about the posture of the case, and he started telling her some things that wasn't true about my case. Every time that I would say something in my defense, she would attack me verbally. Her face was red and she was very angry. She stated that she wasn't going to consider any of my physician's notes about me and if I was to go on with the hearing that she wasn't going to give me anything. (She was holding her head down and she had a grin on her face.) I believed what was happening to me wasn't really about money.

Even though I had a rating for my cervico-thoracic spine, which was partly due to the falls and the injury to my right shoulder, she wasn't going to consider it. I believed my heart condition and my hypertension had resulted as a sequela from the falls that I had had at Trident Regional Medical Center.

Before I could ask her about the mass in my breast, she stated that she was sorry that she had to go by the Executive Order that had been written by Attorney Thomas M. White, E. Douglas Pratt-Thomas and Commissioner G. Bryan Lyndon that only mentioned my right shoulder and right foot. They ignored all of my other injuries and had excluded them from the Executive Order. When I tried to tell her how Attorney White had forced me to sign the Order and didn't explain anything to me, she asked me if that was my signature on the form. I told her that it was but she refused to listen to the circumstances behind it. When I asked her what could I do about Attorney Thomas White, she said in an angry voice that she wasn't going to tell me.

In 1995, I had reported Attorney White to the Lawyer's Disciplinary Board but he had lied his way out of the things that he had done to me. In 1999, I had tried to find an attorney who would be willing to sue Attorney Thomas White and Daniel E. Martin, Jr., for deliberately misrepresenting me, but I couldn't find anyone. She then made a comment about me filling out my Form 50. Then she made the comment that E. Douglas Pratt-Thomas was an attorney just like she was and that I was only "**just a nurse.**" Evidently, she didn't have any respect for nurses either. She was in my face the whole time, verbally attacking me every time that I tried to say something on my behalf. In addition, she tried to teach me about anatomy. I may have taken more anatomy and physiology courses than she had taken.

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When I mentioned about my breast surgery and the possibility of me developing breast cancer, Commissioner Mickle made a joke about this with Attorney E. Douglas Pratt-Thomas.

As she continued, she stated that she wasn't going to have the hearing. She stated that no matter what commissioner heard the case that it was going to be the same thing because of the Executive Order that had already been written by Commissioner G. Bryan Lyndon, E. Douglas Pratt-Thomas, and Thomas White, and issued by Commissioner Lyndon. When I mentioned the fact that I had been fired from the job because of an injury, she angrily stated that this would have to be heard in another court and that I was working. Some of these white lawyers and commissioners in South Carolina were really outrageous.

After this, I told her that the nurses had made up some lies about me abusing some patients and that they were trying to get my license taken away from me. Commissioner Mickle angrily said that she would be in the Workers' Compensation office while I would be down in front of the Nursing Board. Next, she made the statement that I had two options. Either I could go ahead with the hearing, or I could go and try to get a definitive diagnosis for the pain in my shoulder and foot and any impairment and refile my claim again. Also, she stated that I would be responsible for finding my own orthopedic physician, and even then I might not get anything. Everybody seemed to be just focusing on money. No one was thinking about my health, or the pain, suffering, and humiliation that I was going through at the hands of some of the white people in the State of South Carolina. Never had I had to deal with a lynch mob before and they were treating me as if I were some kind of animal. I had been in good health until I started with those falls at Trident Regional Medical Center in 1994. There was some vileness at Trident Regional Medical Center and in Charleston as a whole which I wasn't aware of.

After this, she made the comment to me that the only thing that I did was to go around and spend my money on different doctors and that she could not make the doctors write down anything. I was concerned about my own health and well-being, and there was no law in the State of South Carolina to deter these Workers' Compensation physicians from mistreating the injured workers. It had been well over five years since I had the injuries to my right shoulder, arm, and feet, and I didn't know what changes had taken place within my body since the injuries first occurred.

It was doing the course of our heated conversation when I told her that Dr. James J. McCoy had abused me when Attorney Pratt-Thomas jumped up from his chair and stated, "This calls for a clincher." Commissioner Mickle then replied, "That's right." He then interjected and said he would call his insurance company and tried to get them to pay 5% for my right shoulder and foot and Commissioner Mickle figured it up to be about $7,000.00. She

angrily said to me that this was plenty enough for my shoulder and foot. She continued to be in my face and to be very hostile toward me. My injuries were much more to me than that and I had suffered so much and they weren't even considering the sequelaes. She and E. Douglas Pratt-Thomas didn't have to deal with any injuries to their bodies.

Attorney Pratt-Thomas continued on with the show by sitting back down and reading some things off a paper about Dr. Dalton ordering an MRI on my cervical spine and right shoulder when I didn't know anything about a Dr. Dalton. He then made the following exclamation. "It was my intention of getting rid of all of these claims today and she has four of them. The first one is already gone, and she has had three falls." Commissioner Mickle continued to be very nasty and rude and to speak in a harsh voice about the fact that she was not coming back to Charleston in a year and that I had better make up my mind about settling my case. After this, she replied that she didn't know who would be listening to my case next. I told her that I thought that I knew and she replied, "You know more than I know."

After this, she told Attorney Pratt-Thomas to call the insurance company and then write her and she would be more than glad to write up the clincher that would end all of my claims against Trident Hospital including the one Commissioner Atkins had left open in November of 1999, concerning the herniated disc in my back. She continued by asking Attorney Pratt-Thomas about what were they going to do with the information that I had sent her about my claim and the rotator cuff tear. He stated that they were only going to put it in my file. Then she asked, "What are they going to do with her file." He replied, "They are going to move her file out of the Judiciary Department and put it in the permanent file area." She then angrily told me to leave the room because she had to hear another case and that Douglas Pratt-Thomas would be calling me. I was so glad to get out of the room with those two. The court reporter was just sitting there listening and not saying a word during the whole time while Commissioner Mickle and E. Douglas Pratt-Thomas were putting on their show.

After returning home, I sent E. Douglas Pratt-Thomas a letter that I wasn't going to accept the $7,000.00 from him and Commissioner Mickle so that they could clinch up my remaining claims. He had already committed enough fraud against me and he wasn't going to add any more insult to injury. For the defenses against my claim, E. Douglas Pratt-Thomas had used the order that he, Attorney Thomas White of the Steinberg law firm had written, and Commissioner G. Bryan Lyndon had issued. This was the same one which Attorney Thomas White had forced me to sign without explaining anything to me with the notation of, "Claimant withdrew, **with prejudice**, any claim for injuries sustained in the accident of 1/23/95 other than an injury to her right shoulder and right foot." They had gotten rid of both of my claims for my injuries of 1994, which I had sent in by mail. In

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addition, I had sent in a claim by mail for my 1995 accident before I met with Attorney White the second time.

In his Form 58, E. Douglas Pratt-Thomas had asserted that, "It is Defendants' position that any other claims are barred by the statute of limitations as well as by the doctrine of *res judicata* due to the previously issued Consent Order dated 8/24/95. Claimant is at maximum medical improvement and has no impairment. Defendants deny that she is entitled to any additional benefits." In addition, he had used the defense that I had no medicals to substantiate that I had had an injury. How could a Workers' Compensation commissioner like G. Bryan Lyndon agree to and issued a Consent Order about my body when he wasn't an orthopedic physician or a medical physician? I knew that the governor of South Carolina was responsible for appointing the Workers' Compensation commissioners but I didn't know what criteria was used to measure their competencies. In addition, I didn't know what area of South Carolina Commissioner G. Bryan London and Ann McCrowey Mickle were from.

Furthermore, I had learned my lesson about sending in my claims by mail with my claim forms concerning the accident in October of 1997. Trident Regional Medical Center had gotten away with all the injuries of 1994 and 1995, except the injury to my right shoulder and right foot, because of Thomas White, E. Douglas Pratt-Thomas and Commissioner G. Bryan London. I had no explanation of why they had deleted all of my injuries and had only picked the injury to my right foot and shoulder as a compensable injury. I continued to pray to God the way my mother had taught me to do ever since I was a child about what had recently transpired between Commissioner Mickle and E. Douglas Pratt-Thomas about me and my cases. I was just a poor black woman up against two rich white attorneys with one of them being a Workers' Compensation commissioner. Some of their ugliness and hatred had really come out at the meeting before the hearing in Charleston, South Carolina. I had already been taken advantage of by some of the white people in Charleston.

Around April 23, 2000, I received a copy of a nice sounding letter from E. Douglas Pratt-Thomas that he had sent to The Honorable Ann McCrowey Mickle. Here is a copy of that letter.

April 20, 2000

The Honorable Ann McCrowey Mickle
S. C. Workers' Compensation Commission
1612 Marion Street
P.O. Box 1715
Columbia, S. C. 29202-1715

RE: Employer: Trident Regional Medical Center
Employee: Gertrude Shiver
Carrier: Alexsis Risk Management Services
D/A: 1/23/95 WCC File#: 9503744
Carrier File#: 47893
Our File#: 383-125

Dear Commissioner Mickle:

As you will recall I represent the Employer and Carrier in the above-referenced Workers' Compensation claim and this matter was, of course, set for a hearing on 4/12/00 here in Charleston. As you will recall at that time you had a long discussion with Ms. Shiver advising her of her options and as I understand it Ms. Shiver decided to withdraw her Form 50, with leave to refile if she so desires in the future. As such, the hearing did not take place.

At that time you also discussed with Ms. Shiver the possibility of resolving this claim and her outstanding 1997 claim with the Employer on a clincher if my clients were indeed interested in making an offer in the range of $7,604.64, in return for a full release of all claimed injuries in her 1995 accident, as well as releasing any claims which may remain in her 1997 claim. Before I had an opportunity to discuss same with my clients, I received the enclosed letter from Ms. Shiver by certified mail. As you will see, it is dated 4/12/00 and, as such, was obviously written the same day as the scheduled hearing. Since Ms. Shiver is not interested in any settlement offer, my clients are not going to make one.

By copy of this letter to Ms. Shiver, I am informing her of the above and of the fact that I am providing to you a copy of her letter to me of 4/12/00.

Under these circumstances, I am assuming the Commission will issue an appropriate form order indicating that Ms. Shiver was allowed to withdraw her Form 50. Should you have any questions or should I need to take any further action, please do not hesitate to contact me.

With warmest regards, I am,

Sincerely,
PRATT-THOMAS, PEARCE,
EPTING & WALKER, P.A.

E. Douglas Pratt-Thomas

EDP-T: ksl
Enclosure
cc (w/enc.): Gertrude Shiver, 1100 Congaree Church Road, Gadsden, SC 29052
Mr. Howard A. Levy
David W. Weeks, BSN, MA
Mr. Stan Cobb

No discussion had really taken place between Commissioner Mickle and me; it was more of a confrontation. Ms. Mickle had threatened me that she was going to clinch up all of my claims against Trident Regional Medical Center. Essentially, my claim of 1995 was already gone because Dr. James J. McCoy had never done anything to treat my injuries. In addition, I had been pressured into withdrawing my Form 50 because Commissioner Mickle didn't want to deal with all the legal problems that were involved.

Furthermore, I guess my oral testimony against my white enemies didn't mean anything since I was black. I had been further victimized by the Workers' Compensation laws in the State of South Carolina. I didn't know whether she was from Charleston or not and whether she had any connections to this hospital. E. Douglas Pratt-Thomas wanted to offer me $7,604.64 in return for a full release of all claimed injuries in my 1995 and 1997 claim. Nothing was said about my 1994 claims. Commissioner Mickle was going along with him on all of this. I didn't have anyone to help me fight these commissioners, especially G. Bryan London who was wrong in what he had deliberately done to me.

Not only did I have to continue to live with my pain and suffering, but I had to live with the mental scars of what E. Douglas Pratt-Thomas, Thomas M. White, and G. Bryan Lyndon had done to me. One of the most abhorrent aspects about this whole injustice was the fact that Thomas M. White had continued to represent clients with their Workers' Compensation claims in the Jewish law firm and Commissioner G. Bryan Lyndon was continuing to hear and make decisions concerning some Workers' Compensation cases. E. Douglas Pratt-Thomas kept doing what he had always been doing to protect Trident Regional Medical Center.

In addition, he had elicited Commissioner Mickle's help when he was trying to reach the goal of clinching up the remainder of my claims. He had already gotten Commissioner G. Bryan Lyndon's help in getting rid of my

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claims for my 1994, and part of the claim for my 1995 accident. God only knew how many more injured workers' claims involving Trident Regional Medical Center that Attorney Thomas M. White and E. Douglas Pratt-Thomas had ruined along with whatever Workers' Compensation commissioner they could get to go along with them.

At the end of April of 2000, the statute of limitations of three years for my automobile accident case ran out. Because I couldn't get an attorney to go to Charleston to help me with my case and because my accident report had been falsified, Geico Insurance Company got away with paying me little or nothing for their share of my injuries.

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Chapter 7

In August of 2000, I graduated from Midlands Technical College with honors even though I had marched earlier with the spring graduates. I thought things were finally going to settle down in my life. Little did I know that I was only going out of one phase into another, and that this was the phase that was really going to try my patience. I still had to endure some humiliation in trying to find a job, and several times the employers totally ignored me. Everyone seemed to be treating me as though I was a pariah.

By this time, I had become a little weary of trying to interpret the incidents that were continuously happening to me. Somehow, the evilness of some of the white doctors, nurses, insurance companies, and some of the attorneys, along with the rain kept fitting into the equation. Every time that I had an accident, someone involved with the Trident Health Care System would get involved with it, and then I would have another accident. I truly believed that if some of those white persons who were involved in the Trident Health Care System would have minded their own business and stopped interfering with what was naturally occurring with me, then I might not have had these many accidents. It seemed as though some of them were just sitting back waiting for something to happen to me, so that they could get involved with it. There were some African-American people in South Carolina who were against me, too, but I just didn't know who they were.

Some time during this period, I felt as if I belonged to another time and place; somehow I knew that I have another family out in the world somewhere. More than likely, my mother had visited the graveyards while she was pregnant with me. Perhaps in my other life, I had been raped by some of the white slave masters, or had had some sexual encounters with them. While moving to another dwelling in August of 2000, I aggravated the prior injury

to my back, and I had to return to Charleston to Dr. Jones for care for my back. While I was receiving care for my back, another white motorist ran into the back of my vehicle.

It was in September of 2000, that I finally landed a job at Palmetto Richland Memorial Hospital in their Medical Records Department. Even though I was just in the Medical Records Department, I was glad to be back in a hospital setting once again. I had really missed hospital nursing very much. Although I was not presently nursing in the hospital, I was still working part-time at a nursing home.

One morning in October of 2000, after getting off from work from the nursing home, I went by to check on my mother. There was my mother sitting up in a chair in the living room listening to gospel music. When I asked my mother why she had gotten up so early, she replied, "I move when The Spirit tells me to move." I stayed there a while talking with my mother. A brochure had come to my mother's house for me during this time from the National Business Institute about a seminar pertaining to Nursing Law in South Carolina that was going to be held in December of 2000. Inside the brochure was an announcement about a manual on Workers' Compensation Hearings in South Carolina that had been written by Johnnie W. Baxley III, of the law firm of Pratt-Thomas, Pearce, Epting, and Walker, P. A. Several other attorneys from different law firms had contributed to the manual, including Thomas M. White of the Steinberg law firm. In this manual one could learn about the topics of litigating a claim, ethical considerations, the pre-hearing conference, the hearing, and appeals. I wondered about the ethics of some of these attorneys who had written this manual.

Around October 6, 2000, I received a letter from the Board of Nursing that the complaint against me from Trident Hospital had been dismissed. The pathetic thing about it was that no one from the Board of Nursing had bothered to let my attorney know that they had dismissed the complaint against me until January of 2001. This reminded me so much of the lack of manners and courtesy that some of the people in Charleston had toward me.

Then around October 17, 2000, I received a letter from an Attorney Amy L. Gaffney, who was working with the Office of the Disciplinary Counsel in regards to the complaint that I had sent in about my ex-attorney, Patricia M. Wark. At this particular time, she was in with Attorneys Robert B. Lewis and Paul L. Reeves. We were supposed to have met on November 20, 2000, but she had to go out of town.

Around November 3, 2000, I went to see Dr. Jaiprakash N. Patel, who had been my primary physician ever since around October of 1998, for my yearly physical. Dr. Gregory Jones was sending Dr. Patel progress notes as to the condition of my spine. During my routine physical, Dr. Patel wanted me to go for a bone density scan but he didn't give me a reason for this test. In addition, during this time he told me that I had some changes in my

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electrocardiogram and that he wanted me to go to the South Carolina Heart Institute to have a treadmill test done because he knew the guys over there. He also questioned me about my cardiologist in Charleston doing a holter monitor recording and an echocardiogram on me. Next, he told me that I should take my pain medication before the test, so that I could pass it. Never once did he show me the changes in the electrocardiogram, though.

During the stress test, I had some shortness of breath and I felt really bad afterward, but the nurses never checked on me even though one of the visitors went to them about me. At the time of my physical, Dr. Patel gave me a prescription that had enough refills for a whole year. Ever since I was going to him, he would always give me a three months supply of prescriptions. During this time, I didn't know that anything was amiss, nor did I realize that I was in the devil's claws.

Then on November 25, 2000, it started to rain as I was on my way to work. While I was stopped at a red light on Garner Ferry's Road in Columbia, a white motorist, Caitlin S. Cross, ran her vehicle into the back of mine. I went forward and backward as I had done in my previous automobile accident. Also, I was wearing my seat belt like I had done before and it caught the left side of my neck. Surprisingly, this time there was no visible damage to my vehicle. This time a very nasty white city policeman by the name of R. D. Cook came when I called for help. I was transported to Palmetto Baptist Hospital emergency room where I received treatment. After being treated, I was told by the emergency room physician, Dr. Stein, to follow up with my private physician. Dr. Stein wrote an order for me to use a heating pad and he gave me a prescription for Vicodin and Flexeril.

Before I left the emergency room, I asked the nurse if I should cancel the stress test that was scheduled for that Monday, November 27, 2000. During this time Dr. Jones had started treating me for my back again and both of my Workers' Compensation cases were still in effect. Because of the car accident, I was unable to participate in our gospel choir's program that was held on Sunday, November 26, 2000.

On November 30, 2000, I went to see Dr. Patel as the emergency physician had instructed me to do. I told him about the continuing pain in my neck and back, the numbness and tingling in both of my calves and feet, and the numbness and tingling in both hands. Also, I told him about my episode with the stress test but he ignored me as if it was nothing, and he told me that my heart was all right.

On a subsequent visit, I asked him for an order for some physical therapy. At that time, he told me that Dr. Jones had said that everything was all right and that I could have some physical therapy. I was expecting a referral to a registered physical therapist, but I never received one. Each time that I had been injured in the past, I had been sent to a registered physical therapist for treatment of my muscles and strengthening exercises. Instead of

sending me out to a registered physical therapist, Dr. Patel and Sabria Phillips stated that they did physical therapy at their office.

Since the time that I started with Dr. Jones in August of 2000, he had been sending Dr. Patel progress notes about my condition. Dr. Patel, as my primary physician, was supposed to have been coordinating my care with Dr. Jones. Instead, I found out later on that he was deliberately doing the opposite to prevent me from recovering anything from my injuries. I had heard some rumors about Indian doctors when they are involved in the care of accident patients.

When I first started with Dr. Patel in October of 1998, after I had returned home from Charleston, Peterson and Plante were not associated with Providence Hospital which was partly owned by Columbia/HCA. Dr. Patel was working out of the office of the Peterson and Plante Internal Medicine Office on Laurel Street in Columbia, South Carolina. Unbeknownst to me at this time, they had gotten an office at Providence Hospital Northeast campus and had become Columbia\HCA physicians. The hurting thing about it was that once I had defended him against Attorney E. Douglas Pratt-Thomas and now they were the same. I had learned my lesson about some of these foreign physicians.

When I had been terminated from Trident Hospital, I had been notified that I could not seek employment at any of the hospitals in the Trident Health Care System which included Providence Hospital, nor could I seek employment at any other Columbia/HCA facility. I already knew that I could not go to any of their physicians because they weren't going to treat me. They were only interested in finishing ruining my Workers' Compensation claims that the people in Charleston had already ruined.

It wasn't until December 12, 2000, that I first met Attorney Amy L. Gaffney. Somehow, she was already well aware of my car accident of November 25, 2000, because she had mentioned this fact during a conversation we had over the telephone before we actually met. During our meeting, she offered to help me with my claim since I didn't have an attorney. She stated that we couldn't sign the agreement until after she had sent the report in about Ms. Wark. Attorney Gaffney had seemed very eager to help me with my automobile accident case and I didn't know that at that time that she had an ulterior motive. It was during this time that she mentioned the fact that I had had some very negative experiences with attorneys. Nevertheless, she wasn't going to be much better because she was also part of the gang.

It wasn't until January 2, 2001, that I actually signed the retainer agreement for her to represent me. At this time, she made a comment concerning Attorney Scott Palmer and my previous automobile accident case of April 1997, which wasn't appropriate. This was the first time that I had regretted the fact that I had reported Attorney Palmer to the Office of Disciplinary Counsel and I didn't know what to do about the situation. Although he had

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his faults, he did help me get more from Geico Insurance Company for my injuries than I would have ordinarily gotten on my own.

From the time that we signed the agreement, Attorney Gaffney would call periodically and tell me to tell Dr. Patel everything that was happening to me since the accident. At that time, I didn't know that this was part of the setup that they had contrived against me. One day after I had signed the agreement for her to represent me, she called and told me to meet the adjuster from Driver's Choice Insurance Company at her office so that he could look at my car. During our conversation, she made a comment that the insurance adjuster was a tall white man. Actually, when he arrived he wasn't a tall white man at all.

In addition, she sent me a letter with a list of instructions as to what to do concerning my accident and to keep her updated on my progress with my physician. She wanted to know each time what Dr. Jones was doing for me, what tests he was doing, and what the tests showed. She never asked anything about what Dr. Patel was doing for me. She already had an established relationship with the office of Peterson and Plante because they had worked with some of her clients before. As she had asked me to do, and much to my detriment, I would tell Dr. Patel all of the symptoms that I was having in addition to keeping her abreast of what Dr. Jones was doing for me. In the meantime, she and Dr. Patel were driving a wedge between me and Dr. Jones, my spine specialist.

On December 4, 2000, I went to see Dr. Jones again, and he was also aware of the symptoms that I was having. During this time, I was still on the Vicodin and Flexeril and it was difficult for him to assess my pain level. It was either December 5, 6, or 7, that I had an appointment to begin my first physical therapy treatment at the medical office of Peterson and Plante in Columbia, South Carolina. When I got to the office, there was a white man in the room whom I thought was the physical therapist. He started touching me all over my back and my buttocks, and he never introduced himself nor did he give me his name. After he was finished, I asked him when was I going to start my treatments. I believed it was Sabria that told me that I would have to come back on December 8, 2000, to start my physical therapy. After this, I asked her who was the man in the room. She told me that he was a chiropractor from West Columbia and that he only came to the office on certain days of the week. She never gave me his name and I never saw him again.

From December 8, 2000, to around January 25, 2001, Sabria, the nurse/medical record clerk, would first attach a muscle stimulator to my shoulders and back where my old injuries were. Then she would place some hot wet packs over the muscle stimulator. I would keep this on for about ten or fifteen minutes. On several occasions, I told Sabria that the packs were too hot and the only thing that she did was to place another towel on my shoulder underneath the hot pack. Next, she would take me to a water bed where

I would lie on the bed in the dark while the water went bubbling back and forth across my spine.

On several occasions, I told Sabria and Dr. Patel about the continuing pain in my neck. Each time she told me she couldn't do anything about the pain in my neck because the vessels in my neck were too close to the muscles. Also, she told me that the muscles in my back were connected to the muscles in my neck, and no treatment was ever given to my neck. From December 8, 2000, up until around January 25, 2001, Dr. Patel and Sabria had me continuously receiving the hot wet heat to the old injuries to my shoulder and back, the muscle stimulator, and the water bed treatment.

Every time that I complained of a new symptom, I would have to see Dr. Patel and continue with the same physical therapy treatment that they were giving me at the office, which wasn't working. Along with this, Dr. Patel kept me on the Vicodin and Flexeril until I finally tapered myself off them sometime around the middle of February of 2001. These medications were masking some important symptoms that were relevant to my care. I was never referred to an orthopedist nor was a collar ever applied to my neck. In addition, I was never referred to a registered physical therapist for treatment.

During the whole time that they kept me going through this cycle, they were running up a high medical bill and bilking my insurance company to benefit Peterson and Plante's Medical Office. It wasn't until around the end of January of 2001, that I realized what they were doing to me. When I realized what was going on, I called and cancelled the rest of my appointments with Dr. Patel and Sabria. Dr. Patel had my medical records from my previous physicians and he and Sabria were well aware of the documented disability to my spine and my cervical thoracic area.

Starting in January of 2001, Satan began to manifest himself to me through some of the workers in the Peterson and Plante Medical office. There was a white girl with long black hair in the office that did the scheduling. Every time that I would look at her, I could see the evilness flowing from her body. Then there was Sabria Phillips bouncing around the office pregnant. Often, I wondered what kind of child she was bringing into this world. Would it be evil like its mother? In India, the cow is still considered sacred and it will not be killed to feed the starving people.

For nearly seven years, I had been fighting Trident Health Care System, which is owned by Columbia/HCA, and Satan. I thought I had left Satan in Charleston, but he was right here in Columbia. Every since I was a child and well into my adulthood, I would periodically have nightmares about Satan. It was especially bad during the time in Charleston when I was recuperating from my two surgeries. There had been some rumors that some white Charlestonians were practicing Satanism. For quite sometimes now, there have been some demons and demon-like spirits loose in the State of South

Carolina. The presence of Columbia/HCA in the State of South Carolina is a curse to me.

Oh Charleston, that wicked city by the ocean. With all of your houses of worship, you are still a sinful and evil place. You have never sought atonement for your past transgressions and sins. In fact, you glorify in them and you are not mindful of what is to come.

On my first follow-up visit after I had received the second injection in my spine and after the accident of November 25, 2000, I saw Dr. Douglas E. McGill, an associate of Dr. Jones. I had received an injection around September 21, 2000, and another around November 9, 2000. On the second visit when I saw Dr. Jones, he questioned me about having some headaches. At that time, I wasn't feeling any headaches because I was still taking the Vicodin and Flexeril. It wasn't until around the last of December of 2000, or the first of January of 2001, that some occipital headaches and some dizzy-like spells began to surface. At that time, I thought these symptoms were coming from the medications that I was still taking. I was continuously having pain in my neck and back but Dr. Patel wasn't giving me any other treatment, nor was he referring me out to any other professional. These symptoms continued and then I started to hear some popping sounds in my neck.

It was around January 19, 2001, while I was at work that I was looking up toward the top shelf in the Medical Records Department to retrieve a record when I had some type of dizzy-like spell that lasted over thirty minutes. I felt as if I was in a daze, and I started to have some pressure behind my eyes. I didn't go to the emergency room because Dr. Patel wasn't on call that night, neither had I taken any pain medication yet that day so I knew that the medication wasn't causing it. On Sunday, January 21, 2001, it happened again. This time, I also had a rapid heart rate which lasted over thirty minutes. I have a history of rapid heart rate and I was presently taking medication for it.

On the evening of January 21, 2001, I went to Zion Pilgrim Baptist Church in Hopkins, South Carolina, to hear a sermon from each of the Four Gospels which consist of the Books of Matthew, Mark, Luke, and John. These Books are included in the New Testament of the Holy Bible. After the service, I was headed toward the door when all of a sudden a splitting headache came upon me and I started to have a dizzy-like spell. Afterward, I developed some pressure behind my eyes and I couldn't half see. My heart started pounding as I slowly made my way out to my car, and I felt as if I was in a daze. I sat in my car for what seemed like an eternity because I wasn't able to drive. Even though I almost coughed my head off, my heart wouldn't stop racing and I could not get it to convert to a normal sinus rhythm. When my body finally came back to normal, I slowly made my way home.

On January 24, 2001, I went to see Dr. Patel and I told him about the headaches, the dizzy-like spells, and rapid heart rate. He told me not to get

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the two mixed up. After looking into my ears and twisting my neck, he told me that I had water in my ears and to take some Sudafed. He never bothered to look into my eyes. At this time, Sabria also commented that she was having some dizzy-like spells because she was pregnant. Also, I showed and told him about the position of my head and neck when I had these spells. Afterward, Sabria made an appointment with InMed in Columbia, S.C., for me to have an X-ray of my neck. The X-ray was of a very poor quality. The headaches and dizzy-like spells became worse instead of getting better even though I was still on the Vicodin and Flexeril. When I finally visited Dr. Jones on January 29, 2001, and informed him about the headaches and dizzy-like spells, I was instructed to taper myself off of the medications.

On Tuesday, January 30, 2001, I called Peterson and Plante office and cancelled all of my existing physical therapy appointments. I asked for a referral to Dr. Jones so that he could continue my care, but Dr. Patel wouldn't even talk to me. Instead, he put Sabria on the telephone and she refused to give me one. Then she asked me what other doctor was I going to in Columbia. I told her that I was not going to any other doctor in Columbia and that I was going to continue with Dr. Jones. She then replied, "Dr. Jones doesn't know how to take care of auto accident cases." Subsequently, I wrote Dr. Patel two letters requesting all of my medical records and the progress notes that Dr. Jones had sent him, and a referral to Dr. Jones for further treatment. Sabria got on the telephone and called Attorney Gaffney and told her that I was asking for a referral to Dr. Jones. Attorney Gaffney called to the house and she was angry with me. She told me that I didn't need a referral to Dr. Jones. She also questioned me as to what other physician was I going to for care.

After this, she intervened and stated that she was going to get all of my medical records from Dr. Patel, which she never did. Later, I wrote her a letter telling her about the treatment that I had received from Dr. Patel and Sabria. From then on, every time I would tell her something about Dr. Patel or Sabria, she would tell them what I said and then she would take their part against me. Around February 6, 2001, I received a letter from Attorney Gaffney telling me about the Columbia Physical Medicine and Rehabilitative Clinic that is located behind Providence Hospital. I didn't need another spinal physician because I was satisfied with Dr. Jones and the care that he was giving me. As my primary physician, Dr. Patel was the one that was giving me problems.

Even though Attorney Gaffney had promised to get all of my medical records from Dr. Patel, she never did. I suspected that Dr. Patel had tampered with my past medical history, so I wanted to review my medical records that he had kept on me for two years, and to see the assessment that the chiropractor had written about me. In addition, I wanted to see what kind of changes I had in my EKG since he didn't adjust my medications or anything, nor did he do any blood tests relevant to my heart.

On February 14, 2001, I had another episode of rapid heart rate at work and my supervisor sent me to the emergency room. By this time, I had found another primary physician and he had to adjust my heart medication. The medical records that Attorney Gaffney had gotten from Dr. Patel included some false statements and documentation that I didn't tell him about. There were no progress notes from Dr. Jones included in the first set of records. The records that she had gotten were only from January of 2001, and a bill for the physical therapy treatment that they had been giving me. Dr. Patel refused to release my medical records that were dated from 1998 up until January of 2001. Sabria and Dr. Patel were continuously causing friction between Attorney Gaffney and me.

Around March 9, 2001, I wrote to her and asked her for the rest of my records and the assessment that the chiropractor had done. In the meantime, she called after talking with the workers at Peterson and Plante office and told me that Sabria had said that the chiropractor's notes were included in the medical records. She stated that she was going to get them for me.

On March 24, 2001, I received the second set of records from Attorney Gaffney but they were basically the same thing that I had received before. No records were included from 1998 until 2001, and there weren't any progress notes from Dr. Jones. Nothing was included about the assessment that the chiropractor had done on me without my permission. Attorney Gaffney did tell me that the chiropractor's name was a Mr. J. G. Bonham from West Columbia, South Carolina. During these times, she would call and left her home telephone number on my answering machine requesting that I called her at home to talk to her about my situation. Every time that I would tell her something, she would talk to the workers at Peterson and Plante about it, and she would then call and take their part against me. After receiving the second set of records, I called and left a message on her answering machine, but she never answered me back.

On Friday, February 23, 2001, there was an article in The *State* newspaper, where the Sisters of Charity of St. Augustine was going to buy back their half-interest in Providence Hospital that they had sold to Columbia/HCA in 1995. A projected date of this occurrence was not included in the article. Columbia/HCA still had a strong hold in Charleston, South Carolina, and other parts of the Low Country.

On March 4, 2001, Satan attacked my mother on her ninetieth birthday, during the time that I was trying to deal with Attorney Gaffney, Sabria, and Dr. Patel. March was a bad luck month for me because on March 4, 1973, my father had died on my mother's birthday. Because of my mother's illness, I was unable to attend our gospel choir's anniversary in March. My mother remained in the hospital for several weeks but she never recovered from her illness.

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On Friday, March 23, 2001, Attorney Gaffney called and told me as she had done on several occasions before that my neck was hurting from the accident and something to the effect of when we went before the insurance company. In essence, we were not going to say anything about the prolongation of my pain and suffering because I didn't received the proper physical therapy treatment or any treatment for my neck from Dr. Patel and Sabria. We were going to put everything on the insurance company. Dr. Patel was well aware of the documented disability to my cervical-thoracic area and my back. After Dr. Jones took over my care entirely, he had to give me several injections in the muscles of my neck and back to help with the pain and inflammation. During the injections, the muscles and tissues didn't even bleed. Also, I had to get some more injections in my spine.

Then, Attorney Gaffney told me that she was sending me my other medical records as she had told me before and she made some kind of comment about me reading the records. I had a right to read my own medical records and to identify the falsifications that the physician had written about my body. Also, she told me not to worry about Sabria and to go ahead and get myself well. At this time, she made a comment about having been to Orangeburg, South Carolina, but she never told me what she was doing there. She was very angry about something. In spite of all of this, she still seemed very eager to hold on to my case so that she could finish ruining it. She reminded me of how Attorney Thomas M. White of the Steinberg law firm had done me with my cases of 1994 and 1995 against Trident Regional Medical Center.

Before Friday, March 23, 2001, my supervisor at work had also tried to get the rest of my medical records from Peterson and Plante; but Sabria refused to send them. I was still interested in getting all of my medical records so I went to Attorney Daryl Hawkins on April 4, 2001, to see if he could assist me in getting my medical records. During this time, my present primary physician had to change another one of my medication because of some more breakthrough rapid heart rate. Sabria also lied to Attorney Hawkins about me receiving all of my medical records.

On April 5, 2001, I received a letter from Attorney Gaffney asking for an update on my condition. At this time, I knew that she was still communicating with Dr. Patel and Sabria about me and my health condition. Also, I knew that Sabria had called and told her about Attorney Hawkins trying to get the rest of my medical records from them. I hadn't heard anything from her since she sent me the second set of medical records that basically was the same thing as the first set of records. In addition, she never answered my message that I had left on her answering machine concerning the second set of records. Later on, I decided that because of the friction that Sabria and Dr. Patel were causing between us that I should release her as my attorney. It would be better if I looked for another attorney who was not involved with Dr. Patel and Sabria.

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After being in the hospital for several weeks, my sister brought my mother home to care for her. One day while I was standing at the head of the bed adjusting my mother's pillow, I heard a voice inside my head saying, "She might as well die because she is not going to get any better." I didn't know if this was God or Satan speaking to me. My jaws seemed locked and I wasn't able to utter a word in protest. Although my mother was elderly and sick, I didn't want her to die. My mother was my link to the rest of my family members as well as to the past, and she was the one who truly loved me.

One day after I had returned home from Charleston, I was lying across the foot of my mother's bed telling her about how some of the people in Charleston had treated me when the first thing that she said was, "Thank God you still have your mammy's face to look into." I remembered how proud my mother was the day that I graduated from nursing school. It was on June 6, 2001, while I was at work that my mother passed away. I remembered how it would always rain whenever one of my family members died or were buried. During the time of my mother's death, the blossoms on the locust tree in the yard had come into full bloom and they seemed to shine during the day and night.

After my mother's burial, I had to start beating the bushes to find an attorney who would be willing to help me with my personal injury case. In addition, I wanted to bring a medical malpractice lawsuit against Dr. Patel. Around April 23, 2001, I went to visit a local attorney in Columbia. This attorney told me that it would be very difficult to bring a medical malpractice lawsuit in South Carolina. After he kept my file for about a month or so, he returned it to me because he didn't have time to help me. After this, I went to see an Attorney Palmer Freeman at the Suggs and Kelly law firm on consultation after contacting the South Carolina Lawyer referral service. From there, he sent me to an attorney named Barry B. George.

In June of 2001, I visited the South Carolina Vocational Rehabilitation Muscular Development Center for the last time. This building had been dedicated to Ernest "Fritz" Hollings, our United States Senator on October 26, 1987. In the yard of the center was an obelisk, a symbol of ancient Egypt. Of all the writing on the obelisk, the one that caught my attention the most was some words of Booker T. Washington which reads, "Success is to be measured not so much by the position that one has reached in life as by the obstacles which he has overcome while trying to succeed."

Chapter 8

In July of 2001, I left the incomplete area of the Medical Records Department at Palmetto Richland Memorial Hospital and went into the assembly and analysis area. Here, I had gotten far away as I possibly could from the doctors and nurses. In addition, I had gotten a second job working with the Trauma Registry at the hospital. Things seemed to be getting better for me but there was going to be some more traumas in my life.

In August of 2001, I began to have some moderate to severe pain in my left breast. I made an appointment to go and see a Dr. William W. Lindler, obstetrics and gynecology who had an office on Palmetto Richland Memorial Hospital campus. I had gone to him several times in the far distant past. On September 17, 2001, I went to his office for an examination. Little did I know at this time that he and his nurse already had me set up. As soon as I got into his office, he started on me about the gynecological surgeries that I had had, especially my breast surgery. He started talking about the plastic surgeon that had done my surgery and her father-in-law, and he never even touched my breasts to do a manual examination.

While he was doing my pap smear, he made some negative comments about the surgery that I had had performed on my uterus. I didn't know whether he was from Charleston or had gone to medical school at the Medical University of South Carolina or not. In addition, I didn't know if he was connected to Trident Regional Medical Center or not. Being a nurse and a patient, I didn't thought it was appropriate for him to talk about my surgeon or her father-in-law. In addition, he had taken something to do with the automobile accident that I had had in November of 2000, and the occipital headaches that had begun after this accident even though this was none of his business.

Then, he made reference to the fact that he needed to get a second opinion about my breast. Even though I had just had a screening mammogram in February of 2001, he gave me a prescription for another one. I had been going over to The Breast Center at Palmetto Baptist Hospital for several years for my mammograms, but Dr. Lindler told me that he didn't want me to go over to Baptist Hospital. Instead, he wanted me to go to the Comprehensive Breast Center that was located on the first floor of the building where his office was located.

On September 19, 2001, after going to Baptist Hospital to pick up my films, I went to the Comprehensive Breast Center at Palmetto Richland Memorial Hospital for another mammogram. The radiologist there saw that Dr. Lindler wasn't following protocol and I had an ultrasound done instead and Dr. Lindler had to change my prescription. After the ultrasound, the radiologist instructed me to continue going to the Breast Center at Palmetto Baptist to have my yearly mammograms done and not to come back over to Palmetto Richland Memorial Hospital. By this time, I was confused and angry with Dr. Lindler. After all of this occurred, I called and cancelled my follow-up visit with Dr. Lindler. Subsequently, he had to refund part of the money that I had to pay him up front for my medical care. I didn't realize it at the time, but he was doing the same thing to me that the Columbia/HCA physicians in Charleston had done to me. Every time my physician would write something or find something wrong about my body, they would go back and contradict what had already been written. Dr. Lindler reminded me somewhat of Satan with his big ears and milky skin.

There were many times when I wish God would take me to some other planet to live on, so that I wouldn't be bothered with some of the white people in South Carolina. Never once did I want to experience cruelty from white people like my forefathers had. There still are a lot of mean and hateful white people in this state. On October 14, 2001, and doing the week, I started to have recurrent dreams about Congaree Baptist Church (The Fork Church). On October 21, 2001, I had a dream that the white people weren't saved during the Great Tribulation and that they all had perished. There were some Good Samaritans in Charleston and Columbia who had helped me when I was injured and when I was being abused by some of the white people in Charleston, so I started to pray on their behalf day and night that they might be saved. Yet, there would be some more traumas that I would have to endure.

On November 15, 2001, as I was getting off of the elevator to go to my job in the Medical Records Department at Palmetto Richland Memorial Hospital, one of the white male employees, James McDonald, pushed a metal supply cart into the bottom part of my lower left leg area in the area of the Achilles tendon and the top part of the heel of my left foot. He almost

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knocked me down with the force of the cart, and he didn't say excuse me until I started fussing at him in the hallway because I was very angry. I had just left my first job in the Trauma Department and I was on my way to my second job. I had managed to work at Palmetto Richland Memorial Hospital for over a year without getting injured. Then too, Dr. Jones had worked very hard and he had almost gotten my neck condition stabilized and now I was injured again. Now, I was caught between Palmetto Health Alliance and Trident Health Care System.

To make matters worse, I was again made to suffer for what a white person had done to me. Instead of sending me to the emergency room, one of the managers sent me to HealthWorks where I met Barbara Griffin, the Occupational Health Nurse. She gave me an ice pack and told me to take some over-the-counter medication for pain. On Friday morning, November 16, 2001, I fell as I was going up the steps at home and I hit my left elbow on the steps. When I called and went back to HealthWorks, I was seen by Coleen Collins, the nurse practitioner, instead of an orthopedist. Neither one of them really did anything for my injury nor did I ever receive a prescription for any pain medicine during the acute phase of my injury. Because of "light duty," I had to return to work and I was never given a chance to rest my foot. The jobs that I was doing were basically light duty jobs anyway. The nurse practitioner would give me verbal instructions but she wouldn't write anything down, and they really weren't directing my care. They would make suggestive hints about me getting an X-ray for my foot. At least at Trident Hospital there were physicians involved in my care whether they made my condition worse or better.

Once again, the occupational health nurse and the nurse practitioner were writing lies in the medical record about me and my body. This reminded me about how during slavery the scientists, doctors, and others would write about the black people's bodies, especially the black man's penis. Some black men were even castrated. I kept going back and forth to the occupational health nurse and the nurse practitioner until December 12, 2001, when Coleen Collins told me that she was turning me loose from HealthWorks because I had been coming to them for about a month. When I told her that the lower part of my leg and my foot was really hurting, she replied, "It takes two to three months for an orthopedic injury to heal." Even though I had an orthopedic injury, I was never seen by an orthopedist.

On one occasion, Mrs. Griffin asked me if I was going to see an orthopedist and she particularly wanted to know what kind of physician Dr. Jones was. She especially wanted to know what kind of medications he had prescribed for me. Perhaps she thought he was treating me for this injury, but he was not aware that I had an injury to my left Achilles tendon and heel. This was a separate and distinct injury from the one that he was treating me for and I never told him anything about it. After this, my foot continued to

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swell and I started to have increased pain, numbness, coldness, stinging, and tingling in the lower part of my leg, heel, and foot.

On December 16, 2001, it had gotten to the point where I was unable to sleep at night and I wasn't able to get my foot warm. In addition, my left calf had been hurting me ever since the accident and my left popliteal area was sore. On December 17, 2001, I called to HealthWorks but Nurse Griffin was out of the office on vacation. Around the 18th or 19th of December, I called again to HealthWorks requesting to see an orthopedist because the condition of my left foot and tendon was getting worst. The secretary told me that I would have to have an appointment and that I couldn't get one until the next year. Later on that day, the nurse practitioner called and talked to me and stated that she wanted me to go and see Dr. Durkin, the neurologist.

I received an appointment to go and see Dr. Martin Durkin on December 19, 2001. All of that morning, I cried because I really didn't feel like bothering with the white nurses and doctors and this Workers' Compensation in South Carolina. In addition, I wasn't financially or physically able to fight with another healthcare system. Dr. Durkin was a little rough with me at the time of the examination and he told me that he wasn't going to do any thing about my condition if the problems that I was having with my foot was coming from my back injury. Later on, I got an appointment to see the physical therapist. It was around this time after my Achilles tendon and heel was injured that I found out that my sister Sarah was going continuously to the physicians that worked at Providence Hospital.

On December 2, 2001, I was feeling down because of how I was still being treated by some of the white people in South Carolina. After leaving Mount Moriah Baptist Church in Hopkins, South Carolina, and going by the nursing home to visit my Aunt Rebecca, I decided to go and take some pictures of Mrs. Julia's old store and Congaree Baptist Church. After leaving Mrs. Julia's old store, I went to Congaree Baptist Church and took some pictures, and the church had evening services at 6 P.M. that evening. Although one of the pastors had invited me in, I could feel something leading me into the church. Even though this church had been here for years, this was the first time that I had ever been inside it. I thought it was very amusing when he informed me that they had had homecoming the Sunday before, and why hadn't I come then. I went through the church and outside to the back yard. There was the creek which was called Tom's Creek in which my great-grandmother was baptized many years ago during slavery. I thought it was funny when the pastor told me to come back into the church and that the creek didn't have any bearing on the church. The slaves were baptized in Tom's Creek.

After looking around inside the church and going up to the balcony where my mother, great-grandmother, and the former slaves had sat, I went and sat in the pews beside one of the pastors' wife. While singing from the

hymnal, I felt like I was a part of this church. Oh, I wish I could have seen how the church looked when my great-grandmother and the other slaves were sitting up in the balcony of the church. Their African ancestors had had a life in Africa and had learned survival skills for their surroundings for thousands of years before they were brought to South Carolina in shackles where they had to live under the slavery system and the white man's rule. Alas, how I wished I could have gotten a glimpse and experienced the type of life that they had lived in Africa under their own rules.

Often, I had wondered why God had allowed the Europeans to invade Africa, to enslave the Africans, and to abuse their bodies and minds. Then again, it may have been the work of Satan. While sitting in the pew of the church, I tried to make some sense of the history of South Carolina and what was happening to me now. Deep down, I knew that there was more to slavery and continued racism in South Carolina besides skin color, the concept of inferiority and superiority, and the greed for money and power. Whatever it was, it was keeping South Carolina from moving forward as a state. I supposed envy and jealousy had a lot to do with it, too. If we could rid ourselves of envy and jealousy, I think that this world would be a better place to live in. Furthermore, I knew that the Southern States had used scriptures in the Holy Bible to justify slavery.

Before the services, one of the pastors had made light of my Bible and said that he was going to purchase one and put it in his collection. Around the first week in November of 2001, I was doing some shopping in one of the Wal-Mart stores in Columbia, South Carolina, and I found *The Original African Heritage Study Bible*, which I purchased. The General Editor of the Bible was the Reverend Cain Hope Felder, Ph. D., the Professor of New Testament Languages and Literature at Howard University in Washington, D. C. Congaree Baptist Church had been founded on November 30, 1765, and it was the oldest church of any denomination in Richland County. From the pastor, I learned that Beulah Baptist Church in Hopkins, South Carolina had come from this church. Two African-American Churches, New Light Beulah and Shiloh Baptist had come from Beulah Baptist Church. It was like a chain, and I didn't know how many African-American Churches were links in the chain.

During slavery, the black and white members worshipped in the same building at Beulah Baptist Church. I didn't know if the old Beulah Baptist Church had a balcony where the slaves sat like Congaree Baptist Church or not. Around December of 1867, about five-hundred-sixty-five former slaves that formed New Light Beulah Baptist Church decided to withdraw and worship on alternate Sundays from the eleven white members although they both shared the same church building. The forty black members that formed Shiloh Baptist Church withdraw from Beulah Baptist Church on May 14, 1866. After slavery ended, the white and black people continued to worship

on separate Sundays in the same church building for three years until 1870, when the white members left. This is when Beulah's black members changed their congregation name to New Light Beulah Baptist Church. This was in contrast with what had happened with Congaree Baptist Church and its black members.

There were a number of Caucasian churches that came from Congaree Baptist Church. The first pastor of Congaree Baptist Church was a Reverend Joseph Reese who became pastor in 1768. Also, he was a representative in the state legislature from 1776 to 1778. During the services, I thought about how all of us would soon be decaying in the ground or some other burial place and that there would be no more skin color, only a pile of dust. Within God's timetable, this old world as we know it would soon pass away.

After the service, I was to return to this church at a later date to visit the graveyard. I wanted to see if I recognized any of the names in the graveyard because I knew that the slaves often took the last name of one of their slave masters. In addition, my mother knew some of the white people that were buried in the graveyard, especially the Pauls and the Hills. During slavery, the black people had been stripped of their African names, and basically they had become a group of nameless people.

HealthWorks continued to have me linger with the symptoms that I was having with my left foot and the lower part of my leg. On December 26, 2001, I was working at my co-worker's computer and worrying about the condition of my left foot when suddenly my eyes were directed toward a calendar that was hanging on the wall of her cubicle. On the calendar was written Psalms 46:10, *Be still, and know that I am God; I will be exalted among the nations; I will be exalted in the Earth!* After going home and reading the Chapter in my Bible, I saw that someone had substituted the word "nation" for the word "heathen." To me, the word "nation" didn't have the same connotation as the word "heathen." The calendar had been printed by Cullman Ventures, Inc., of Sidney New York. There have been many times when I wished I could have gotten my hands on some of those ancient Hebrew scrolls and had someone to teach me Hebrew.

It was on December 27, 2001, that I finally visited the physical therapist for the first time at one of the offices on Palmetto Richland Memorial Hospital campus. I visited her about twelve times until she had gotten the swelling down in my left foot.

On January 10, 2002, I saw Dr. Durkin again where he did some nerve conduction studies of my tibial nerves. At that time, he stuck a probe into my left lumbar paraspinal muscles and the area was very painful for a long time afterward. He stated that he had to check the nerves in my back. During this time, Dr. Durkin stated that he wasn't going to do anything about my foot if the condition that I had was coming from a pinched nerved in my back. Even though I made him aware of the quivering movements on the side of my leg

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near my knee that caused my leg to jerk, he didn't write any of this in his notes. He asked me twice to sign a release of information form, so that he could get my medical records from Dr. Jones, but I refused to do it. As a result, he became angry with me because I had refused to sign the release form. They were using my past medical history that was in my employee file against me.

On January 29, 2002, my Aunt Rebecca passed away at the age of 92. She would have been 93 on the 11th of March, 2002. The worst thing about her and my mother's death is that all of that wisdom and knowledge went to the grave with them. Oh, how I wished that I had captured some more of that knowledge and wisdom!

On January 31, 2002, I visited Dr. Durkin again where some more nerve conduction studies were done, but they were all reported as being normal. I still continued to have problems with my foot, my heel, and the lower part of my leg. He then made plans for me to go and see an orthopedist. At first, I was scheduled to go and see a Dr. James F. Bethea who worked with the Moore Orthopedic Clinic and had active status at Palmetto Richland Memorial Hospital. It happened that Dr. Bethea was going on a six month sabbatical. So then I was scheduled to go and see a Dr. Robert H. Belding who worked with the Midlands Orthopedics, PA. I really wasn't particular about seeing either one of these physicians because both of these orthopedic groups had an office on Providence Hospital campus. Dr. Belding worked mostly out of Providence Hospital but he also had courtesy status at Palmetto Richland Memorial Hospital. Before going to see Dr. Belding, I had asked Nurse Griffin and Dr. Durkin not to send me to any of the physicians that worked at Providence Hospital.

On February 14, 2002, I went to see Dr. Belding. Dr. Durkin had given me a tentative diagnosis of possible tarsal tunnel syndrome. Dr. Belding did a partial physical exam of my left foot. When he was doing the partial exam of my left foot, he gave me some verbal instructions to take some Advil, apply ice to my foot, and to buy some more shoes. After he found out that I had a Workers' Compensation injury, his whole disposition toward me changed. He asked me whether I was working and he made some comment as to "You People." He told me that he was an orthopedic surgeon and that he couldn't do anything to help me. After this, he told me that I could go.

When I received a copy of his notes, he had written that I walked in to the office with a normal gait, which wasn't so. There wasn't anything written in his notes in regards to the verbal instructions that he had given me for my foot. In his disposition and recommendation, he wrote that "I think that the patient has been thoroughly evaluated. I find no permanent physical impairment. I think there is no other treatment needed at this point and she can be at full activity. I do think that it may take more time for her symptoms of pain to resolve." It was after I had visited Dr. Belding that I had a talk with Coleen

Collins, the nurse practitioner, because I was upset about how they were treating me. When I told her that if they had done something for me I would have gotten better by now, she replied, "No, you have some type of connective tissue disease. It's not me that is doing this to you, but Dr. Durkin." Also, it seemed as if I was beginning to get some early signs of footdrop.

On my follow-up visit with Dr. Durkin, I asked him to release me from the document that I had signed, so that I could go and look for me an orthopedist that would be willing to help me with my injury. I told him that with all the orthopedic physicians that were working at Richland Memorial Hospital maybe one of them would be willing to help me with my injury. He replied, "You can go to any physician that you want to but Workers' Compensation is not going to pay for it." After this he asked me, "Do you want me to help you get well?" I replied, "Yes." When I first went to HealthWorks, the secretary had gotten me to sign a document where I wasn't going to any other physician except the ones that they were going to send me to. There was also a statement where I would have to pay for my care if Workers' Compensation didn't pay for it.

After this, Dr. Durkin did a physical examination on my left foot. Subsequently, he took me off my Arthrotec, which was my maintenance medication, and placed me on Vioxx. In the meantime, I went and purchased a pair of orthopedic shoes which helped with the limping that I had and I was able to bear more weight on my left foot. On March 12, 2002, I got a refill on my Vioxx. I really couldn't tell much different between the Arthrotec and the Vioxx for the condition of my foot. In the meantime, my right leg and ankle became swollen in addition to my already swollen left ankle and leg.

On March 16, 2002, I had to visit the emergency room at Palmetto Baptist Hospital for the swelling in my lower extremities. On March 20, 2002, I visited Dr. Durkin again at HealthWorks. This time he took me off the Vioxx and placed me on enteric-coated Naproxen 500mg, a tablet twice a day. He was aware that I suffered from esophageal reflux disease, but he ordered this anyway. For the next two days, the swelling in my legs and ankles returned. In addition, the Naproxen wasn't doing anything for the pain in my foot and tendon, nor was it helping the pain in my back and neck. Although Coleen Collins, the nurse practitioner, alerted Dr. Durkin that the Naproxen wasn't working, he didn't order anything else for me. He sent word for me to continue taking the Naproxen, which I did not do.

On Friday, March 22, 2002, I went back up to the Trauma Department after getting off work from the Medical Records Department to do some work there. Around 1 A.M., on March 23, 2002, I was doing some work at the computer when suddenly I dropped my marker. As I reached down to pick up the marker, the chair rolled out from under me and toppled over on my lower back and I was powerless to do anything about it. As I was headed toward the floor, my eyes were directed toward the chair wheels as they rolled back and I landed on the floor on my hands and knees. It had begun again.

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Although I didn't see the misty cloud of smoke this time, I knew that The Spirit had returned. It was after I had been prostrate on the floor of Trident Regional Medical Center in January of 1995, that I first saw The Spirit. I realized that my body as well as my life didn't belong to me entirely, but I couldn't escape the destiny that God had for me; nor could I rid myself of the cross that God had given me to bear. I knew that I couldn't go to any more of those Workers' Compensation physicians, especially the white ones. The only thing that they saw when I came into the office was someone with black skin with a Workers' Compensation injury, and the dollar sign.

They had forgotten the gift of healing that God had entrusted them with. I had learned a long time ago to have reverence for God. I think that these Workers' Compensation physicians had forgotten who had designed the human body in the first place. I left work around 2 A.M., that morning with my back hurting. On March 23, 2002, I came back to work but the pain kept getting worst. After getting off work that night, I went to the emergency room at Palmetto Baptist Hospital to receive some treatment for my injury. I was told by the emergency room physician to follow-up with my private physician afterward for continued care for my back.

On March 25, 2002, Inez Pempleton, the African-American nurse was very angry and verbally abusive with me because I had followed the emergency room physician's orders and followed up with my private physician about my back injury. I was out of work until April 8, 2002. On April 10, 2002, I went to HealthWorks where I had to listen to some more verbal abuse from Nurse Pempleton. She was angry with me and she even accused me of wanting a disability and some Workers' Compensation. The main thing that I wanted was for my body to heal and for me to be on my merry way. The people had forgotten about God and everything revolved around money. On a subsequent visit, she did apologize for how she had spoken to me. This was more than I had ever gotten from any of the white nurses who had abused me.

On April 18, 2002, Coleen Collins had James Lindler from Palmetto Health Trust Services, their Workers' Compensation carrier, send me their brochure about Workers' Compensation where he had highlighted an area where it was written that your treatment must be approved by your employer. I didn't see why South Carolina had a law where the employer could interfere with an already established physician-patient relationship. The brochure included some other information about Workers' Compensation in South Carolina. I never did get compensated for the days that I was out either. It wasn't until I looked in the safety training booklet that I noted the statement that a HealthWorks approved medical provider's excuse is needed prior to missing time for a work-related injury.

In addition, I had tried to get some short-term disability for the days that I was out since they would not pay me Workers' Compensation, but the hospital had this blocked because they had a non-occupational injury policy.

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How much longer would God require me to suffer under this Workers' Compensation in South Carolina? Furthermore, I had my own short-term disability insurance but it was only for an illness that lasted thirty days or more. It was after I had returned to work that I learned that another employee had gotten her arm slammed in a door and the only thing that they had done for her was to give her an ice pack and some Tylenol for pain.

During these times, I was having flashbacks of the ordeals that I had gone through in Charleston with Trident Regional Medical Center and the ordeal I had recently gone through with Dr. Patel. The most disturbing part about the whole thing was that I never knew all of the things that The Trident Health Care System had done against me nor did I know who all the perpetrators were because no one would tell me a thing. Throughout history, different groups have banded together to fight an enemy, but this never happened with me because some of my own family members were against me. Also, there had been some "Uncle Toms" during slavery in South Carolina.

In addition, there isn't any medical malpractice under the Workers' Compensation Laws of South Carolina. Then, there was the time when E. Douglas Pratt-Thomas and Thomas White had gotten together with Commissioner Byron Lyndon and created an order to prevent me from recovering anything from the injuries that I had sustained from the three falls at Trident Regional Medical Center. To this day, I continue to have pain in my right shoulder and arm. Workers' Compensation was a remedy for an employee who had sustained an on-the-job injury, but there wasn't any remedy for me as long as certain commissioners continued to sit on the bench.

Also, there were the times when the white girls in the downtown Steinberg law office would laugh at me after Attorney White had me shut up in the office. I kept having flashbacks of Dr. James J. McCoy and Dr. George F. Warren and how they had treated me. I couldn't forget the ordeal I had had with the psychologist Ron O. Thompson and I still had not gotten over my ordeal with Dr. Patel and Sabria Phillips. It was sad to think that so many white people in South Carolina were after me like I was a runaway slave. I still didn't know the exact role that the Jews in Charleston and the Low Country had played in the enslavement of the black people in South Carolina.

On May 11, 2002, I was to return to work at my second job in the Trauma Department at Palmetto Health Richland but Christina Rushbrook and Alice Ammons, the trauma program coordinator, started giving me the run-around about returning to work. Alice Ammons had been a clinical nurse specialist for Critical Care before assuming this position in December of 2001. They started giving me the run-around about neither one of them having time to train me on the new program that they had gotten. On a later day, Mrs. Ammons informed me that she had a volunteer in my place. During these times, several people, including my brother Peter, called me clumsy and careless because I had fallen out of the chair at work.

On May 29, 2002, I received a letter and the rest of my refund from Attorney Daryl G. Hawkin's office, but I never did receive the rest of my medical records. Although I had a right to a copy of the rest of my medical records, the Peterson and Plante office never sent any and the attorney never got one either. Once again, I had been run over by a nurse and a physician. I didn't get depressed about the situation but I seemed to gather strength from somewhere. Around March and April of 2002, Peterson and Plante office started having a collection agency, Receivable Management Corporation, call me at my home about paying for that kind of physical therapy care that I had gotten at their office. Because I had refused to pay for the balance owed them that my insurance company, Maginnis and Associates, didn't pay, they reported me to the credit bureau. I wasn't going to pay for the care that they were giving me, and they, as well as I, knew that it wasn't working. Yet, they would not send me to a registered physical therapist, an orthopedist, nor would they give me a referral to my spinal specialist.

I had four more sessions with the physical therapist at Palmetto Health Richland concerning my Achilles tendon and left foot where she taught me some more exercises and she did some therapy to my foot. I continued on my home treatments. Around July 13, 2002, I started to have some more shooting pain coming up from my heel and my Achilles tendon going up my left leg. In the meantime, I continued to have pain in my back so I finally returned to my own doctor in June of 2002 for care.

On July 15, 2002, I finally visited the graveyard at Congaree Baptist Church. Everything there was truly dead and I didn't feel the same there as I felt when I visited the graveyards at Pleasant Grove and Red Hill Baptist Churches. During the time that I was at Congaree Baptist Church, I couldn't even feel a breeze. After reading on the tombstones, I didn't think the slaves had taken any of these families' last names.

On July 24, 2002, I visited Dr. Durkin, the neurologist, again for my left leg and foot. When I told him about the continued burning, stinging, and tingling that I was still having with my foot and Achilles tendon, he told me that he was going to turn me loose because there wasn't anything else he could do for me and that he wasn't going to order any expensive tests for me. Then he said, "What is it? You keep fighting me." I replied, "The Workers' Compensation doctors are abusive to me." It wasn't I that was fighting him. He was very angry with me because I would not let him touch my back. What was I to do when the physician my employer sent me to was incompetent and couldn't do any treatment to my body?

Before my second round of physical therapy, the skin of my left foot had become very sensitive; especially the skin behind the ankle of my foot, and the skin had remained very sensitive. After this, he told me that James from their Workers' Compensation insurance carrier would be calling me. This day, like so many Wednesdays before, Dr. Durkin had to go to a Workers'

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Compensation meeting. Every time that I looked around, he was always in a hurry to go to a Workers' Compensation meeting. Then too, he was angry with me because I wouldn't let him touch my lower back.

Since my back didn't really get much better and some jerking movements that I had developed in my thumbs which had started to affect my fingers next to my thumbs had gotten stronger, I returned to Dr. Jones office in June 2002, for a reevaluation of my back and an evaluation of my thumbs. It wasn't until July 30, 2002, that I actually saw Dr. Jones, though. Although the nurses in his office would go the rounds with Palmetto Health Trust Services, they would not give them authorization to treat my back injury. I believed that Dr. Durkin was being vindictive and was influencing their decision. I didn't know of any reason why they would not give Dr. Jones authorization to treat me.

On July 27, 2002, I started to have a terrible cough and I started bringing up secretions like I had done in the summer of 1998. Around August 2, 2002, a white man called at my house disguising himself as someone from the AAA travel service, pretending to be promoting some special benefits. He started reading from a paper, and every now and then his voice would go very low and I couldn't understand what he was reading to me. I had never had anyone from the AAA travel service call me like this before.

After listening for a while, I told the caller that I was in the middle of my treatment and that I would have to go. He could just send me the papers by mail and I could read, sign, and then mail them back to him. Then the caller said, "Gertrude, are you receiving treatments. Gertrude, are you receiving treatments." Again, I told the caller that he could just send the papers so I could read them. He then replied, "You have to agree to the promotion over the phone and then I will send the papers to you." After hanging up the phone, I realized that the voice sounded like James Lindler from Palmetto Health Trust Service.

On Sunday, August 4, 2002, I went to Mt. Moriah Baptist Church in Hopkins, South Carolina, after leaving Red Hill Baptist Church. There, Reverend Blakely N. Scott preached a sermon from Isaiah 54:17 which read as follows, *No weapon that is formed against thee shall prosper; and every tongue that shall rise against thee in judgment thou shalt condemn. This is the heritage of the servants of the LORD, and their righteousness is of me, saith the LORD.* Reverend Scott mentioned that this sermon had been on his mind all week and he knew that it was for someone; I knew that the sermon was meant for me.

That following Monday, August 5, 2002, was a trying time for me. I woke up that morning with some severe lower back pain and I was weak all over. I wasn't able to keep any solid food on my stomach that day. Basically, I couldn't do much but cry and pray to my Father all day because my pain medication didn't seemed to be doing that much good. On Tuesday, August 6, 2002, I felt a bit better so I went to work.

In the meantime, I needed someone to help me with my two Workers' Compensation claims that I had against Palmetto Richland Memorial Hospital. On August 12, 2002, I went to see my attorney who was handling my personal injury case of November 2000, but he hadn't filed the case yet. When I asked him would he help me with my Workers' Compensation claims, he asked me who the insurance carrier was. When I told him that it was Palmetto Health Trust Service, his disposition quickly changed. He then told me to call them and talk to them. I had already talked with James several times and Dr. Durkin had already turned me loose even though I was not well. Also, he wanted to know why I wasn't going to any of their doctors. After this, he kept saying something under his breath about something was already cut and dried and that I was going to change it. I didn't understand what he was talking about, though. He then told me that he would take the cases if I had some impairment. After this, he wanted to know if my back had been stable since the car accident. I replied, "Yes." Then he said that he was going to file my accident case.

Before I left, I again asked him if he would help me with my Workers' Compensation claims. He looked surprised and he said, "Yes." Later on, I found out that he had told my physician's office that he was not going to help me with my Workers' Compensation claims. After I got to work on August 12, 2002, I received a call from a Ms. Jody Starnes from the Palmetto Heath Trust Services and she wanted me to go and see Dr. Bethea. Then I asked her, "Where is Robert?" She replied, "Oh, you mean James. I have been assigned to your case now." Then she stated that Dr. Durkin said that I didn't have any impairment and that she wanted me to go to see Dr. Bethea for a second opinion. I told her that something was wrong with my foot and that it was not healed yet. She replied, "That is why I am going to make an appointment for you to go and see Dr. Bethea, so that I can get a second opinion on your foot, and you'd better do it soon."

After this, I told her that I wasn't going to see Dr. Bethea and that I had already been to one of their Workers' Compensation orthopedic physicians. "Oh, I will find you another one," she said. After this, I told her that I would call her back later. After looking at Dr. James F. Bethea's area of practice, I saw that he had the same specialty as Dr. Robert H. Belding. I didn't want any more Workers' Compensation physicians touching my body, especially my feet. I remembered how Dr. James J. McCoy from Trident Regional Medical Center had treated my feet and right arm after Thomas M. White from the Steinberg law firm had sent me to him, and about the lies he had written in his notes. Palmetto Richland Memorial Hospital was just as bad as Trident Regional Medical Center.

On August 14, 2002, I met Christina Rushbrook at the time clock at work again. She started taunting me about coming back to work in the Trauma Department. I told her that they had time to train a volunteer and

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yet neither Alice nor she had had time to train me. She replied, "We have a volunteer and Alice is going to hire someone from Woodham to help with all that stuff." Woodham was an outside agency that supplied coders for the Medical Records Department at Palmetto Richland Memorial Hospital. Then I told her to go on, that I would soon take care of Alice Ammons and her. When I was talking to her, I could see some evil in her. Although my attorney wouldn't help me with my Workers' Compensation claims against Palmetto Richland Memorial Hospital, he promised to try to find me an attorney who would. This never happened, though, and I had to once again get out and beat the bushes for some attorney who would be willing to stand up with me for God.

It was through some attorneys that Satan had gotten such a strong hold on the State of South Carolina. Through my search for an attorney, I found out that some of them were doing the same thing that some attorneys in Charleston were doing. One particular attorney that I talk with was going to do the same thing to me that Attorneys White and Pratt-Thomas had done. I remembered how they and Commissioner Bryan Lyndon had worked to separate me from Dr. Crouch and that is when Lucifer had triumphed over me. This time, I was determined that no human or demon would separate me from Dr. Jones, nor would they separate me from God.

Chapter 9

On August 19, 2002, I learned from the Judiciary Department at the Workers' Compensation Commission that the State's Legislators were responsible for making the Workers' Compensation Laws of the State of South Carolina. After obtaining a list of the names of the senators and representatives, I found that all of them were white men except four.

After going down a rocky road, the General Assembly of the State of South Carolina adopted a bill on May 18, 1935, which was finally signed into law on September 17, 1935, by Governor Olin D. Johnston. I don't know who all of the legislators were that were involved in this process, but if I was to make an educated guess, I believe all of them were white men. The General Assembly was responsible for naming the organs, members, and each of the body parts, and for establishing the compensation rates for the loss of each of the specific parts of the body. The tendons and ligaments of the human body were excluded. I don't know why they had excluded the tendons and ligaments because they are essential to the human body. Also, there was nothing mentioned about the loss of hair.

There is no medical malpractice under the Workers' Compensation Laws of South Carolina. According to S. C. Code Annotated Section 42-15-70 (1976):

> The pecuniary liability of the employer for medical, surgical and hospital service or treatment required, when ordered by the Commission, shall be limited to such charges as prevail in the community for similar treatment of injured persons of a like standard of living when such treatment is paid for by the injured person and the employer

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> shall not be liable in damages for malpractice by a physician or surgeon furnished by him pursuant to the provisions of this section, but the consequences of any such malpractice shall be deemed part of the injury resulting from the accident and shall be compensated for as such.

In essence, according to the medical malpractice part of this section, the state was giving the physicians the avenue to act irresponsibly toward the injured worker. After looking for some Workers' Compensation cases, I found one that I could relate to. This case was *Tatum v. Medical University of South Carolina*, (S.C. App. 1999), 335 S.C. 499, 517 S.E. 2d 706, rehearing denied, certiorari granted, reversed 346 S. C. 194, 552 S.E. 2d 18.

In this case, the employee, Jennifer M. Tatum, injured her back while working as an animal care technician at MUSC which is located in Charleston, South Carolina. Subsequently, she received treatment at the Medical University of South Carolina Employee Health Care Service where she was diagnosed as having a midline broad-based disc herniation. Consequently, she was referred to a Dr. Sunil J. Patel for a surgical consultation on March 25, 1994, after receiving some cervical epidural injections. This physician was employed by the Medical University of South Carolina as an assistant professor, and he was also a neurosurgeon. He performed three surgeries on her back. The first surgery was performed on April 6, 1994, when he fused two of Tatum's vertebrae. Because of the original bone graft site collapsing, Dr. Patel repeated this surgery on April 29, 1994, where he inserted a synthes plate after drilling and placing screws in Tatum's vertebrae. Dr. Patel, or someone under his supervision, drilled through Tatum's vertebrae damaging her cervical spinal cord. In addition, the nerves affecting her upper extremities were also damaged.

Consequently, she experienced some difficulty swallowing. Tatum underwent her third surgery on June 13, 1994, where Dr. Patel removed the dislodged synthes plate because one of the screws had loosened and had protruded into her esophagus. It wasn't until January 26, 1995, that Tatum learned that Dr. Patel's surgery had caused permanent damage to her spinal cord. Tatum received some of her care through the University Medical Associates which is a part of the Medical University of South Carolina's clinical practice plan. It was brought out in the Facts and Procedural history of the case that, "MUSC advised Tatum her symptoms and complaints resulted from various causes other than the above surgical procedures."

In her first hearing of this medical malpractice case in the Circuit Court of Charleston County, the claimant alleged that Dr. Patel negligently punctured her spinal canal and negligently failed to inform her about the risks involved with the procedures. Judge A. Victor Rawl dismissed the action for failure to state claim. Subsequently, the claimant appealed. Judge Hearn of The Court of Appeals held that, "The Workers'

Compensation Act's exclusivity provisions did not bar action under the dual-persona doctrine." Therefore, the case was reversed and remanded.

There was a discussion in the Law and Analysis section of this case concerning the "dual-persona doctrine" and the "dual-capacity doctrine" as it related to Ms. Tatum's ability to pursue a malpractice action against Dr. Patel and the Medical University of South Carolina. The Court adopted the "dual-persona doctrine". According to Black's Law Dictionary, 7th Edition, the "dual-persona doctrine" is,

> The principle that makes an employer (who is normally shielded from tort liability by Workers' Compensation laws) liable in tort to an employee if the liability stems from a second persona unrelated to the employer's status as an employer.

The "dual-capacity doctrine is,

> The principle that makes an employer (who is normally shielded from tort liability by Workers' Compensation laws) liable in tort to an employee if the employer and employee stand in a secondary relationship that confers independent obligations on the employer.

It was brought out in the conclusion of this Appellate Case that the Court saw the "Medical University of South Carolina as acting in a totally separate capacity as a legally distinct persona at the time of the malpractice." This was the basis for the reversing of the trial judge's dismissal of Tatum's cause of action.

In *Tatum v. Medical University of South Carolina, 346 S.C. 194, 552 S. E. 2d 18*, the Supreme Court of South Carolina granted a writ of certiorari to review the Court of Appeals Case. The issue in this case was, "Did the Court of Appeals err by holding an employee of a governmental entity/hospital who sustains a compensable work-related injury may maintain a tort action against the governmental entity/hospital for the negligence of the treating physician?" Also, it was stated in the discussion that, "This case asks us to resolve the conflict, if any, between the South Carolina Tort Claims Act and the South Carolina Workers' Compensation Act."

In this case, there was a long drawn out discussion about The Tort Claims Act, The Workers' Compensation Act, the "dual-persona," and "dual-capacity" doctrines. There was also the matter of sovereign immunity and the employee of a governmental entity. In the end on grant of certiorari, Justice J. Burnett held that, "Employee could not maintain action against university under dual-persona doctrine." The case was reversed.

It was written in the ruling of the Supreme Court, "We conclude there is no conflict between the Tort Claims Act and the Workers' Compensation Act. Both Acts expressly prohibit a government employee who sustains a work-related injury from maintaining a tort action against her government employer. While we sympathize with Mrs. Tatum, we are bound by the General Assembly's declaration of state policy. The decision of the Court of Appeals is reversed. The trial judge's order granting MUSC's motion to dismiss pursuant to Rule 12(b)(6, SCRCP, is reinstated." There were J. Moore and J. Waller concurring. J. Waller concurred under a separate opinion. Chief Justice Toal dissented in a separate opinion and Justice Pleicones concurred with her.

In the separate concurring statement of Justice Waller, there is a section that reads,

> Although I am sympathetic to Tatum, I am constrained to concur with the majority opinion. Pursuant to S.C. Code Section 42-15- 70, it is patent that MUSC is not liable for the negligence of its treating physician, and Tatum's exclusive remedy is Workers' Compensation. Accordingly, as the legislature has not indicated an intent to allow Tatum to recover in this situation, I must concur with the majority."

He went on to say in another paragraph that,

> A dual persona is quite different than a person acting in a capacity other than that of employer. The question is not one of activity or relationship it is one of identity.The Tennessee Supreme Court, brushing aside all the fictitious sophistry of "dual-capacity,' nailed down this point with breathtaking simplicity:
>
> The employer is the employer; not some person other than the employer. It is as simple as that.
>
> The only way a court can break through this monolithic truism is to resort to a legal fiction."

Whether it would have been a legal fiction with Trident Regional Medical Center, Dr. George Warren, and me, God had saved me from being paralyzed. It was brought out in the case that Ms. Tatum could only recover from Workers' Compensation. What other remedy did South Carolina had in place besides the Tort Claim Act and Workers' Compensation Act to give adequate relief to an employee who had been wronged twice? This case was a blatant attack on the human body. All of the money that one could receive from Workers' Compensation could not suffice for the day in and day out

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agony of a paralyzed person; especially if the paralysis involved the cervico-thoracic area.

Often, I have wondered how these justices would have ruled if these circumstances had happened to some of their family members. I guess if Ms. Tatum had known what was going to happen to her, she would have gone to one of the surrounding hospitals if they were equipped to provide her with the type of surgery that she needed. In addition, if she had chosen her own competent neurosurgeon, perhaps she wouldn't have had to suffer these many attacks on her body. What is the employee to do when the physician that he/she is sent to lies about the injured worker's medical condition and won't order the necessary tests to obtain a definitive diagnosis? This is what happened to me with my shoulder, arm, neck, and feet when I was working at Trident Regional Medical Center.

In addition, what happened to the hospital as an employer and the hospital as a provider of care? In other words, the concept of the master-servant relationship and the hospital-patient relationship. When will the justices, judges, and attorneys in South Carolina put on a modern legal thinking cap? This was an instance of some botched up surgeries. The South Eastern Reporter didn't specify the nationality of Dr. Sunil Patel, but I am assuming that he was Indian. Did anyone bother to check his credentials before hiring him as a professor and provider of care at The Medical University of South Carolina? In essence, The Medical University of South Carolina wasn't providing care to Ms. Tatum; it was providing misery.

In the end, I had come to the conclusion that an injured employee only gets one body to survive in on this earth before death. When the functionality of that body is gone before death, there will be no other. In addition, the Spirit only gets one body to dwell in before death. There is more to the human body than just tissue, muscles, and bones. It is up to the individual to try to protect the body and preserve its functions until it is time for one to go to the grave. There are many people living in South Carolina that still long for the days of slavery and the joys of living in sin without any immediate consequences.

In Justice Waller's opinion, he made reference to *Johnson v. Rental Uniform Service of Greenville, 316S. C. 70, 447S. E. 2d 184 (1994)*, where he mentioned that the Supreme Court had previously rejected the dual-capacity doctrine. The history of the case was not recorded in *The Reporter.* Justice Waller also cited the Tennessee Supreme Court Case of *McAlister v. Methodist Hospital of Memphis, 550 S. W 2d 240, 246 (Tenn. 1977)*. There wasn't much background history given in the case either.

The claimant, Ms. McAlister, brought a malpractice action against the Methodist Hospital of Memphis Tennessee and two treating physicians. The appellant had sustained a work-related injury to her back and she subsequently had a laminectomy. She developed an infection or an inflammatory

condition at the operative site. It wasn't stated as to the cause of the infection and whether or not the physicians had failed to use sterile techniques. The attorneys for the appellant in this case were thinking along the same line that I was thinking as the hospital being an employer and as a provider of care. They also used the doctrine of dual-capacity. After a long discussion, Justice Henry rejected their malpractice action and affirmed the Circuit Court's opinion that held that the Workers' Compensation Act was the plaintiff's exclusive remedy. As quoted from his ruling:

> We hold that in the field of Workers' Compensation law, and in suits by a worker against his employer, the initial injury is the cause of all that follows, even where there is superimposed upon the original injury a new, or additional or independent injury during the course of treatment, negligent or otherwise. This conclusion is mandated by the provisions of Sec. 50-908, T.C.A., and the consistent holding of this court.
>
> Nothing in Sec. 50-914, T.C.A. may be construed to evince a legislative intent that an employer may ever be classified as a "third person", without doing violence to the plain language which permits common law suits against "some person other than the employer." The employer is the employer; not some person other than the employer. It is that simple. The injured workman is confined to the benefits provided by the Workers' Compensation Act and may not sue his employer in tort.

What is the hospital when it is playing more than one major role?

From around the second week in August of 2002, up until around the second week of October 2002, I was trying to find an attorney who would be willing to help me with my Workers' Compensation claims against Palmetto Richland Memorial Hospital. One attorney in one of the major Workers' Compensation law firms told me that I would have a difficult time getting over Section 42-15-60 of the Codes of Laws of South Carolina in getting them to pay my private physician for treating me. Here is Section 42-15-60, entitled, Periods within which medical treatment and supplies shall be furnished; refusal by employee to accept treatment.

> Medical, surgical, hospital and other treatment, including medical and surgical supplies as may reasonably be required, for a period not exceeding ten weeks from the date of an injury to effect a cure or give relief and for such additional time as in the judgment of the Commission will

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tend to lessen the period of disability and, in addition thereto, such original artificial members as may be reasonably necessary at the end of the healing period shall be provided by the employer. In case of a controversy arising between employer and employee, the Commission may order such further medical, surgical, hospital or other treatment as may in the discretion of the Commission be necessary. During the whole or any part of the remainder of disability resulting from the injury the employer may, at his option, continue to furnish or cause to be furnished, free of charge to the employee, and the employee shall accept an attending physician, unless otherwise ordered by the Commission and, in addition, such surgical and hospital service and supplies as may be deemed necessary by such attending physician or the Commission. The refusal of an employee to accept any medical, hospital, surgical or other treatment when provided by the employer or ordered by the Commission shall bar such employee from further compensation until such refusal ceases and no compensation shall at any time be paid for the period of suspension unless in the opinion of the Commission the circumstances justified the refusal, in which case the Commission may order a change in the medical or hospital service. If in an emergency on account of the employer's failure to provide the medical care as specified in this section a physician other than provided by the employer is called to treat the injured employee the reasonable cost of such service shall be paid by the employer if so ordered by the Commission.

In cases in which total and permanent disability results, reasonable and necessary nursing services, medicines, prosthetic devices, sick travel, medical, hospital and other treatment or care shall be paid during the life of the injured employee, without regard to any limitation in this title including the maximum compensation limit. In cases of partial permanent disability prosthetic devices shall be also furnished during the life of the injured employee or so long as they are necessary.

There is so much evil going on in South Carolina concerning Workers' Compensation that someone has to try to fight it; especially since the merging of the different hospital systems and the networking of the physicians, attorneys, and Workers' Compensation commissioners. They didn't seem to

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care how they were treating the human body. It was after I had visited several major law firms in Columbia, South Carolina, that I decided to try to do something about the Workers' Compensation Laws of South Carolina. Then too, I thought that it was my destiny to try.

Some of the General Assembly reasoning during the inceptions of the Workers' Compensation Laws in 1930's weren't feasible and practical in the present healthcare climate, and it was very difficult for an injured worker to be treated fairly with the different merging of the hospitals, managed care, and the networking of the different physicians, lawyers, and Workers' Compensation commissioners.

On Friday, September 6, 2002, I met Alice Ammons from the Trauma Department of Palmetto Health Richland Hospital at the time clock. Once again, she started lying about how she had called me several times and had left messages on my answering machine about me not coming back to work in the Trauma Department. Then she made the statement that she was going to have someone from Woodham to help Christina with her work and that she couldn't pay anymore overtime. Woodham and Associates was an outside agency that supplied coders for the Medical Records Department at Palmetto Health Richland Hospital. I was never allowed to return to my second job in the Trauma Department after I had fallen out of the chair.

Chapter 10

During the time that I was searching for an attorney, I didn't know what was wrong with me but I knew that the Spirits in Pleasant Grove and Red Hill graveyards weren't resting; especially the ones in Pleasant Grove graveyard. I didn't know of any physician or attorney in my family who could help me. On Wednesday night, October 23, 2002, I dreamt that the black people had taken over Congaree Baptist Church with their songs and praises unto God. There was a black preacher in the pulpit. Scattered among the black congregation were a few white people and they were shouting and worshipping God. I remembered reading somewhere during my youth where some ancient Europeans worshipped demons. I wasn't familiar with the different religious practices of the white people in South Carolina.

There was a white man in my dream who shot me in the back of my neck because I had shot one of his three big black dogs in the throat and killed it. Ever since I was a child, I would periodically have a dream where I was running through the woods and three big black dogs were chasing me. I would always awaken when the dogs caught up with me, knocked me down, and started tearing at my clothes. On top of a hill in the woods where I was running, stood a large white house with several stories. At other times, I would have a dream where I was falling off of a high bridge into the water.

When I went to work on Thursday, October 24, 2002, the white morning supervisor, Jason Morgan, had stayed over to do some work in the Medical Records Department. I was working at one of my co-worker's computers that evening around 5:45 P.M., when he came and brought an arm load of charts and put them on the desk next to where I was working. It was around 5:59 P.M., when he came back to the desk with another arm load of charts. When he got near me, one of the thick Neonatal Intensive Care

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charts fell out of the stack of charts in his arms hitting me on the left side of my neck and shoulder as it fell to the floor. I wasn't safe in the Medical Records Department at Palmetto Health Richland Hospital.

Once again, I was made to suffer for what a white man had done to me. There was no way that I could avoid coming in contact with a white person as long as I was living in an open society. Once again, I was in a mess with Palmetto Health Richland Hospital and their Workers' Compensation. HealthWorks was staffed by occupational health nurses and nurse practitioners. The only doctor that I ever saw there was Dr. Martin Durkin, the neurologist, and he only came there on Wednesday mornings. Palmetto Health Richland also had its own Workers' Compensation illness and injury policy and employee accident reporting and investigations policy which was approved by James E. Lathren, the COO of the hospital. Mr. Lathren is a medium-built white man whom I don't trust.

It wasn't until around November 14, 2002, that one of the nurses in Dr. Jones office told me that he was a Christian. On November 16, 2002, Betty Baughan, one of the pastors' wives at Congaree Baptist Church called and invited me to come to the church's homecoming for its' 237th birthday. During this same time, Pleasant Grove Baptist Church was having their 95th church anniversary. On Friday night, November 15, 2002, Pleasant Grove Church had their Four Gospel Program which I had planned on attending but I had forgotten about it. I had been feeling down after the November governor's election in South Carolina because Governor James Hodges had lost the election. He seemed to be a Christian.

On Sunday, November 17, 2002, I went to Congaree Baptist Church because I wanted to know more about the role this church played during slavery. What role had the white churches in general played in the perpetuation of slavery and sin in the State of South Carolina? Then, there were the Congaree Indians that disappeared from around the Gadsden community. At times, I felt as though this church was calling me. Why was this church having an effect on me at this point in my life? Maybe I was a representation of my great-grandmother or some other ex-slave that had left this church. Perhaps this church was still moaning the loss of its black members that had left its walls over a hundred years ago.

During this same time, Mrs. Baughan had started reaching out to other people in the African-American community. This church had remained within the African-American community ever since it had moved to Gadsden, South Carolina. Although I didn't have any documentation, more than likely the original structure of the church building was built by slaves. During the service that morning, one of the guest ministers had stated that slavery was horrendous in South Carolina and that the British were responsible for shoving slavery on South Carolina. Also, he stated that more slaves had actually come through the New York-New Jersey area than through

Charleston, South Carolina. In addition, he made the statement in his message that all human beings had come from Noah, and that each one of Noah's sons had been placed in their own part of the earth. Why weren't Japhet's descendants satisfied with the lands and inheritance that God had given them?

Then came the age of exploration and conquest when different nations were conquered and their lands taken away from them by Japhet's descendants. Often, I have thought about how the different groups of mankind had been living in their own part of the world. Then too, I remembered reading somewhere in the past where some black people were already in North American before the white man came. The Bible didn't address the race of Noah and his wife; but assuming that they were of the same race, I often wondered how they could have had three racially distinct children without some other type of sperm being involved somewhere over time or some gene mutation occurring. What color were the original inhabitants of the earth anyway?

The preacher continued that morning by calling Africa, "The Dark Continent." He never expounded on what he meant by the, "The Dark Continent." Even though Africa was so dark, this still didn't stop Europe from raping her time and again of her people, minerals, animals, and plant life. No one considered this a crime. In addition, Europe has impregnated Africa many times. There were all kinds of sins that went on during slavery and afterward in South Carolina, including incest and bestiality. I don't know the kinds of sin that went on in and around those rice fields of Charleston or the upper part of the state. I knew that the Europeans didn't know anything about planting rice. The poor black people couldn't help themselves because they were chattel slaves.

During this time, one of my co-workers had started referring to me as a "Black Jew," because she found out that I loved Reuben sandwiches. Every since Biblical times, Jews had been traveling to Africa. I knew that all of the African slaves weren't heathens and practice witchcraft and voodoo. There were many kinds of religions in ancient Africa including Judaism and I knew that some of the slaves hid their religion and beliefs from their white slave masters.

Around December of 2002, I started to get a yearning to visit the graveyards of Pleasant Grove and Red Hill Church. It wasn't until January 5, and February 2, 2003, that some warm days came and I was able to visit the graveyards respectively. It wasn't until I visited the graveyard of Red Hill Church that I think that I begun to get a little sense of understanding of why my mother would frequently visit the graveyards. There were things that went on between heaven and earth that I didn't understand and the only thing that I could do was record what was happening in my life.

After leaving Red Hill Church graveyard the Sunday of February 2, 2003, I went to Congaree Baptist Church because the pastor's wife had invited me to the revival that the church was having. They had had the revival all week but I was sick and unable to attend. I didn't feel the same listening to

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the white preachers as I did listening to the black preachers. Perhaps the black people have a closer relationship with God because of slavery in America. They had baptism that Sunday night and the people didn't seem sincere with their baptism. It seemed as though they were only going through the motions.

I remembered my own baptism when I was twelve years old. No one in the family had known about my decision to be baptized. I remembered going to Red Hill Church that Sunday with a wrinkled dress on, and going before the congregation and telling them that I wanted to be baptized. On the day of my baptism, my mother dressed me in a white gown that had been made especially for baptism. Before going into the pool, my mother covered my head with a swimming cap after which she wrapped my head with a white towel. There were a group of people standing around the pool singing, "Take me to the water and baptize me," as I entered the pool where Reverend L. H. Robinson baptized me. The people were so happy and rejoicing during baptism. After baptism, we marched to the church from the pool which was adjacent to the church. As we marched along, the people continued to sing songs.

On December 5, 2002, I was marched into the office by Annette Sullivan, the manager of the Medical Records Department on the second floor to Linda Grimes, the Director of the Medical Records Department. There, Linda Grimes accused me of the injuries that the white men had inflicted upon me. This was the most humiliating part about the meeting. I know that there were several passages in the Bible that spoke to the relationship of master and servant (employer and employee). For the next couple of weeks, I searched the scriptures but I was unable to find the passages.

With the help of a book entitled, *Find It Fast In The Bible*, a reference written by Ron Rhodes, I was led to Leviticus 25:43, which spoke to the treatment of an employee. The text reads: *Thou shalt not rule over him with rigour; but shalt fear thy God.* There wasn't anything that I could do about The Spirit, nor was there anything I could do about slavery and the many insults that were heaped upon the black race. I didn't know which families in South Carolina had owned slaves and benefited from their captivity.

Furthermore, there were so many things that I wanted to accomplish in my life but I couldn't do anything with the constant accidents that I was having. Then, there still was the constant reminders of what Trident Regional Medical Center had done to me in the past and what was still happening to me in the present; especially when I was trying to find another part-time job. Something still needed to be done about the unfinished predicament that they had left me in. The State of South Carolina was also my enemy. What could I do about the persistence of memory as long as the brain cells were alive? Then too, there still was the question of my older sister and her two daughters.

During the time when I was having so much trouble with Trident Regional Medical Center in Charleston, South Carolina, my sister Sarah had

been an employee of the University of South Carolina, a state employee. Later on, her daughter Sheila became an employee of the University of South Carolina. I thought about the story of Denmark Vesey and the planned insurrection of the slaves that happened in Charleston, S. C., and how he was betrayed by one of the house slaves. In my own case, I had never plotted against anyone.

There had been many articles starting around 1995 in the news about Columbia/HCA, who owned Trident Regional Medical Center, and its plans to merge with The Medical University of South Carolina, another state owned facility. In addition to owning part of Providence Hospital in Columbia, South Carolina, they had tried to merge with some of the other hospitals in the Midland area, including Lexington Medical Center and Richland Memorial Hospital. It was very difficult for me to know who my enemies were.

Columbia/HCA already owned quite a few medical facilities in the Low Country and I don't know if there were plans for them to acquire some in the upper part of the State of South Carolina as well. It just happened that during this time that I incurred those Workers' Compensation injuries and Trident Regional Medical Center did not pay Workers' Compensation to their injured employees according to state law. I didn't know the people that were representing the State of South Carolina who had joined in with Trident Regional Medical Center against me because of the impending merger between a State of South Carolina's medical facility and a private entity. In addition, I didn't know who the lobbyists were at the State House of South Carolina for this merger. Nevertheless, the merger did not go through and I don't know if these people were blaming me for this or not.

During the Christmas holidays, I had been visiting different churches to see the programs that they had for Christmas. On Christmas day, December 25, 2002, I was unable to talk or sing when I woke up and the only thing that I could do was whisper. On January 21, 2003, around 12:30 A.M., I fell on the floor in the hallway near the Medical Records Department at Palmetto Health Richland Memorial Hospital, even though I had been trying hard not to get involved in another accident. The environmental service personnel had a wet sign in the middle of the hall, yet the whole hall was wet with wax. In addition, I was unable to reach the time clock to punch out. As it was in March of 2002, I didn't see The Spirit when I fell on the floor. As always, I didn't know where God was leading me, nor did I know what demon I would be up against with James Lathern and Dr. Martin Durkin.

Since the management at my place of employment was angry with me because they said that I had not followed their Workers' Compensation policy and procedure with the accident of October 24, 2002, when I went to the emergency room at Palmetto Health Richland, I followed the policy and called the night nursing supervisor, Mary Sas, around 12:45 A.M., and notified

her of the fall and the circumstances behind the fall. She stated that she was very busy with a situation upstairs and that she could not come. She asked me was I hurt. I told her that I didn't know, but that I had fallen and the whole floor was wet. She did not follow their policy and procedure and tell me to go to the emergency room that night to get seen. Instead, she told me when I came back to work the next day that she would leave the accident report and a note with the evening supervisor and that I must go by the office and fill out the form.

I went to work the next day in the Medical Records Department until the nursing supervisor, Pam Scaglione called and told me to come to the office and fill out the form. She instructed me to let her know if I had any more problems during the night because my whole body was hurting. Around 11:10 P.M. that night, I went back to the nursing supervisor's office where I spoke with Ms. Scaglione and Mrs. Lenora Bell because my body still hurt all over and the pain in my perineum area was getting worse. I was instructed to call Ms. Mary Kay Parham that Wednesday morning and talk with her because I had already had a bad experience with Dr. Durkin, Coleen Collins, the nurse practitioner, and Barbara Griffin, the occupational health nurse over at HealthWorks. Also, I had had a bad experience with Dr. Belding, the orthopedist whom they sent me to. When I called HealthWorks on Wednesday morning, January 22, 2003, Ms. Parham wasn't there and I was told by one of the employees that she would not be in the office until Friday, January 24, 2003.

Around 11 A.M., on January 24, 2003, I got up and called Ms. Parham. Someone else in the office who said she was the coordinator of Workers' Compensation spoke to me. She said, "You didn't go to the ER." I replied, "The nursing supervisor didn't tell me to go to the ER. I want to speak to Ms. Parham because the nursing supervisors told me to speak specifically to her." She replied, "I'll go and get her." Ms. Parham said to me over the telephone in a drawl, "What do you want, Ms. Shiver." I replied, "Are you all still working under Dr. Durkin or is there another doctor working over there?" Ms. Parham stated, "I am an independent practitioner. If I have a question, I will ask another nurse practitioner or call a physician. Dr. Durkin is only the medical director and I will tell Jim Lathern that." Then I asked, "What kind of medication can you order?" Ms. Parham replied, "I can order Motrin, Naprosyn, and other medications like that." I asked, "Can you order any narcotics?" Ms. Parham said in an angry voice, "No, we are not allowed to order narcotics." I said, "I can buy Motrin over the counter and I am not supposed to take Naprosyn because I have had two esophageal dilatations in the past. Naprosyn doesn't work for me." Ms. Parham said, "Gertrude, I don't have time to talk to you about narcotics over the phone and I haven't seen you yet. What problems are you having that are Workers' Comp. related?" I replied, "My whole body is hurting, I have left side pain, I am nauseated and having dry heaves, and my perineum hurts. The doctor in the ER

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ordered some narcotics and Flexeril when I was last injured." Ms. Parham replied, "Ms. Shiver, if you are having other problems, you need to see your own physician." I replied, "Okay, I will tell him about the other problems that I am having, too." After this, Ms. Parham hung up the phone. Had the nurse practitioners and occupational health nurses taken precedence over the physicians and specialists in the State of South Carolina?

When I first had problems with Ms. Collins and Mrs. Griffin over my left foot, I had called the State Board of Nursing of South Carolina to obtain some information about their specific role under the Nurse Practice Act, but I was ignored. After my incident with Ms. Parham, I wrote them a letter for some information on the role of the Nurse Practitioners and again I was ignored. I knew that the State of South Carolina had given the nurse practitioners Prescriptive Authority but I was not aware of what all that this ruling entailed.

Around 1:15 P.M., on January 24, 2003, I received a telephone call from Ms. Annette Sullivan, the manager from the Medical Records Department. She sounded angry over the phone. "I need you to come in here around 2 o'clock. Can you come?" I replied, "I will try. I'm still in bed and I have to wash up and get dressed. Is this about the fall?" Ms Sullivan said, "Yes, and I need to talk to you about it that's all." Around 1:30 P.M., I called Ms. Sullivan back and told her that I couldn't come, that I had to go to Palmetto Baptist and have some X-rays done. She still insisted that I come to the office. It was after 3 P.M., when I arrived at the office and she handed me a disciplinary action report. She told me that I had to sign it or that I couldn't work. Then she told me that she didn't want to hear anything from me.

In the meantime, she had gone outside and gotten Jason Morgan, the white supervisor who had dropped the heavy chart on the left side of my neck and shoulder. I told her that I wasn't going to sign the disciplinary action report, so I had to make a statement on the back. The staff at HealthWorks had made up some accusations about me and they along with the management in the Medical Records Department had accused me of seeking narcotics and using alcohol. I don't drink alcohol or beer, and neither do I do drugs. The only wine that I drank was the little cup of wine at Holy Communion. I had needed something for pain with a previous injury, and I didn't receive anything. This was the time when James McDonald had pushed the metal supply cart into my lower left leg at the area of the Achilles tendon and heel.

Afterward, Ms. Sullivan and Mr. Morgan marched me over to HealthWorks where I had to submit to a urine drug screen test after trying to do the breath analysis for alcohol. Even though I tried many times, I was unable to blow enough air to do the breath analysis test. I was still sick with the hoarseness and throat pain that I had gotten on December 25, 2002, and my voice had not returned yet. Even though I told the occupational health nurse, Ms. Elizabeth Holland and Ms. Sullivan that I had to go to Palmetto

Baptist and get some X-rays done, I was told that I couldn't leave until I performed the breath analysis test. I never was able to blow enough air to perform the test, though. Since I couldn't do the analysis test, they humiliated me by telling me that I had to catch a taxi home or have someone pick me up since I was under suspicion for narcotics and alcohol. I had to sign a statement that I release Palmetto Health Richland from all liabilities before they would let me go so that I could get my X-rays done at Palmetto Health Baptist. After this, Ms. Sullivan told me that I couldn't come back to work until she told me to.

On Friday, January 31, 2003, around 4:30 P.M., Ms Sullivan called and stated that my urine test was negative. I could return to work Saturday or Monday and that she would pay me for the days that I was out and that none of my paid time off days would be used. Since I was on probation and for fear of some other repercussions, I went back to work on Saturday, February 1, 2003, even though my body wasn't really up to it. Although I was paid for the days that I was barred from returning to work, this still had not taken away the humiliation and suffering that I am still enduring. In addition, the disciplinary action report wasn't removed from my employee file. It was after this that one of the workers at the Lawyer Referral Service in South Carolina told me that this would be the last time that they would recommend me to an attorney since none of the previous attorneys that they had recommended me to would help me with my legal problems.

Once again, history was repeating itself. I had gotten away from some of my enemies at Trident Regional Medical Center and here I was back involved again with some white nurses at Palmetto Health Richland who was trying to get me fired from my job. I remembered how Bridget Denzik had picked at my injuries as she started the process of terminating me from Trident Regional Medical Center and how Lynda Adams and Mr. James H. Jones, Ph.D., the director of Human Resources had lied about my job performance and written that I was released because of disciplinary action related to unprofessional behavior and treatment of patients.

At least at Trident Regional Medical Center, I saw a physician and I didn't have to deal with any nurse practitioners, although I had to contend with the occupational health nurses. It was sad to think that I would live and die in the State of South Carolina jobless and penniless and without any legal representation. Even though this was 2003, I felt like a slave trapped in South Carolina. Why was I the object of the white man's wrath? During the week that I was off, I dreamt that I was in Egypt during the time when Moses killed the Egyptian.

Since I had been visiting Congaree Baptist Church, I had started picking up some reading materials that had articles written by some white ministers. In some of the articles, the ministers seemed to be referring to what the different races were doing as it related to Christianity. On February 12,

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2003, while I was in my physician's office, I realized that it was not about race or skin color but it was about God's love and the type of love that Christ had intended for us to have one for another. Generations had come and gone and this type of love had never been achieved among the people, especially in the State of South Carolina.

In the beginning of March of 2003, the attorney who was handling my car accident case was having so much trouble with a woman in Charleston who was with Driver's Choice, the insurance carrier of the motorist who ran into the back of me in November of 2000. Why did he have to deal with a woman in Charleston when the accident happened in Columbia? Why was Satan still reigning in Charleston and tormenting me? I couldn't help wondering again during these times what color the original inhabitants on earth were. There must have been a purpose for what happened to me as a child and why I was made to suffer so much at the hands of some of the white people in South Carolina. I couldn't help thinking about the thousands of slaves that were brought through Charleston and how they were treated during slavery.

Had the attitude of some of the white people changed very much toward the African-Americans in South Carolina, or was there a false outward appearance? Did they still enjoyed doing bodily harm and inflicting pain on the African-Americans? What other race of people had suffered so much because of their skin color and physical features? When would the brutality of the slaves be avenged and who was going to bring the punishment? I was really tired of the white man's laws, so I began to pray for the day when God would raise his hand against the State of South Carolina.

Then, I remembered how during December of 2002, there were so many articles in *The State* newspaper about Senator Strom Thurmond and his retirement from his senate seat in Washington, D. C. One particular article that caught my attention was one entitled "Thurmond's platform reflected white South," found on page A6 of the Saturday, December 14, 2002, edition of *The State*. In this article they had a reprint of Thurmond's speech that was given before the Birmingham, Alabama Dixiecrat convention on July 17, 1948, which reads: "There's not enough troops in the Army to force the Southern people to break down segregation and admit the Negro race into our theaters, into our swimming pools, into our homes, and into our churches." I wondered what was so special about the white church.

Since I became grown, I had read and heard about how some of the black church buildings had been burned and vandalized, and how laws were made and things done to prevent the black children from going to school and learning how to read and write. Who is the adversary of God? Who is the author of confusion and destruction? What God is worshipped in the white church that isn't worshipped in the black church? There wasn't anything inherently wrong with the black race where we couldn't excel in all endeavors if we applied ourselves. What is the secret behind race and skin color any-

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way? Also, I had heard of another theory that other factors including the environment and climate were also responsible for the different shades of skin color and physical features of mankind. Why had these little melanocytes caused so much confusion in America? It is not race or skin color, it is genetics. There was another disturbing article found on the same page of the Saturday, December 14, 2002, edition of *The State*. The article was entitled "Thurmond's 1948 run a political turning point." In this article there was a comment made by our former governor, John West concerning Strom Thurmond when he walked out of the national party convention. In this article West states, "There was tremendous emotional fear among the white community that integration would mean white girls dating black men, amalgamation of the races...The feeling was—I hate to say it—overwhelming, if not unanimous among the white community." I thought about how the black people were made to suffer economically, politically, and socially because the white people were afraid that the white women would date black men if there was integration. There wasn't anything said about the white men having sex with the black women. There had been some rumors that Thurmond had fathered some children by a black woman. No one was forcing the white women to date black men. In addition, there may have been a matter of self control. There seemed to be a great sense of insecurity among the white community.

Then there still is that word, "mulatto" which is a misnomer because we are not different species. I thought about how some of us as human beings are very weak in the flesh and how we are quick to give in to our carnal desires. Being weak has nothing to do with skin color or race. Then, there are times when we are unable to control our human emotions whether we are strong or not. The main thing is that we are willing to take responsibility for our actions, especially if we bring a child into this world. It is a positive thing when one can see a person beyond his/her race and skin color.

Furthermore, hadn't the Europeans thought about amalgamation of the races when they first came to the Americas and some of them intermingled with the Native Americans and others went to Africa and dragged members from different Africans tribes to the Americas. How can the white race regulate human sexuality among the populace? Some states, especially Virginia, had already tried this during slavery by passing laws and banishing the couples from the state. Once again, I thought about the laws that were passed by the states against interracial marriages. Who ordained marriages? From these articles, I got a better insight of what my parents must have gone through trying to raise and feed their children in South Carolina during these times. One thing that I have realized is that our world is forever changing and evolving. Man can stand in the way of progress, but he can't forever stop change from occurring.

Chapter 11

On Sunday, March 16, 2003, I went to Congaree Baptist Church to hear from a missionary that had lived and worked in Papua, New Guinea. During his presentation, he showed some slides and he talked about how the people of these islands used to be cannibals up until the nineteenth century. There was one particular slide where one of the natives wore a mask. The missionary seemed very disgusted and he commented that the native was a heathen because he believed in spirits and worshipped his ancestors. Isn't God a Spirit? Didn't the people in the United States honor and worship their dead by erecting statues, monuments, and writing books about their ancestors and heroes, as they call them? This is especially true in the South where the people honor their dead that fought in the Civil War. Since I had to leave the sanctuary for a moment, I missed some of the slides and presentation.

From my anthropology courses, I had learned that there was meaning behind the different masks that the people in these societies wore doing different occasions. This is especially true of some Native American and African cultures. What did the people of Papua, New Guinea have in common with some of these Native American and African tribes? These tribes also had their own way of handling their legal matters. I remembered my mother telling me how my grandfather, old man William Shiver, used to settle disputes within the Black community and how he used to function as a marriage counselor.

Later on during the week, I did some research on Papua, New Guinea. It is an island in the Southwest Pacific Ocean located between the equator and Australia. The Island was named New Guinea after the Guinea Coast of West Africa in 1545 by the Spanish explorer Yñigo Ortiz de Retes. It wasn't brought out in the reading whether he named the island after the Guinea

Coast of West Africa because of the land mass or the inhabitants of the island. The people on the slides had dark skin and some of them had Negroid features. The Netherlands, Britain, and Germany had all controlled parts of this island. There are still some people on this earth who want to live primitive lives and who is to say that one culture is so much better than the other. I know that there are still some people in the United States that wear masks, hoods, and sheets on special occasions. I thought about how some of the missionaries from the United States go to these foreign countries when we have heathens and hypocrites living here at home. There is plenty of missionary work in the fields at home to do. First of all, they could start by trying to dispel some of the misconceptions and fallacies that were taught to the people during slavery and afterward.

That Sunday, the missionary preached from John 21:15 of the King James Version of the Bible, which reads as follows.

> So when they had dined, Jesus saith to Simon Peter, Simon son of Jonas, lovest thou me more than these? He saith unto him, Yea, Lord; thou knowest that I love thee. He saith unto him, Feed my lambs.

The missionary focused on this particular verse and he used it as the basis for missionary work. The story is the third time that Christ appeared to the disciples after his resurrection from the dead. The disciples were at the sea of Tiberias when Simon Peter decided to go fishing. He and some of the other disciples went fishing and they fished all night without catching anything. In the morning, Christ was standing upon the shore of the sea but the disciples did not know who he was. They answered no to him when he questioned them.

> Children, have ye any meat? Christ then told them to, "Cast the net on the right side of the ship, and ye shall find." They followed his instructions and when they had cast the net on the right side, they caught a multitude of fishes.

During slavery, the Southern States had used Christianity and a number of biblical verses as a justification for the enslavement of the Africans.

During the week of April 20, 2003, was the beginning of my battle with Sandy Saukas, RN, BSN, CCM of Palmetto Health Trust Service. After she had given permission for my physician to treat my neck injury, she later decided she wasn't going to pay for the treatment and she never gave me a reason for her decision. Legally, there was no way that I could make Jason Morgan pay for the treatments to my neck. Therefore, I had to get out and look for an attorney who would possibly help me against Palmetto Health Richland and its Workers' Compensation carrier.

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Along the same line, I never received a Workers' Compensation claim number for the accident of January 21, 2003. In addition, Ms. Saukas had scheduled an appointment for me to go and see Dr. Angus McBryde from the University of South Carolina School Of Medicine Orthopedic Clinic concerning the injury to my left foot. I was very reluctant about going to see him because I knew that if he examined my left foot and wrote some lies about it in his notes, The Spirit was coming back and something else was going to happen to me.

My first encounter with the Workers' Compensation system at Palmetto Health Richland occurred in November of 2001. Instead of the supervisors and managers sending me to the emergency room, they sent me to HealthWorks where there was no orthopedist to examine my heel and Achilles tendon. Little did I know that the nurses and Dr. Durkin, the neurologist, really didn't do much for the injured workers besides first aid, and that they didn't want to send you to an orthopedist if you needed to see one. In Section 42-15-70 of the Codes of Law of South Carolina that pertains to the liability of the employer for the medical malpractice of the physician and surgeon, there is no mention of the occupational health nurse or the nurse practitioner. In addition, I didn't know anything about the nurse practitioner assigning an impairment rating for a permanent injury.

It was around the first week in May of 2003, that I noticed Psalm 25:4 written on my co-workers calendar at work. *Make me know your ways, O Lord: Teach me your paths.* After going home and reading the entire chapter, I saw that this chapter was about David's confidence in prayer. It seemed as though the Bible verses written on the calendar were for me.

On May 17, 2003, I went to The Carolina Center to visit the Black Expo. At the Expo, I met an African-American artist named John W. Jones who was from South Carolina and who had done some drawing depicting slaves that were on the confederate currencies of South Carolina and other Southern States during slavery. One picture that stands out in my mind was the one about a white man grinning as he and his companion stood and watched the slaves across the field working. I believe the picture had been printed on a bill distributed by the Farmer's Bank of Charleston, S. C.

It was in the April 25, 2003, Friday's edition of *The State* newspaper on pages A1, A11, that I first got a glimpse of the General Assembly of the State of South Carolina. It was in the different stories that concern one of our late senators, Isadore Lourie and his death and accomplishments. The articles started on page A1 and ended on page A7. In an article entitled, "He saw 'grand sweep of American dream'," I learned that the House had an offensive habit of not introducing black visitors sitting in the House gallery. Lourie confronted this practice. Then on May 30, 2003, with the Friday's edition of *The State* newspaper, I got another glimpse of the General Assembly of South Carolina in the article entitled, "Race and the General

Assembly." This article was about the difficulty the black legislators still had in South Carolina in trying to introduce and getting their laws passed. The article stated, "They say if they want to get a bill through the Legislature, they normally have to take it to a friendly white Republican lawmaker and ask him or her to introduce it."

Several Republicans claimed that the black lawmakers' bills are rejected because of different philosophies and not race. Was this God and Satan at work again? Perhaps some of the representatives and senators came from families that were former slave owners. Why wasn't South Carolina divided up after slavery where each race could govern themselves? Then there was the comment made by Representative Leon Howard, who is black, "When I first got elected, I found out quickly I could not, as a black member, pass a bill on my own. I had to give it to a white lawmaker to get it passed. It was almost like slavery days." If a black man can write a bill, why can't he get it passed? Why does it take a white man to introduce it even though he never wrote it? I remembered reading that during slavery it was taught to the white people that the black people were subhuman and that they had the intelligence of an orangutan. Does having white skin make you more intelligent?

To Howard's comment John Graham Altman, a white lawmaker from Charleston replied, "Black authorship is not the problem; it's the type of legislation African-American members offer. It's socialistic and liberal. It has no chance of passing." Will the State of South Carolina remain conservative and backward forever? Is there no hope for progress in this state? Sometimes, I think the State of South Carolina would be better off if it could divorce itself of Charleston. Will the teachings of slavery remained ingrained in each generation to come? There are still the ghosts of slavery and injustice lurking in the General Assembly of South Carolina even though it is 2003.

It was in July of 2003, that I first started receiving letters from Palmetto Health Richland that the bill for the little physical therapy that I did get for the injury to my left foot had not been paid by Palmetto Health Trust Services, their Workers' Compensation carrier. It had been over a year and the bill had not been paid yet and no one from the billing office had ever contacted me. Palmetto Health Trust Services was not paying my Workers' Compensation bills and there was no legal way that I could make James McDonald pay for my healthcare.

I was afraid to tell anyone about the trouble that I was having with Palmetto Health Richland because like it was with Trident Regional Medical Center, I didn't know who my enemies were. Once again, I was seeing the dangers of these mergers and networking of these hospitals. For the month of July it was written on my co-worker's calendar, James 1:12 which states, *Blessed is a man who perseveres under Trial...He will receive the Crown of life which the Lord has promised to those who love him.*

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On August 13, 2003, I fell at the Embassy Suite Hotel in Columbia while I was attending a 3M conference. It had been nearly seven months since I had had an accident. I thought what ever was happening to me had stopped, at least for now. Yet, I didn't know exactly the message or messages that The Spirit was trying to get across to me. Furthermore, I didn't know the kind of period that I was going through nor did I know the task that God had placed before me. Although I didn't hit my head with the fall, I found that I was having some type of amnesia.

On August 16, 2003, I dreamt that there was a group of white men including some from the General Assembly of South Carolina standing before God with their heads erect waiting on their judgment. Near the front of the line with a solemn look on their faces were Senators John Land, John Graham Altman, and Glenn McConnell. I woke up from the dream before they received their judgments and I was unable to recapture the dream.

On August 18, 2003, I got a burning desire to visit the graveyard of Red Hill Baptist Church. It wasn't until August 24, 2003, that I made a brief visit to my parents' grave and the graves of some of my father's relatives. It surely was a terrible thing how the white man had cut the black man off from his roots and destroyed the black family. I wondered if my ancient ancestors in Africa knew how to preserve the human body after death the same as the ancient Egyptians did. What is the mystery after death anyway? When will death cease to occur? I didn't understand how the black people survived during slavery and afterward without losing their sanity. Often, I have wondered what would have happen to the black people if the South had won the Civil War. Somehow, I knew that there was something ancient that had occurred between the peoples of Africa and Europe ever since the beginning of time. How did they make it with so many restrictions placed upon them and when it was illegal for them to learn how to read and write? Perhaps it was because they had common sense even though they couldn't read or write.

On September 3, 2003, I finally went to see Dr. Angus M. McBryde, Jr., for the problems that I was continuously having with my left foot and leg. Once again, I was dealing with the State of South Carolina through the University of South Carolina Orthopedic Clinic. While he was examining my foot, he asked me if I had had another injury to my foot to which I answered him, "Yes." Then he told me to stand on a chuck pad. He said to himself, "She has flat feet. Her family has flat feet." After he asked me to sit on the examining table, he said to himself, "Oh, she does have arches." I never said a word and his students never did either. The flatness of my feet wasn't hereditary and all black people didn't have flat feet. He did order the MRI that Dr. Martin Durkin had refused to order. Even though I needed one, I couldn't go and get an MRI done without a physician's order. After having the MRI done, Dr. McBryde called on Sunday, September 14, 2003,

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and stated that he hadn't reviewed the MRI yet but that they were going to have a conference on me later that week.

On Friday, September 19, 2003, around 7:30 a. m., Dr. McBryde called again and left a message on my answering machine that my MRI was completely normal, and that he wasn't going to do any surgery. Also, he stated that there was nothing he could do for me that I knew what to do, just to keep stretching and rubbing. Subsequently, I obtained a copy of the MRI report and there written in the impression section was an indication that there was a longitudinal split tear in the Flexor Hallucis Longus Tendon and focal tendonitis/tendinosis in the Peroneus Longus Tendon. My MRI wasn't completely normal, yet Dr. McBryde didn't mention anything about these findings. I had been stretching and rubbing for over a year and my condition wasn't really getting any better.

Furthermore, I remembered when I was first searching for an attorney to represent me against Palmetto Health Richland, one of them had wanted to know what orthopedic physician that I was going to. I was upset and disappointed with all of this. With all of the accidents that I have had, I never knew that I had any broken bones. The bones were bruised but not broken. It was always the tendons, ligaments, and muscles that were affected the most, except for the herniated discs that I had.

On Sunday, September 28, 2003, on page B1 of *The State* Newspaper, there was a very disturbing article entitled, "*Hunley* tribute raises concern," written by John Monk. The article was about the possibility of having some Confederate sailors' bodies, who had died on February 17, 1864, lie in state at the State House in Columbia for three days. The remains of these sailors' bodies that had died in the submarine named the *Hunley* had been dragged up out of their resting place in the waters off the coast of Charleston, South Carolina. The *Hunley* had been raised in 2000. I thought about the many Africans that had died on those slave ships during the Middle Passage and their bodies thrown overboard into the waters.

Posted on the *Hunley* Internet site, had been a schedule of funeral plans that said the bodies of these sailors would lie in state at the State Capitol on April 8-10 of next year and then be buried in Charleston, S. C. I got a chance to see into the mindset of Senator Glenn McConnell, president pro tempore of the South Carolina Senate, and Senator John Courson. Both of these senators are on the *Hunley* Commission, a state agency. The article states, "Promoting the *Hunley* and its crew, and raising money to build a $40 million museum has been a top priority of Sen. Glenn McConnell, the leader of the S. C. Senate." It was brought out in the article that The *Hunley* Commission had given millions of state and federal dollars to the foundation that manages the *Hunley* affairs.

For quite some time now, the leaders of the State of South Carolina had been complaining that there weren't enough funds in the state's budget.

Consequently, there had been cutbacks and some state employees had lost their jobs. There were all kind of schemes being devised to increase money for the state; especially increasing the charges for traffic tickets and court costs. They also wanted to charge a fee for cases concerning Workers' Compensation. I think I was charged unjustly by a highway patrolman for speeding as I was coming down a hill one day. There had been quite a few articles in the paper within the last three months or so about the state's economy.

Why is Senator Glenn McConnell's priority on the dead and the past instead of on the living and the present? Where are the spirits of these dead Confederate sailors? Why do their bodies have to lie in state for three days? Let the *Hunley* Commission and the Daughters and Sons of the Confederacy dig up all of the dead and call up Beelzebub and the other devils from hell and have a stately party and a grand funeral at the State House in Columbia, South Carolina, thereby defiling the time of the season in which the Christians give honor to the death and resurrection of our Lord and Savior Jesus Christ.

About this time, there appeared some more articles in *The State* newspaper about how the residents of Cayce, South Carolina, did not want the Somali Bantu people to relocate in their community. They were making up all kinds of excuses for not wanting these people to relocate in their area including the fact that they were primitive, but I knew that race was one of the main factors. When will race and skin color stop being a barrier to peace and understanding? Sometimes, I wish God would send an angel to strip all of us of our race and skin color and see what kind of excuses we would make for not wanting to get along with each other. I thought about how the African slaves had had to adjust to their surroundings when they were scattered all over the globe.

There still was a continuance of my battle with some of the white people and physicians in South Carolina. On Wednesday, October 1, 2003, I learned that Dr. Angus McBryde was claiming that Dr. Robert Waldron II, the radiologist, had read my MRI wrong and that he wasn't going to do any surgery or anything else to try to help manage the problems that I was having with my left foot. In addition, the evaluation that he had written about me had a lot of discrepancies and omissions. My suspicions about him had come true.

The saga about the eight dead Confederate soldiers that died in the *Hunley* continued in the Wednesday, October 1, 2003, edition of *The State* written by John Monk. There on page A1 and A5, in the news article entitled, "*Hunley* sailors might not lie in State House," was the continuing story about Senator Glenn McConnell and the plans to have a state funeral for the dead. Written on page A1 was the following, "Having the Confederate bodies at the State Capitol would be a high point of an extravagant 10-day burial ceremony, largely in Charleston, that is expected to be one of the largest funerals in state history." My God! The mindset of some of the people in South Carolina was worse than I thought.

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Why couldn't the people have a moribund parade around Halloween instead of Easter? Will the people cry out "Hosanna, Hosanna?" Why did they have to have an extravagant ceremony at all? On a more serious note, why not have a requiem and a proper burial ceremony at the graveside on April 17, 2004, for the dead of over a hundred years and let nature finish taking it course with the remains. I am quite sure if these dead sailors' spirits could talk to the people, they would want to be laid to rest in peace and not have their remains paraded up and down the streets of Columbia and Charleston.

On Saturday, October 4, 2003, I finally received a copy of the notes that Dr. McBryde had written after he had left a message on my answering machine on September 19, 2003, but there wasn't a copy of the drawing sent that was in the medical chart. One of the notes that had been written on September 17, 2003 read, "Talked with Dr. Aitchinson who has reviewed these films. We both do not see significant pathology—specifically the FHL with its tenosynovitis/fluid is not pathologic and no major tear is seen." For the final diagnosis, he wrote, "Resolved contusion Lt. Hind foot with residual pain: No further diagnostic workup and/or procedure indicated: continue indefinite strength/stretch program and symptoms will resolve." There hadn't been anything really done about my injury ever since it occurred and I had been on a stretching program for well over a year and the symptoms that I was having had not really gotten any better. After doing some investigating, I found out that Mr. Paul Aitchinson was a radiologist that worked mainly in nuclear medicine and that he had left Palmetto Richland about two-three years ago.

In addition, I was told that Dr. Waldron was one of the better radiologists that worked at the hospital. Furthermore, there was never an addendum added to the MRI stating that it had been read wrong and a correction made. In addition, there was never any record of Dr. McBryde or anyone from his office checking out a copy or requesting a copy of the MRI that had been made. After going through all of this, I thought about how some of the slave masters would cut off a black man's foot during slavery to keep him from running away from his inhumane condition.

For the month of October of 2003, there was written on my co-worker's calendar Luke 1:37. *Nothing is impossible with God.* The verses on the calendar were taken from the New International Version of the Holy Bible. Charles R. Swindoll had also included some words of encouragement for me on the calendar. "Whatever circumstance you've written off, that's out of the question, that's impossible—see it from God's perspective. You have a divinely powerful weapon in prayer, so live freely as you rest and abide in God's intervention. God is more than able to carry the burdens you bring to Him."

The pain in my leg and foot was getting worst each day after I had seen Dr. McBryde. I was afraid that Dr. McBryde would touch my foot and write some lies in my medical records which he had written and he had made some

discrepancies and omissions. Since he didn't have the courtesy to give me a follow-up visit to talk to me about my condition, I decided to seek help elsewhere. I couldn't go back to Dr. Belding or Dr. Bethea because I knew that they were biased and that they weren't going to do anything for my orthopedic condition. Then there was the problem of this networking between these different physicians. In addition, one of the attorneys that I had spoken to in the past told me that Dr. Bethea was very conservative.

After praying to God for guidance, I went across the state line to seek help for my orthopedic condition. I was continuing to have moderate pain in my left foot and leg even with the Bextra that I was taking. Sometimes, I would have stinging and burning sensations near both of my ankles. The pain would come up from my heel and go up to the popliteal area of my knee. It would also come up from the outside of my leg and go up to the knee. In addition, I could sometimes feel a shocking sensation in my left foot. Periodically, I would have moderate left knee pain, and sometimes I would feel something moving in my leg.

Occasionally, my left foot would swell and both ankles would puff out; especially, when I wore my Sunday shoes too long. The heels on my shoes were not that high though. Usually when I stood in my regular shoes for a long period of time, the pain in my heel, ankles, and leg increased and I would have some swelling in my ankles of my left foot. In addition, I had fallen four times since my left foot was injured. I didn't know if my foot condition was contributing to the falls or not. I was told by the physician that I visited that Dr. McBryde was a well known orthopedic surgeon in the Southeast and that I should call again and request that the nurses give me a follow-up appointment to see Dr. McBryde about doing surgery on my foot. Dr. McBryde wouldn't do surgery on my foot and yet he was standing in the way of another physician doing surgery on my foot if needed. The physician that I visited did fit me with an ankle brace, although his office refused to send me his physician's notes. I was hesitant about trying to make Dr. McBryde do surgery on my foot because I was afraid that he would deliberately harm me. I think one of the main reasons why Ms. Geneva Andrews had sent me to Dr. McBryde was because he was a well-known orthopedic surgeon and another orthopedist wouldn't want to go against his opinion.

Because of this, I was being prevented from receiving the necessary treatment that I needed to manage the pain and the condition of my foot. The more I tried to avoid some of the white men in South Carolina, the more that I was forced to confront them. If I had known that Palmetto Health Richland and the State of South Carolina were going to put me through so much, I would have refused to go to HealthWorks when my foot and leg was first injured. From some outside reading that I was doing on slavery, I found out that South Carolina had a high black population before the

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Civil War. This was one of the reasons why this state had made a stink against remaining a part of the Union.

After looking for some background information on Dr. McBryde, I found that he was a professor in the Orthopedic Surgery Department at the University of South Carolina School Of Medicine, and he was more involved in sports medicine and ankle and foot injuries. Also, he was the anchor orthopedic physician between the Department of Orthopedic Surgery and the Department of Family and Preventive Medicine. Formerly, he had been Chairman of Orthopedic Surgery at the Medical University of South Carolina and the University of South Alabama at Mobile, Alabama. He had come to the University of South Carolina in 2000, after serving as Chairman of Orthopedic Surgery at the Medical University of South Carolina, Charleston, South Carolina. This was around the time that the proposed merger between The Medical University of South Carolina and Trident Regional Medical Center (Columbia/HCA) had fallen through. Whether this matter had influenced him or not, I didn't know.

There were an unknown amount of people in South Carolina who were blaming me for this. I knew that the time would one day come when I would have to face all of my accusers, because I never had anything to do with the proposed merger. There would not be any forgiveness for my enemies. I didn't know who had first entertained the thought of merging a state owned facility with a private entity without thinking of all the possible consequences of this type of union. If the merger had gone through, perhaps there would have been numerous instances of state sanctioned crimes. We already had enough corrupt and lawless people in South Carolina.

In addition, I had already undergone much pain and anguish from the State of South Carolina and Trident Health Care System. Imagine what it would have been like for me if the merger had gone through legally. During these times, I had fallen three times at Trident Regional Medical Center and none of the white doctors and nurses there had tried to do anything for my feet, especially my left foot. Furthermore, some of the nurses and physicians had been abusing me. Some of the people connected with Trident Regional Medical Center were responsible for me being run out of my apartment and interfering with the renewal of my nursing licensure. There was countless number of other things that were done to me. I had even been ridiculed by some of the white Jews in Charleston, South Carolina. Since my left foot was injured again at Palmetto Health Richland, Dr. Durkin, Dr. Belding, and the nurses had not really done anything for it. Dr. McBryde had examined my foot and ordered a MRI but he hadn't done anything to treat my left foot and the continued pain.

It was on October 23, 2003, that I found out what Attorney Amy L. Gaffney, Peterson and Plante Medical Office through Jaiprakash N. Patel and the white policemen, Cook, RD, had done so that I wouldn't receive any-

thing for my injuries in my accident case of November 25, 2000. Although I had been stopped at a red traffic light when the driver Caitlin S. Cross ran into the back of my car, they were fixing it so that I would not recover anything for my injuries from this motorist. This was very similar to what Attorney Daniel E. Martin, Jr., Bridget Denzik, the adjuster from Geico Insurance Company, and the black highway patrolman had done to me in Charleston with my automobile accident in April of 1997.

Dr. Patel had deliberately run up a bill knowing that what he was doing for me wasn't working so that I would have to end up paying him out of my own pocket. Why should he profit from his iniquities? It was very pathetic to think that Attorney Gaffney was helping the Lawyer Disciplinary Board investigate other attorneys when she wasn't straight herself. I thank God that he had sent The Spirit to protect me. It was always someone connected with Trident Health Care System or the State of South Carolina interfering with what was occurring naturally with me. I realized that I had a lot more praying to do to get any kind of justice in South Carolina. Also, I learned that the attorneys didn't want to help me with my cases if they weren't going to receive any money from it.

When I was trying to find an attorney to help me against Palmetto Health Richland Memorial Hospital Workers' Compensation insurance carrier when they refused to pay for the treatment to my neck, before I could tell the attorney what the problem was he stated, "It will be hard to prove." When would I get a reprieve from my suffering and from my fighting with Satan?

On October 23, 2003, as fate would have it, I fell again around 8 P.M. This time, it was in the Medical Records Department of Palmetto Health Richland Hospital. Some of the young ladies had left part of the telephone wire and cord in the aisle and my right foot got caught in it. After falling, I went to the nursing supervisor, Ms. Lenora Bell, and told her what had happened. She handed me the occurrence report and told me that I had to sign it, and she was very nasty with me. Even though I had a supervisor in the Medical Records Department, I was required to go to the nursing supervisor. Why did I have to deal with these nursing supervisors when I worked in the Medical Records Department?

Because the hospital wouldn't let the supervisor in the Medical Records Department have some of the accident forms, I had to go to the nursing supervisor to fill out a form. This time they had developed a new accident form where they had included their Workers' Compensation instructions on the top of the form. I was very hesitant about signing the form after I read what was written in the top section. I told Ms. Bell that I wasn't going to sign the form. Ms. Bell threatened me that if I didn't sign the form that she was going to tear it up; therefore, my employer wouldn't be put on notice of the accident. She also stated that their Workers' Compensation program was a

process and that I had to go over to HealthWorks the next day and finish filling out some paperwork.

After signing the form, she told me to go back to work. After returning to work, the pain in my entire left side became worst and I became very nauseated. I returned to the office to Ms. Bell and told her that I was sick. She was very angry and nasty with me, and she told me that I wasn't sick from the fall. Then, she told me to go to the doctor's lounge and get some ice and some crackers and used that for my nausea and to go back to work. Later on, I must call back to the nursing office if I didn't feel any better. After sucking on some ice because I didn't find any crackers, I didn't feel any better. In fact, the pain and nausea was getting worst. Near the end of the shift, I paged the nursing supervisor about my condition and a Ms. Pam Scaglione told me to go to the emergency room to be seen. After this, I went to the emergency room to be seen.

On Friday, October 24, 2003, I got up in the evening to go to HealthWorks to finished filling out my paper work. When I got to HealthWorks later that evening, Ms. Holland, the LPN started in after me as soon as I got there. After she took me into the room to fill out some more paper work, she asked me if I needed to be seen. The only person that she offered me was the nurse practitioner. I asked, "Where are the doctors?" She replied, "Dr. Durkin is not here." I responded, "The emergency room physician instructed me to be off today and if I didn't feel any better after seven days, to follow up with my private physician." She taunted, "The emergency room physician doesn't know anything about Workers' Comp. If you go to your own doctor, Workers' Comp. is not going to pay for it." I replied, "Workers' Comp. is not paying for any of my bills no how." After I finished filling out the paper work, I left and went home.

I decided to follow the emergency room physician's instructions because I didn't want to get into any more confrontation with Ms. Holland or the nurse practitioner. I remembered how they had tried to get me fired from my job with the injury of January 21, 2003. Besides, another emergency room physician on another occasion had told me not to go back over to HealthWorks. Even though management knew that the long telephone cord caused me to fall, no one had bothered about putting a short cord on the telephone.

I never remembered reading anything in the Workers' Compensation Laws of South Carolina about the nurse practitioner including those in independent practice. Furthermore, I didn't know of any of them having an MD behind their names. In addition, I didn't know if any of the public perceived them as being physicians or not. I knew that my Spirit didn't agree with any of them at HealthWorks and I didn't want them touching my body.

It was a very difficult time for me during the following weeks. I was afraid to file my claims and report Palmetto Health Richland Memorial Hospital to the Workers' Compensation Commissioners because I knew

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what had happened with me with Trident Regional Medical Center. Once you report a hospital to the Workers' Compensation Commissioner, you had no more privacy. Everybody seemed to know your business. This was one of the main faults that I had learned about the Commission when I was living in Charleston. I was an easy prey for the hospital, the State of South Carolina, and others to attack. Even though there wasn't any medical malpractice in the Workers' Compensation Laws in South Carolina, it seemed as though Palmetto Health Richland Memorial had raised some of its concepts by having its Workers' Compensation carrier send me to a nationally known orthopedic surgeon concerning my left foot injury.

On November 10, 2003, I finally visited Dr. McBryde again who acted surprised when he saw me. He had his two white medical students with him and he had obtained a copy of my MRI films. Upon asking him about the discrepancy between the MRI report and he telling me that my MRI was completely normal, he stated that the piece of paper that Dr. Waldron wrote did not mean anything. He told me that Dr. Waldron was the radiologist and that he was the clinician and he knew my history. In addition, he told me that I had received some physical therapy. When I asked him to show me on the film where the discrepancy was made, he place the films on the view box. He became frustrated when he could not show me the area. He then told me to sit on the examining table where he told me to press my left foot against his hand. Then he proceeded by moving my big toe up and down himself. This wasn't exactly the test that the other physician had performed on me. He pressed on both of my ankles and then he told one of his medical students that I might have some impingement at the ankle in the medial aspect of my left leg.

All the time while he was examining me, I thought about all the lies that were told about the black people and how so many laws were made up and passed to keep the black man in bondage. When I asked him who Dr. Aitchinson was and where did he work, he was evasive with me at first. Then he told me that Dr. Aitchinson was a radiologist that read MRIs of the foot and that he worked all over the place and that he was located somewhere over near Lexington Hospital.

When I asked him about doing surgery on my foot, he stated that a tear in the tendon was normal and that there were many people walking around with them. Then he stated, "I knew what was wrong with you all of the time and an MRI was not indicated. I did one on you to see what the problem was." Then he touched the back of my left leg and foot and he tried to tell me where I was having the pain. I told him that I knew something about my own body and that I knew where I was having the pain.

As chattel slaves, the black people didn't have any say-so over their own bodies, especially the young women. Then he stated, "Keep stretching and doing your strengthening exercises and the pain should stop someday. I'm not going to do any surgery on you." I replied, "I have been doing strengthening and stretching exercises for over a year and the condition has not really gotten any better. There should be some other treatment if this is not working." He replied, "No surgery is indicated for you. There are many people walking around with tears in their tendon. This is normal. An MRI wasn't indicated on you either. I did it to find out what was causing the pain. I knew what it was all of the time. Everybody knows that there is residual pain after an injury." Then he proceeded by reading the previous diagnosis of, "Resolved contusion left hind foot with residual pain. No further diagnostic workup or procedure indicated. Continue indefinite strength and stretching program and symptoms will resolve."

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Once again I replied, "Symptoms might be resolved when? I may be dead soon if I keep having all of these falls. I have had five falls already." He laughed, "Oh, you are not going to die. Your knees are causing you to fall when you bend them." As he was talking to me, he was bending his knees back and forth. I replied, "I have never had any buckling of my knees. How about the fluid?" He then touched both of my legs. He replied, "You have fluid in both of your legs, that little bit of fluid in your foot doesn't mean anything. How about your salt?" I replied, "I am not taking in much salt because I have high blood pressure."

All of the time, his medical students were standing there listening and not saying a word. I wondered was lying hereditary or a learned behavior that had been passed on from one generation to the next. If it was a learned behavior, Dr. McBryde was a good example for his medical students in teaching them how to lie to their patients.

After coming to the desk, I asked one or the employees behind the desk who Mr. Aitchinson was. She replied, "I don't know who Mr. Aitchinson is. Let me ask someone else." Then one of the nurses replied, "Let me go and ask Dr. McBryde who Mr. Aitchinson is." In a few minutes she came back and replied, "Mr. Aitchinson is a radiologist who works at Lexington Open MRI. Did you have your MRI done there?" I replied, "No, I had my MRI done at Richland Memorial." Then I asked the girl behind the desk what was the charge for my visit because I was going to pay for it. She replied, "We are going to file this with Workers' Comp."

I only knew of one African-American orthopedic physician in the residency program at The University of South Carolina. It really didn't mattered to me that Dr. McBryde was a national respected orthopedic physician; because I didn't want to go under any kind of anesthesia and scalpel with him and his medical students so that they could practice on me. In addition, he wasn't a handsome physician. In many ways, I felt pity for him. Many times I had seen him come into the Medical Records Department to sign his charts and there was something that just wasn't right about him, but I didn't know exactly what it was. It seemed as though he wasn't all together mentally and I wanted to reach out and help him but I didn't know how.

Once again, a white man was standing in the way of me receiving justice in South Carolina for injuries sustained to my foot. In the process, he had also gone so far as to discredit Dr. Waldron, a radiologist at Palmetto Health Richland and the MRI that was done on my left foot, although the MRI showed what I believed God had intended for it to show. I knew that Satan wasn't going to stop until he had defiled my feet.

Once again, my case concerning my left foot was put on hold. The only thing that I could do was pray that God would deliver me from the traps that my enemies had set for me. The attorneys couldn't do anything with a Workers' Compensation case if the physician did not do what was medically necessary for the injury. Since there was no medical malpractice under Workers' Compensation in South Carolina, there was no incentive for the physician to treat the injury as if it was medically or surgically necessary because there were no legal consequences to them for their actions. As a result, the injury to your body was made worse by the physicians actions or his/her failure to act. Consequently, the injured persons suffered twice and they could not really recover anything for their injuries if the physician wrote that there was no impairment.

In my case, I could not recover anything from James McDonald, the white employee who had pushed the metal supply cart into my left lower leg and heel. At Palmetto Richland Memorial, I wasn't provided with an orthopedist but an occupational health nurse, a nurse practitioner, and later a neurologist at the time that the injury had occurred. They never really did anything for my orthopedic injury and they talked about me behind my back. After I had begged to see an orthopedist, he never did anything for me either. To try and correct the mistakes of the Workers' Compensation physicians, the injured worker had to seek help from his own private physician. Besides, one had to pay for this treatment. The best thing that an injured worker could do was to try to find a physician who feared God and be very cautious that his/her attorney did not come between them afterward, especially when the attorney gets a judge involved.

There was nothing legally an injured person could do to a judge who had deliberately issued an order that was detrimental to the injured worker. After this, the attorney wouldn't or couldn't do anything with the case and you could end up losing your physician. This almost happened to me twice. There is nothing one can do to force a physician to accept you as a patient. I believe the lawmakers in South Carolina are looking the other way when it comes to the problems associated with the Workers' Compensation laws of this state in general. The South Carolina's Supreme Court had turned their backs on the matter of medical malpractice under Workers' Compensation twice.

In addition, South Carolina has weak employment laws. The Hippocratic Oath has become a joke during these times in South Carolina but God's law still stands. My forefathers understood the problems of the

State of South Carolina many years ago when they first left the white church. I guess their intentions were "never to return." One sad thing about it was that South Carolina wasn't divided up, so that they could have their own little country.

After visiting my parents' graves on Sunday, November 16, 2003, I felt a little better about my situation. In many ways, I guess I was like my mother. I had heard and read that the Civil War was fought about state's rights; but if the Europeans had never invaded Africa and enslaved the Africans, then there wouldn't have been a civil war. The Europeans could have cleared the lands, worked the fields, and build up this country themselves. Then, there was the matter of the Native Americans and how they were destroyed and their lands taken away from them. Others have been placed on reservations where there is a high rate of alcoholism and suicide. I know that sometimes the children pay for the sins of their forefathers.

Then, there are some that say the slaves fought for the Confederacy. The slaves may have had many motives for their actions. For example, they were still slaves and they had to do what their masters commanded them to do, and some hoped to gain their freedom if they fought. Furthermore, there was the division between the house slaves and the field slaves. There was so much confusion that went on during slavery and different groups made alliances for different reasons. Stories about what my ancestors did during the Civil War weren't passed on to me by my mother that I know of or else she may have deliberately not told me about them if she knew of any.

Oh yes, an injured worker can write a letter to the Workers' Compensation Commissioner about the employer, but there is no protection when the employer attacks the employee. Although the nurses, doctors, and others for Trident Regional Medical Center in Charleston didn't come at me in a lynch mob per se, they were still all around me. At Palmetto Health Richland, I was still mistreated. With their stipulations, I had no right to my body, and the State of South Carolina wasn't making it any better with certain sections of their Workers' Compensation laws. Although we are living in modern times, South Carolina hasn't changed very much. No physician had the right to tell me where I was hurting or wasn't hurting when it was I who was feeling the pain. Nothing was done about the nurses and doctors when they wrote all kinds of lies about me in the medical record.

I knew that some of my ancestors abhorred slavery, the white man's rule over them, and the many lies that had been written and told about black people. Anytime that a black person was accused of any wrongdoing, the word "Nigger" meant "guilty." Granted that some people may feign illness because of an on-the-job injury, I never did.

Because it had been over two months since I had my MRI and Dr. McBryde was still disrespecting Dr. Waldron by not communicating anything to him, I decided to try to talk with Dr. Waldron. In addition, if Dr.

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Waldron didn't know what he was doing, he was still reading MRIs on patients at Palmetto Health Richland. On Monday, November 17, 2003, I called Dr. Waldron and told him what Dr. McBryde had said. By now, I was really tired of some of these unethical white men in South Carolina. If I had known of an orthopedist who wasn't my enemy, I could have gone to him/her and perhaps I could have avoided all of this mess with these Workers' Compensation physicians. Every time that I tried to get some help for myself to try to lessen the suffering and to have my case move forward, there was always a Workers' Compensation physician standing in my way. This reminded me of how the slaves and their descendants had tried to improve their lives over the years in South Carolina, but there were always laws or something standing in their way.

On November 19, 2003, I received a copy of the notes from Dr. McBryde concerning my last visit of November 10, 2003. He never did address the questions that I had asked of him, especially about the falls that I was having. He had written,

> Her MRI was read as an abnormality about the flexor hallucis longus. Review of the MRI and particularly when correlated clinically with her symptoms physically with her findings and with the time interval and course of the present illness, it is clear that this is not a surgical situation, that this is not a posttraumatic problem, and that there is no further diagnostic or procedural study and/or treatment that needs to be done."

For my final diagnosis he had written, "Resolved contusion, left hind foot at retrocalcaneal area with residual pain."

Nothing was said about the pain and swelling in my left ankles and the other pain and symptoms that I was having in my entire hind foot and left leg up to the popliteal area. He just had separated this small area out from the whole picture. In the end he had written, "She is not particularly happy with the specifics of the diagnosis, of the specifics of treatment, and the ongoing pain, but I have nothing else to add. I am delighted to see her if other problems arise." He couldn't help me with my Workers' Compensation injury but yet he could hinder another physician from helping me just because of his credentials.

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Chapter 12

My battle with Satan continued. I had written a number of letters to the Workers' Compensation Commissioner about Trident Regional Medical Center in the past and I don't know of anything ever being done against them. When I was terminated in the end, I don't know of any help that I received from anyone. Now, God had taken me through the process of Palmetto Health Richland Workers' Compensation process and Satan was still standing in the way of my cases coming to a closure. I knew that in medical malpractice cases the claimant's attorney usually would find a well known physician or an expert in a field to testify against the defendant for some omission or commission. There was no way for Dr. McBryde to know that the longitudinal split tear in my hallucis longus tendon just posterior to the talus had not occurred as a result of trauma. It was believed in the medical community that a longitudinal split tear in the hallucis longus tendon was normal.

In my case, I had had several traumas to my left foot and ankle from my previous falls at Trident Regional Medical Center. In addition, the blow that I received from the metal supply cart at Palmetto Health Richland occurred in an area of my left leg that could have very well caused the split tear. Furthermore, the tear could have resulted as a combination of all of these traumas. No one knows the psychological pain that I was going through under Workers' Compensation in the State of South Carolina. I continued to pray to God the way my mother had taught me to pray ever since I was a child that God would deliver me from the hands of my enemies.

For the next couple of months, I felt like a fugitive slave on the Underground Railroad running from the slave master. I had to try to find someone to take care of my left foot and pay for the treatment. Palmetto Health Alliance had gotten rid of Blue Cross and Blue Shield Health

Insurance Company and they had their own insurance plans. The workers either had to go to Baptist or Richland Memorial Hospitals. These hospital systems in South Carolina were coming to be more like the plantation system. Essentially, the slave had only two plantations to travel to. I had to get some help for my left foot before the year ended and my deductibles rolled around again.

This reminded me of how Trident Regional Medical Center had its own insurance plan when I had my falls there. I thank God that I had my own private health insurance then. Palmetto Health Richland was evil like Trident Regional Medical Center with this Workers' Compensation. If I had known this, I would have never gone over to HealthWorks when my left foot was injured by James McDonald. I couldn't understand why the other orthopedic physicians wouldn't take care of my left foot after Dr. McBryde had passed judgment on my left foot. To me, Dr. McBryde was just another white man; he wasn't God. I knew that I didn't have any respect for him as a physician, and that Satan had finally bound up my left foot.

On December 2, 2003, while trying to continue some health insurance coverage through Blue Cross and Blue Shield, I learned that I had to go through a review process and that they were going to consider my pre-existing illness before they would grant me coverage. I could not switch from a group plan to an individual plan automatically. In addition, it would take some time. If my employer had offered me Cobra, I would have had adequate time to apply for insurance from Blue Cross and Blue Shield or some other insurance carrier. Palmetto Health had given the employees their benefits package on November 26, 2003, and no prior warning was given to the employees about the health alliance dropping Blue Cross and Blue Shield. Since this was the day before Thanksgiving and the Blue Cross and Blue Shield Office was closed Thursday and Friday, I had to wait until December 1 and 2 to speak with a representative. The employee only had until December 14, 2003, for open enrollment to choose a plan.

If the employees did not choose one of the two plans, they would automatically default to one of the lesser plans. If the employee refused coverage and had not been accepted with another health insurance company or wasn't covered under their spouse's plan, they would be without coverage. Palmetto Health Alliance really had the employees locked in. There were only a few circumstances in which the employee could make changes to their benefits when enrollment was closed. Furthermore, the alliance was punishing the employee who chose to go out of the network and use other hospitals as their healthcare provider or physician under their choice plan. Likewise, they had three different deductibles for these employees to meet. It was sad to think that my body had been broken down by my employer under Workers' Compensation and then I would be denied health coverage by the different health insurance companies. Satan seemed to be taking over

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all of the State of South Carolina and there was nothing the common people could do about it.

Then on Friday, December 5, 2003, the attorney who I thought I had found to help me with my neck injury of October 24, 2002, office called and said he wouldn't be able to help me. Now, I had to worry about finding someone else to help me. I was hesitant about going to file my claims myself, because of what had previously happened when I filed my claims against Trident Regional Medical Center. Also, I thought about what would happen in regards to the second injury fund under Workers' Compensation since I had been barred from receiving compensation from Trident Regional Medical Center for the injuries to my neck, thoracic area, and my left foot. I found that I had no other choice but to go and file all three of my remaining claims against Palmetto Health Richland since my bills for my neck injury weren't getting paid and the hospital had never reported the injuries.

During the week of December 14, 2003, I was so glad that Mrs. Essie Mae Washington-Williams had finally come out and revealed that she was indeed the daughter of the late Senator Strom Thurmond who was a past governor and circuit judge in the State of South Carolina. I don't know the exact circumstances that happened between her mother and Strom Thurmond, but I could relate to the story because of what happened to a cousin of mine.

Although my mother and aunt were younger than Senator Strom Thurmond, I remembered how my mother and aunt used to tell me about some of the white men during slavery and afterward. I didn't understand the psyche of some of these southern white men, but I remembered my mother telling me how some of them would rape the young black girls and women. It seemed like some of their ultimate goals were to take the black women's virginity and to plant their seed in these women. Nothing was ever done about a white man raping a black woman during those times. My mother used to use the term "ravish." There was something ancient about the white man taking the black women's virginity and it didn't have anything to do with racial mixing.

During the Middle Passage, some of the black girls and women were molested by the white captains and seamen on the slave ships. More than likely, some of them came off the slave ships pregnant with these men's babies. Some of the black females were referred to as "bed wenches" during these times. During slavery, the manhood and womanhood of the black people were taken away from them, and often they were relegated to the status of children. Some of the white men would practice on the black women while saving the white women for marriage. I guess the institution of slavery and the period afterward was an excellent and convenient time to sexually exploit black women. There were laws passed to prevent interracial marriages and laws were passed to prevent these biracial children that came from these encounters from inheriting land, etc., from their white fathers.

Sometime, some of the black men were forced to have sex with some of the white women. The majority of these babies that came from these encounters were killed and some were given to the "mammy" to raise. There were orgies on some of the plantations. Some of the slave masters enslaved their own children that they fathered with the black woman and there was incest on some of the plantations. There was a lot of hatred, jealousy, and envy during slavery and afterward concerning sex and the size of the white and black man's penises. There was a lot of ignorance among the people during these times including ignorance about the human body. I have never before read anything about the sexual practices of the white and black people before they left Europe and Africa.

Then again, some white men had children by the black women and they didn't marry at all since they couldn't marry the black women. One of my mother's cousins was in this type of relationship. Furthermore, if Carrie Butler's mother or some close family member had been a maid for the Thurmond's family, there is a great possibility that little six-year old Strom could have grown up knowing and playing with Carrie ever since she was a baby. These kinds of situations happened in South Carolina. In addition, some white children were practically raised by the black women. All of these things and more help create complex emotions. There weren't many birth control methods available during these times. I guess the most tragic thing about the whole situation was that Carrie probably became pregnant at age fifteen and baby Essie was sent away from her sixteen-year-old birth mother to protect Strom Thurmond and his family image. No one knows what mental anguish, if any, that Strom Thurmond went through during these times.

Some people are still speculating whether this was a rape or not. No one knows the age of Carrie Butler when Strom Thurmond first had sex with her; but considering her age at motherhood, this could have been considered as statutory rape. It doesn't matter what color or race a person is, we are still sexual beings capable of love and affection. There need to be courses taught in school covering slavery and the periods afterward in regards to race relationship in the South so that the people won't be so shocked and amazed when they hear stories similar to ones like Essie Mae Washington-Williams. Slavery and racism seem to be the root of some of the racial and social problems that we are still having in the State of South Carolina today.

There was so much confusion and killing of innocent people during the period of segregation and Jim Crow, the Civil Rights Era, and the continuing era of the fight of the white man to stay on top of the black man in the United States. I guess this is one of the main reasons why some of the people find it so hard to forgive Senator Strom Thurmond for his segregationist views of the past. Then too, these views were against his daughter since she was considered black. If truth is to be told, God had already separated the

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people during ancient times. Yet, man has never been satisfied with how God had arranged the earth and the inhabitants that dwell therein.

During the third week in December of 2003, I received a letter from Blue Cross and Blue Shield that they had rejected my application for private insurance coverage and the rejection was largely due to all of those Workers' Compensation injuries that I had sustained. Around the last week in December of 2003, I went over my prior Workers' Compensation papers that I could find to try to decipher exactly what Attorney Thomas M. White, E. Douglas Pratt-Thomas, and Commissioner G. Bryan Lyndon had done behind my back to bar me from ever receiving payment for the injuries that I had sustained with my falls of 1994 and 1995 at Trident Regional Medical Center. After going through the papers, I had to consult the Black's Law Dictionary, 7th edition, pp. 1596 & 482, to find out the meaning of, "with prejudice," "without prejudice," and "res judicata" since I wasn't familiar with these terms and how they were applied in law. The following passages are the meaning of these words respectively:

> With prejudice is with loss of rights; in a way that finally disposes of a party's claim and bars any future action on that claim. I was further led to the word, Dismissal with prejudice which is a dismissal, usually after an adjudication on the merits, barring the plaintiff from prosecuting any later lawsuit on the same claim. If after a dismissal with prejudice, the plaintiff files a later suit on the same claim, the defendant in the later suit can assert the defense of res judicata (claim preclusion).
>
> Without prejudice is without loss of any rights; in a way that does not harm or cancel the legal rights or privileges of a party. I was further led to the word, Dismissal without prejudice which is a dismissal that does not bar the plaintiff from refiling the lawsuit within the applicable limitations period.
>
> Res-judicata is a thing adjudicated. (1) An issue that has been definitively settled by judicial decision. (2) An affirmative defense barring the same parties from litigating a second lawsuit on the same claim, or any other claim arising from the same transaction or series of transactions and that could have been—but was not—raised in the first suit. The three essential elements are, (1) An earlier decision on the issue, (2) A final judgment on the merits, and (3) The involvement of the same parties, or parties in privity with the original parties. Restatement (Second) of Judgments Section 17, 24 (1982)—Also termed res adjudicata; claim preclusion.

After reading the above definitions, I didn't know that these terms were applicable to the Workers' Compensation Laws of the State of South Carolina or any other state. If I understood the above definitions correctly, the only way that I could recover anything for my injuries from Trident Regional Medical Center would be for an attorney to bring another separate case where my old injuries were included. This would be impossible because no attorney would help me with my cases nor would they bring a case against Trident Regional Medical Center. I didn't understand why the attorneys were so afraid of this hospital. In August of 1995, I had received the following two letters from Thomas M. White dated August 10, 1995,

August 10, 1995

Ms. Gertrude Shiver
411 Meeting Street, # 4309
Charleston, South Carolina 29403

Re: Shiver v. Trident Regional Medical Center

Dear Gertrude:

As we discussed, the Hearing on your claim which was scheduled for tomorrow will not be necessary since we have been able to resolve this matter by Consent Order and the carrier has authorized you to continue treating with Dr. McCoy.

Please call me after your next office visit with Dr. McCoy so I can keep updated on your medical condition. I look forward to hearing from you at that time.

Yours very truly,

Thomas M. White
TMW/smm
Enclosure

August 10, 1995

Douglas Pratt-Thomas, Esquire
Wise & Cole, P. A.
Post Office Drawer O

Charleston, South Carolina 29402

Re: Gertrude Shiver v. Trident Hospital
WCC File #: 9503744

Dear Douglas:

Confirming our conversation of August 8, 1995, I understand we have agreed to submit a Consent Order in the above matter along the following lines:

1. Gertrude Shiver's on-the-job injury of January 23, 1995, will be an admitted claim, with admitted injuries to her right shoulder and right ankle.
2. Ms. Shiver will be paid three weeks' of temporary total benefits beginning January 23, 1995.
3. Gertrude will be placed under the care of Dr. James McCoy of Lowcountry Orthopedics for treatment of her right shoulder and right ankle.
4. The matter will be re-set for a Hearing upon proper application by either party.

Yours very truly,

Thomas M. White

There wasn't anything in these two letters about the rest of my claims nor was there anything mentioned about the legal term "with prejudice." In addition nothing was ever mentioned to me verbally or explained to me that all the rest of my claims would be done away with. Thomas M. White was angry when we met before he sent me these two letters and when he told me that we weren't going to the hearing concerning my 1995 claim. Although I had finished a paralegal program, I had never worked in a law office or anything and essentially I was very much still in a learning phase. I would never have been in this mess with Thomas M. White and E. Douglas Pratt-Thomas if another attorney had agreed to help me and I had not received the following letter that Anita Korbe, the occupational health nurse, had gotten Robin Beaver to send me.

February 14, 1995

Ms. Gertrude Shiver
411 Meeting Street, Apt. 4309

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Charleston, SC 29403

RE: **CLAIM #:** 000000047893
EMPLOYER: Trident Regional Medical Center
EMPLOYEE: Gertrude Shiver
D/A: 1/23/95

Dear Ms. Shiver:
We are handling the above-referenced Workers' Compensation claim on behalf of Trident Regional Medical Center. In that capacity, we have been investigating your claim for benefits arising out of an injury that you sustained on or about January 23, 1995.

We have now completed our investigation into the facts surrounding this incident. Unfortunately, we must deny your claim due to the fact that you have not substantiated that you sustained an injury by accident arising out of and in the course of your employment.

By copy of this letter, we hereby notify the South Carolina Workers' Compensation Commission, Trident Regional Medical Center and Columbia/HCA Healthcare Corporation of our position regarding this matter.

We suggest that you submit all medical bills concerning this incident to your group health insurance carrier. Should you have any questions, please feel free to give me a call.

Sincerely,

Robin Beaver
Claims Specialist

RB/bpw

cc South Carolina Workers' Compensation Commission
Ms. Anita Korbe - Trident Regional Medical Center
Mr. Stan Cobb - Health Indemnity, Inc.

Somewhere during this time frame and my scheduled hearing with G. Bryan Lyndon in 1996, I had received the following attachment for Commissioner Lyndon's Hearing Notices:

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WORKERS' COMPENSATION HEARINGS

Guidelines for Hearings with Commissioner Bryan Lyndon

1. Pre-Hearing Briefs should be submitted 10 days prior to the hearing date.
2. Length of Hearings:
   A.
   - Stop Payment hearings are scheduled for 30 minutes.
   - Admitted hearings (Forms 50 & 51) are scheduled for 30 minutes.
   - Denied hearings (Forms 50 & 51) are scheduled for 1 hour.

   B.
   - Requests for additional time should be submitted at least 4 weeks prior to the hearing.
3. APA submissions should be handed in as the case is called with the subject matter indexed. Also, please mark your submissions Claimant's or Defendant's APA.
4. Testimony of family members and close friends is expected to be cumulative and corroborative and should be avoided. Attorneys are encouraged to stipulate as to the above.
5. Clincher conferences are scheduled for 5 to 10 minutes. Please negotiate and discuss the settlement with the claimant prior to the scheduled conference. It is helpful to have a copy of the clincher document submitted to the Commissioner's office at least a week prior to the conference.
6. Medical and Vocational Expert reports are preferable to live testimony. These reports should be exchanged by all parties prior to the hearing.
7. Video surveillance tapes should be reviewed and exchanged by the parties prior to the hearing. Tapes will not be reviewed at the hearing.
8. Depositions should be taken in advance since the record will be closed at the time of the hearing.

(Attachment for Commissioner Lyndon's Hearing Notices)

Now, I understood why Commissioner Atkins had told me to refile my Workers' Compensation claim of 1995, and why Commissioner Mickle was

so bent on clinching up all of my claims and relieving Trident Regional Medical Center of all liabilities for my injuries. Since I never received any care under Dr. James J. McCoy, I wondered how many other Workers' Compensation claims had E. Douglas Pratt-Thomas, Thomas M. White, and Commissioner G. Bryan Lyndon had done this way to get out of paying the injured workers at Trident Regional Medical Center for their injuries.

There had been quite a few nurses that I knew of that had sustained back and shoulder injuries while I was working at the hospital. I didn't know what legal remedy or recourse I had against Commissioner G. Bryan Lyndon. Attorneys White and Pratt-Thomas had been handling the Workers' Compensation cases involving Trident Regional Medical Center within the confinement of the guidelines of Commissioner Lyndon's hearing. I wondered if any of the other commissioners had guidelines such as this. Here I am, still suffering and being tormented by my injuries while these white men were continuing to go about their daily lives. I am quite sure that those Jews in Charleston knew well what Thomas M. White had done against me in their law firm and that they were still upholding it.

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Chapter 13

In December of 2003, I had to get out once again and try to find an orthopedic physician who would be willing to help me with the injury to my left foot, heel, and Achilles tendon. In addition, around December 29, 2003, I took my last three claim forms and three letters about Palmetto Health Richland Hospital to the Workers' Compensation Commission. It would be rough for me for the next several months. The insurance plan that Palmetto Health had through Companion Healthcare was just like having no insurance at all. Yet, I was still paying my bi-weekly premiums. In essence, I was being punished for exercising my right of "Freedom of Choice," when I went to a physician or a provider of care that wasn't a part of their health plans.

On January 28, 2004, Companion Healthcare refused to pay for my orthotics because it wasn't in my contract. The contract was made by Palmetto Health Alliance and I never received a copy of the contract. I didn't really understand the full magnitude of what Kester S. Freeman, Jr., CEO and Charles D. Beaman, Jr., president of Palmetto Health Alliance were doing to me in relationship to health insurance coverage. In addition, around February 11, 2004, I was notified by the Workers' Compensation Commission that Palmetto Hospital Trust had never reported my accident of 1/21/03, and 10/24/03 to them.

Although it was the year 2004, remnants of slavery and signs of injustice were still visible in South Carolina and it was being perpetuated by our legal system. Then, there was in the Metro Section of *The State* Newspaper on Monday, February 2, 2004, Section B, an article entitled, "Race Issue sparks boycott request." This article described the judicial selection process for judges in the State of South Carolina and the frustration of some of our black leaders as a result of the lack of appointment of black judges to the Circuit

Court, Supreme Court, and other major courts. I could understand their frustration because I knew what I had to endure since I became caught up in the legal system of South Carolina with all of these accidents that I have had. How much longer will God allow the white man to judge over the black man? I curse the day that the white man first put his foot on the soil of Africa and took away some of my ancestors into slavery.

Then in *The State* newspaper on Saturday, February 28, 2004, there was an interesting article entitled, "$40 million budget shortfall possible." This article was about a possible plan to take money from the Second Injury Fund under Workers' Compensation. Since I had so many Workers' Compensation injuries, I had decided to try to keep up with articles dealing with Workers' Compensation. Some of the lawmakers in South Carolina wanted to get rid of this fund altogether. They went ahead and assessed a $25.00 fee for when the injured employee asked for a hearing under Workers' Compensation.

During the latter weeks in February of 2004, I kept hearing the legal terms "Aiding and abetting" in my head, so I decided to write a letter to Commissioner Bryan Lyndon concerning the Consent Order that he had issued about my accident in January of 1995, at Trident Regional Medical Center; but I was afraid to mail it. I really felt bad that different people thought that I was clumsy or prone to accidents after I had had so many accidents at Palmetto Health Richland Hospital.

It was on Saturday, March 6, 2004, that I finally received a listing of the names of the slaves that were recorded on the books of Congaree Baptist Church as of November 26, 1855. During those times, these people were referred to as servants instead of slaves and they were listed as colored members of Congaree Baptist Church. Only the first names of the slaves were listed under their master's full names. I guessed this was a means of dehumanizing the slaves. By looking at their first names, I couldn't tell whether some of them were my ancestors and family members or not. Yet, I felt some closeness to all of them and I could feel their pain and sorrow.

On Sunday, March 7, 2004, I went to Congaree Baptist Church where I did a cursory examination of some of the records of this church. I don't know whether some of the records were destroyed during the Civil War or not. There was a church clerk by the name of Graham Shiver and I don't know whether he owned any of my ancestors or not. Also, there was a W. Shiver and an A. R. Shiver listed as messengers of the church. Charleston County was influencing some of the things that were going on in Richland County with this church. There was fornication and adultery still going on during these times. A member could be dismissed from the church for committing fornication, or adultery.

Since I have been in this world, I do know that children often rebel when their parents or other people of authority don't want them to have sex. I didn't know how these sins related to the slaves in the church because there

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was a time during slavery when marriage between the slaves weren't honored. The slaves were considered property and they couldn't enter into marriage because marriage was considered a contract. I guess these two sins are going to be around as long as there are people on earth.

The first recording of blacks as members of this church was made in 1827 with 153 members, and the last recording was made in 1867 with 557 members. I didn't know whether the recording included children or not. I guessed the slaves that died were buried somewhere on the plantations where they were living. There were the names of some people of color recorded in a section of the notes of the church but they were not listed as servants with a master. If I live to be a million years old, I will never fully understand slavery and why the Europeans thought that they were so much better than the Africans and the Native Americans. Slavery and segregation were terrible periods in American history.

After making my way to the Miller Orthopedic Clinic, the first physician that I had contact with had finally gotten me back on track where God and Dr. Robert Bowles of Charleston, South Carolina, had left me with my feet. Little did I know that Satan was already at the Miller Orthopedic Clinic waiting for me. Although I was back on the right track with my feet, God would not take the trouble away from me that I was still having with some of the white people. The more I tried to avoid white people, the more I had to come into contact with them. I was tired of suffering because of the white man's many wrongdoings.

In addition, there was the fact of one lawyer covering up for another lawyer and one physician covering up for another physician. Furthermore, there were the taking of the depositions where the white attorneys delved back into my past and misinterpreted what they found, after which the depositions were used as a weapon against me. The white man's laws are against God's laws, but I dared not question God for the reason and purpose of the white and black man being placed on earth in the first place, and why the black man was made to suffer at the hands of the white man. Furthermore, I dared not ask God what the mystery was between the two races.

Since I had needed some treatment for my back after I had fallen at the Embassy Suite Hotel in August of 2003, and after my fall at Palmetto Health Richland in October of 2003, I wrote the manager, Mr. Clark Branton, about helping me pay some of my bills. Since he ignored my letter, I went to the hotel around March 22, 2004, but Mr. Branton wasn't there. Instead I talked to a lady manager. She would not let me fill out an accident report since Mr. Branton never told me to come back to the hotel to fill out one. On this day, I found out that he had never notified the insurance company nor did he tell anyone about my fall. In addition, no one ever did an investigation. Furthermore, the lady manager refused to tell me the name of the insurance company. I talked to the manager, Mr. Branton several times after this but he

wasn't going to let me fill out the accident form nor would he tell me the name of the insurance company. Subsequently, I wrote a letter to a Mr. Stephen F. Bollenbach, the CEO of the Hilton Family Hotels, but I never received any response from him even though the letter reached its destination. People kept making my case more complex and it seemed like everybody was protecting the insurance companies from me. These insurance companies were one of the main reasons for all of my suffering. There had been some excerpts in the television news about some of the older insurance companies participating in slavery and their insurance of some of the slaves.

On Sunday, March 28, 2004, I went to St. Thomas Episcopal Church's graveyard in Eastover, South Carolina, to visit the grave of one of my elementary school teachers. This church had been founded in 1871, for the former slaves of the Clarkson's plantation. There, I noticed some pennies on one of the graves in the graveyard and I still didn't know what copper had to do with the dead. After leaving this graveyard, I went to the graveyard of the historical Richland Presbyterian Church which was organized on November 16, 1884, by the Charleston Presbytery. Services were no longer being held at this old building which was located on the Fork Church Road. In the past, I had learned from one of my nieces that my mother was also familiar with this church.

Around January 26, 2004, my mother's sister Hattie's granddaughter had gotten killed near the front of this old church during an ice storm. I went into the graveyard to see if I was familiar with any of the last names on the tombstones. There were some Bates and I didn't know if they were related to some Bates that I had seen on the records at Congaree Baptist Church or not. I thought that some of my ancestors might have been owned by some families of this church. While I was in the graveyard and on the church grounds, everything seemed dead except for the wind blowing that evening. The structure of this old church had an odd appearance to me. I had heard sometimes during my youth that South Carolina was once a part of Africa before all of the geological changes occurred in the earth's surface.

While visiting the Sweet Home Baptist Church in Columbia, South Carolina, on February 29, 2004, I had learned from their pastor, John Goodwin, that it was the black man who laid hands on the white man in earlier Biblical times. Furthermore, I had heard of a theory where the white man was run out of ancient Africa because of sin and for religious reasons. I knew that there had been some paganism practiced in ancient Europe. The white man wasn't supposed to have had any more contact with the black man. Oh, but he had returned to Africa and enslaved the Africans. While I was there on the church grounds, I wondered had anybody ever revisited those verses in the Bible that the slave owners used to justify slavery to see whether King James had misinterpreted or mistranslated the verses from their original source.

There was never any end to the constant troubles that I had been having with this Workers' Compensation at Palmetto Health Richland Hospital. On

March 28, 2004, I learned that Palmetto Health Trust still had not paid Palmetto Health Richland the $773.00 for the physical therapy on my left foot that Dr. Durkin had ordered in 2002. Then on Tuesday, April 5, 2004, my attorney who was supposed to have been helping me with my foot and back abandoned me. He had never really done anything for me concerning my left foot and back after taking my cases from another attorney in his office. I knew that he didn't want to handle the case like he was supposed to because of my prior injuries at Trident Regional Medical Center. In addition, he may have had prior knowledge of what was going on at this hospital and Workers Compensation and he was afraid of them. Each time that I visited him, I got the impression that he really didn't want to help me with my legal problems.

Every time that I would have an accident, it would always end up reverting back to my prior falls at Trident Regional Medical Center and what Attorney White, Pratt-Thomas, and Commissioner Lyndon had done to me and my claims. In addition, this particular attorney would not even tell me the statute of limitations for a slip and fall accident. He didn't want to deal with the extraneous things that were happening to me, yet he never tried to do anything to settle the claim that I had about my back even though the care to my left foot was still ongoing. In addition, he never tried to do anything to make Palmetto Health Trust pay for my care.

It was also in March and April of 2004, that the attorney who was handling my second automobile case that I had trusted, misled and tricked me and he wouldn't tell me the reason why he had done this thing to me. There aren't many white people that I trust anyway. This attorney wasn't suppose to have interfered with what had naturally occurred with me and to change it to fit the white man's laws. When I found out that my attorney had lied to me and set me up, I tried to return the money to the opposing attorney but the mail woman claimed that she could not find the attorney. Also, my attorney wrote and told me that he wasn't going to accept the money from me either. It turned out that the opposing attorney was not the attorney who I was led to believe that he was but instead he was the Traveler's Insurance Company's attorney. It is really something when the attorney who supposed to be looking out for your interest turns against you. This was a hurtful thing what my attorney had done to me because he was the only attorney who had tried to help me. It is very difficult trying to establish a relationship with these attorneys in South Carolina.

This was my automobile insurance company who I had been paying my premiums to each year for my underinsured and uninsured motorist protection coverage. I had had insurance with Traveler's Insurance Company for quite some years and I had not really had any major trouble with them. In the end, I am going to have to pay for the rest of my medical bills plus the subrogation to the insurance companies who helped paid for my care. I don't know if I will be required to go through some more additional physical suffering as a result

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of having some more accidents or because of what these two attorneys have done to me. I am already going through some mental suffering from all of this. Attorney George had made it seemed like I was just having some accidents to collect on some insurance money. No one had ever explored the reasons or the circumstances behind these accidents.

Every time that God would get me out of one legal mess, some white person would do something against me that wasn't right and then I would be thrown right back into another one. This time it was the action of these two white attorneys. I sent for a copy of the form which my attorney had folded over which I signed without reading it, but he refused to send me a copy. I believed my attorney is afraid of Trident Regional Medical Center or he is covering up for this hospital and the attorneys in Charleston. In addition, he may be helping Attorney Hood and Traveler's Insurance Company against me. Both of these attorneys already knew what Attorneys Daniel E. Martin, Jr., Thomas M. White, and E. Douglas Pratt-Thomas had done to me before this deposition was taken. In addition, my attorney had seemed very angry with me because I had so many accidents at Palmetto Health Richland Hospital and the fact that I was still employed there.

Before the deposition of March 4, 2004, my attorney had told me to say something that contradicted what I had told him that had actually happened at the time of the accident. I don't know whether he was trying to ruin my credibility or not. At that time, I didn't know what he was doing, what his motives were, or that he had any motives. During the time that I was referred to him by another attorney, he seemed to be a good and decent attorney and he seemed to be doing what was right and just as it related to me. In the end, I knew that he had been having some words of disagreement with Dr. Jones, my spinal specialist about some money, etc. In addition, he didn't like what Dr. Jones was charging for his services for this car accident or what he had charged Palmetto Health Richland for treating my back injury.

Since I had been having so much trouble and pain with the left side and posterior part of my neck and occipital headaches after this second automobile accident, Dr. Jones had ordered an MRI and found out that there was a bulging disc (herniation) in my cervical spine. Periodically after this car accident, I had been having some shocking sensation in my right hand which is ongoing. Immediately after the car accident, I was having some numbness and tingling in both hands and feet.

After thinking about it, I think my attorney and the attorney from Traveler's Insurance Company ignored the MRI report and fixed it so it would seemed like I just had a whiplash injury, just like Attorney George had told me to say. My body didn't go through the mechanics of a whiplash injury. Although my muscles were affected, my spine was affected also. In the end, Traveler's Insurance Company had gotten away without paying me what they were supposed to have paid me even though I had paid them my pre-

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miums for coverage. Furthermore, I never knew that Attorney George was dealing with Traveler's Insurance Company nor that he had settled my claim with them. By me not reading the form that my attorney gave me to sign with the paper folded back, I didn't know what stipulations were written on the form nor did I know that it was a policy release document. He deliberately never told me anything either. These two attorneys were just as bad as Attorneys Thomas M. White and E. Douglas Pratt-Thomas.

Because I had gone up and back at the time of the accident, this was a whiplash-like type of injury, not the classical whiplash injury. During the deposition, Attorney George laughed at me when I told Attorney Hood that I had fallen out of a chair in March of 2002, at Palmetto Health Richland Hospital. After all of this occurred and Attorney George had tricked me into accepting the money, I wasn't able to sleep. I couldn't believe that my own attorney whom I trusted had tricked me into saying what he wanted me to say so that I couldn't recover from Traveler's Insurance Company the money that I should have received. He stopped my case in the end and closed it. Traveler's Insurance Company was supposed to have paid the medical bills that Drivers Choice Insurance Company did not pay concerning this car accident.

Here is what happened as far as I know with this situation:

Around February 24, 2004, I had received a letter from my attorney, Barry B. George stating that, "Please be advised the attorney for the dependent above wishes to take your deposition on Thursday, March 4, 2004 at 10:00 A.M." The defendant typed above was Cross and Baum. When I called to the office, he just told me what time to come to his office on the morning of March 4, 2004. He did not tell me what to expect when I came or what the deposition was about or why I had to do a deposition. In hindsight, this was similar to what Attorney Thomas M. White had done with me with Attorney E. Douglas Pratt-Thomas. Attorney Thomas M. White had sent me a letter on May 22, 1995, where he had scheduled my deposition for Wednesday, May 31, 1995, at 2:30 P.M. in his office. He had written for me to be in his office at 1:30 P.M. on the day of the deposition so that he could prepare me for the deposition. This deposition was concerning my fall in January of 1995.

On March 4, 2004, when I arrived early to the office, Attorney George had not gotten there yet. When I was taken back into the room, he asked me what had happened when the car hit me. I told him that when the car hit me that I went up and back. Then he stated, "You have the mechanics of a whiplash injury wrong. First you go back into the seat, and then up, and back." I replied, "Oh."

Then he started asking about the other accidents that I had had and I told him that the policeman had falsified the accident report after my first accident in 1997. Then he made the statement, "Stop blaming other people." He seemed to get very angry and disgusted with me when I told him that I

was already under the care of Dr. Jones with my back when this car had hit me. In addition, he seemed to be very angry with me when I told him about the accidents at Palmetto Health Richland Hospital. I think he may have been for this hospital against me. I could tell that some of the other attorneys that I visited were for Palmetto Health Richland from the way that they talked and acted with me. Furthermore, I didn't know if he had found out about me reporting this hospital to the Workers' Compensation Commission during the last week in December of 2003 or not.

After this he made the statement, "Are you still working there?" I replied, "Yes." All of this time, he seemed to be getting angrier and disgusted with me. Then he said, "With all of these accidents, you may not even get a dime more." Then he told me that the attorney would be asking about all of my injury and accident history and that we may not get a dime more from these people. If he had told me this when I called him after I had received the letter informing me about the deposition, I could have researched the exact dates of everything that I possibly could. Nothing was ever mentioned to me about Traveler's Insurance Company.

After we got ready, he took me in his truck down to Main Street in Columbia, South Carolina to a law office to an attorney named J. Austin Hood where a deposition was taken. Like a thief in the night, he was taking me to my detriment and I didn't even know it at the time. During the deposition, Attorney Hood went back over the past thirty years asking me all kinds of questions about some accidents which I could not remember the exact dates and everything that happened. Although I had been in a few minor traffic accidents, I was basically in good health until I fell over the dark blue chair at Trident Regional Medical Center in 1994. In addition, he asked me about all of the accidents that I had had at Trident Regional Medical Center and about the first deposition that I had had after my falls there with Attorney Thomas M. White and E. Douglas Pratt-Thomas. In addition, he asked Attorney George about the days that I had missed from work and he told me to send the information in to Attorney George because I was going to get paid for those days. Attorney Hood was pretending like he was the attorney for Cross and Baum.

Furthermore, he asked about Attorney Daniel E. Martin, Jr. with the first car accident that I had had. Several times during the deposition, Attorney Hood kept asking me if I had hurt my left foot with the car accident of November 2000. Each time I replied, "No." In addition, he asked me about what had happened when the car hit me and I told him what Attorney George had previously told me to say about the mechanics of a whiplash injury that I had gone back, and then up, and back. In reality, I had gone up and back. Attorney George was sitting further back at the table during the deposition and I was afraid to say that I had gone up and back against what he had instructed me to say. Periodically, he would inject something during

the deposition when Attorney Hood pretended as if he didn't seem to understand what I was saying.

There was a question about Dr. Jones ordering an MRI on me, and the type of care that I had received from Dr. Patel. Attorney Hood was also made aware that I had not gone back for my follow-up visit with Dr. Jones when I had the car accident. He also had to find out what doctor had been treating my left foot in Charleston and about my present private physician in Columbia. In addition, he wanted to know what doctor was treating my left foot at the present time. I didn't know why he kept worrying about my left foot and focusing on it when it was none of his business. He was asking so many questions that I thought did not concern him or had any relevance to the car accident case.

After thinking about it, some of the questions that he asked were geared toward the set up that he and Attorney George had contrived for me. Attorney Hood never told me that he was representing Traveler's Insurance Company, and he was pretending as if he was representing Cross and Baum. Attorneys George and Hood were making it seem like that I had had so many accidents in order to collect on some insurance money. I never had anything to do with the accidents that happened to me. After a long drawn out deposition, Attorney George took me back to the office. He had stated that, "We may not get a dime more from these people, if anything, after all these accidents that you have had." I didn't say anything else because I was still feeling belittled from where he had laughed at me during the deposition when I told Attorney Hood that I had fallen out of a chair at Palmetto Health Richland Hospital. In spite of all of this, I gave him a hug because I thought he was doing the right thing for me at that time.

One day after the deposition was taken, Attorney George called in a very distressing voice and said, "One thousand dollars is the only thing more that those people will give you." I replied, "That's all." He replied, "That's all those people will give you. I thought we weren't going to get a dime more." I then replied, "If that is all you can get then that is all you can get." Then he replied, "I thought you would understand." All this time I thought he was talking about Cross and Baum. Nothing was ever said about Traveler's Insurance Company. One day after this, he called and told me that I could come and pick up the money, but I was unable to go at that time.

The day that I did go to his office, he had the form folded over and the only thing that was out was the blank where I had to sign my name. When I signed for the first money that he gave me that had come from Driver's Choice Insurance Company, he had the top portion of the form covered over and the only thing that was in view was the area where I had to sign my name. At that time, he told me that that wasn't the end of my case. Several times with the second part of my case, he made mention that he was not charging me anything. After I had signed the form and was handing it to him, I saw

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the word "Traveler's." I asked, "Do I and the girl both have Traveler's Insurance?" He didn't say a word but grabbed the insurance booklet out of my file and made the statement, "It is all over."

Also he gave me back my letters including the one where I had asked him to help me with Traveler's Insurance Company because I believed I still had a claim against them from when I had the car accident in April of 1997. He then made the statement, "If we had had this deposition before, you would not have gotten a dime." I didn't understand what he was talking about and he never explained anything to me either. Afterward, I left his office and went to work.

For the next couple of weeks, I was still confused and I couldn't sleep at night because I didn't understand what had exactly taken place. After thinking about what had occurred, I saw that he had lied to me and tricked me into saying that I had a whiplash injury when what I had was not exactly a whiplash injury. I was tired of the white men in the State of South Carolina running over me, especially these attorneys. I wrote him a letter and he evaded my questions. In the meantime, around May 7, 2004, I sent a certified letter to Attorney J. Austin Hood with a thousand dollars check in it because I was returning the money since Attorney George had lied to me, but the letter came back. I still was confused and upset that I started to go to Attorney George's Office. Instead I called to the Traveler's Insurance Company Office in North Carolina and I was told by Mike Ziefert that my claim had been closed.

After talking with Mr. Ziefert, he told me that Attorney George and J. Austin Hood of the Brown Law Firm on Main Street in Columbia had closed the claim and my case was gone and that I couldn't do anything about it. Attorney George had never told me anything what he had done. After telling the specialist what Attorney George had done at the time that I signed the document, he told me that the only remedy that I had was to find another attorney and sue Attorney George or to report him to the Lawyer's Disciplinary Board. It would be futile to send a complaint to the Board because it would be just like Noah talking to the people before the flood.

Furthermore, when I reported Attorneys Palmer and Wark to the Lawyer's Disciplinary Board, I had to talk to another attorney during each occasion about each of them. This never happened when I reported Attorney Daniel E. Martin, Jr., and Attorney Thomas M. White to the Lawyer's Disciplinary Board. Instead, I received a letter from Mrs. Jean Toal after the investigation of Thomas M. White was over. There wasn't anything done to the other lawyers that I had reported to this Board and I also knew that I could not find an attorney who would be willing to sue Attorney George. The bad thing about all of this is that he would be getting away with completely running over me as a client. I had never done anything to these two white attorneys for them to have set me up like they did with the deposition and afterward. I realized that these attorneys as well as Attorneys White and Pratt-Thomas used the deposition as a weapon against me.

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I was never told anything about Traveler's Insurance Company and the one thousand dollars was supposed to have been some additional money from Cross and Baum. At the present time, I am left to pay the rest of my medical bills for my treatment and I have to repay Blue Cross and Blue Shield of South Carolina and Marsh-Seabury and Smith, formerly Maginnis and Associates under subrogation.

Still I had to go through some more harassment with Palmetto Health Richland with their Workers' Compensation. Even though I had sent James Lathren, the COO of the hospital an E-mail about some trouble that I was having with Ms. Elizabeth Holland, LPN, over at HealthWorks and Ms. Sandy Sullivan from their new Workers' Compensation carrier Key Risk, he never did anything about it. It was on February 26, 2004, that I had received a phone call at my home from a Ms. Sandy Sullivan. In a few minutes, I received another phone call from Ms. Elizabeth Holland, the LPN who worked over at HealthWorks at Palmetto Health Richland. She lied to me and she told me that I had to tell Ms. Sullivan about my health history, so that my bills could get paid. Ms. Holland along with Ms. Sullivan tricked me into giving them some private health information over the telephone. Later, I told Ms. Sullivan to destroy the recording she had made of our phone conversation, but I don't know if she ever did.

Starting on March 3, 2004, I started to receive some E-mail messages from Ms. Sullivan concerning Ms. Holland. I never gave Ms. Sullivan my E-mail address, but Ms. Holland did. I soon put a stop to these E-mail messages because they were disturbing me when I went to work. In retaliation, Ms. Holland got Ms. Sullivan to send me a letter at home on April 3, 2004, stating that my Workers' Compensation claim was denied. In the letter it was stated, "Medical records indicate that you have had a longstanding problem with your left knee and that it was not injured at the time of this accident." I had never signed the release of information form that Ms. Sullivan had sent to my home in order for her to obtain my medical records from my private physician or any other source. Ms. Holland had given her the medical release form that I had signed over at HealthWorks in order for them to obtain my medical records from my emergency room visit at Palmetto Health Richland on October 23, 2003, and they were using this particular form to obtain my medical records from more than one source. I believe Mr. Lathern is well aware of how their Workers' Compensation carriers and Palmetto Health Richland treats their injured employees.

For the months of April and May of 2004, I was aggravated by Felicia Lucas from Palmetto Health Trust, their first Workers' Compensation carrier. Then around June, 2004, Palmetto Health Richland turned my account of $773.00 for the physical therapy for my left foot over to a collection agency by the name of Accounts Receivable Collections, Inc., which kept calling me over the telephone via a recorder.

Satan kept coming at me in the form of a white person and I didn't know the reason why. Everything had been going well for me at the Miller Orthopedic Clinic until my follow-up visit on March 4, 2004, where I met a Dr. Matthew D. Hammit, one of the fellows in the fellowship program at the Foot and Ankle Clinic who was a native of Houston, Texas. He did not have a professional attitude toward me and he didn't want to take care of me either. In addition, he was always in a hurry and he was very contradictory toward me. Even though he was aware that I needed some more physical therapy for my left foot, he would not order any more for me. He didn't bother about assessing the effect of the treatment that the other physician had ordered for me nor did he give me the right support for my left ankle. I didn't know if he had a problem with me or with the fellow that had been taking care of me before he was moved to another clinical site.

On my second visit with him on April 15, 2004, he still was very unprofessional in how he treated me and the teaching that he was doing. He had assigned me back to my original physician in the fellowship program on my visit of March 4, 2004, but the nurses reassigned me back to him. It wasn't until he grabbed my left foot on this visit and told me that he wasn't going to order a repeat MRI and that he didn't care that I realized something was amiss. It was when he made the statement to me, "Your momma and daddy are responsible for you having flat feet," that I knew something was wrong. He acted very surprised when I corrected him. I had written some notes about my feet for the physician and I had indicated that the flatness of my feet was not hereditary.

Also, I had indicated in the notes that the flatness of my feet had occurred as a result of me falling on the concrete floors of Trident Regional Medical Center. These notes were also in my record. He also made the comment to me, "You don't have to come back to this clinic." I had made my way to this orthopedic clinic because I needed some help with my orthopedic problems which none of the other orthopedic physicians would give me and I was paying for my own care. I couldn't pinpoint exactly what was going on with him or why he was treating me the way that he was when he didn't even know me. I knew that he had gone back through my medical records and read the documents that were there. In the end, I had to report him to the attending physician.

While I was doing some research on the Internet one day, I happened to stumble across the Columbia/HCA website and I discovered that this corporation was present in eleven of the former slave holding states. I didn't know why God was showing me this or what did it all meant. It was heavily concentrated in Virginia, Tennessee, Georgia, Florida, Louisiana, and Texas with its health care facilities. It had a very strong hold in Texas. I had heard and read stories about how the State of Texas had treated some of its black citizens unfairly. Dr. Matthew Hammit was from Houston, Texas and I didn't

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know for sure if he had any connection or had had any training at any of the Columbia/HCA facilities in that state. In any case, he didn't have anything to do with what had gone on between me and Trident Regional Medical Center in South Carolina because he was at the Miller Orthopedic Clinic to take care of patients. There was only one Columbia/HCA facility in North Carolina. The Columbia/HCA facilities in South Carolina are located in the Low Country. I didn't know who in South Carolina had invited this corporation to this state in the first place. Some time in the past, this corporation had dropped "Columbia" from its name but some documents that I have received lately still have "Columbia" as part of their name.

During the week of April 12, 2004, ceremonies for the dead Confederate sailors of the submarine *Hunley* were held in Charleston, South Carolina. The most appalling thing about this was that it was reported that on Saturday, April 17, 2004, Glen McConnell, president pro tempore of the General Assembly of South Carolina led the Confederate Reenactment march. He also has a store in Charleston which sells Confederate and Civil War memorabilia. I don't know why some people honor, celebrate, and glorify a period of death and destruction. From what I had gathered from reading the newspaper, this senator seemed to be obsessed with the Confederacy and the Civil War. Along these same lines, there had been some revitalization of some of the plantation houses that are still standing in Richland County and people were living in some of them. It seemed as if the present day South Carolina was going backward to join the past.

In general, slavery had been such a scourge for the black race. I don't think many of the white people in South Carolina wanted to face up to or discuss what some of their ancestors had done to the black race. Furthermore, I don't think many of them had looked at slavery for what it was in the State of South Carolina. I believed it was our former governor, David Beasley, who had tried to start some dialogue during his tenure between some different groups of people in South Carolina. Because of resistance and ignorance among the people, I don't think the dialogue got very far. Considering all of the sins and crimes that were committed during these times, slavery was an abomination before God. These acts that were committed were neither Christ-like nor God-like.

In May of 2004, I learned that Ann McCrowey Mickle had finished her term at the Workers' Compensation Commission in 2002, and had gone back into private practice, but Commissioner Bryan Lyndon was still there at the Workers' Compensation Commission. Our former governor, David Beasley, had appointed Attorney Mickle to the Workers' Compensation Commission in 1996. In addition, in February of 2004, the legislature of South Carolina had re-elected Chief Justice Jean Toal to serve on the Supreme Court for ten more years.

In June of 2004, I had to have some more surgery. I was having some problems after all of the falls that I had had at Palmetto Health Richland and Satan had attacked my uterus again. During surgery, my physician ran into some complications that had occurred as a result of my first surgery that was done in June of 1995, in Charleston, South Carolina. While I was out recuperating from surgery, I dreamt several times that some demons were coming up out of the waters of Charleston, South Carolina, and that the state had been divided into two separate states, East and West South Carolina.

Also in June of 2004, there was another instance of sin going on around the Medical Records Department at Palmetto Health Richland. Sometimes, I have wondered whether it would have been better to allow a man to have more than one wife and to have concubines as they did in Biblical times. Even though men in most states of the United States have been restricted to one wife and a woman to one man, there still is adultery and fornication going on. I don't know about the prevalence of bigamy and polygamy in this country.

Around March of 2004, the legislature of South Carolina passed a bill that stated that South Carolina was an "employment at will" state. South Carolina had been this all along after being a former slave holding state. The employees didn't have any job security along with very little employment rights. The State of South Carolina didn't care any more about me than it had about my forefathers. In June of 2004, there was a notice that came out at Palmetto Health Richland that the Human Resource Department wanted the employees to sign. Often, I have wondered about the devastation that would occur if some angry employee was to plant a bomb in one of these hospitals. All of the punishment in the world would not suffice for the devastation that would be done. One thing that I had learned was that when you are a true servant of God, you don't have to worry about being fired from the job nor can you quit whenever you get ready to.

To get a better understanding of what the notice was all about, I went and did some research into the matter. The hospital had required all of its employees to sign a statement since the General Assembly of South Carolina had passed the at-will employment bill No. H3448 and Governor Mark Sanford had signed it into law on March 15, 2004. It became Section 41-1-110 of the Codes of Law of South Carolina Annotated entitled, Conspicuous disclaimer of contract employment created by handbook, personnel manual or other document issued by employer. Here is that law:

> It is the public policy of this State that a handbook, personnel manual, policy, procedure, or other document issued by an employer or its agent after June 30, 2004, shall not create an express or implied contract of employment if it is conspicuously disclaimed. For purposes of this section, a disclaimer in a handbook or personnel manual must be in underlined capital letters on the first page of the document signed by the employee. For all other documents referenced in this section, the disclaimer must be in underlined capital letters on the first page of the document. Whether or not a disclaimer is conspicuous is a question of law.

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The General Assembly had claimed that several cases had come up concerning employment and contract law and the use of the employers' handbook as constituting a contract of employment. Even though South Carolina was already a "right to work state", the General Assembly claimed it passed legislation to make South Carolina back to an at-will employment state because of some recent rulings and decisions by some of the Courts. The handbooks were seen as altering the employment relationship between the employer and employee. I didn't know who or what group was the driving force behind the enactment of this legislation.

Around March of 1997, there had been a civil lawsuit on the trial court level in Charleston County where an employee had won his case against Trident Regional Health System, etc., because of wrongful termination in November of 1994. The plaintiff, Roger D. Lollis had been terminated from Trident Regional Medical Center and the employer did not follow its four step termination procedure that was included in its handbook. At around the time of the trial, Gail Rahn, the then attorney for Trident Regional Medical Center had indicated that the hospital would consider appealing the decision of the court. I was an employee of Trident Regional Medical Center during this time.

Around March 17, 1997, Trident Regional Medical Center did have the Trial Court Case No. 95-CP-10-890 up for appeal. But before the South Carolina Court of Appeals could act on the pending case, the case was dismissed around March 31, 1998, and sent back to the Clerk of Court of Charleston County. It seemed to the Appellate Court that the parties at that time had finally settled their disagreement.

Then in Baril v. Aiken Regional Medical Center, SC App 573, SE 2nd 830, 352 SC 271, rehearing denied December 12, 2002. Nurse Baril had been terminated from her job because she had used the hospital's toll free line to contact her sister after speaking with someone at the hospital. She had contacted her sister to inquire about what the hospital had wanted since the hospital had contacted her sister first looking for her. She was subsequently terminated because she had made a personal phone call. The plaintiff won her case on appeal on a claim for breach of contract in Baril v. Aiken Regional Medical Centers, No. 2005-UP-275, South Carolina Court of Appeals (April 19, 2005). Once again, the employer handbook and its language and policies were seen as an employee contract. Aiken Regional Medical Center was once owned and operated by HCA.

In addition, Governor Sanford has a house in Charleston County. This law was passed mainly to protect the employer from the employee. It was becoming more difficult for the employee in this state who had been terminated to have any redress against its employer. Nothing was said about the abuse of the employee. I do believe that the State of South Carolina is behind much of my abuse, pain, and suffering.

On Saturday night, July 10, 2004, I had another dream. There was a group of black men kneeling before God with their heads bowed. I didn't recognize any of their faces, though. Somehow, I knew that The Spirit was coming back with a vengeance, and that there would be no redemption for the white man. Furthermore, there is no statute of limitations with God.

Even though I have been going to the Miller Orthopedic Clinic, Dr. Cohen still has not been able to exactly pinpoint what is wrong with my left foot. After going through so much with Trident Regional Medical Center, Palmetto Health Richland, and Embassy Suites Hotel, I am right back where I started from because of a lack of legal representation against these corporations. Had the Goliaths among us bought off all the major law firms and attorneys, or were the attorneys truly afraid of them? Imagine what it would have been like legally for an employee if the marriage between the Medical University of South Carolina and Trident Regional Medical Center had taken place. I remembered how evil had almost taken over the world once before because the righteous people had turned their backs on what was happening in the other part of the globe or they were too complacent in their own world to be concerned about anyone else.

On the evening of July 12, 2004, I went to Antioch AME Zion Church in Eastover, South Carolina, where the preacher preached from 2 Kings 4:38–41 in the Holy Bible, after giving some historical background information on the prophets Elijah and Elisha. When I came out of the church building that night, it was raining. After returning home, I tossed and turned all night because I couldn't sleep. It was raining continuously that night and the lightning was dancing across the sky. Was that the spiritual form of Elijah, the Tishbite, that I saw in January of 1995, at Trident Regional Medical Center?

On Friday, July 30, 2004, I received a call from a lady from Accounts Receivable Collection, Inc., the collection agency that Palmetto Health Richland had reported me to for the payment of the X-Ray that was taken of my chest on October 24, 2003, after I had fallen at the hospital. No letter was ever sent to me in regards to this payment before I was reported to the collection agency. She threatened me that she was going to report me to the credit bureau if I didn't pay the bill.

Once again for the year 2004, James Lathern, the COO of Palmetto Health Richland was vying for this hospital to be chosen as one of Fortune Magazine's 100 best companies to work for. When the injured employee had an orthopedic injury, the occupational health nurses and nurse practitioners

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would not send them to an orthopedist for treatment. The injured worker would have to beg and plead to be sent to an orthopedic physician. Early Saturday morning around 5 A.M. on July 31, 2004, I woke up suddenly when I was dreaming that I was speaking to the spirit of Elijah.

Around August 18, and 19, of 2004, the insomnia that I was having had gotten to the point where I couldn't sleep at night worrying about what Attorneys George and J. Austin Hood had done to me. I didn't know what legal criteria that they were using to determine that a client had only sustained a whiplash injury after an automobile accident and I didn't have an attorney to talk to about my situation. For me, even though I had missed only one day from work, I was actually out for three days. My work week at Palmetto Health Richland is from Tuesday through Saturday. This accident happened on a Saturday. In addition, at the time of the accident, I went up and back and the seat belt caught me on the left side of my neck. The emergency room physician, Dr. Stein, gave me a prescription for Vicodin (a class-3 controlled substance used to treat moderate to severe pain), Flexeril (a skeletal muscle relaxant used in conjunction with physical therapy and rest for the relief of muscle spasms associated with acute and/or painful musculoskeletal conditions), and a heating pad.

Dr. Patel, who was just my internal medicine physician, kept me on these medications until I weaned myself off them around the middle of February of 2001. In addition, Dr. Patel wasn't writing down my true signs, symptoms, and complaints. Furthermore, he wasn't writing down the true effectiveness of that kind of physical therapy that they were giving me in his medical notes. The medical records don't always reflect the true condition and picture of a patient. Furthermore, Sabria Phillips was applying the hot wet heat and muscle stimulator to the old injuries to my right shoulder and back that I first sustained at Trident Regional Medical Center. The water bed treatment was very ineffective.

No treatment was ever done to the left side and posterior part of my neck, nor was a cervical collar applied. In addition, Dr. Patel wasn't coordinating my care with Dr. Jones, who is a physiatrist, because I was already under Dr. Jones's care for my back when this accident occurred. Furthermore, he refused to refer me out to Dr. Jones for my total care. In addition, Dr. Patel didn't send me to a registered physical therapist nor did he seek an orthopedic consult for me. The MRI was done as a result of me having this car accident of November 25, 2000, which showed a bulging disc in my cervical spine. In the end, I was placed on a maintenance dose of Skelaxin as needed and Arthrotec for pain.

This was the second time that I had ever done a deposition, and I was not prepared for either one of them and I didn't know what to expect. The first one that I had with Thomas M. White and E. Douglas Pratt-Thomas was a very bad experience for me. In hindsight, I think I had answered

Arthrotec or Skelaxin when that was not the answer to one of the questions in the last deposition. Furthermore, I am uncomfortable around white men and I do not like an oral deposition. My attorney didn't meet with me beforehand and prepare me for the deposition, nor find out my side of the story before the deposition. Attorney George and Hood already had it set up so that they could get rid of my claim without me knowing it. Likewise, after digging into my past during the deposition, they further misinterpreted what they had found.

Around August 20, 2004, I called again to Traveler's Insurance Company requesting a copy of the form that I had signed without reading it. The form was a policy release document and I received it around August 23, 2004. I didn't understand the wording of it nor did I understand what the document was conveying. After receiving the document, I decided to report Attorney Barry George to the Commission on Lawyer Conduct, especially when he had signed the statement on the policy release document that read, "I, Barry George, the undersigned attorney for Gertrude Shiver, acknowledge that I have read and fully explained the terms and conditions of this Release to my client and have supervised its execution in connection herewith." This was a lie because he had not done anything. Furthermore, I didn't know that it was a policy release document nor did I know that it was from Traveler's Insurance Company.

It was around August 11, 2004, that I had a rude awakening that my reputation about being truthful about the occurrences of the accidents and the injuries that I had sustained in these accidents were in jeopardy. In addition, I believed that Attorneys George and Hood were deliberately trying to discredit my physicians, especially Dr. Jones. I didn't know what these attorneys had done with the deposition that I had lied on or who Attorney George had lied to about my accidents. Knowing the Commission of Lawyer Conduct, it is highly unlikely that anything would happen to Attorneys George and Hood. On September 3, 2004, Dr. Cohen finished treating me and he turned me loose from the Miller Orthopedic Clinic concerning the injury to my left foot. I was so sick of the attorneys and other people deliberately ruining my cases and running over me, as well as getting away with their actions. Sometimes, it is hard to distinguish God's children from Satan's children. Around November 18, 2004, I received a letter from C. Tex Davis, Jr., an Assistant Disciplinary Counsel where my complaint against Attorney George was dismissed.

For over a year now, I have not had any more accidents or falls at Palmetto Health Richland Memorial Hospital. I don't know if this is the end of what has been happening to me or whether it is just that The Spirit is giving me a reprieve. Nevertheless, I continue to have dreams about the dead. I really don't think my body and mind can stand ten more years of trauma and abuse inflicted upon it by some of the white people. At the present time, I

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have three herniated discs in my spine that occurred from trauma and some permanent damage to my left foot and leg. In addition, I have some more residual problems of my body that occurred as a result of trauma. I still am having trouble with the Workers' Compensation insurance companies not paying for my medical care and the collection agencies calling my home. In addition, there still is this mess with Traveler's Insurance Company and what Attorneys George and Hood did to me.

Because of the many lies and deceitful tricks, the white man has gotten away with his responsibility as it relates to my injuries. I remembered my Aunt Rebecca telling me that God was going to bless me when I first told her the story of what happened to me when I was a child. I wondered how that was going to be when some of Charleston's Jewish attorneys were going to represent some of my enemies in Charleston against me when I had no legal representation before man. Some people have become so engrossed with the laws of this land and money that they have forgotten God's laws. I don't know how much time left that they will have to change their ways. I have prayed that the unrighteous will have nothing else to do with my body, especially my feet, nor will they interfere with my life.

Appendix A

1. Consent Order
2. Attorney Barry G. George Letter
3. Policy Release Document

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BEFORE THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION
COUNTY OF CHARLESTON
W.C.C. FILE NUMBER: 9503744

RECEIVED
AUG 25 1995
By_____

Gertrude Shiver,
Employee/Claimant,

vs.

Trident Regional Medical Center,
Employer,

and

Alexsis Risk Management Services,
Carrier,
Defendants.

CONSENT ORDER

This claim was scheduled for a hearing on Friday, August 11, 1995, at 4:30 p.m., in North Charleston, South Carolina. Prior to the scheduled hearing, the parties to this claim reached an agreement to resolve the outstanding issues in controversy and have requested the Commission to issue this Order memorializing the agreement. The parties have agreed as follows:

1. Claimant sustained an injury to her right shoulder and right foot by accident arising out of and in the course of her employment with Employer on January 23, 1995.

2. Claimant withdraws, with prejudice, any claim for injuries sustained in the accident of January 23, 1995, other than an injury to her right shoulder and right foot.

3. Employer and Carrier will be liable for the payment of medical expenses incurred for treatment to Claimant's right shoulder and right ankle prior to the date of this agreement by Trident Regional Medical Center Sports Medicine & Rehabilitation Center; Trident Regional Medical Center Emergency Room; and Trident Industrial Medicine.

4. Employer and Carrier have authorized additional evaluation, and treatment if necessary, to the Claimant's right shoulder and right foot by James J. McCoy, M.D., Lowcountry Orthopaedics, P.A., Charleston, South Carolina; Employer and Carrier will be responsible for the payment of medical bills incurred for said evaluation and treatment, which bills are in accordance with fee schedules promulgated by the South Carolina Workers' Compensation Commission.

5. Claimant is entitled to the maximum compensation rate of $422.48 and is entitled to three (3) weeks of temporary total compensation for the period of January 23, 1995, to February 12, 1995. The parties will submit to the Commission duly-executed Forms 15 and 17 reflecting the above payments. As part of this agreement, Claimant acknowledges that she had returned to work as of February 12, 1995.

6. The issues of permanent impairment, if any, to the right shoulder and right ankle are premature at this time. Those issues are reserved until a future hearing, if necessary.

I find the agreement among the parties set forth above to be reasonable. NOW, THEREFORE,

IT IS HEREBY ORDERED that the above agreement among the parties be approved and adopted as an Order of the South Carolina Workers' Compensation Commission.

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AND IT IS SO ORDERED.

South Carolina Workers'
Compensation Commission

By: Bryan Lyndon
Bryan Lyndon, Commissioner

Dated: August 24, 1995

Columbia, South Carolina

CERTIFICATE OF SERVICE

I do certify that the undersigned has this ... served this Order in the above ... upon all parties to this ... by hereby ... postage paid, in ... addressed to the attorney of ...

This 24th day of August, 1995.

By ...
Administrative Assistant to the Commissioner

WE HEREBY CONSENT:

Steinberg, Spitz, Goldberg
Pearlman, Holmes, White & O'Neill

By: T.M.W
Thomas M. White, Esquire
P.O. Box 1028
Goose Creek, SC 29445
(803) 572-0700
Attorneys for Claimant

Gertrude Shiver E.D.T
Gertrude Shiver
Claimant

Wise & Cole, P.A.

By: E. Douglas Pratt-Thomas
E. Douglas Pratt-Thomas
P.O. Drawer O
Charleston, SC 29402
(803) 727-2200
Attorneys for Defendants

(1563)

BARRY B. GEORGE
ATTORNEY AT LAW
1419 BULL STREET
COLUMBIA, S. C. 29201
(803) 254-7222 **(803) 779-9351 Fax**

February 23, 2004

Ms. Gertrude Shiver
1026 Congaree Church Road
Gadsden, SC 29052

RE: Date of accident – 11/25/2000
SHIVER –v- CROSS & BAUM

Dear Ms. Shiver:

Please be advised the attorney for the defendant above wishes to take your deposition on **Thursday, March 4, 2004 at 10:00 a.m.**.

Please get in touch with my office when you receive this letter so we might discuss this matter and schedule a time to meet. Thank you.

Yours very truly,

Barry B. George

BBG/cs

ST PAUL TRAVELERS

11440 Carmel Commons Blvd.
Charlotte, NC 28226

Mailing Address
PO Box 473508
Charlotte, North Carolina 28247

Mike Ziefert
Technical Specialist
1-800-759-6194 ext 3052
704-544-3052
Fax: 1-877-389-4687

August 20, 2004

Gertrude Shiver
1100 Congaree Church Rd.
Gadsden, SC 29052

Our Insured: Gertrude Shiver
Claimant- Gertrude Shiver
Date of Loss: 11/25/00
Claim# S1J6525

Dear Ms. Shiver:

As per your request, I have enclosed a copy of the release that you signed in order to settle the above captioned claim.

Sincerely,

Mike Ziefert

(1564)

STATE OF SOUTH CAROLINA)
) **POLICY RELEASE**
COUNTY OF RICHLAND)

KNOW ALL MEN BY THESE PRESENTS, that I, GERTUDE SHIVER for and in consideration of the sum of ONE THOUSAND and no/100 ($1,000.00), receipt of which is hereby acknowledged, do hereby release and forever discharge The Travelers Indemnity Company, from any and all actions, causes of action, demands and/or claims of any nature whatsoever which I may against The Travelers Indemnity Company pursuant to policy number 258 AB S1J6525 P for any claim for uninsured motorist benefits arising as a result of a motor vehicle accident which occurred on November 25, 2000 when a motor vehicle accident occurred; the consideration expressed herein constitutes payment in full to GERTRUDE SHIVER for all damages, losses and/or injuries to person or property or both, whether known or unknown, developed or undeveloped, which have resulted or may result from the accident aforesaid or growing out of any policy benefits under policy number 258 AB S1J6525 P issued by The Travelers Indemnity Company to Waltraud Baum.

I hereby declare and represent that the injuries sustained by me may be permanent and progressive and that recovery therefrom is uncertain and indefinite and that making this Release and agreement, it is understood and agreed that I rely wholly on my own judgment, belief, and knowledge of the nature and extent and consequences of said injuries and no representation or statement regarding the said injuries or regarding any other matter made by any of the firms and/or corporations who are hereby released, or by any person or persons representing them or employed by them have influenced me to any extent in making this Release.

In further consideration of the payment expressed herein, I, GERTRUDE SHIVER, do hereby expressly stipulate and agree to indemnify and hold forever harmless The Travelers Indemnity Company and any and all other persons, firms and corporations

against any and all claims and actions hereafter at any time may be made or instituted against them by myself/ourselves or any health care provider on my behalf or the purpose of enforcing any claim for damages of whatsoever nature resulting from the circumstances hereinabove mentioned.

It is further understood and agreed that the payment of the above amount is not to be construed as an admission of liability on the part of the person or persons being released, liability by The Travelers Indemnity Company being expressly denied.

All agreements and understandings between the parties hereto are embodied and expressed herein and the terms of this Release are contractual and not a mere recital.

I have read the foregoing Release and understand it to be a full, final and binding agreement.

IN WITNESS WHEREOF, I/we have hereunto set my hand and seal this 29 day of Apr. 1, 2004.

WITNESSES:

Charlene Dunlap-Sloan

GERTRUDE SHIVER

I, Barry George, the undersigned attorney for Gertrude Shiver, acknowledge that I have read and fully explained the terms and conditions of this Release to my client and have supervised its execution in connection herewith.

Barry George

(1565)