

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Hon. Tanya A. Gee, Circuit Court Judge

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AUG 09 2016

SC Court of Appeals

Case No. 2015-CP-40-00169

Gertrude Shiver,.....Employee, Appellant,

v.

Palmetto Health Richland, Employer,

Palmetto Health Trust, Carrier,.....Respondents.

RECORD ON APPEAL
VOLUME II

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STATE OF SOUTH CAROLINA
BEFORE THE
SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION
WCC No. 0217755

Gertrude Shiver,)
)
Claimant,)
)
v.)
)
Palmetto Health,)
)
Employer,)
)
and)
)
Palmetto Health Trust,)
)
Carrier/Defendants.)
-----)

FULL COMMISSION PANEL HEARING

Monday, October 27, 2014
1:30 p.m. - 1:56 p.m.

The full commission panel hearing was held before the South Carolina Workers' Compensation Commission, 1333 Main Street, 5th Floor, Columbia, South Carolina, on the 27th day of October, 2014 before Jill H. Vickers, Certified Court Reporter and Notary Public in and for the State of South Carolina.



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APPEARANCES

COMMISSION PANEL:
 Aisha Taylor, Chair
 Gene McCaskill
 Avery Wilkerson

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 Pro Se Claimant/Appellant

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1 **COURT REPORTER:** Today is October 27th, 2014. This
2 is South Carolina Workers' Compensation Case
3 Number 0217755. This is the case of Gertrude
4 Shiver, Claimant, versus Palmetto Health,
5 Employer, and Palmetto Health Trust is the
6 Carrier. The Appellant is the Claimant who is
7 Pro Se. The Respondent is represented by
8 Andrew W. Farjardo. Each side is allowed ten
9 minutes for oral argument and the Appellant
10 three minutes in reply. You are requested to
11 argue the grounds of exception and stay within
12 the record.

13 **COMMISSIONER TAYLOR:** Okay. Ms. Shiver, before we
14 went on the record, we did have a brief
15 discussion wherein I advised you of your right
16 to retain counsel. I believe, at that time,
17 you then informed me that you have had tried to
18 seek counsel at times in the past and were
19 unable to do so?

20 **MS. SHIVER:** Many times, and I still can't find
21 nobody to help me.

22 **COMMISSIONER TAYLOR:** Is it your desire to go
23 forward here today representing yourself?

24 **MS. SHIVER:** Well, I have no other choice. I can't
25 find nobody to help me.



1 COMMISSIONER TAYLOR: I understand. Yes, ma'am.

2 Well, you'll have ten minutes. I'll go ahead
3 and start your time now. Okay?

4 MS. SHIVER: Okay. Well, what I'm -- came -- I'm in
5 this position because I asked Commissioner
6 Roche apply a sanction and a fine -- or a fine
7 and penalty to the state hospital, because ever
8 since I was hurt, they never paid me temporary
9 total benefits. They were punishing me --
10 because I've been going for help with the nurse
11 practitioner, and then after that then, I wrote
12 a book and they were punishing me for that and
13 wouldn't give it to me. So, they found -- I
14 had to go back, and they finally gave me
15 temporary total after 12 years, because I had
16 to go before Commissioner Roche, and I asked
17 about a penalties, because the law says that I
18 should get penalties and fines, but she said
19 that I wasn't entitled -- she wasn't going to
20 give it to me. So, then I applied here, and
21 they had promised -- the defendant said that
22 they had paid all my medical bills, which they
23 didn't pay, which I think is fraud if they said
24 that they were going to pay it and didn't pay
25 it, because they had authorized me to go to



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1 Dr. Jones, but they didn't pay all the bills,
2 and he had ordered an MRI X-ray and they didn't
3 ever pay for that, either, and some of them
4 other bills, Blue Cross and Blue Shield had
5 paid for them, and they needed to be
6 reimbursed, and then I was paying my own
7 medical care, because they never had paid it,
8 but they told the court that they had paid it.
9 So, that's why we ended up here, to see if they
10 can assess fines and penalties. I've forgot
11 what the other one is -- for them not -- for
12 them punishing me and not paying -- like giving
13 me temporary total benefits ever since I was
14 first hurt ever since March of 2002. And I had
15 submitted some of the bills and stuff that I
16 had. And I guess that's about -- and the
17 commissioner, I have it written down that she
18 had -- that after the -- after the first
19 hearing was over, I wanted to appeal it, but
20 she said I couldn't appeal it, couldn't appeal,
21 that I had to come through y'all, so I guess
22 that's about it, just that they had promised to
23 pay. They told the court that they had paid
24 all my medical bills, which they didn't do, and
25 then she wouldn't assess fines and penalties

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1 for them not paying me ever since March of 2002
2 when I first was hurt, and it's been 12 years,
3 and they still hadn't given me a temporary
4 total. I ended up coming back to court -- get
5 hurt and make them pay it to me, and then they
6 said they had paid the medical bills, which
7 they didn't pay all the medical bills.

8 **COMMISSIONER TAYLOR:** Okay. Which medical bills did
9 they not pay?

10 **MS. SHIVER:** They didn't pay all of Dr. Jones'
11 bills, and then he had ordered the MRI for my
12 back, and X-ray, and they didn't pay that. He
13 ordered that, and they had authorized me to go
14 to him.

15 **COMMISSIONER TAYLOR:** And then you went for the MRI?

16 **MS. SHIVER:** Yes. He ordered it and sent me there,
17 did an X-ray, and then he gave me the
18 injections and stuff for my back where I had
19 got hurt.

20 **COMMISSIONER MCCASKILL:** But they did the MRI?

21 **MS. SHIVER:** Yes. Dr. Jones ordered it, and they
22 had authorized him to treat me, and he ordered
23 the MRI and X-ray and ...

24 **COMMISSIONER MCCASKILL:** But an MRI and an X-ray are
25 two different things. You have ---



1 MS. SHIVER: He ordered both of them, Dr. Jones did.

2 COMMISSIONER MCCASKILL: And you had both of them?

3 MS. SHIVER: Yes, he ordered and ---

4 COMMISSIONER MCCASKILL: That's what I'm interested
5 in.

6 MS. SHIVER: He ordered both of them, and I went and
7 had them done. That's what he had treated me
8 by, those results, but they never paid. And
9 the disc imaging, those were the -- the people
10 who read -- the radiologist read the MRI, but
11 they were never paid, which I'm still paying on
12 my bill myself, and Blue Cross and Blue Shield
13 had paid part of my claim, but they were never
14 reimbursed, but I didn't have the money to
15 reimburse them, but they had paid part of the
16 claim to Dr. Jones for the MRI and paying for
17 him to treat me, but they had authorized him to
18 treat me.

19 COMMISSIONER TAYLOR: All right. Anything else
20 you're requested for us to review?

21 MS. SHIVER: I have everything written down. I just
22 can't -- you know, y'all have the -- this was,
23 um -- and then, um -- I remember I didn't say
24 nothing about that. And on the MRI, they found
25 some more discs in my back which I didn't have



1 before, but they did -- had paid me for those
2 discs, the new discs, the sacroiliac and um --
3 I think about two of -- well, two or three
4 bulging discs he found on the MRI after the
5 accident, but I never was compensated for
6 those, for the discs, the new discs that he
7 found after I had the accident.

8 **COMMISSIONER TAYLOR:** All right. And just so you're
9 reminded, Mr. Farjardo is going to speak, he
10 has up to ten minutes, but then you're going to
11 have an additional three minutes to respond to
12 what he might say. Okay?

13 **MS. SHIVER:** Oh, okay.

14 **COMMISSIONER TAYLOR:** Mr. Farjardo.

15 **MR. FARJARDO:** May it please the Commission. My
16 name is Andrew Farjardo, and I represent the
17 defendants in and respondents in this matter,
18 Palmetto Health Trust and Palmetto Health
19 Hospital. Essentially what we have here is an
20 appeal from Commissioner Roche's earlier
21 hearing in May of this year. This came
22 pursuant -- I listed out the procedural history
23 in my Brief which is fairly convoluted in some
24 aspects, but I hope that that laid it out for
25 you. In cutting to the crux of the matter



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1 here, essentially, Ms. Shiver has submitted a
2 motion for penalties or sanctions to failure to
3 pay TTD benefits in this claim. Now, first, as
4 Commissioner Roche found, the order from
5 October of 2007 did not command the respondents
6 to pay any TTD. This was initially a denied
7 claim that was later admitted prior to that
8 time. At that point, we still did not contest
9 payment of the TTD. I believe it was a matter
10 of just one or two weeks there, and immediately
11 after that single commissioner hearing in 2007,
12 the claimant, Ms. Shiver, appealed that to the
13 full commission, and that was appealed to the
14 Circuit Court and remanded back to the full
15 commission and then went back to the Circuit
16 Court, and it is now currently pending in the
17 Court of Appeals. So, no final order has been
18 issued on any of these issues, including the
19 TTD and the medical benefits which are in
20 dispute and have been questioned. However,
21 following the May of 2014 hearing before the
22 single commissioner this year regarding the
23 penalties, the claim for penalties and
24 sanctions, Commissioner Roche is correct in
25 analyzing the order again stating that it did



1 not command us to pay TTD benefits that were
2 still in dispute as of this point, and the
3 respondents at that time were unsure of whether
4 they could pay it because there had been no
5 final order yet. So, as such, there was
6 violation, intentional or otherwise, of any
7 statute or any sort of way as punishing the
8 claimant for bringing a claim. That's
9 absolutely not the case. To provide a little
10 bit of subsequent history after the initial
11 single commissioner hearing, we immediately
12 issued that check. Once we found -- or
13 Commissioner Roche found that the issue of the
14 TTD benefits -- because it was not awarded,
15 obviously was not preserved for appeal on -- to
16 the Court of Appeals, but we are fine with
17 that, no problem. Immediately, what we did, we
18 cut the check, and provided proof of that
19 payment on June 17th of 2014, and that is well
20 before the 14 day deadline that was mentioned
21 by Commissioner Roche. And as such, no penalty
22 is warranted for those reasons. Once
23 jurisdiction had been determined and we were
24 allowed to pay those benefits and received some
25 clarification on that, that's what we

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1 immediately did. As far as the unauthorized
2 medical benefits, the claimant, Ms. Shiver, has
3 sought penalties for not paying all of her
4 medical benefits. First and foremost, as
5 Commissioner Roche had stated, because that
6 issue of her entitlement to payment for
7 unauthorized or disputed medical treatment is
8 still on appeal. The Workers' Compensation
9 Commission does not have jurisdiction to
10 approach that decision or decide it under Rule
11 205 of the South Carolina Appellant Rules.
12 However, the 2007, October of 2007 from the
13 very initial claim, hearing in this, it clearly
14 states that the claimant, Ms. Shiver, sought
15 out authorized medical treatment for which the
16 defendants were not responsible, and at that
17 time, we submitted evidence showing that we had
18 paid all of the authorized medical treatment,
19 and that was listed as Exhibit A. At the May
20 of 2014 hearing, what we did, per Commission
21 Roch's order, was that she would ask us to
22 resubmit that evidence, which of course, we
23 looked back through our file, and we did
24 immediately upon sending in the proposed
25 motion. So, again, the defendants and



1 respondents have complied with every order from
2 the commission here to the fullest extent
3 possible, and proof of payment has been
4 submitted twice, again, first at the 2007
5 hearing and then again after the May of 2014
6 hearing, and further, we can't even approach
7 that issue because it's still currently under
8 appeal as the Court of Appeals. In her brief,
9 Ms. Shiver had perhaps argued that she was not
10 given an opportunity to present her arguments
11 before the single commissioner, Commission
12 Roche. She absolutely had that opportunity to
13 present her argument, and it was noted in the
14 transcript, as well. She also had the ability
15 to file a pre-hearing brief beforehand, which
16 she did file a pre-hearing brief but submitted
17 no evidence on that. In attachments to three
18 different briefs that she submitted to the full
19 commission, she has attempted to submit new
20 evidence as what medical bills there were, et
21 cetera. However, in -- first, the commission
22 can't here that, because we have don't have
23 jurisdiction under Rule 205, but moreover, she
24 had the opportunity to present that evidence,
25 regardless of whether it could be heard in a



1 pre-hearing brief, and she failed to do so.
2 Further, there was no motion filed for
3 additional -- for inclusion of addition
4 evidence after the 2014 May hearing, which she
5 has done so twice in the past, and I may add
6 that the record indicates that Ms. Shiver does
7 have a paralegal degree there, and accordingly,
8 the attempt to submit additional evidence by
9 way of exhibit is improper and should be
10 excluded from that point. Furthermore, as far
11 as the lack of opportunity to present her
12 argument, she has gone through a number of
13 different hearings and had the opportunity to
14 both seek counsel to present an argument for
15 her and argue on her own. I don't think that
16 anyone can say that she has not been given an
17 opportunity to be heard and have her day in
18 court. Furthermore, she still has another day
19 of court, an opportunity to be heard with the
20 Court of Appeals, or the issues that are not
21 outside of the jurisdiction of the Workers'
22 Compensation Commission can be heard at that
23 point. So, in conclusion, first, no penalties
24 are warranted in this case for failure to pay
25 TTD benefits pursuant to an order, because that



1 was never ordered by the commission.
2 Furthermore, upon clarification and
3 confirmation of jurisdiction, we have
4 immediately paid those benefits. Second,
5 there's no penalties for failure to provide or
6 pay for or unauthorized medical treatment,
7 because that issue is still pending, not to be
8 repetitive, and there is no jurisdiction before
9 this commission to approach that. And
10 accordingly, we would request that the single
11 commission, Commissioner Roche's order of May
12 of 2014 should be affirmed in full. Thank you,
13 Commissioners.

14 **COMMISSIONER TAYLOR:** Thank you. Ms. Shiver.

15 **MS. SHIVER:** Well, first of all, ever since 2002,
16 when I first was hurt, y'all were supposed to
17 have paid me temporary total benefits, because
18 everybody else gets paid, uh -- but y'all --
19 and y'all didn't pay me. And for as authorize
20 the insurance, the judge did authorize
21 Dr. Jones to treat me, which I'm pretty sure
22 y'all said y'all were going to pay for my other
23 bills that the -- the ER doctor told me not to
24 go over to Healthworks, because of how they
25 treated me with my 2001 ---



1 COMMISSIONER TAYLOR: Ms. Shiver --

2 MS. SHIVER: Yes?

3 COMMISSIONER TAYLOR: I'm going to ask you to direct
4 it to us and ---

5 MS. SHIVER: And they authorized Dr. Jones to treat
6 me, and those were tests that he ordered, and
7 in fact, they should have paid for it. And as
8 far as a motion, I was communicating with
9 Ms. Cheeseboro after I had this hearing, and
10 she said Commissioner Roche told me I couldn't
11 apply for no motion. I had to go to the
12 Appellant Court, so that's what I did. And
13 ever since 1995, the Workers' Comp. Commission
14 and everybody knew I couldn't find no attorney.
15 They already knew that, because I've been
16 communicating with everybody, and I'm still
17 looking and trying, and no attorney will help
18 me. What am I supposed to do, not do anything?
19 Nobody will help me. I can't get no legal
20 representation, and Ms. Cheeseboro told me that
21 Commissioner Roche said I couldn't apply for a
22 motion, that I had to come to the Appellant
23 Court, so that's what I'm doing. And further,
24 I didn't talk about Question Number 2 that I've
25 got written down here for y'all, because I had



1 -- about the medical treatment, and y'all keep
2 falsely saying that y'all paid for medical
3 treatment, and y'all didn't do it, and I
4 thought it was up to y'all to send for all the
5 medical bills to make sure y'all paid for the
6 medical bills that y'all say y'all were going
7 to pay for, but y'all never -- whether y'all
8 sent for them, I don't know, but y'all didn't
9 never submit it to the court, so I had to send
10 for them myself and go down to the doctor's
11 office and wrote -- and I get them to send them
12 the bills up here, what I'm submitting, and
13 like I say, there's seven hearings through --
14 over 12 -- over -- more than 12 years -- I've
15 got mountains and stacks of paper. I had to
16 hunt through and sort things out and try to
17 find out what was what, and when I got all of
18 these statements, I submitted them to the
19 court, but I didn't have to go through all this
20 if y'all had did what y'all had to do. I had
21 to spend money through court -- more time for
22 them to come back with -- for me to go through
23 the court with them to make Commissioner Roche
24 make y'all pay for something y'all know y'all
25 were supposed to have done ever since 2002 when



1 I was first hurt, knowing y'all are punishing
2 me for not going to Healthworks, because the
3 nurse practitioner -- and writing the book.

4 COMMISSIONER TAYLOR: Ms. Shiver, I'm going to again
5 ask you to direct this to us.

6 MS. SHIVER: I'm sorry.

7 COMMISSIONER TAYLOR: I understand.

8 MS. SHIVER: I'm just, you know -- I guess my time
9 is over now.

10 COMMISSIONER TAYLOR: You can finish your last
11 thought.

12 MS. SHIVER: Through Question 2, what -- I've got it
13 written down here, but I'll just have to --
14 I'll have to read it, and I guess y'all don't
15 have time for me to read it out.

16 COMMISSIONER TAYLOR: We have it, actually.

17 MS. SHIVER: Yeah. I want that also -- because
18 y'all told me y'all had paid, and then, at the
19 hearing, I talked about as much as I could of
20 knew what to ask her, but then when I wanted to
21 do the motion after that, she said "no". I
22 mean, Ms. Cheeseboro said, "no", that
23 Commissioner Roche said I couldn't do a motion.
24 I had to go to the Appellant Court. So, that's
25 why I'm here today going through this here with



1 y'all where she didn't give no sanction or
2 penalties and how y'all are still treating me
3 because of not going over to Healthworks and
4 writing a book.

5 **COMMISSIONER TAYLOR:** Okay. And we have every --
6 all your paperwork, I actually have it here.
7 They have paper copies. I have it here on my
8 computer screen. It was submitted to us ahead
9 of time so we've reviewed it already.

10 **MS. SHIVER:** All right.

11 **COMMISSIONER TAYLOR:** And so, I'm going to put that
12 -- we're going to conclude oral arguments, and
13 it was very nice to see. What we do now is
14 we'll deliberate on it and discuss it amongst
15 ourselves, and then you'll get a written
16 correspondence from us in the mail.

17 **MS. SHIVER:** Okay. Well, thank you.

18 **COMMISSIONER TAYLOR:** All right. Thank you. Y'all
19 have a great afternoon.

20 **MR. FARJARD:** Thank you.

21 (Whereupon, the hearing concluded at 1:56 p.m.)
22
23
24
25

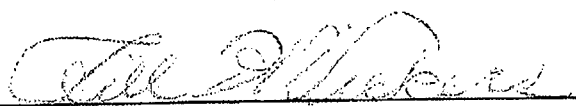


CERTIFICATE

This is to certify that the within hearing consisting of eighteen (18) pages, is a true and correct transcript of the testimony given by said witnesses after being duly sworn; said hearing was reported by the method of Stenotype with Backup.

I further certify that I am neither employed by nor related to any of the parties in this matter or their counsel; nor do I have any interest, financial or otherwise, in the outcome of same.

IN WITNESS WHEREOF I have hereunto set my hand and seal on January 9, 2015.



Jill M. Vickers
Certified Court Reporter

Notary Public for South Carolina
My Commission Expires: July 5, 2016



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BEFORE THE
SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION
WCC FILE NO. 0217755

GERTRUDE SHIVER,	)	
	)	
	)	PRE-HEARING
	)	CONFERENCE NOTES
CLAIMANT,	)	BEFORE COMMISSIONER
	)	ANDREA C. ROCHE
v.	)	
	)	<u>TRANSCRIPT</u>
PALMETTO RICHLAND	)	
MEMORIAL HOSPITAL,	)	
	)	
EMPLOYER,	)	
	)	
AND	)	
	)	
PALMETTO HOSPITAL TRUST,	)	
	)	
CARRIER,	)	
DEFENDANTS.	)	
	)	

 COPY

THE WORKERS' COMPENSATION HEARING, TAKEN
BEFORE CORA ELLIS BRUTON, A NOTARY PUBLIC IN AND FOR
THE STATE OF SOUTH CAROLINA, COMMENCING AT THE HOUR OF
9:06 A.M., FRIDAY, MAY 16, 2014, SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION, 1333 MAIN STREET,
COLUMBIA, SOUTH CAROLINA 29202.

**CORA ELLIS BRUTON
COURT REPORTER
131 BROWNING COURT
LEXINGTON, SOUTH CAROLINA 29073
803-397-0189**

CORA ELLIS BRUTON - COURT REPORTER
131 BROWNING COURT - LEXINGTON, SOUTH CAROLINA 29073
803-397-0189

1 THE COURT: Ms. Shiver, you understand you've got
2 the right to have an attorney represent you today?

3 MS. SHIVER: Ma'am?

4 THE COURT: You understand you have the right to
5 have an attorney represent you today?

6 MS. SHIVER: Yeah, I understand, but I couldn't
7 get an attorney.

8 THE COURT: And the Motion has been filed asking
9 for authorized medical treatment and TTD from 3/23/02
10 through 4/8/02. It's my understanding y'all are
11 willing to pay that, right?

12 MR. SIMS: Yes, Commissioner.

13 THE COURT: Why haven't you paid it?

14 MR. SIMS: I don't know if it hasn't been paid,
15 Commissioner. This is seven years ago, I -- we have
16 no -- we don't contest the payment of TTD. We never
17 have contested the payment of TTD but today's Motion
18 by Ms. Shiver addresses an Order that frankly we've
19 never been ordered to pay anything and even if it were
20 ordered, that Order, the 2007 Order by Commissioner
21 Huffstetler is in the Court of Appeals.

22 THE COURT: Yes, but it's not -- y'all didn't
23 appeal it though so it's not so it doesn't actually
24 supersede, so.

25 MR. SIMS: No, ma'am, just that Order never

1 ordered us to do anything.

2 THE COURT: I understand.

3 MR. SIMS: And so why --

4 THE COURT: So did y'all --

5 MR. SIMS: I don't know.

6 THE COURT: -- if y'all don't contest paying that
7 then I don't understand why y'all don't go ahead and
8 pay it?

9 MR. SIMS: I -- I don't know that it hasn't,
10 Commissioner.

11 THE COURT: Does your adjuster know whether it's
12 been paid?

13 MR. SIMS: We're looking into that and would --
14 if -- if it has not been paid we are going to pay it.

15 THE COURT: Okay.

16 MR. SIMS: If it has been paid or if compensation
17 was paid in lieu of TTD we'll address that with -- the
18 -- this is not an issue for us, we will gladly pay Ms.
19 Shiver her \$800 and --

20 THE COURT: And as I understand it Commissioner
21 Huffstetler's Order found that y'all had already paid
22 the authorized medical?

23 MR. SIMS: That is correct.

24 THE COURT: Ms. Shiver, the two things that you
25 asked for in your Motion was the temporary total

1 disability benefits from March 23rd, '02 to April 8th,
2 '02 --

3 MS. SHIVER: Uh-huh.

4 THE COURT: -- and the authorized medical
5 treatment. Now, Commissioner Huffstetler's Order says
6 that they've already paid the authorized medical
7 treatment and I understand that's under appeal, but
8 since that's under appeal I can't do anything about
9 that today; I don't have jurisdiction to do anything
10 about that. They have agreed that they owe you the
11 temporary total disability benefits if they haven't
12 already paid it.

13 MS. SHIVER: I never received anything.

14 THE COURT: What they're doing is checking -- I'm
15 going to give them 14 days to check their records to
16 determine whether or not they've paid it or not. I
17 think I've got jurisdiction over this because I don't
18 think that's on appeal, the fact that you owe it, you
19 know, so -- not that there was ever an Order saying
20 that you owed it.

21 MR. SIMS: Yeah, that's our -- that's our point,
22 Commissioner, there really was no Order for that.

23 MS. SHIVER: Well, I had wrote them a letter to
24 try to find -- for them to send the documentation so I
25 could be sure -- go over it, but I never got no

1 response from where they had paid it or not because I
2 wanted to go over it and be sure.

3 THE COURT: I'm going to give them 14 days to
4 look in their records to find out; they need to prove
5 that they've paid it to you already with however they
6 can do that with a cancelled check or something like
7 that or they're going to pay it.

8 MS. SHIVER: Because I --

9 THE COURT: Okay.

10 MS. SHIVER: -- because I never received any --
11 any temporary total.

12 THE COURT: It won't be -- what's the comp rate;
13 do you know, Lana?

14 MR. SIMS: Yes, Commissioner. Let's see, it's
15 \$350.76. That period of time, Commissioner, March 23,
16 2002 to April 8, 2002 is 17 days. That's 2.42 weeks
17 and it totals \$851.58.

18 THE COURT: Okay. That's how much money we're
19 talking about.

20 MS. SHIVER: Well, how about the penalties they
21 supposed to pay -- they also supposed to pay after I
22 first got hurt after eight days.

23 THE COURT: There's no --

24 MS. SHIVER: They never paid me -- they never
25 gave me anything.

1 THE COURT: There's no Order in place right now
2 saying that they had to pay you that, so I would
3 imagine -- in the beginning did y'all deny that you
4 owed it in the beginning?

5 MR. SIMS: Yes, -- yes, Your Honor.

6 THE COURT: All right. So there was never an
7 Order saying that they had to pay it so I can't do
8 sanctions and penalties based on that.

9 MS. SHIVER: But I thought according to the law
10 they supposed to have paid it automatically, according
11 to the law.

12 THE COURT: They pay it if they admit that they
13 owe it, but for a long time they didn't admit that
14 they owed it and that was never determined at a
15 hearing, that's why.

16 MS. SHIVER: I -- I don't appear to understand
17 it, but I mean I had injuries before and I never had
18 to beg, I mean they just paid it to me when I reached
19 my days with my -- from my back surgery I didn't
20 (inaudible) and they knew that at once somebody would
21 say they were punishing me, so I thought they should
22 get penalized and interest for that for the period of
23 which I hurt and the law said after eight days.

24 THE COURT: I mean there's not going to be any
25 penalties and interest today.

1 MS. SHIVER: Not going to be any?

2 THE COURT: No. But they are going to pay you
3 within -- either prove that they paid you or pay you
4 within 14 days. And they're saying they may have
5 already paid you.

6 MS. SHIVER: I never got a check, that's what I'm
7 saying.

8 THE COURT: Well, they'll still have to prove
9 that you -- you know, they can't just say they paid
10 you without proof, without showing a check that you've
11 negotiated.

12 MS. SHIVER: I never got one.

13 THE COURT: So if that's the case then it won't
14 be -- then they'll need to pay you.

15 MR. SIMS: Commissioner, will you please confirm
16 for the record the appropriate address to make sure
17 Ms. Shiver gets this check if it is, in fact, to be
18 mailed to her?

19 THE COURT: Ms. Shiver, what's your current
20 address?

21 MS. SHIVER: Ma'am?

22 THE COURT: What is your current address?

23 MS. SHIVER: 1026 Congaree Church Road.

24 THE COURT: Cullowhee Church?

25 MS. SHIVER: Congaree, like Congaree -

1 THE COURT: Congaree? Okay, like the river?

2 MS. SHIVER: Yeah, Congaree Church Road, Gadsden,
3 South Carolina, 29052.

4 THE COURT: 29052?

5 MS. SHIVER: Do you want my email?

6 THE COURT: Yes, give me your email.

7 MS. SHIVER: Email is small g with a period
8 @att.net. My phone number and cell on both of those I
9 can give it to you.

10 THE COURT: No, I'm okay with that. Let me take
11 a look at one thing in here. All right. Mr. Sims, do
12 me an Order giving y'all 14 days to either prove that
13 she's been paid or pay. I find that I've got
14 jurisdiction because I don't think that particular
15 issue is on appeal, so I've got jurisdiction.
16 Commissioner Huffstetler's Order says that y'all agree
17 that y'all would be responsible -- are you still
18 getting bills from your '02 claim?

19 MS. SHIVER: No, ma'am. I -- I'm paying on my
20 own -- pay my bills myself.

21 THE COURT: The ones that they authorized though,
22 did they pay those already?

23 MS. SHIVER: No, ma'am, I -- not that I know,
24 that's why I wrote him a letter for him to send me
25 documentation and clarify that they had paid them. I

1 never received --

2 THE COURT: Commissioner Huffstetler's Order says
3 that y'all agree that you would be responsible for
4 them.

5 MR. SIMS: And we submitted evidence of the bills
6 having been paid at the time, Commissioner.

7 THE COURT: I don't see a Finding on that that's
8 why.

9 MS. SHIVER: That's why I asked him for the
10 documentation.

11 MR. SIMS: At page nine.

12 THE COURT: I'm looking at the Findings in the
13 APAs.

14 MR. SIMS: It was Exhibit A (inaudible) history
15 for related bill that's showing the Employer has paid
16 all authorized medical (inaudible).

17 THE COURT: Okay. What I want you to do is
18 within 14 days I want proof that y'all paid those. It
19 could be the (inaudible) that you submitted and --
20 because it's going to take y'all -- because y'all
21 basically agreed that y'all would be responsible. He
22 doesn't make a Finding in this Order that he Finds
23 that you have paid them.

24 MR. SIMS: With all due respect, Commissioner,
25 the first paragraph of the Order, "The Defendants have

1 provided appropriate medical treatment. And --

2 THE COURT: I wish he had put that --

3 MR. SIMS: -- are not liable for any additional
4 medical treatment or compensation." I -- I'm happy to
5 provide you with copies --

6 THE COURT: You said that was page 9 of the
7 Order? That's not in the Findings of Fact. Just to
8 clean this up, Mr. Sims, I need you to resubmit that
9 evidence of those medicals bills that have been paid
10 and then -- within 14 days and also submit evidence to
11 me either that you need to pay Ms. Shiver or that
12 she's already been paid.

13 MR. SIMS: Yes, Your Honor.

14 THE COURT: Okay? We'll take it up from there.

15 MS. SHIVER: Okay. I want the record to reflect
16 that I did ask for penalties and interest.

17 THE COURT: Absolutely.

18 MS. SHIVER: I should have been given penalties
19 and interest through the first (inaudible) date that I
20 was out.

21 THE COURT: Okay.

22 MS. SHIVER: I never received anything from them.

23 THE COURT: All right. Be sure to put that in
24 the Order.

25 MR. SIMS: Thank you, Commissioner.

1 THE COURT: Ms. Shiver, good luck to you. Thank
2 you.

3 MR. SIMS: Commissioner, would you please ask the
4 name of the gentleman that attended the hearing with
5 Ms. Shiver?

6 THE COURT: What's your name, sir?

7 MR. THACKER: Johnny Thacker.

8 THE COURT: What is it?

9 MR. THACKER: Johnny Thacker.

10 THE COURT: Thacker? T-H-A-C-K-E-R?

11 MR. SIMS: And his address too?

12 MR. THACKER: 1627 Conniker Street, Columbia,
13 29204.

14 THE COURT: Did you get that, Cora?

15 MR. THACKER: I'm -- I'm going to file a
16 affidavit to South Carolina Court of Appeals
17 requesting that I represent her.

18 THE COURT: You can try; they're not going to let
19 you do it.

20 MR. THACKER: Yes, they have. I have done it
21 before. I have two jury trials in Lexington County
22 and I appealed from that to the Court of Appeals and I
23 addressed and they allowed me to do it because there's
24 a case law, 17th century case law allows me to
25 represent her in a civil case if -- if she requested I

1 do so, but I can't charge her any money because that
2 would be illegally practicing law.

3 THE COURT: All right.

4 MR. THACKER: But the Court of Appeals will allow
5 me to represent her.

6 THE COURT: Okay. Well, good luck with that.

7 MR. THACKER: Thank you.

8 THE COURT: Good to see y'all. Thank you.

9 (The pre-hearing conference concluded at 9:21

10 a.m.)
11
12
13
14
15

STATE OF SOUTH CAROLINA)
)
 COUNTY OF LEXINGTON) CERTIFICATE

BE IT KNOWN THAT I TOOK THE FOREGOING
 WORKERS' COMPENSATION PRE-HEARING CONFERENCE NOTES;

THAT I WAS THEN AND THERE A NOTARY PUBLIC IN
 AND FOR THE STATE OF SOUTH CAROLINA-AT-LARGE;

THE FOREGOING TRANSCRIPT CONSISTING OF 12
 TYPEWRITTEN PAGES REPRESENTS A TRUE, ACCURATE AND
 COMPLETE TRANSCRIPTION OF THE TESTIMONY SO GIVEN AT
 THE TIME AND PLACE AFORESAID TO THE BEST OF MY SKILL
 AND ABILITY;

THAT I AM NOT RELATED TO NOR AN EMPLOYEE OF
 ANY OF THE PARTIES HERETO, NOR A RELATIVE OR EMPLOYEE
 OF ANY ATTORNEY OR COUNSEL EMPLOYED BY THE PARTIES
 HERETO, NOR INTERESTED IN THE OUTCOME OF THIS ACTION.

WITNESS MY HAND AND SEAL THIS 30TH DAY OF JUNE,
 2014.

 CORA ELLIS BRUTON
 NOTARY PUBLIC FOR SOUTH CAROLINA
 MY COMMISSION EXPIRES JANUARY 18, 2015

BEFORE THE
SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

GERTRUDE SHIVER, EMPLOYEE,	)	
	)	
CLAIMANT,	)	
	)	
VS.	)	WCC #: 9503744
	)	0126962
TRIDENT REGIONAL MEDICAL CENTER,	)	0217755
PALMETTO RICHLAND HOSPITAL,	)	0227098
PALMETTO HEALTH RICHLAND,	)	0321756
EMPLOYERS,	)	0322274
AND CONTINENTAL INSURANCE CO.,	)	0616756
PALMETTO HOSPITAL TRUST FUND,	)	
SELF-INSURED INSURANCE CO.,	)	
CARRIERS,	)	
	)	
DEFENDANTS.	)	
-----	)	

COPY

HEARING WAS HELD ON SEPTEMBER 4, 2007, IN
COLUMBIA, SOUTH CAROLINA, COMMENCING AT 9:20 A.M.
BEFORE COMMISSIONER DAVID W. HUFFSTETLER.

APPEARANCES

FOR THE CLAIMANT:	GERTRUDE SHIVER, PRO SE'
FOR THE DEFENDANTS:	ALLISON M. CARTER, ESQUIRE
CONTINENTAL	MT. PLEASANT, SOUTH CAROLINA
FOR THE DEFENDANTS:	MICHAEL A. CHASE, ESQUIRE
HOSP SELF-INSURANCE	ELLEN H. GOODWIN, ESQUIRE
	COLUMBIA, SOUTH CAROLINA
FOR THE DEFENDANTS:	LANA H. SIMS, ESQUIRE
PHTS	COLUMBIA, SOUTH CAROLINA

SUBJECT OF HEARING

TO DETERMINE ISSUES AS SET FORTH ON FORMS 50, 52
AND BY OPERATION OF RULE 67-603 AND TO DETERMINE ALL
ISSUES PURSUANT TO RULE 67-601.

SKYLET A. KEAN
532 MEADOWBROOK DRIVE
COLUMBIA, SOUTH CAROLINA 29223
(803) 462-0074

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EXHIBITS

(NONE)

PROCEEDINGS

THE COURT: THIS CASE INVOLVES SEVEN WORKERS' COMPENSATION FILES -- AND I'LL GET TO THOSE IN JUST A MINUTE -- THE CASE OF THE CLAIMANT, GERTRUDE SHIVER. AND THERE ARE SEVERAL EMPLOYERS, SEVERAL INSURANCE CARRIERS. I SAID I'LL GET TO THOSE IN A MINUTE. THERE ARE THREE COMPANION FILES THAT ARE NOT SET FOR A HEARING TODAY. THEY ARE FILE NO. 9457677, FILE NO. 9558431 AND FILE NO. 0427856.

THE FIRST CASE FOR THE HEARING IS FILE NO. 9503744. IT IS SET ON A FORM 50 AND BY OPERATION OF RULE 67-603. THE EMPLOYER IS TRIDENT REGIONAL MEDICAL CENTER AND THE CARRIER IS CONTINENTAL INSURANCE COMPANY. THE DATE OF THE ACCIDENT IS JANUARY 23RD, 1995. THE DEFENSE IS REPRESENTED BY ATTORNEY ALLISON M. CARTER. IN THAT CASE THE CLAIMANT BRINGS A CLAIM FOR AN INJURY TO HER RIGHT FOOT, HER RIGHT SHOULDER AND TAKES THE POSITION THIS INJURY CAME BY A FALL. THERE'S ALSO A CONSENT ORDER IN THAT FILE. THE FORM 50 HIGHLIGHTS BENEFITS FOR TEMPORARY TOTAL DISABILITY TO BE DETERMINED. SHE SEEKS ADDITIONAL MEDICAL TREATMENT FOR THE RIGHT ARM, SHOULDER, CHEST, BACK AND FEET. THE AVERAGE WEEKLY WAGE IS \$825.09 WITH A COMPENSATION RATE OF \$422.48.

1 THE DEFENSE TAKES THE POSITION THE CLAIM SHOULD BE
2 DENIED THROUGH THE THEORY OF LATCHES. THEY ALSO
3 HIGHLIGHT THE CONSENT ORDER TAKING THE POSITION THE
4 CLAIM IS LIMITED TO THE RIGHT FOOT AND THE RIGHT
5 SHOULDER AND THEY DENY ANY BENEFITS OUTSIDE OF THAT.

6 THE SECOND CASE IS FILE 0126962. THAT IS SET BY
7 OPERATION OF RULE 67-601. THE EMPLOYER IS PALMETTO
8 RICHLAND HOSPITAL. THE CARRIER IS PALMETTO HOSPITAL
9 TRUST FUND. THE ATTORNEY FOR THE DEFENSE IS ATTORNEY
10 LANA H. SIMS. THE DATE OF THE ACCIDENT IS
11 NOVEMBER 15, 2001. THE AVERAGE WEEKLY WAGE IS
12 \$455.11 WITH A COMPENSATION RATE OF \$303.42. THROUGH
13 HER FORM 50 THE CLAIMANT BRINGS A CLAIM FOR INJURIES
14 TO THE LEFT ACHILLES TENDON, HER HEEL, ANKLE AND
15 FOOT. SHE MAKES NO CLAIM FOR COMPENSATION FOR
16 TEMPORARY TOTAL DISABILITY. IT APPEARS THAT THERE IS
17 A CLAIM FOR COMPENSATION FOR PERMANENT PARTIAL
18 DISABILITY TO THE LEFT ACHILLES TENDON, HEEL, ANKLE
19 AND FOOT. THE DEFENSE ADMITS A MINOR INJURY BUT TAKE
20 THE POSITION THAT INJURY HAS RESOLVED WITHOUT ANY
21 PERMANENT DISABILITY.

22 FILE NO. 0217775 WAS SET UNDER RULE 67-601. THE
23 EMPLOYER IS PALMETTO RICHLAND HOSPITAL AND THE
24 CARRIER IS THE PALMETTO HOSPITAL TRUST FUND. FOR THE
25 DEFENSE IS ATTORNEY LANA H. SIMS. THE DATE OF

1 ACCIDENT IS MARCH 23RD, 2002. THE AVERAGE WEEKLY
2 WAGE IS \$526.11 WITH A COMPENSATION RATE OF \$350.76.
3 I THINK I MENTIONED THE DATE OF ACCIDENT IS
4 MARCH 23RD, 2002. THE CLAIMANT TAKES THE POSITION
5 SHE SUFFERED INJURIES TO HER LOW BACK AND RIGHT SIDE.
6 SHE SEEKS AN AWARD OF COMPENSATION FOR TEMPORARY
7 TOTAL DISABILITY FROM MARCH 23RD, 2002 THROUGH
8 APRIL 8TH, 2002. SHE DOES NOT SEEK AN AWARD OF
9 COMPENSATION FOR PERMANENT PARTIAL DISABILITY OR ANY
10 ADDITIONAL MEDICAL TREATMENT RELATED TO THAT CLAIM.
11 THE DEFENSE ADMITS A MINOR INJURY. TAKE THE POSITION
12 THAT IT'S RESOLVED WITHOUT ANY PERMANENT DISABILITY.
13 FILE NO. 0227098 SET UNDER RULE 67-601. THE
14 EMPLOYER IS PALMETTO RICHLAND HOSPITAL. THE CARRIER
15 IS THE PALMETTO HOSPITAL TRUST FUND. DEFENSE IS
16 REPRESENTED BY ATTORNEY LANA H. SIMS. THE DATE OF
17 ACCIDENT IS OCTOBER 24TH, 2002. THE AVERAGE WEEKLY
18 WAGE IS \$547 WITH A COMPENSATION RATE OF \$364.68.
19 THE CLAIMANT TAKES THE POSITION SHE SUFFERED INJURIES
20 TO HER -- THE LEFT SIDE OF HER NECK AND HER SHOULDER.
21 SHE DOES NOT SEEK AN AWARD OF COMPENSATION FOR
22 TEMPORARY TOTAL DISABILITY FOR PERMANENT PARTIAL
23 DISABILITY OR ANY ADDITIONAL MEDICAL TREATMENT. THE
24 DEFENSE ADMITS A MINOR INJURY TO THE LEFT SHOULDER
25 ONLY AND TAKES THE POSITION THAT INJURY HAS RESOLVED.

1 FILE NO. 0321756 IS SET UNDER REGULATION 67-601.
2 THE EMPLOYER IS PALMETTO HEALTH RICHLAND. THE
3 CARRIER IS PALMETTO HOSPITAL TRUST FUND. THE DEFENSE
4 IS REPRESENTED BY ATTORNEY MICHAEL E. CHASE. THE
5 DATE OF THE ACCIDENT IS OCTOBER 23RD, 2003. THE
6 AVERAGE WEEKLY WAGE IS \$409.99 WITH A COMPENSATION
7 RATE OF \$273.34. THE CLAIMANT TAKES THE POSITION SHE
8 SUFFERED INJURIES TO HER BACK, HER LEFT SIDE AND BOTH
9 KNEES. SHE IS NOT SEEKING AN AWARD OF COMPENSATION
10 FOR TEMPORARY TOTAL DISABILITY OR FOR PERMANENT
11 PARTIAL DISABILITY. SHE SEEKS ADDITIONAL MEDICAL
12 TREATMENT FOR HER BACK, LEFT SIDE AND BOTH KNEES.
13 THE DEFENSE TAKES THE POSITION THE CLAIMANT WAS NOT
14 INJURED BY AN ACCIDENT ARISING OUT OF/IN THE COURSE
15 OF HER EMPLOYMENT. THEY TAKE AN ALTERNATE POSITION
16 THAT THE CLAIMANT REFUSED TO ATTEND TREATMENT WITH AN
17 AUTHORIZED PHYSICIAN.

18 FILE NO. 0322274 IS SET UNDER RULE 67-601. THE
19 EMPLOYER IS PALMETTO HEALTH RICHLAND. THE CARRIER IS
20 PALMETTO HOSPITAL TRUST FUND. THE DATE OF THE
21 ACCIDENT IS JANUARY 20TH, 2003. THE DEFENSE IS
22 REPRESENTED BY ATTORNEY LANA H. SIMS. THE AVERAGE
23 WEEKLY WAGE IS \$488.77 WITH A COMPENSATION RATE OF
24 \$325.86. THE CLAIMANT TAKES THE POSITION SHE
25 SUFFERED INJURIES TO HER NECK, HER BACK, HER SIDE AND

1 ALL BODY PARTS INCLUDING THE LEFT LEG, WRIST AND
2 FEET. SHE DOES NOT SEEK AN AWARD OF COMPENSATION FOR
3 TEMPORARY TOTAL DISABILITY OR PERMANENT PARTIAL
4 DISABILITY AND SHE DOES NOT SEEK ADDITIONAL MEDICAL
5 TREATMENT. THE DEFENSE TAKES THE POSITION THE
6 CLAIMANT WAS NOT INJURED BY AN ACCIDENT ARISING OUT
7 OF AND IN THE COURSE OF HER EMPLOYMENT.

8 FILE NO. 0616756 IS SET UNDER RULE 67-601. THE
9 EMPLOYER IS PALMETTO HEALTH RICHLAND. THE CARRIER IS
10 PALMETTO HEALTH -- THE PALMETTO HOSPITAL TRUST FUND.
11 THE DEFENSE IS REPRESENTED BY ATTORNEY MICHAEL E.
12 CHASE. DATE OF THE ACCIDENT IS JULY 16TH, 2006. THE
13 AVERAGE WEEKLY WAGE IS \$730.43 WITH A COMPENSATION
14 RATE OF \$486.92. THE CLAIMANT TAKES THE POSITION SHE
15 SUFFERED INJURY TO HER RIGHT WRIST AND SHE SEEKS
16 ADDITIONAL MEDICAL TREATMENT FOR THE RIGHT WRIST.
17 SHE DID NOT SEEK AN AWARD OF COMPENSATION FOR
18 TEMPORARY TOTAL DISABILITY OR PERMANENT PARTIAL
19 DISABILITY. THE DEFENSE TAKES THE POSITION THE
20 CLAIMANT WAS NOT INJURED BY AN ACCIDENT ARISING OUT
21 AND IN THE COURSE OF HER EMPLOYMENT.

22 HAVE I STATED ALL YOUR POSITIONS CORRECTLY?

23 MS. SHIVER: NO. I WASN'T SEEKING
24 ADDITIONAL MEDICAL.

25 COURT REPORTER: I'M SORRY. I LITTLER

1 LOUDER.

2 THE COURT: CAN'T HEAR YOU.

3 MS. SHIVER: I WASN'T SEEKING ANY
4 ADDITIONAL MEDICAL BECAUSE I THINK I WAS FINISHED, I
5 THINK.

6 THE COURT: SO YOU'RE NOT SEEKING
7 ADDITIONAL MEDICAL OF ANY OF THE CASES?

8 MS. SHIVER: I MEAN THE DOCTOR TOLD ME IF
9 HAD SOME MORE PROBLEM TO COME BACK. BUT RIGHT NOW
10 I -- I MEAN I'M STABILIZED.

11 THE COURT: OKAY.

12 MS. SHIVER: BUT IT CAN FLARE UP. THAT'S
13 WHAT I'M SAYING.

14 THE COURT: OKAY. BUT YOU'RE NOT SEEKING
15 ANY ADDITIONAL MEDICAL TREATMENT?

16 MS. SHIVER: NOT AT THIS MOMENT.

17 THE COURT: ON ANY OF THESE CASES?

18 MS. SHIVER: NO, SIR, NOT AT THIS MOMENT.

19 THE COURT: OKAY. THANK YOU, MA'AM.

20 IS THERE ANY OBJECTIONS TO JURISDICTION, VENUE
21 OR ANY OF THE APA SUBMISSIONS?

22 MR. CHASE: COMMISSIONER, I MAY POINT OUT,
23 I MAY NOT HAVE UNDERSTOOD YOU CORRECTLY. ON THE
24 FIRST ONE THAT I'M ON, WHICH IS THE OCTOBER 23RD,
25 2003 DATE OF THE ACCIDENT, THE HOSPITAL WAS

1 SELF-INSURED AT THAT POINT. AND IT SEEMS LIKE I
2 HEARD YOU SAY THAT MIGHT HAVE BEEN UNDER PHTS.

3 THE COURT: I HAVE IT AS PHTS.

4 MR. CHASE: THAT'S ACTUALLY UNDER THE
5 HOSPITAL SELF-INSURANCE AT THAT POINT WITH KEY RISK
6 AS A TPA. AND THAT'S LIKEWISE, OF COURSE, FOR THE --
7 FOR THE VERY LAST CLAIM THAT YOU'LL HEAR TODAY.

8 THE COURT: THANK YOU. WITHOUT OBJECTION
9 THE COMMISSION FILE BECOMES A PART OF THE RECORD WITH
10 THE EXCEPTION OF SELF-SERVING DECLARATIONS AND
11 UNSTIPULATED MEDICAL REPORTS.

12 I HAVE A BOOK HERE IN THE FILE. HAS THAT EVER
13 BEEN MADE PART OF THE EVIDENCE?

14 MR. CHASE: I CAN ANSWER FOR OUR CLAIMS,
15 COMMISSIONER. MR. SHIVER DID ATTACH TO -- WITH HER
16 ERRATA SHEET TO HER DEPOSITION. AND WE WOULD MOVE IT
17 INTO EVIDENCE BECAUSE SHE ACTUALLY SUBMITTED IT AND
18 ASKED THAT IT BE MADE PART OF THE EVIDENCE. SO FOR
19 OUR TWO CASES WE WOULD LIKE IT TO BE PART OF THE
20 RECORD.

21 THE COURT: OKAY. ANY OBJECTION?

22 MS. SHIVER: YES, SIR. BECAUSE THAT'S
23 WHERE I HAD CHRONOLOGED THE THINGS THAT WOULD HAPPEN
24 TO ME.

25 THE COURT: OKAY. DO YOU OBJECT TO THAT?

1 MS. SHIVER: NO, SIR. I GAVE IT TO HIM
2 HAD STUFF BEEN -- BECAUSE I COULDN'T REMEMBER
3 EVERYTHING.

4 THE COURT: I JUST DIDN'T WANT SOMETHING
5 IN THE FILE THAT WASN'T A PART OF THE RECORD.

6 MS. SHIVER: SO I HAD WROTE IT DOWN SO YOU
7 COULD SEE WHAT IT WAS I WAS TALKING ABOUT.

8 THE COURT: OKAY. AND WITHOUT OBJECTION
9 WE'LL MAKE THAT PART OF THE RECORD.

10 MS. SHIVER, WOULD YOU RAISE YOUR RIGHT HAND.

11 GERTRUDE SHIVER,
12 HAVING BEEN FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

13 THE WITNESS: TO THE BEST OF MY KNOWLEDGE
14 RIGHT NOW.

15 THE COURT: MA'AM, PLEASE STATE YOUR FULL
16 NAME, PLEASE.

17 THE WITNESS: GERTRUDE SHIVER.

18 THE COURT: I MENTIONED SOME THINGS TO YOU
19 BEFORE WE WENT ON THE RECORD I JUST NEED TO COVER
20 AGAIN.

21 THE WITNESS: UH-HUH.

22 THE COURT: AND YOU'VE HAD AN ATTORNEY IN
23 THE PAST, SO YOU OBVIOUSLY KNOW YOUR RIGHT TO THAT.

24 THE WITNESS: YEAH. BUT I COULDN'T FIND
25 NOBODY HELP ME AND I HAD -- THE ONE I HAD I HAD TO

1 LET GO.

2 THE COURT: SO YOU'RE REPRESENTING
3 YOURSELF TODAY. I TALKED TO YOU ABOUT YOUR APPEALS
4 RIGHTS. AND YOU UNDERSTAND THAT ONCE YOU RECEIVE MY
5 ORDER --

6 THE WITNESS: UH-HUH.

7 THE COURT: -- YOU'VE GOT THE RIGHT TO
8 APPEAL THAT, BUT YOU'VE GOT TO FILE THAT APPEAL
9 WITHIN 14 DAYS OF THE DATE YOU RECEIVE THAT ORDER --

10 THE WITNESS: OKAY.

11 THE COURT: -- OR YOU LOSE YOUR RIGHT TO
12 APPEAL?

13 THE WITNESS: ALL RIGHT, THEN.

14 THE COURT: OKAY. AND YOU UNDERSTAND
15 THAT?

16 THE WITNESS: YES, SIR.

17 E X A M I N A T I O N

18 BY THE COURT:

19 Q. OKAY. MA'AM, LET ME FIRST GET SOME
20 BACKGROUND INFORMATION FROM YOU. HOW OLD ARE YOU
21 NOW?

22 A. FIFTY -- 1944. FIFTY-THREE.

23 Q. FIFTY-THREE YEARS OLD?

24 A. YEAH.

25 Q. HOW FAR DID YOU GO IN SCHOOL, MA'AM?

1 A. WELL, I WENT -- FINISHED COLLEGE AND I GOT
2 SOME TECHNICAL COLLEGE. I HADN'T GO BACK GET MY
3 MASTERS. I GOT MY BACHELORS.

4 Q. YOU HAVE A BACHELOR'S DEGREE?

5 A. UH-HUH. AND THEN SOME ASSOCIATES.

6 Q. IS IT A BACHELOR OF SCIENCE?

7 A. YES, SIR.

8 Q. AND WHAT IS IT IN?

9 A. NURSING.

10 Q. OKAY. AND YOU HAVE AN ASSOCIATE'S DEGREE?

11 A. YES, SIR.

12 Q. AND WHAT IS THAT IN?

13 A. I GOT ONE IN HEALTH INFORMATION
14 MANAGEMENT. THEN I ALSO WENT TO TECH AND I TOOK
15 PARALEGAL CERTIFICATE COURSE. AND I HAD ONE A LONG
16 TIME AGO IN SECRETARIAL SCIENCE AND I TOOK SOME OTHER
17 COURSES. AND RIGHT NOW I'M GOING -- I'M TAKING
18 MEDICAL ADMINISTRATION.

19 Q. SO YOU'RE BACK IN COLLEGE NOW?

20 A. YES, SIR.

21 Q. AND WHAT HAS YOUR WORK HISTORY BEEN IN
22 GENERAL? WHAT TYPES OF JOBS HAVE YOU DONE?

23 A. NURSING MOSTLY AND THEN I WORK IN HEALTH
24 INFORMATION MANAGEMENT. AND NOW I'M JUST WORKING AT
25 DEPARTMENTS AT K-MART AS A CASHIER.

1 Q. OKAY. SO YOU'RE NOW WORKING AT K-MART?

2 A. YES, SIR.

3 MS. CARTER: COMMISSIONER, WE'D JUST ASK
4 HER TO SPEAK UP AS LOUDLY AS POSSIBLE. IT'S KIND OF
5 HARD TO HEAR DOWN ON THIS END.
6 BY THE COURT:

7 Q. BEAR WITH ME JUST A MINUTE. GET MY NOTES
8 BACK OUT. MA'AM, THE FIRST CASE I HAVE IS FROM 1995.

9 A. UH-HUH.

10 Q. IT'S FILE 9503774. YOU WERE WORKING WITH
11 TRIDENT REGIONAL MEDICAL CENTER. THE DATE OF THE
12 ACCIDENT IS JANUARY 23RD, 2005 [SIC].

13 A. YES, SIR.

14 MS. CARTER: '95. 1995.

15 THE COURT: I THOUGHT THAT'S WHAT I SAID.

16 MS. CARTER: YOU SAID 2005.

17 BY THE COURT:

18 Q. I'M SORRY. 1995.

19 A. YES, SIR.

20 Q. OKAY. MA'AM, TELL ME HOW YOU GOT HURT.

21 A. THAT I FELL WHEN I WAS -- AFTER I WENT
22 DOWN TO THE PHARMACY TO GET SOME MEDICATION FOR A
23 PATIENT, I STOPPED BY TO GET A SANDWICH. AND THEY
24 THE FLOOR -- THE HOUSEKEEPER HAD -- THE SIGN WAS OVER
25 NEAR THE BATHROOM DOOR AND I FELL IN THE AREA OF THE

1 FLOOR.

2 Q. OKAY. WHAT PARTS OF YOUR BODY DID YOU
3 INJURE?

4 A. I HAVE TO LOOK ON MY THING HERE.

5 Q. ACCORDING TO YOUR FORM 50 IT SAYS YOUR
6 RIGHT FOOT AND RIGHT SHOULDER. THERE'S A CONSENT
7 ORDER ON THIS ONE THAT SAYS --

8 A. NO. I'M SORRY. I DIDN'T MEAN TO
9 INTERRUPT YOU. GO AHEAD.

10 Q. THE FILE SEEMS TO INDICATE THERE'S A
11 CONSENT ORDER THAT LIMITS THE CASE TO THE RIGHT FOOT
12 AND THE RIGHT SHOULDER.

13 MS. CARTER: COMMISSIONER, DO YOU WANT
14 MY -- THE CONSENT ORDER IS IN MY BRIEF.

15 THE WITNESS: THAT WAS -- I THINK THAT'S
16 SOMETHING THAT ILLEGAL WITH THOMAS AND DOUGLAS HAD
17 DID TO ME, SIR.

18 THE COURT: I'M SORRY. CAN I STOP. I
19 DON'T THINK I GOT THE APA SUBMISSIONS FROM THE OTHER
20 FOLKS. I'M SORRY.

21 MS. GOODWIN: DO YOU WANT ALL OF THEM OR
22 ONE AT A TIME?

23 THE COURT: LET ME TAKE THEM ONE AT A
24 TIME. SO JUST HELP REMIND ME AS WE GET TO EACH CASE.
25 I HAVE MS. CARTER'S APA SUBMISSIONS.

1 BY THE COURT:

2 Q. GO AHEAD, MA'AM.

3 A. THAT WAS SOMETHING ILLEGAL THOMAS AND
4 DOUGLAS HAD DID AGAINST ME WITH THAT CONSENT ORDER.
5 AND ALSO WITH THE OTHER -- THE ONE FROM 1994
6 BECAUSE --

7 Q. SO YOU BELIEVE THE DEFENSE ATTORNEY IN
8 THAT CASE DID SOMETHING ILLEGAL?

9 A. YES, SIR. YES, SIR. THOMAS AND DOUGLAS.
10 THEY...

11 Q. EXACTLY WHAT IS THAT?

12 A. WELL, THEY -- THOMAS HAD FORCED ME TO SIGN
13 THAT -- THAT FORM. AND I JUST FIND OUT WHEN I WAS
14 TALKING WHAT HAD HAPPENED. THEY HAD PUT ALL THE LUMP
15 ORDER CASES UP UNDER 1994. BECAUSE AFTER I HAD MY --
16 MY HEARING WITH COMMISSIONER ATKINS, SHE HAD TOLD ME
17 TO REFILE MY 1995 CASE. SHE DIDN'T TELL ME WHY. SO
18 WHEN I WENT -- WENT AND REFILED IT, DOUGLAS AND
19 COMMISSIONER MICKLE WAS PUTTING ON THE SHOW. HE SAID
20 HE HAD THOUGHT HE HAD GOT RID OF ALL OF MY CLAIMS.
21 BUT I DON'T KNOW. SHE WAS VERY ANGRY AT ME AND
22 FUSSING AND CARRYING ON. THEN SHE HAD TOLD ME I HAD
23 TO WITHDRAW IT. AND THEN SHE GAVE ME -- SENT AN
24 ORDER TO ME AND TOLD ME, WELL, I COULD BRING THE CASE
25 UP ANY TIME I WANTED. SHE SENT A COPY TO DOUGLAS

1 ALSO. BUT THEN THE ATTORNEYS AT DOUGLAS DESTROY THE
2 FILE. BUT HE DIDN'T SUPPOSED HAD DESTROY IT. BUT
3 THEY --

4 Q. WHAT DOES --

5 A. NEITHER COMMISSIONER WOULD TELL ME WHAT
6 WAS WRONG.

7 Q. YOU'RE TALKING ABOUT E. PRATT-THOMAS?

8 A. YEAH.

9 Q. OKAY. EXACTLY WHAT IS IT THAT YOU BELIEVE
10 HE DID THAT WAS ILLEGAL ON THAT CONSENT ORDER?

11 A. WHEN I WAS CALLED UP HERE -- I WAS TRYING
12 TO FIND OUT IN MARCH, TRYING TO FIND OUT IF -- I
13 TALKED TO ONE OF THE GIRLS AND SHE SAID EACH ONE OF
14 THE CLAIMS SUPPOSED TO HAVE THEIR OWN NUMBER. BUT HE
15 HAD TOOK ALL OF MY CLAIMS, '95, AND PUT ALL OF THEM
16 UNDER '94 AND GOT -- COMMISSIONER BRYAN LYNDON GOT
17 RID OF THEM. SAID I DIDN'T HAVE NO INJURIES OR
18 ANYTHING. BUT I DON'T KNOW.

19 Q. MA'AM, IF I COULD --

20 A. COMMISSIONER ATKINS DIDN'T TELL ME. SHE
21 JUST TOLD ME TO REFILE MY 1995.

22 Q. YOU SAID HE FORCED YOU TO SIGN THE CONSENT
23 ORDER?

24 A. YEAH, THOMAS.

25 Q. HOW DID HE DO THAT?

1 A. HE WOULDN'T EXPLAIN NOTHING AND BE HAVING
2 ME UP IN THAT ROOM. BECAUSE I WAS AFRAID I HAD
3 SOME -- SOME KIND OF MENTAL CONDITION I HAVE. I
4 DON'T KNOW WHAT THE NAME OF IT. DURING THAT TIME I
5 WAS SICK. AND HE JUST VERBAL ABUSED ME AND STUFF.
6 AND I DON'T KNOW. HE WAS ANGRY WITH MY DOCTOR. AND
7 HE WAS -- HE DID ALL KIND -- I MEAN THOMAS JUST
8 REALLY TALKED TO ME AND THEN ONE TIME HAD ME UP IN
9 THE ROOM.

10 Q. WHEN YOU SAY VERBAL ABUSE, DID HE SCREAM
11 AT YOU?

12 A. NO. HE JUST WAS TALKING NASTY TO ME.
13 BECAUSE HE WAS ANGRY WITH MY DOCTOR ABOUT SOMETHING.
14 I DON'T KNOW WHAT IT WAS GOING ON.

15 MS. CARTER: AND, COMMISSIONER, I THINK
16 SHE'S TALKING ABOUT THOMAS WHITE THERE JUST SO YOU
17 DON'T GET CONFUSED. BECAUSE THERE'S DOUGLAS
18 PRATT-THOMAS WHO WAS THE DEFENSE ATTORNEY AND THOMAS
19 WHITE WAS HER ATTORNEY.
20 BY THE COURT:

21 Q. OKAY. SO YOU'RE SAYING YOUR LAWYER TALKED
22 NASTY TO YOU AND FORCED YOU TO SIGN --

23 A. YES. AND ONE TIME HE HAD ME UP IN THAT
24 ROOM AND HE -- WHEN I GOT THE MONEY FROM THE
25 HOSPITAL, HE THREW A CHECK AT ME AND HAD ME SQUEEZE

1 MYSELF IN BETWEEN THE CHAIR TO GET UP IN THE CHAIR
2 AND SEEMED LIKE THE CHAIR WAS GLUED TO THE FLOOR.
3 AND HE WAS JUST DOING -- HE WAS DOING A LOT OF STUFF
4 TO ME DOWN TO CHARLESTON DURING THAT TIME. AND I WAS
5 SICK. I -- YOU KNOW, AND I COULDN'T GET -- REALLY
6 GET AWAY FROM HIM.

7 THE COURT: ONE THING I SHOULD POINT OUT
8 TO YOU, IF -- I WANTED TO GET YOUR TESTIMONY ABOUT
9 THE CONSENT ORDER.

10 THE WITNESS: UH-HUH.

11 THE COURT: BECAUSE THAT IS BEFORE ME, THE
12 CONSENT ORDER. WHATEVER RELATIONSHIP YOU HAVE WITH
13 YOUR PRIOR ATTORNEY, I DON'T HAVE JURISDICTION ON
14 THAT. IF YOU HAVE A GRIEVANCE WITH HIM, THAT WOULD
15 BE AT THE BAR ASSOCIATION.

16 THE WITNESS: I DID BUT THEY DISMISSED IT.
17 THEY DID NOTHING WITH HIM.

18 BY THE COURT:

19 Q. OKAY. TELL ME HOW YOU GOT HURT. OH, YOU
20 TOLD ME THAT YOU FELL.

21 A. AND HE DIDN'T EXPLAIN THAT -- WHAT IS
22 THAT? PUT WITHOUT PREJUDICE ON THERE. AND THAT'S
23 THE ONE THAT DOUGLAS PUT ON THERE. USED FOR A
24 DEFENSE AGAINST ME WITH MY CLAIM.

25 Q. OKAY. BUT YOU'RE CLAIMING INJURIES --

1 OUTSIDE OF THE CONSENT ORDER, YOU'RE CLAIMING
2 INJURIES TO YOUR RIGHT ARM, YOUR SHOULDER, YOUR
3 CHEST, YOUR BACK AND BOTH FEET?

4 A. THEY -- THAT'S HOW IT WAS. THEY TOOK THEM
5 OUT. DOUGLAS AND THOMAS DID THAT. THOMAS AND
6 DOUGLAS. THEY TOOK THEM OUT AND DREW UP THAT -- THE
7 ORDER AND GOT COMMISSIONER BRYAN LYNDON TO SIGN IT.
8 BUT --

9 Q. SO YOU'RE SAYING THEY DID SOMETHING
10 ILLEGAL AND WHAT YOU'RE CLAIMING TODAY IS ALL THOSE
11 OTHER BODY PARTS; RIGHT?

12 A. THAT'S WHAT -- COMMISSIONER ATKINS TOLD ME
13 TO REFILE WHEN I HAD THE 1995 THING WITH HER. SHE
14 TOLD ME TO REFILE MY 1995 CLAIM. THAT'S WHAT SHE
15 TOLD ME TO DO.

16 Q. SO YOU HAD A FALL AT WORK?

17 A. UH-HUH.

18 Q. AND WHAT KIND OF MEDICAL TREATMENT DID YOU
19 RECEIVE AS A RESULT OF THAT FALL?

20 A. THEY SEND ME TO TRIDENT INDUSTRIAL
21 MEDICINE, THEN ONE OF THE OTHER FOR PHYSICAL THERAPY.
22 AND LET ME SEE. I THINK I WENT TO TWO PHYSICAL
23 THERAPY. AND THEN AFTER THEN WHEN INSURANCE COMPANY
24 HAD KICKED ME OUT OF -- OFF THE -- SENT A LETTER AND
25 KICKED ME OUT UNDER WORKMEN'S COMP. SAID I HAD TO GO

1 TO MY OWN DOCTOR. AND THEN THOMAS AND DOUGLAS WHEN
2 THEY GOT TOGETHER AND GOT THAT -- DRAW UP THAT
3 CONSENT ORDER, THEY TOOK ME AWAY FROM MY DOCTOR AND
4 SENT TO DR. MCCOY. BUT DR. MCCOY DIDN'T DO NOTHING.
5 HE TOOK MY ARM AND TWISTED UP BEHIND MY BACK. AND HE
6 DIDN'T DO -- DIDN'T REALLY DO NOTHING FOR ME. AND
7 THEN THOMAS DIDN'T TELL ME WHAT ELSE TO DO AND STUFF.
8 SO I HAD TO GO -- END UP GOING BACK UNDER MY OWN
9 DOCTOR. AND I KEPT HAVING PAIN AND SPASM AND STUFF
10 IN MY ARM AND MY HAND. AND I HAD HAD A BREAST
11 REDUCTION DONE TO TRY TO RELIEVE SOME OF THE PRESSURE
12 ON MY SHOULDERS AND STUFF. AND IN THE MEANTIME WHILE
13 I EMPTY SOLELY ON ONE PATIENT, I GOT URINE IN MY FACE
14 TWICE. THE ONE TIME I GOT IT ALL IN MY EYES AND I
15 GOT INFECTION AND EVERYTHING FROM THE SPASM AND PAIN
16 AND STUFF I HAD IN ARM AND MY SHOULDER, RIGHT
17 SHOULDER. BUT I HAD THOSE OTHER AND HE TOOK THEM
18 OUT. I THINK I GOT THEM. BUT THOMAS AT FIRST HAD
19 FILED THEM.

20 Q. MA'AM, BUT ON THAT CASE -- WHAT I HAVE
21 FROM YOUR FORM 50 WHICH IS YOUR PLEADINGS IN THE
22 CASE.

23 A. UH-HUH.

24 Q. AND I UNDERSTAND YOU DISAGREE WITH THE
25 CONSENT ORDER.

1 A. YES, SIR.

2 Q. IN YOUR FORM 50 IN YOUR FILINGS YOU SAID
3 YOUR RIGHT ARM, SHOULDER, CHEST BACK AND FEET.
4 AND --

5 A. NO. WHICH ONE YOU GOT? THAT'S THE OLD
6 ONE.

7 Q. 9503744.

8 A. DID I PUT ALL OF THEM ON THERE?

9 Q. THAT'S YOUR FILING. THAT'S WHAT YOUR
10 CLAIM IS TODAY. THAT'S WHAT YOU FILED OFFICIALLY.
11 WHAT I NEED TO ASK YOU --

12 A. THE RIGHT CHEST AREA. THESE WAS --

13 Q. MA'AM, YOU NEED TO LET ME FINISH MY
14 QUESTION.

15 A. OH, I'M SORRY.

16 Q. WHAT I WANT TO ASK IS -- YOU'VE ALREADY
17 TOLD ME YOU'RE NOT SEEKING ADDITIONAL MEDICAL
18 TREATMENT FOR ANY OF THESE CASES. YOUR FORM 50 SAID
19 THAT TEMPORARY TOTAL DISABILITY BENEFITS -- THAT'S
20 THE TIME YOU WOULD BE OUT OF WORK DUE TO AN INJURY --
21 YOU HAVE THAT AS TO BE DETERMINED. ARE YOU CLAIMING
22 ANY LOST WAGES?

23 A. I DIDN'T -- I DIDN'T FILE A FORM 50 WITH
24 THIS ONE HERE. I NEVER FILED A FORM 50. WHEN I
25 REFILED IT, I DIDN'T FILE A FORM 50.

1 Q. YES, MA'AM. I HAVE A FORM 50.

2 A. THAT'S THE OLD ONE HERE.

3 Q. THE 1995 CASE IS SET ON A FORM 50. BUT,
4 MA'AM, IT SAYS THAT ANY LOST WAGES ARE TO BE
5 DETERMINED. ARE YOU CLAIMING ANY LOST WAGES WITH
6 THAT CASE?

7 A. WHICH NUMBER IS THAT?

8 Q. 9503744.

9 A. I MEAN WHICH NUMBER ON THE FORM 50.

10 MS. CARTER: SEVEN. NO. 7.

11 THE WITNESS: BECAUSE THEY PAID TEMPORARY.
12 TOLD I WAS PAID THAT. BUT I WAS WORKING AT
13 CHARLESTON MEMORIAL HOSPITAL AT THE TIME AND I DON'T
14 THINK THAT WAS FIGURED IN THERE. BECAUSE I WAS
15 WORKING TWO JOBS AT THE TIME WHEN I HAD THE ACCIDENT.
16 BY THE COURT:

17 Q. WELL, THE AVERAGE WEEKLY WAGE IN THE FILE
18 IS \$825.09. THAT WOULD BE BOTH JOBS?

19 A. I DON'T THINK SO. I THINK THIS WAS THE
20 ONE FROM TRIDENT. I DON'T THINK FIGURE THE ONE
21 FROM...

22 Q. DID YOU BRING ANY EVIDENCE TODAY ON YOUR
23 OTHER INCOME?

24 A. NO, SIR, I DIDN'T BRING -- I DIDN'T BRING
25 THE CHECK STUBS.

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1 Q. OKAY.

2 A. I DIDN'T KNOW I WAS SUPPOSED TO BRING
3 THEM.

4 Q. OKAY. YOU'RE SAYING YOU WERE PAID FOR
5 YOUR LOST TIME OTHER THAN YOU BELIEVE YOU HAD A
6 SECOND JOB AT --

7 A. YEAH. I HAD A SECOND JOB WORKING AT --

8 Q. AND YOU'RE NOT SEEKING ANY ADDITIONAL
9 MEDICAL TREATMENT?

10 A. I DON'T KNOW WHAT ELSE CAN BE DONE TO MY
11 SHOULDER AT THIS TIME. BUT LIKE I SAY, I HAD THE
12 SECOND JOB. I DON'T THINK THAT WAS FIGURED INTO
13 THE -- MY AMOUNT THAT I GOT. BECAUSE I THINK ISN'T
14 SOMEBODY SUPPOSED TO FILL OUT A FORM 20? I NEVER
15 TOOK ONE. I DON'T THINK I NEVER GOT ONE FROM THOMAS.
16 THAT HE FILLED OUT ONE.

17 THE COURT: OKAY. I'M GOING TO GIVE
18 MS. CARTER A CHANCE TO ASK YOU SOME QUESTIONS ON THIS
19 CASE.

20 MS. CARTER: THANK YOU.

21 C R O S S - E X A M I N A T I O N

22 BY MS. CARTER:

23 Q. MS. SHIVER, THE CONSENT ORDER HAS BEEN
24 ATTACHED AS EXHIBIT "A" TO MY APA STARTING ON
25 PAGE 39.

1 A. YEAH. THAT'S THE ONE. BUT LIKE I TOLD
2 YOU. I TOLD YOU WHAT HAPPENED WITH THE TWO PRIOR
3 COMMISSIONERS.

4 Q. WELL, I WANT TO MAKE SURE WHAT I
5 UNDERSTAND. THIS ONE ONLY HAS THIS WORKERS'
6 COMPENSATION FILE NUMBER ON IT FOR THE ONE WE'RE HERE
7 ABOUT TODAY --

8 A. UH-HUH.

9 Q. -- FROM JANUARY 25TH OF 1995. I'M SORRY.
10 JANUARY 23RD.

11 A. I GOT THE OTHER ONE. BUT THE -- WHEN I
12 CALL UP THERE AND TALK TO THE GIRL UP HERE IN THIS
13 OFFICE -- SHE WAS TRYING TO FIND OUT WHAT HAD
14 HAPPENED. AND THEN SHE TOLD ME IT SUPPOSED TO
15 BEEN -- EACH ONE SUPPOSED TO FILE UPON THEIR OWN
16 NUMBER. BUT HE TOOK ALL OF THEM AND PUT UP UNDER ONE
17 FOR NINE---ON THE OTHER NUMBER.

18 Q. WELL, YOU SAID THAT. BUT THIS ONE IS ONLY
19 ON ONE FILE, JANUARY 23RD OF 1995; CORRECT?

20 A. ALL MY INJURIES WAS PUT UP UNDER OTHER --
21 THAT'S WHAT I'M TRYING TO EXPLAIN TO YOU.

22 Q. WELL, LET ME ASK YOU ABOUT THIS CONSENT
23 ORDER. YOU SIGNED THIS CONSENT ORDER; IS THAT
24 CORRECT?

25 A. THAT'S THE ONE I TOLD YOU THOMAS HAD MAKE

1 ME SIGN AND DIDN'T EXPLAIN NOTHING TO ME HOW HE WAS
2 TREATING ME DOWN IN CHARLESTON.

3 Q. THOMAS MEANING THOMAS WHITE YOUR ATTORNEY?

4 A. THOMAS WHITE. THOMAS WHITE.

5 Q. AND HE FORCED YOU TO SIGN THIS CONSENT
6 ORDER?

7 A. YES, HE DID.

8 Q. AND I BELIEVE YOU SAID HE WAS -- YOU TOLD
9 HIM HE WAS --

10 A. AND I WAS ASKING -- AND I WAS ASKING HIM
11 ABOUT THAT AND HE DIDN'T EXPLAIN NONE OF THEM THINGS
12 THERE TO ME.

13 Q. AND WHEN I TALKED TO YOU IN YOUR
14 DEPOSITION ABOUT IT, YOU SAID HE WAS YELLING AT YOU
15 AND --

16 THE COURT: WAIT. WAIT.

17 THE WITNESS: YES. AND THEN I TOLD --

18 THE COURT: WAIT. WAIT. IF YOU WOULDN'T
19 MIND MOVING THOSE PAPERS OFF THE MICROPHONE.

20 THE WITNESS: OH.

21 THE COURT: THANK YOU.

22 THE WITNESS: AND I ALSO TOLD YOU GIVE HIM
23 A CHANCE TO GO BACK AND CORRECT THEM THINGS ON THERE,
24 BUT YOU CAN SEE THAT I HADN'T GOTTEN IT YET.

25 BY MS. CARTER:

1 Q. DID THOMAS WHITE HAVE YOU IN A CORNER OF A
2 ROOM YELLING AT YOU AND SCREAMED AT YOU?

3 A. HE HAD ME IN THE ROOM.

4 Q. WAS HE YELLING AT YOU?

5 A. YES, HE WAS. AND THEN AGAIN WHEN I GOT
6 THE MONEY HE HAD ME DOWNTOWN -- UP -- DOWNTOWN IN
7 CHARLESTON UP IN THAT OFFICE UP THERE.

8 Q. OKAY. AND --

9 A. AND THAT'S WHEN HE HAD ME SQUEEZE -- THREW
10 THAT CHECK AT ME.

11 Q. AND WHEN YOU SIGNED THIS, YOU HAD READ THE
12 CONSENT ORDER; IS THAT CORRECT?

13 A. NO. I HAD READ -- I HAD IT AND I WAS
14 ASKING HIM AND HE DIDN'T EXPLAIN NOTHING TO ME ABOUT
15 THEM THINGS THAT WRITTEN ON THERE.

16 Q. MY QUESTION WAS DID YOU READ IT --

17 A. I LOOKED AT IT.

18 Q. -- BEFORE YOU SIGNED IT?

19 A. I LOOKED AT IT BUT I DIDN'T UNDERSTAND
20 WHAT I LOOKING AT. AND HE DIDN'T EXPLAIN NOTHING.
21 HE FORCED ME TO SIGN THOSE PAPERS.

22 Q. SO YOU DID READ IT BEFORE YOU SIGNED IT?

23 A. I LOOKED AT IT.

24 Q. WHEN YOU LOOK AT IT, ARE YOU READING IT?

25 A. I LOOKED AT IT AND DURING THAT TIME I TOLD

1 YOU I WAS SICK. I DON'T KNOW WHAT KIND OF MENTAL
2 CONDITION I HAD, BUT I HAD SOMETHING. I DON'T KNOW
3 WHAT'S THE NAME OF IT.

4 Q. DO YOU HAVE ANY MEDICAL RECORDS THAT
5 YOU'VE SUBMITTED TO THE COMMISSION TODAY TO TALK
6 ABOUT WHAT KIND OF MENTAL CONDITION YOU HAD AT THAT
7 TIME?

8 A. NO. I JUST -- SOMETHING THAT HAPPENED TO
9 ME IN MY CHILDHOOD. AND THIS IS -- WHEN I GET
10 CERTAIN AGE, THE STUFF CAME BACK. I DON'T KNOW WHAT
11 THE NAME OF IT.

12 Q. ALL RIGHT.

13 A. I DON'T KNOW WHETHER POSTTRAUMATIC STRESS
14 ON THE JOB OR WHAT. I DIDN'T GO TO A DOCTOR ABOUT
15 IT.

16 Q. NOW, AS PART OF THIS CLAIM WHEN IT WAS
17 GOING -- BACK IN 1995 THEY SENT YOU TO SEE DR. MCCOY;
18 IS THAT CORRECT?

19 A. DR. MCCOY.

20 Q. AND YOU SAW DR. MCCOY ON AUGUST THE 10TH
21 OF 1995?

22 A. ONE DAY. ONLY ONE DAY.

23 Q. AND THAT WAS BEFORE YOU SIGNED THIS
24 CONSENT ORDER; IS THAT CORRECT?

25 A. BEFORE? I THINK IT WAS -- I SAW

1 DR. MCCOY. NO. I THINK THE CONSENT ORDER WAS SIGNED
2 BEFORE -- CONSENT ORDER WAS SIGNED BEFORE I WENT TO
3 DR. MCCOY BECAUSE IT WROTE IN THERE FOR ME TO GO TO
4 DR. MCCOY.

5 Q. ALL RIGHT. AND DR. MCCOY SAW YOU ONE
6 TIME?

7 A. ONLY ONCE.

8 Q. AND HE DIDN'T RECOMMEND SEEING YOU ANYMORE
9 AFTER THAT, DID HE?

10 A. HE TOLD ME NOT TO EVER COME BACK TO HIS
11 OFFICE. THAT'S WHAT HE TOLD ME.

12 Q. AND DO YOU HAVE ANYTHING SHOWING THAT YOU
13 ASKED FOR ADDITIONAL MEDICAL TREATMENT FROM TRIDENT
14 HOSPITAL FOR THAT INJURY AFTER THAT DATE?

15 A. I DIDN'T KNOW WHAT TO DO AND THOMAS DIDN'T
16 TELL ME WHAT TO DO EITHER.

17 Q. MY QUESTION IS DID YOU EVER ASK FOR ANY
18 ADDITIONAL MEDICAL TREATMENT AFTER THAT DATE?

19 A. NO. BECAUSE THEY HAD HIM KICK ME OUT --
20 OFF -- TWICE OFF THE -- OFF UNDER -- OFF THE
21 WORKMEN'S COMP.

22 Q. WELL, YOU CONTINUED WORKING AT TRIDENT
23 HOSPITAL UNTIL WHEN? 1998, I BELIEVE?

24 A. I WORKED THERE UNTIL I HAD THE OTHER
25 ACCIDENT. THEY TERMINATE ME. THE NURSES MADE UP

1 LIES ON ME. SAY I MISTREAT THE PATIENTS WHICH WASN'T
2 TRUE.

3 Q. SO YOU HAD ANOTHER ACCIDENT IN OCTOBER OF
4 1997; IS THAT CORRECT?

5 A. WHILE I WAS HELPING A PATIENT UP INTO
6 BED -- HE WAS (INAUDIBLE), I END UP HAVING -- FIND
7 OUT I HAD A DISC IN MY BACK.

8 Q. AND THAT WAS IN OCTOBER OF 1997?

9 A. YEAH.

10 Q. SO WE KNOW YOU WORKED UP TO TRIDENT FOR AT
11 LEAST TWO YEARS AFTER THIS ACCIDENT IN 1995?

12 A. YEAH. I WAS STILL WORKING BECAUSE I
13 WASN'T FIRED THEN.

14 Q. AND AFTER YOU LEFT TRIDENT YOU CAME UP TO
15 COLUMBIA?

16 A. NO. I WENT TO HER MINI TRIAGE NURSING
17 HOME AND I DIDN'T WORK FOR TWO DAYS BECAUSE I WAS
18 HAVING A LOT OF PAIN AND STUFF IN MY NECK A COUPLE
19 DAYS. TOLD THEM I COULDN'T WORK THERE.

20 THE COURT: MA'AM, IF I COULD HELP A
21 LITTLE BIT WITH THIS. SO YOU'RE NOT CLAIMING ANY
22 ADDITIONAL TEMPORARY TOTAL DISABILITY BENEFITS. ONLY
23 CLAIMING THAT HER AVERAGE WEEKLY WAGE SHOULD HAVE
24 BEEN HIGHER. SHE'S NOT CLAIMING ANY ADDITIONAL
25 MEDICAL TREATMENT.

1 MS. CARTER: WELL, I'M TRYING TO SHOW THAT
2 SHE WORKED AFTERWARDS TO --

3 THE COURT: SHE'S NOT CLAIMING ANY
4 BENEFITS AFTER WORKING. THE ONLY CLAIM --

5 THE WITNESS: I ONLY WORKED TWO DAYS.

6 THE COURT: MA'AM, IF YOU WOULD LET ME
7 FINISH.

8 THE WITNESS: I'M SORRY. I DIDN'T MEAN TO
9 INTERRUPT.

10 THE COURT: I'M JUST TRYING TO KEEP THINGS
11 ORDERLY.

12 MS. CARTER: I MEAN FOR DISABILITY
13 PURPOSES.

14 THE COURT: SHE'S NOT CLAIMING ANY
15 PERMANENT PARTIAL DISABILITY. THERE'S NOTHING IN HER
16 FORM 50 CLAIMING THAT.

17 MS. CARTER: OKAY.

18 BY MS. CARTER:

19 Q. I JUST WANT TO ASK YOU ONE QUESTION ABOUT
20 YOUR FAMILY DOCTOR. IS THAT DR. HOOK, JEFFREY HOOK?

21 A. YEAH. THAT'S -- THAT'S MY DOCTOR NOW.

22 Q. AND WE'VE GOT MEDICAL RECORDS FROM HIM
23 FROM 2003 CONTINUING ON THAT YEAR. I DIDN'T SEE ANY
24 COMPLAINTS IN ANY OF THOSE RECORDS OF ANY PROBLEM
25 WITH YOUR RIGHT SHOULDER OR YOUR RIGHT FOOT. ARE YOU

1 AWARE -- HAVE YOU EVER SAW HIM FOR THOSE TWO
2 SPECIFICS?

3 A. I DIDN'T SAW HIM FOR THAT. HE'S MY FAMILY
4 DOCTOR. AFTER I CAME UP HERE I HAD TO FIND A DOCTOR.
5 AFTER I WENT TO DR. PATEL AND DR. PATEL DID TO ME
6 WHAT HE DID WITH THE CAR ACCIDENT, I HAD TO FIND -- I
7 DIDN'T GO BACK TO HIM NO MORE.

8 MS. CARTER: THAT'S ALL THE QUESTIONS I
9 HAVE.

10 THE COURT: MA'AM, YOUR NEXT CASE IS
11 0126962. THIS IS THE ACCIDENT DATE OF NOVEMBER 15TH,
12 2001 AT PALMETTO RICHLAND HOSPITAL.

13 E X A M I N A T I O N

14 BY THE COURT:

15 Q. TELL ME, MA'AM, HOW YOU GOT HURT.

16 A. I WAS GETTING OFF THE ELEVATOR GOING TO
17 WORK AND ONE THE EMPLOYEES HAD PUSHED A METAL SUPPLY
18 CART IN THE BACK OF MY FOOT. BACK OF THE LEG AND THE
19 FOOT THERE.

20 Q. THAT'S YOUR LEFT LEG?

21 A. YES, SIR.

22 Q. WAS IT A CART?

23 A. A METAL SUPPLY CART WE HAD SUPPLIES AND
24 STUFF ON.

25 Q. WHAT MEDICAL TREATMENT, IF ANY, DID YOU

1 RECEIVE AS A RESULT OF THAT?

2 A. WELL, BARRINGTON WINT SENT ME OVER TO
3 HEALTHWORKS AND I WAS -- ON THE FIRST DAY I SAW MS.
4 BARBARA GRIFFIN THE OCCUPATIONAL HEALTH NURSE. AND
5 FROM THEN I WAS UP UNDER THE CARE OF MS. COLLEEN
6 COLLINS THE NURSE PRACTITION.

7 Q. DID YOU GET MEDICATION OR PHYSICAL THERAPY
8 OR?

9 A. I DIDN'T GET NO MEDICATION. I DIDN'T GET
10 NO MEDICATION UNTIL DR. DURKIN TOOK OFFICE. AND I
11 DIDN'T GET NO PHYSICAL THERAPY UNTIL DR. DURKIN TOOK
12 OVER. BUT HE'S --

13 Q. SO DR. DURKIN TOOK OVER MEDICAL CARE?

14 A. YEAH. HE'S THE MEDICAL DIRECTOR AND ALSO
15 NEUROLOGIST.

16 Q. SO HE SENT YOU FOR PHYSICAL THERAPY?

17 A. YEAH. HE'S THE ONE. I HAD BEGGED TO SEE
18 AN ORTHOPEDIC, BUT SHE DIDN'T SEND ME TO ONE.

19 Q. ON THIS CASE YOU'RE NOT CLAIMING ANY LOST
20 WAGES, BUT YOU ARE CLAIMING AN AWARD FOR PERMANENT
21 DISABILITY TO YOUR LEFT LEG?

22 A. BECAUSE I DIDN'T MISS NO DAYS BECAUSE SHE
23 TOLD ME -- THEY HAD TOLD ME ON THE THING THAT I HAD
24 TO GO BACK TO WORK.

25 Q. OKAY. BUT YOU'RE CLAIMING PERMANENCY TO

1 YOUR LEFT LEG. WHAT PROBLEMS, IF ANY, ARE YOU HAVING
2 WITH YOUR LEFT LEG NOW?

3 A. I'M STILL HAVING PAIN AND I GOT TO WEAR MY
4 ANKLE BRACE AND ALSO GOT MY INSTEPS. I HAD TO GET
5 SOME SPECIAL MADE AND I HAVE TO WEAR ORTHOPEDIC
6 SHOES.

7 Q. AND WHAT DOCTOR ORDERED THE ORTHOPEDIC
8 SHOES?

9 A. DOC---LET ME SEE. UP THE MILLER
10 ORTHOPEDIC CLINIC TOLD ME TO GET ORTHOPEDIC --
11 ORTHOPEDIC SHOES. AND DR. MINTER PUT THE BRACE ON
12 ME.

13 MR. SIMS: I'M SORRY, COMMISSIONER. WHAT
14 DOCTOR WAS THAT?

15 THE COURT: MINTER.

16 MR. SIMS: MINTER?

17 THE WITNESS: AND DOCTOR I GOT FROM THE
18 MILLER ORTHOPEDIC CLINIC, THEY GAVE ME PRESCRIPTION
19 TO GET THE SPECIAL INSTEPS MADE.

20 BY THE COURT:

21 Q. AND ARE THOSE DOCTORS -- ARE THOSE DOCTORS
22 THE INSURANCE COMPANY SENT YOU TO?

23 A. NO, SIR. THE TWO DOCTORS THEY SENT ME TO
24 DIDN'T DO ANYTHING FOR ME. ONE OF THEM, DR. MCBRYDE,
25 DID AN MRI, BUT HE DIDN'T DO NOTHING ELSE.

1 Q. DID YOU HAVE GO BACK TO THE EMPLOYER OR
2 THE INSURANCE COMPANY, SEND THEM A LETTER OR
3 SOMETHING SAYING YOU WANTED ORTHOPEDIC TREATMENT?

4 A. WHEN I WENT TO DR. MINTER, HE TOLD ME TO
5 GO BACK TO DR. MCBRYDE.

6 MR. SIMS: OBJECTION, COMMISSIONER, TO
7 WHAT THE DOCTOR TOLD HER.

8 THE COURT: MA'AM, YOU CAN'T TESTIFY TO
9 WHAT A DOCTOR SAID. THAT'S HEARSAY. YOU CAN TESTIFY
10 TO WHAT SOMEONE SAID IF THEY'RE A PARTY TO THE
11 HEARING.

12 THE WITNESS: OH. I WAS TELLING WHAT HE
13 HAD TOLD ME TO DO.

14 THE COURT: OKAY. BUT LET ME FINISH.
15 THIS MAY HELP US THROUGH THE REST OF THE HEARING.

16 THE WITNESS: OKAY.

17 THE COURT: YOU CAN TESTIFY TO WHAT SAID
18 SOMEONE SAID IF THEY'RE A PARTY TO THE HEARING. YOU
19 ARE A PARTY, THE EMPLOYERS ARE PARTIES AND THE
20 INSURANCE COMPANIES ARE PARTIES.

21 THE WITNESS: UH-HUH.

22 THE COURT: SO YOU CAN TESTIFY TO WHAT
23 YOUR SUPERVISOR SAID, WHAT AN ADJUSTER OR THE
24 INSURANCE COMPANY SAID AND FOLKS CAN TESTIFY TO WHAT
25 YOU SAID.

1 THE WITNESS: UH-HUH.

2 THE COURT: BUT DOCTORS AND FOLKS LIKE
3 THAT ARE NOT PARTIES. I HAVE TO RELY ON THEIR
4 REPORTS.

5 THE WITNESS: BUT WHAT THE QUESTION --
6 BY THE COURT:

7 Q. WHAT I WAS ASKING WAS DID YOU SUBMIT
8 ANYTHING TODAY OR DO YOU HAVE ANYTHING TO SHOW WHERE
9 YOU ASKED THE INSURANCE COMPANY TO SEND YOU TO AN
10 ORTHOPEDIC SPECIALIST?

11 A. NO, BECAUSE THEY -- MY -- THE DOCTORS I
12 WENT TO TURNED ME LOOSE. HE JUST TOLD ME TO COME
13 BACK. AND I DIDN'T GO BACK BECAUSE I DIDN'T WANT
14 THAT -- WHAT YOU CALL IT? HAD TO DO ARTHROSCOPY DONE
15 ON ME. SO I DIDN'T -- I DIDN'T GO BACK.

16 Q. DID YOU BRING ANY MEDICAL REPORTS? I
17 HAVEN'T LOOKED THROUGH EVERYTHING. I'VE GOT A LOT OF
18 THINGS TO LOOK THROUGH IN THE APA SUBMISSIONS.

19 A. UH-HUH. I DON'T HAVE ALL OF MY MEDICALS.

20 Q. MA'AM, IF YOU'LL LET ME FINISH MY
21 QUESTION.

22 A. OKAY.

23 Q. DID YOU BRING ANY REPORT FROM A DOCTOR
24 WHICH ASSIGNED AN IMPAIRMENT RATING TO YOUR LEG?

25 A. THEY DIDN'T GIVE ME A RATING.

1 THE COURT: OKAY. AND THAT IS MR. SIMS'
2 CASE. I'M GOING TO GIVE HIM A CHANCE TO ASK YOU SOME
3 QUESTIONS NOW.

4 MR. SIMS: SO THAT I'M CLEAR ON THIS
5 RECORD FOR THIS PARTICULAR CASE, COMMISSIONER, IT'S
6 MY UNDERSTANDING THAT THERE'S NO TEMPORARY TOTAL
7 DISABILITY BEING CLAIMED?

8 THE COURT: THE FORM 50 MAKES NO CLAIM FOR
9 COMPENSATION OF TEMPORARY TOTAL DISABILITY. AND
10 MS. SHIVER TESTIFIED IF I -- THAT SHE WAS NOT
11 CLAIMING ANY TEMPORARY TOTAL DISABILITY BENEFITS.

12 THE WITNESS: BECAUSE I HAD TO WORK. I
13 WASN'T OUT. I HAD TO GO BACK TO WORK.

14 C R O S S - E X A M I N A T I O N
15 BY MR. SIMS:

16 Q. THE ORTHOPEDIST THAT DR. DURKIN GOT YOU TO
17 WAS DR. BELDING?

18 A. UH-HUH.

19 Q. YOU RECALL THAT?

20 A. YEAH.

21 Q. AND THEN LATER YOU WERE ALLOWED TO SEE
22 DR. MCBRYDE FOR YOUR FOOT AS WELL?

23 A. UH-HUH.

24 THE COURT: MA'AM, IF YOU'D GIVE --
25 BY MR. SIMS:

1 Q. DO YOU RECALL SEEING DR. MCBRYDE?

2 A. YEAH. I WENT TO HIM. I WENT TO HIM
3 TWICE.

4 Q. AND WHATEVER PROBLEMS YOU WERE HAVING
5 THEN -- AND THIS WOULD HAVE BEEN BACK IN 2002 AND
6 2003 -- WITH REGARD TO YOUR FOOT, YOU TOLD
7 DR. BELDING AND DR. MCBRYDE EXACTLY WHAT WAS
8 BOTHERING YOU AT THE TIME?

9 A. YES. I TOLD THEM BUT THEY DIDN'T WRITE --
10 DR. BELDING DIDN'T WRITE -- TOLD ME I CAME IN THERE
11 WITHOUT ANY LIMP AND I DID HAD A LIMP. AND WHEN I
12 TOLD HIM ABOUT THE OTHER -- ASKED ME IF I HAD A PRIOR
13 INJURY WHICH I TOLD HIM I DID. AND THEN WHEN I TOLD
14 HIM ABOUT I HAD GOT HURT AT THE HOSPITAL, HIS
15 POSITION CHANGED TOWARD ME AND THEN HE WOULDN'T TAKE
16 CARE OF ME.

17 Q. NOW, THIS ACCIDENT TO YOUR LEFT HEEL
18 HAPPENED BACK IN 2001?

19 A. UH-HUH.

20 THE COURT: MA'AM --

21 BY MR. SIMS:

22 Q. YOU RECALL THAT ACCIDENT?

23 A. YES, SIR.

24 THE COURT: IF I COULD ASK YOU WHEN YOU
25 GIVE AN ANSWER, IF YOU'D GIVE A YES OR A NO.

1 THE WITNESS: OH, YES.

2 THE COURT: WE ALL HAVE THAT HABIT OF SAY
3 "UH-HUH." IT JUST DOESN'T MAKE A GOOD RECORD.

4 THE WITNESS: OKAY. I'M SORRY.

5 BY MR. SIMS:

6 Q. I KNOW THAT THERE ARE A LOT OF THINGS THAT
7 HAVE HAPPENED TO YOU THROUGH THE YEARS. AND MY
8 SPECIFIC QUESTION IS HAVE YOU HAD ANY NEW ACCIDENT TO
9 YOUR FOOT SINCE 2001?

10 A. IT WAS A CONTINUATION OF WHEN I WAS
11 FALLING. BUT I NEVER -- I MEAN NOBODY ELSE END UP
12 HITTING ME WITH ANYTHING.

13 Q. NO NEW FALLS, NO SOMETHING ELSE TO YOUR
14 FOOT?

15 A. I FALL AT THE HOUSE BUT I DIDN'T HURT MY
16 FOOT. I HURT MY LEFT ELBOW AND A NEEDLE -- NOT A
17 NEEDLE. THE NURSE PRACTITIONER PUT IN THERE HURT MY
18 FOOT. BUT I DIDN'T HURT MY FOOT. THAT WAS MY LEFT
19 ELBOW.

20 Q. YES, MA'AM. ARE YOU TALKING ABOUT THE
21 VERY NEXT DAY --

22 A. YEAH.

23 Q. -- WHEN YOU FELL AT HOME?

24 A. WHEN I WAS GOING UP THE STEP. NO. I
25 DIDN'T FALL DOWN. I WAS GOING UP THE STEP.

1 MR. SIMS: I DON'T HAVE ANY OTHER
2 QUESTIONS.

3 THE COURT: OKAY. MA'AM, WE'RE GOING TO
4 MOVE TO YOUR CASE 0217775. THIS IS THE DATE OF
5 INJURY OF MARCH 23RD, 2002. YOU WERE WORKING AT
6 PALMETTO RICHLAND HOSPITAL.

7 THE WITNESS: WHICH ONE NOW?

8 THE COURT: THIS IS THE INJURY DATE OF
9 MARCH 23RD, 2002. AND THE FILE SHOWS A CLAIM FOR AN
10 INJURY TO THE LOW BACK AND THE RIGHT SIDE. BUT
11 YOU'RE CLAIMING COMPENSATION FOR LOST WORK FROM
12 MARCH 23RD, 2002 THROUGH APRIL 8TH, 2002. YOU'RE NOT
13 CLAIMING ANY PERMANENCY OR ANY ADDITIONAL MEDICAL
14 TREATMENT. THEY ADMIT THE INJURY. THE INSURANCE
15 COMPANY AND MR. SIMS IS ON THIS CASE. THEY ADMIT YOU
16 HAD THE INJURY.

17 THE WITNESS: UH-HUH.

18 THE COURT: BUT THEY BELIEVE THAT IT IS
19 NOW RESOLVED.

20 MR. SIMS, IS THERE A DISPUTE ABOUT THE PERIOD OF
21 TIME FOR THE LOST WAGES?

22 MR. SIMS: I WILL NOT DISPUTE THAT FOR
23 TODAY'S PURPOSES, COMMISSIONER.

24 THE COURT: OKAY.

25 THE WITNESS: AND I JUST WANTED TO SAY

1 SOMETHING ELSE.

2 THE COURT: WELL, THEY -- JUST TO LET YOU
3 KNOW, THEY'RE ADMITTING WHAT YOU'RE CLAIMING FOR THAT
4 TIME OF COMPENSATION FOR TEMPORARY TOTAL DISABILITY.

5 THE WITNESS: UH-HUH.

6 THE COURT: THEY AGREE TO THAT. THEY'RE
7 GOING TO PAY THAT.

8 THE WITNESS: AND I JUST WANTED TO SAY
9 SOMETHING ELSE. THAT WHEN I WENT AND HAD THE MRI
10 DONE, THEY HAD SAW SOME MORE DISCS DOWN INTO MY BACK
11 AFTER THIS AND I HAD SOME SCIATICA. BUT THE DOCTOR
12 DIDN'T GIVE ME ANY MORE RATING OR NOTHING FOR THAT.
13 THIS HAPPENED AFTER THIS WHEN I FELL OUT THE CHAIR
14 AND CHAIR FELL ON TOP OF ME.

15 THE COURT: SO WHAT WE -- WHAT YOU HAVE
16 NOW, YOU TOLD ME EARLIER YOU'RE NOT SEEKING ANY
17 ADDITIONAL MEDICAL TREATMENT. THEY'VE AGREED TO PAY
18 THE LOST WAGES AND THEY ADMIT YOU HAD THE INJURY.
19 YOUR FORM 50 DOES NOT MAKE A CLAIM FOR PERMANENT
20 DISABILITY.

21 THE WITNESS: THE DOCTOR DIDN'T ADD
22 ANYMORE ONTO IT. DR. JONES DIDN'T ADD ANYMORE ONTO
23 WHAT I ALREADY HAD DOWN THERE. BUT I DID -- I GOT
24 SOME MORE DISCS DOWN THERE THAT HE FOUND ON THE MRI.
25 AND I HAD SOME SCIATICA THAT DEVELOPED FROM THE

1 FALL -- FROM THE CHAIR FALLING ON TOP OF ME.

2 THE COURT: MA'AM, IN YOUR PLEADINGS THAT
3 YOU FILED YOU DID NOT CLAIM ANY PERMANENT DISABILITY.

4 THE WITNESS: BECAUSE HE SAID HE WASN'T
5 GOING TO ADD NO MORE ONTO IT. SO THAT'S WHY I DIDN'T
6 PUT IT ON THERE, SO.

7 E X A M I N A T I O N

8 BY THE COURT:

9 Q. WELL, TELL ME HOW YOU GOT HURT IN THAT
10 ACCIDENT. THEY ADMIT THE ACCIDENT, BUT JUST TELL ME
11 BRIEFLY HOW YOU GOT HURT.

12 A. I WAS UP THERE WORKING THE NIGHT. I HAD
13 DROPPED MY PEN. I WENT TO PICK IT AND THE CHAIR -- I
14 FELL OUT AND THE CHAIR FLIP OVER ON TOP ME. THE
15 REASONS WHY I DIDN'T ASK BECAUSE I DIDN'T KNOW --
16 SINCE THE DOCTOR DIDN'T PUT IN FOR ME WHAT I WAS
17 SUPPOSED TO GET IN OR NOT. HE DIDN'T ADD ANYMORE FOR
18 THE OTHER DISCS IN MY BACK IN THE SACRAL AREA. I
19 THINK HE SAID IT WAS TWO OF THEM, I THINK. BUT HE
20 DIDN'T ADD ANYMORE TO THEM, SO I DON'T KNOW...

21 Q. BUT IN ESSENCE IF I UNDERSTAND IT CORRECT,
22 EVERYTHING YOU ASKED FOR IN YOUR REQUEST --

23 A. UH-HUH.

24 Q. -- THEY'VE AGREED TO PAY? THEY'VE AGREED
25 TO PAY ALL THE AUTHORIZED MEDICAL TREATMENT. THEY'VE

1 AGREED TO PAY THE COMPENSATION YOU REQUESTED FOR
2 TEMPORARY TOTAL DISABILITY FROM MARCH 23RD THROUGH
3 APRIL 8TH, 2002. SO THEY'VE AGREED TO PAY EVERYTHING
4 THAT YOU ASKED FOR IN YOUR BRIEFS.

5 A. AND MY MEDICAL CARE.

6 MR. SIMS: AND THAT'S IN OUR EXHIBIT "A",
7 COMMISSIONER, AS PAYMENT PROFILE SHOWING ALL THE
8 PAYMENTS TO DR. GREGORY JONES RELATED TO THIS CLAIM.
9 THEY HAVE HIM -- THIS IS THE DOCUMENTARY PROOF OF THE
10 FACT THAT THOSE --

11 THE COURT: BUT THEY ARE AGREEING -- AND
12 YOU TELL IF I'M WRONG.

13 MR. SIMS: IT'S BEEN PAID FOR.

14 THE COURT: TELL ME IF I'M WRONG. BUT THE
15 DEFENSE IS AGREEING ANY AUTHORIZED MEDICAL TREATMENT
16 RELATED TO THAT CLAIM THEY'LL PAY FOR IT. IF IT HAS
17 NOT ALREADY BEEN PAID, THEY'LL PAY FOR IT.

18 THE WITNESS: BUT HOW --

19 THE COURT: AND THEY'RE PAYING THE
20 COMPENSATION FOR THE LOST TIME THAT YOU CLAIMED.

21 THE WITNESS: WHAT I JUST WANTED TO
22 KNOW -- BECAUSE I DIDN'T KNOW WHETHER I SUPPOSED HAD
23 ASKED FOR THOSE OTHER DISCS SINCE MY DOCTOR DIDN'T
24 GIVE ME A RATING ON IT. THAT'S WHY I DIDN'T ASK.
25 BUT HE DID FIND SOME MORE DISCS BACK THERE AND SOME

1 SCIATICA. AND I DIDN'T KNOW WHETHER THEY SUPPOSED
2 HAD PAY ME FOR THAT. BUT IT WAS FOUND AND I TOLD HIM
3 THAT BEFORE.

4 THE COURT: SO ARE YOU CLAIMING PERMANENT
5 DISABILITY TODAY TO YOUR BACK?

6 THE WITNESS: WELL, I WANTED TO KNOW --
7 I'M NOT AN ATTORNEY, SO I THOUGHT YOU HAD TO GO BY
8 WHAT THE DOCTOR PUT DOWN. THAT'S WHAT I THOUGHT YOU
9 HAD TO DO.

10 THE COURT: WE CAN ALSO ESTABLISH
11 DISABILITY BY TESTIMONY.

12 THE WITNESS: OKAY. WELL, I SHOULD --
13 SHOULD GET SOME SINCE HE FIND SOME MORE DISCS BACK
14 THERE. AND I GOT SOME SCIATICA.

15 THE COURT: I'M GOING TO TAKE YOUR
16 TESTIMONY ON THAT ON WHAT PROBLEMS YOU'RE HAVING.
17 KEEP IT IN MIND, YOU DID NOT MAKE A CLAIM FOR THAT.
18 OKAY?

19 THE WITNESS: OKAY.

20 BY THE COURT:

21 Q. WHAT PROBLEMS, IF ANY, ARE YOU HAVING NOW?

22 A. I STILL HAVE SOME PAIN BACK THERE AND
23 RIGHT NOW I GOT SOME SCIATICA. I DON'T KNOW. IT
24 STARTED HURTING AGAIN. BUT I JUST WAS TRYING TO TAKE
25 CARE OF MYSELF. I DIDN'T GO BACK TO THE DOCTOR. I

1 HAVE SOME PAIN MEDICINE AND STUFF MYSELF THAT I WAS
2 TAKING.

3 Q. OKAY. SO YOU'RE HAVING PAIN IN YOUR BACK
4 AND YOU SAID SCIATICA. IS THAT --

5 A. YEAH.

6 Q. -- IN YOUR LEFT LEG?

7 A. NO. NO. IN HERE (INDICATING.)

8 Q. OKAY. RUNNING DOWN YOUR LEFT LEG?

9 A. UH-HUH. AND NOT DOWN TO THE LEG. JUST --

10 Q. IN THE HIP?

11 A. IN THE HIP, YEAH.

12 Q. BACK?

13 A. IN THE HIP PART, YEAH.

14 THE COURT: OKAY, MA'AM. FILE NO.

15 0322274. THIS IS THE DATE OF ACCIDENT OF
16 JANUARY 20TH, 2003 WITH PALMETTO HEALTH RICHLAND.
17 AND AGAIN MR. SIMS IS THE ATTORNEY FOR THIS.

18 MR. SIMS: COMMISSIONER, WITH ALL DUE
19 RESPECT, ARE WE TAKING EACH ONE OF THESE
20 INDIVIDUALLY? BECAUSE IF SHE -- IF SHE'S PUT
21 TESTIMONY IN THE RECORD ON THE PERMANENCY ISSUE ON
22 THE '02 CLAIM, I JUST WANT TO ESTABLISH AT LEAST
23 BRIEFLY THAT SHE'S -- IN MY CROSS-EXAMINATION THAT
24 SHE HAS IN FACT HAD SUBSEQUENT ACCIDENTS TO HER BACK.

25 THE COURT: WELL, WE'RE MAKING ONE RECORD.

1 MR. SIMS: OKAY.

2 THE COURT: AND THAT'S WHY IT'S ONE
3 HEARING. BUT I'M TAKING EACH CASE INDIV---EACH CASE
4 WILL STAND ON ITS OWN MERIT.

5 MR. SIMS: OKAY.

6 THE COURT: I WOULD EXPECT TO ISSUE SEVEN
7 ORDERS --

8 MR. SIMS: ALL RIGHT.

9 THE COURT: -- WHEN THIS CASE IS OVER.

10 THE WITNESS: AND COULD I SAY SOMETHING?
11 BUT THE MRI HE DONE AFTER WHERE I HAD FELL, THAT'S
12 WHEN HE SAW THOSE DISCS IN MY -- IN MY SACRAL AREA.
13 IT SHOWED UP AFTER ONE MRI.

14 THE COURT: MA'AM, IN THIS FILE, 0322274,
15 THE DATE OF THE ACCIDENT IS JANUARY 20TH, 2003. YOU
16 FILED A CLAIM FOR INJURIES TO YOUR NECK, YOUR BACK,
17 YOUR SIDE, ALL BODY, LEFT LEG, BOTH WRISTS AND YOUR
18 FEET.

19 THE WITNESS: WHICH ONE NOW?

20 THE COURT: THIS IS 0322274.

21 THE WITNESS: OKAY.

22 THE COURT: THE DATE OF ACCIDENT IS
23 JANUARY 20TH, 2003. NOW, IN THAT CASE YOU DID NOT
24 REQUEST ANY COMPENSATION FOR LOST WORK, YOU DID NOT
25 REQUEST ANY PERMANENCY AWARD AND YOU'RE NOT

1 REQUESTING ANY ADDITIONAL MEDICAL TREATMENT. THE
2 DEFENSE DENIES THIS INJURY. SO I ASSUME FROM THAT
3 YOU'RE ASKING FOR THE PAST MEDICAL TREATMENT TO BE
4 PAID?

5 THE WITNESS: I'VE GOT -- I DON'T KNOW HOW
6 YOU SAY PERMANENT PAIN IN THE VAGINAL AREA AND THE
7 PERINEUM. BECAUSE I -- I DON'T KNOW HOW YOU ASK FOR
8 PERMANENCY ON THAT.

9 THE COURT: SO YOU'RE ASKING FOR
10 PERMANENCY TODAY?

11 THE WITNESS: I SAID I DON'T KNOW HOW YOU
12 WOULD ASK FOR PAIN IN THE PERINEUM AND VAGINAL AREA?

13 THE COURT: OKAY. MA'AM, WHAT BENEFITS,
14 IF ANY, ARE YOU REQUESTING TODAY RELATED TO THIS
15 CASE?

16 THE WITNESS: I WANT THEM TO HELP ME WITH
17 MY MEDICAL BILLS. BECAUSE ON THIS CASE THAT'S WHERE
18 WHEN THE NURSE -- THE SUPERVISOR DIDN'T SEND ME TO
19 THE E.R. AND WHEN I FINALLY CALLED THERE FRIDAY --
20 BECAUSE THE NURSING SUPERVISOR TOLD ME TO TALK TO
21 MS. PARHAM.

22 EXAMINATION
23 BY THE COURT:

24 Q. LET ME BACK UP A LITTLE. I SHOULD HAVE
25 ASKED YOU EARLIER. HOW DID YOU GET HURT?

1 A. WHEN THIS -- THIS WAS A SLIP AND FALL.
2 THEY HAD A WET FLOOR. THE FLOOR WAS WET AND THEY HAD
3 THE SIGN ON ONE SIDE. AND I WENT ON THE OTHER SIDE,
4 BUT IT WAS WET ON THERE TOO.

5 Q. OKAY. DID YOU ASK FOR MEDICAL TREATMENT?

6 A. THIS --

7 Q. WHO DID YOU ASK?

8 A. WHEN I CALLED OVER THAT FRIDAY TO TALK --
9 BECAUSE THEY TOLD ME TALK TO MS. PARHAM. BECAUSE
10 SINCE I HAD BEEN HAVING TROUBLE WITH DR. DURKIN AND
11 THE OTHER NURSE PRACTITIONERS OVER THERE.

12 Q. AND WHO DID YOU ASK?

13 A. THE NURSING SUPERVISOR TOLD ME TO CALL
14 OVER THERE AND TALK TO THEM. AND WHEN I WAS TRYING
15 TO TALK TO HER SHE GOT UPSET WITH ME BECAUSE I WAS
16 ASKING HER ABOUT PAIN MEDICINE AND STUFF. SHE TOLD
17 ME ANYTHING I -- WRONG WITH ME, GO TO MY OWN DOCTOR.
18 AND THEN SHE CALLED --

19 Q. OKAY. AND WHO TOLD YOU THAT?

20 A. MS. PARHAM. AND THEN SHE CALLED -- I
21 DON'T KNOW THE NEXT --

22 Q. WHO WAS SHE?

23 A. SHE WAS THE NURSE PRACTITION. AND THE
24 NEXT THING I KNEW, ANNETTE SULLIVAN CALLED ME AND
25 TOLD ME TO COME TO THE HOSPITAL. AND THAT'S WHEN

1 THEY TOOK ME OVER TO -- BACK TO HEALTHWORKS. I HAD
2 TO GO THROUGH A URINE TEST BECAUSE THEY ACCUSED ME OF
3 SEEKING DRUGS. I SENT A PAPER WHERE THEY HAD WROTE
4 ME UP, ACCUSED ME OF SEEKING DRUGS AND I HAD TO TRY
5 TO BLOW IN A BREATHALYZER. BUT I COULDN'T DO IT
6 BECAUSE I HAD PROBLEMS WITH MY THROAT WHERE THE
7 CHART -- A THICK HEAVY CHART HAD DROPPED ON MY NECK.
8 AND I DON'T HAVE THE NOTES FROM DR. GOINGS. SHE ENT
9 DOCTOR. I HAD TO GO TO HER. I HAD SOME KIND OF
10 DYSTONIA SHE WROTE. BUT I HAD -- I WROTE IN THE
11 NOTES THAT I SEND FOR HER RECORDS BECAUSE I DIDN'T
12 KNOW I SUPPOSED TO SEND GET THEM.

13 Q. DID YOU BRING ANYTHING ON THE BILLS THAT
14 YOU WANT PAID?

15 A. I JUST HAD --

16 Q. DO YOU HAVE ANY DOCUMENTS ON WHAT BILLS
17 THAT ARE OUTSTANDING THAT YOU WOULD LIKE TO HAVE THEM
18 PAY?

19 A. I WANTED TO HELP WITH MY MEDICAL BILLS.
20 BUT I DON'T KNOW HOW THAT WORK BECAUSE SINCE I HAD --
21 THEY SAID THEY WASN'T PAYING FOR MY OWN DOCTOR AND --
22 BUT MS. PARHAM HAD TOLD ME TO DO THAT. AND AFTER
23 THEY HAD WROTE ME UP I WAS -- I HAD TO BE HOME FOR A
24 WHOLE --

25 Q. WHO'S THE DOCTOR THAT TREATED YOU ON THIS

1 CASE?

2 A. I WENT TO -- I WENT TO MY OWN DOCTOR
3 DR. HOOK. AND I HAD -- HAD TO GET A -- I THINK IT
4 WAS AN MRI. NO. CT SCAN HE SENT ME FOR. TO CHECK
5 DOWN IN MY PELVIS AND STUFF FOR SOMETHING TO MAKE
6 SURE I DIDN'T HAD BROKE NOTHING DOWN UP IN THERE
7 WHERE I HAD FALL.

8 Q. SO YOU WANT THEM TO PAY THE BILLS THAT
9 WERE INCURRED FROM DOCTOR --

10 A. YES. AND --

11 Q. FROM DR. HOOK?

12 A. AND MY MEDICAL BILLS THAT I HAD TO DO.
13 BUT I STILL GOT PAIN IN MY PERINEUM AREA AND MY
14 VAGINAL AREA. AND I DON'T KNOW HOW YOU ASK FOR
15 PERMANENCY ON THAT. THAT'S THE PROBLEM I'M STILL
16 HAVING DOWN IN THERE.

17 Q. AND YOU UNDERSTAND, MA'AM, IN THE
18 PLEADINGS IN THE FILE YOU DID NOT ASK FOR A
19 PERMANENCY AWARD?

20 A. BUT I DIDN'T KNOW --

21 Q. I UNDERSTAND YOU'RE SAYING THAT TODAY.

22 A. YEAH. YEAH.

23 Q. BUT YOU DIDN'T FILE FOR THAT?

24 A. BUT I DIDN'T KNOW YOU GET PERMANENCY ON
25 VAGINAL -- I MEAN HOW YOU GET PERMANENCY ON THAT?

1 IT'S TOO LATE TO ADD THAT IN NOW?

2 Q. THE PARTIES HAVE A RIGHT TO KNOW WHAT THE
3 PLEADINGS ARE BEFORE THEY COME TO A HEARING.

4 A. I THINK I --

5 Q. I'M JUST TRYING TO LET YOU KNOW WHAT'S IN
6 THE FILE. BUT YOU HAVE THE RIGHT TO GIVE YOUR
7 TESTIMONY AND TO MAKE CLAIMS.

8 A. OKAY. YEAH. I THOUGHT I HAD PUT ON THERE
9 ABOUT STILL HAVING -- ON ONE OF THOSE FORMS I
10 ANSWERED TO HIM I WAS STILL HAVING PAIN IN THE
11 PERINEUM AREA AND THE VAGINAL AREA.

12 Q. OKAY. BUT IF I UNDERSTAND IT, YOU'RE
13 SAYING THAT MS. CARTER TOLD YOU GO TO YOUR OWN
14 DOCTOR?

15 A. NO, NOT MS. CARTER. MS. PARHAM. SHE'S
16 THE NURSE PRACTITIONER.

17 MR. SIMS: PARHAM, COMMISSIONER.

18 THE WITNESS: P-A-R-H-A-M.

19 THE COURT: OKAY. THANK YOU.

20 BY THE COURT:

21 Q. YOU'RE SAYING SHE TOLD YOU TO GO TO YOUR
22 OWN DOCTOR?

23 A. YES, SIR, WHEN I CALLED THAT MORNING.

24 Q. AND YOU WANT THEM -- AND YOU WANT THEM TO
25 PAY THOSE MEDICAL BILLS?

1 A. YEAH. SHE TOLD ME GO TO MY OWN DOCTOR.

2 THE COURT: MR. SIMS, DO YOU HAVE
3 QUESTIONS?

4 MR. SIMS: YES. THANK YOU, COMMISSIONER.

5 C R O S S - E X A M I N A T I O N

6 BY MR. SIMS:

7 Q. IN OUR APA SUBMISSIONS, MS. SHIVER, WE'VE
8 SUBMITTED A REPORT FROM MS. PARHAM DATED
9 JANUARY 24TH, 2003.

10 THE COURT: WHAT PAGE ARE YOU ON?

11 MR. SIMS: THIS IS PAGE 2 OF THE APA'S OF
12 THIS PARTICULAR CASE, COMMISSIONER.

13 BY MR. SIMS:

14 Q. IN THAT REPORT SHE WRITES, "MS. SHIVER
15 CALLED IN TODAY TO HEALTHWORKS AND REFUSED TO COME IN
16 IN PERSON TO BE EXAMINED. SHE STATED THAT SHE DID
17 NOT WANT TO COME TO HEALTHWORKS BECAUSE SHE DID NOT
18 LIKE DR. DURKIN."

19 A. NO. I DIDN'T SAY THAT.

20 Q. "SHE ALSO STATED SHE DID NOT WANT TO SEE
21 ANY NURSE PRACTITIONERS BECAUSE WE WERE UNDER
22 DR. DURKIN." DO YOU RECALL, MS. SHIVER, HAVING SOME
23 CONTROVERSY OR ISSUES ABOUT NOT WANTING TO BE SEEN
24 BY THE HEALTHWORKS DOCTORS THAT WERE BEING OFFERED TO
25 YOU AT OR NEAR THE TIME OF THIS ALLEGED ACCIDENT IN

1 JANUARY OF 2003?

2 A. NO, SIR. WHEN I -- WHEN I WENT TO THE
3 NURSING SUPERVISOR AND I HAD TOLD THEM, THEY KNEW
4 ABOUT THE PROBLEMS I WAS HAVING. THEY TOLD ME TO
5 CALL OVER TO MS. PARHAM AND TALK TO HER FIRST. AND
6 WHEN I CALLED MUST BE THAT WEDNESDAY OR WHATEVER, THE
7 GIRL TOLD ME -- WHOEVER ANSWERED THE PHONE TOLD ME
8 SHE WASN'T COMING IN THERE UNTIL THAT FRIDAY. SO
9 THAT FRIDAY WHEN I CALLED THERE AND I WAS ASKED -- I
10 GOT -- I WROTE MY VERSION OF WHAT HAPPENED. AND
11 THAT'S WHEN SHE WAS -- GOT UPSET WITH ME BECAUSE I
12 WAS ASKING ABOUT GETTING SOME NARCOTICS AND STUFF FOR
13 MY PAIN. BECAUSE SHE DIDN'T HAVE NO NARCOTICS AND
14 SOMETHING. SHE SAID THE FACT THAT SHE WOULD TELL --
15 NO. SHE -- WHEN I ASKED HER SHE WAS THE -- I THINK
16 INDEPENDENT NURSE PRACTITION. AND SO SHE'S THE ONE
17 THAT TOLD ME THAT DR. DURKIN WAS JUST THE MEDICAL
18 DIRECTOR. AND SHE WOULD TELL MR. LATHAN THAT. I
19 WROTE DOWN EXACTLY WHAT SHE SAY.

20 AND THEN AFTER THEN SHE CALLED TO -- I DON'T
21 KNOW WHAT HAPPENED. ANNETTE CALLED TO THE HOUSE AND
22 I WAS IN THE BED AND TOLD ME TO COME. AND THAT'S
23 WHEN THEY WROTE ME UP AND SENT ME OVER THERE AND DID
24 THE NARCOTICS SCREEN AND HAD ME BLOW -- TRYING TO DO
25 THE BREATHALYZER. AND I COULDN'T DO IT BECAUSE

1 SOMETHING WAS WRONG WITH MY THROAT AND I COULDN'T DO
2 IT. AND I WAS SENT HOME FOR A WHOLE WEEK. AND THEN
3 ANNETTE FINALLY CALLED THAT FRIDAY AND TOLD ME I
4 COULD COME BACK TO WORK. BUT I WAS STILL SICK BUT I
5 WAS SCARED THEY WAS GOING TO WRITE ME UP BECAUSE SHE
6 HAD DONE WROTE ME UP.

7 Q. YES, MA'AM.

8 A. AND I HAD THAT IN MY RESPONSE.

9 Q. YES, MA'AM. MY SPECIFIC QUESTION TO YOU
10 IS WHETHER OR NOT YOU REMEMBER THAT MEDICAL TREATMENT
11 WAS OFFERED TO YOU THROUGH HEALTHWORKS AT THE TIME
12 YOU ALLEGE YOU HAD THIS ACCIDENT IN JANUARY OF TWO
13 THOUSAND --

14 A. SHE WOULDN'T OFFER -- WHEN I WAS TELLING
15 HER SHE ASKED ME WHAT WAS WRONG AND I TOLD HER WHAT
16 WAS WRONG. SHE TOLD ME TO GO TO MY OWN DOCTOR.
17 THAT'S WHAT SHE TOLD ME.

18 Q. YOU IN FACT WENT TO YOUR OWN DOCTOR --

19 A. BECAUSE SHE TOLD ME THAT. GO -- AND GO TO
20 MY OWN DOCTOR. MS. PARHAM TOLD ME THAT THAT MORNING.

21 Q. MS. SHIVER --

22 A. AND THEN SHE TURNED AROUND AND GOT --
23 WHAT'S HER NAME CALLED ME TO THE HOSPITAL TO WRITE ME
24 UP AND STUFF.

25 Q. WE HAVE OBTAINED THROUGH SUBPOENA THE

1 MEDICAL RECORDS FROM YOUR DOCTOR DR. HOOK AND THOSE
2 ARE ATTACHED AS EXHIBITS --

3 A. YEAH. I WENT TO DOCTOR --

4 Q. -- IN THIS CASE.

5 A. I WENT TO DR. HOOK.

6 Q. YES, MA'AM.

7 A. THAT WHAT SHE TOLD ME TO DO. GO TO MY OWN
8 DOCTOR.

9 Q. IT LOOKS LIKE YOU DID IN FACT GET A CT
10 SCAN OF THE PELVIS WHICH WAS NORMAL. DO YOU REMEMBER
11 HIM TELLING YOU THAT?

12 A. YEAH. BUT I HAD TO GO TO GET THE C -- I
13 WAS HAVING PELVIC PAIN AND VAGINAL PAIN. THAT'S WHY
14 HE SENT ME OVER THERE.

15 Q. YES, MA'AM.

16 A. TO MAKE SURE I WAS ALL RIGHT.

17 Q. AND THAT WAS A ONETIME VISIT TO YOUR
18 DOCTOR, YOUR PERSONAL DOCTOR DR. HOOK IN APRIL OF
19 2003. AND --

20 A. I DON'T HAVE ALL OF DR. HOOK'S ORDERS. I
21 JUST WROTE FOR HIS NOTES.

22 Q. YES, MA'AM. WE SUBMITTED THOSE.

23 A. BECAUSE I DON'T KNOW WHETHER SOME OF THEM
24 MISSING OR WHAT OUT OF THERE. I DON'T HAVE ALL. I
25 JUST SENT FOR THEM.

1 Q. YES, MA'AM.

2 A. AND THEY HADN'T GOTTEN HERE YET.

3 Q. WE SUBMITTED ALL OF DR. HOOK'S RECORDS
4 FROM APRIL THROUGH AUGUST OF 2003.

5 A. IS THAT ALL THAT CAME -- CAME FROM HIM?

6 Q. YES, MA'AM. AND THOSE ARE IN THE RECORDS,
7 IN THE APA RECORDS THAT I SENT YOU A COPY OF. AND BY
8 AUGUST OF 2003 IT WAS THE --

9 A. BECAUSE I GO BY THE DATES -- APPOINTMENTS
10 THAT HE GIVE ME TO COME.

11 Q. YES, MA'AM. BY AUGUST OF 2003 DR. HOOK
12 WRITES IN HIS NOTES, "AUGUST 14TH. MS. SHIVER IS A
13 PATIENT OF DR. HOOK." THIS IS THE NURSE PRACTITIONER
14 IN HIS OFFICE. "SHE WAS AT A HOTEL YESTERDAY. SHE
15 GOT UP TO TAKE A BREAK AND SHE TRIPPED OVER A CHAIR.
16 SHE CAUGHT HER LEFT FOOT ON THE CHAIR AND THEN SHE
17 FELL BACK ON THE FLOOR."

18 A. NO, THAT'S NOT WHAT HAPPENED.

19 Q. IF YOU'LL ALLOW ME TO FINISH.

20 A. THAT'S NOT WHAT HAPPENED.

21 Q. "SHE SAID SHE HIT HER BUTTOCKS FIRST AND
22 THEN HER LEGS FELL. SHE CAUGHT HERSELF WITH HER
23 HANDS. SHE DID NOT HIT HER HEAD. SHE SAID SHE WAS
24 ABLE TO GET UP AND MOVE OKAY." AND THEN LASTLY,
25 MS. SHIVER, THE SEPTEMBER 3RD '03 OFFICE VISIT, AND

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1 THIS TIME IT'S WITH DR. HOOK. HIS NOTES IN THE FILE
2 ARE, "THE PATIENT APPARENTLY SLIPPED ON A CARPET AT A
3 CONFERENCE AND LANDED QUITE VIOLENTLY ON HER
4 BUTTOCKS. SINCE THAT TIME SHE HAS HAD A MODERATE
5 AMOUNT OF LOW BACK PAIN. SHE CLAIMS THAT SHE HAS
6 RECENTLY BEGUN TO FEEL A POP IN HER BACK." DO YOU
7 RECALL TELLING YOUR PERSONAL DOCTOR ABOUT YOUR
8 FALL --

9 A. YEAH, I DID SLIP.

10 Q. -- IN AUGUST?

11 A. YEAH, I SLIPPED. SLIDE ON THE FLOOR. I
12 THINK IT WAS A WET STEP. (INAUDIBLE) ON THE FLOOR.
13 AND SOME OF THE PEOPLE -- MISS -- I DON'T KNOW
14 WHETHER SHE WOULD TELL THE TRUTH OR NOT.

15 Q. WELL, DID THAT FALL BOTHER THE PARTS OF A
16 BODY THAT YOU'RE TALKING ABOUT IN THIS CLAIM WHEN YOU
17 FELL LIKE THAT?

18 A. IT HURTS -- HURT THE BACK WHEN I FELL.
19 BUT THEN I -- I FELL AGAIN.

20 MR. SIMS: YES, MA'AM. THAT'S ALL THE
21 QUESTIONS I HAVE, COMMISSIONER.

22 THE WITNESS: AND THAT WAS -- I HAD
23 ALREADY DID THE CT SCAN. I WENT WHEN THE DOCTOR GAVE
24 ME AN APPOINTMENT TO COME.

25 THE COURT: MA'AM, I'M GOING TO BACK UP A

1 LITTLE BIT AND GET THE CASE THAT INVOLVED MR. CHASE.
2 I HAVE THOSE AS FILE 0321756. THIS IS THE INJURY
3 FROM OCTOBER 23RD, 2003 WITH PALMETTO HEALTH
4 RICHLAND. AND YOU ARE CLAIMING IN THAT ONE INJURIES
5 TO YOUR BACK, LEFT SIDE AND KNEES. YOU'RE NOT
6 CLAIMING ANY COMPENSATION FOR TEMPORARY TOTAL
7 DISABILITY AND YOU DID NOT MAKE A CLAIM FOR
8 PERMANENCY. YOU'RE NOT REQUESTING ANY MEDICAL
9 TREATMENT TODAY YOU'VE ALREADY TOLD ME. SO IF --
10 THEY DENY THE INJURY OCCURRED.

11 E X A M I N A T I O N
12 BY THE COURT:

13 Q. SO, MA'AM, IF YOU WOULD, TELL ME HOW YOU
14 GOT HURT THAT DAY.

15 A. WELL, I WAS GOING -- NO. I DIDN'T HEAD TO
16 CHARLESTON. I WAS GOING BACK TO MY DESK AND MY RIGHT
17 FOOT GOT CAUGHT IN THE TELEPHONE CORD. I DON'T KNOW
18 WHO DID IT. IT WAS -- GOT A CORD THAT WAS STRETCHED
19 FROM ONE THE CODERS. JUST STRETCHED THE CORD FROM
20 ONE AREA TO THE CUBICLE TO THE OTHER ONE. AND THEY
21 HAD LEFT IT OUT. I WASN'T LOOKING DOWN AND MY RIGHT
22 FOOT GOT CAUGHT IN IT.

23 Q. AND YOU FELL?

24 A. YES, SIR.

25 Q. DO YOU HAVE ANY OUTSTANDING MEDICAL BILLS

1 THAT HAVE NOT BEEN PAID RELATED TO THAT?

2 A. I GOT MY MEDICAL BILL. BUT HE SAID HE
3 WASN'T GOING TO PAY SINCE I WENT TO MY OWN DOCTOR.
4 BUT THE E.R. DOCTOR HAD TOLD ME TO FOLLOW UP WITH MY
5 OWN DOCTOR. AND THEY HAD TOLD ME NOT TO GO BACK OVER
6 TO HEALTHWORKS.

7 Q. DID YOU ASK YOUR EMPLOYER OR THE INSURANCE
8 CARRIER -- THIS IS A SELF-INSURED CARRIER, I THINK.

9 A. UH-HUH.

10 Q. DID YOU ASK YOUR EMPLOYER TO SEND YOU TO
11 THE DOCTOR?

12 A. NO. BECAUSE THE E.R. DOCTOR TOLD ME TO GO
13 TO MY OWN DOCTOR, SO I DIDN'T -- E.R. AT THE
14 HOSPITAL, THEY SENT ME TO -- TOLD ME TO FOLLOW UP
15 WITH MY OWN DOCTOR BECAUSE THEY WAS -- THEY HAD TOLD
16 ME NOT TO GO BACK OVER TO HEALTHWORKS.

17 Q. SO IF I UNDERSTAND, YOU DID NOT ASK YOUR
18 EMPLOYER TO SEND YOU TO A DOCTOR?

19 A. THE E.R. DOCTOR TOLD ME GO TO MY OWN
20 DOCTOR, SIR. SO THAT'S WHY I DID WHAT THEY HAD TOLD
21 ME.

22 Q. YES, MA'AM. I KNOW THAT.

23 A. YEAH.

24 Q. I UNDERSTAND THAT. BUT DID YOU ASK YOUR
25 EMPLOYER TO SEND YOU TO A DOCTOR?

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1 A. NO, SIR. BECAUSE THE ONLY THING, THEY
2 TOLD ME TO GO TO HEALTHWORKS AND NO DOCTOR WORK AT
3 HEALTHWORKS. NOTHING BUT THE NURSE PRACTITION.

4 Q. SO YOU'RE ASKING FOR PAYMENT OF YOUR
5 MEDICAL BILLS?

6 A. YES, SIR. THEY DON'T HAVE NO DOCTOR OVER
7 AT HEALTHWORKS. NOTHING BUT NURSE PRACTITIONS.

8 Q. DID YOU BRING ANY DOCUMENTS TODAY ON WHAT
9 THE MEDICAL BILLS ARE THAT YOU WANT PAID?

10 A. NO. I JUST HAD WROTE THEM DOWN WHEN I HAD
11 WRITE HOW MUCH TO PAY. I DIDN'T BRING MY PAPERS
12 BECAUSE I HAVE TO GET THEM FROM BLUE CROSS AND BLUE
13 SHIELD. I DON'T KNOW. BECAUSE HE'S SUPPOSED -- HE
14 HAD -- MR. LANA SIMS HAD TOLD ME BEFORE I HAD TO SIGN
15 THAT FORM FOR THEM TO GET MY EOB STATEMENTS. BUT I
16 DON'T KNOW WHAT HAPPENED WITH THAT WHEN I CAME TO SEE
17 YOU IN DECEMBER.

18 Q. SO YOU'RE ASKING FOR THOSE BILLS TO BE
19 PAID?

20 A. YEAH.

21 THE COURT: I'M GOING TO GIVE MR. CHASE A
22 CHANCE TO ASK YOU SOME QUESTIONS.

23 MR. CHASE: THANK YOU, COMMISSIONER.

24 C R O S S - E X A M I N A T I O N

25 BY MR. CHASE:

1 Q. MS. SHIVER, YOU DO REMEMBER, THOUGH, THAT
2 HEALTHWORKS HAD ADVISED YOU THAT YOU NEEDED TO GO
3 THERE AND GET EVALUATED AFTER YOU CLAIM THIS INJURY
4 OF OCTOBER THE 23RD OF 2003?

5 A. I WENT TO THE E.R. DOCTOR. I DIDN'T GO TO
6 NO HEALTHWORKS. THE E.R. DOCTOR TOLD ME TO FOLLOW UP
7 WITH MY OWN DOCTOR.

8 Q. WELL, YOU TALKED TO A COUPLE OF PEOPLE,
9 THOUGH, ONE OF WHOM IS LIBBY MELROSE, NOW LIBBY
10 HOLLAND, AND SHE'S PART OF HEALTHWORKS. AND THEN YOU
11 ALSO SPOKE WITH SANDY SULLIVAN WHO'S IN THE ROOM
12 TODAY WITH KEY RISK AND SHE'S A CLAIMS HANDLER
13 BECAUSE SHE WAS INVESTIGATING YOUR CLAIM. AND
14 CERTAINLY -- AND, COMMISSIONER, THIS IS APA NUMBER
15 SIXTY---

16 THE WITNESS: THAT'S WHEN THEY CALLED ME
17 AT THE HOUSE.
18 BY MR. CHASE:

19 Q. IF I COULD FINISH, MA'AM, I'LL LET YOU
20 RESPOND.

21 A. YEAH. WAIT A MINUTE.

22 MR. CHASE: COMMISSIONER, FOR YOUR
23 CONVENIENCE THIS IS APA PAGE 64.
24 BY MR. CHASE:

25 Q. AND, MS. SHIVER, LET ME HAND YOU A COPY OF

1 THAT DOCUMENT. THAT'S AN E-MAIL -- IF YOU READ IT
2 FROM THE BOTTOM TO THE TOP -- FROM MS. SANDY SULLIVAN
3 WHO AGAIN IS THE CLAIMS HANDLER WITH KEY RISK WHO WAS
4 INVESTIGATING YOUR CLAIM. AND SHE'S ASKING YOU TO
5 SUBMIT TO HEALTHWORKS -- AND THIS IS AGAIN BECAUSE
6 THEY HAD ASKED YOU TO COME TO HEALTHWORKS. LIBBY
7 HOLLAND DID. BUT YOU ACTUALLY RESPONDED TO
8 MS. SULLIVAN THAT YOU WERE NOT PLANNING TO GO
9 TO HEALTHWORKS; ISN'T THAT RIGHT?

10 A. NO. HOW IT HAPPENED, I WAS AT HOME AND I
11 DIDN'T KNOW WHO THIS WAS CALLED AND GOT -- ASKED FOR
12 MY MEDICAL RECORDS. BECAUSE I THOUGHT PALMETTO
13 HEALTH WAS STILL UP UNDER PHTS. AND AFTER I HAD
14 TOLD -- ASKED ME ABOUT MY PAST AND I TOLD HER ABOUT
15 IT. AND THEN EVERY TIME I WENT TO WORK LIBBY
16 HOLLANDS TOOK MY E-MAIL AND GAVE IT TO HER AND Y'ALL
17 SENT E-MAIL UPSETTING ME AT THE JOB WHEN I CAME TO
18 WORK. AND I TOLD Y'ALL THE E.R. DOCTOR HAD TOLD ME
19 TO FOLLOW UP WITH MY OWN DOCTOR, SO I TOLD YOU I WAS
20 GOING THERE. AND THEN -- BECAUSE NO DOCTOR IS OVER
21 AT HEALTHWORKS. ONLY NURSE PRACTITIONERS.

22 THE COURT: MA'AM, YOU NEED TO LISTEN TO
23 HIS QUESTION.

24 THE WITNESS: YEAH.

25 THE COURT: STAY WITHIN HIS QUESTION.

1 BY MR. CHASE:

2 Q. NOW, MS. SHIVER, YOU ALSO REFUSED A
3 RECORDED STATEMENT THAT MS. SULLIVAN WANTED TO TAKE.
4 SHE WANTED TO TAKE YOUR RECORDED STATEMENT TO
5 INVESTIGATE YOUR CLAIM, DIDN'T SHE?

6 A. IS THAT THE TIME SHE CALLED TO THE HOUSE?
7 SHE CALLED THE HOUSE TO FIND OUT ABOUT INFORMATION
8 ABOUT MY HEALTH. AND THAT'S WHEN I HAD TOLD -- WHEN
9 I FIND OUT WHO SHE WAS, THEN I HAD CALLED BACK AND
10 TOLD THEM NOT TO DO. BECAUSE I DIDN'T KNOW WHO SHE
11 WAS WHEN SHE CALLED TO THE HOUSE.

12 Q. WELL, I MEAN THE ANSWER IS, YES OR NO, DID
13 YOU REFUSE YOUR RECORDED STATEMENT AND THE ANSWER IS
14 THAT YOU REFUSED IT?

15 A. WHERE THE THINGS, THE RECORDED STATEMENT?
16 SHOW ME THAT WHERE SHE ACTUALLY RECORD THE STATEMENT.

17 Q. WELL, I'M ASKING YOU THE QUESTION. DID
18 YOU NOT REFUSE YOUR RECORDED STATEMENT THAT SHE
19 WANTED TO TAKE?

20 A. SHE CALLED ME AT THE HOUSE AND I DID DO
21 THE RECORDED -- SHE ASKED ME ABOUT MY HEALTH AND SHE
22 TOLD ME SHE WAS RECORDING IT.

23 THE COURT: MA'AM, IF I COULD STOP YOU.

24 THE WITNESS: AND THAT'S WHAT I DID.

25 THE COURT: THING OFF THE MICROPHONE.

1 THE WITNESS: AND WHEN I FIND OUT WHO SHE
2 WAS, I CALLED AND TOLD NOT TO GO BACK. BECAUSE I
3 DIDN'T KNOW WHO SHE WAS AND SHE CALLED AND GOT
4 SOME -- MY HEALTH INFORMATION.
5 BY MR. CHASE:

6 Q. OKAY. BUT THE BOTTOM LINE IS YOU REFUSED
7 TO GIVE A RECORDED STATEMENT THAT SHE WANTED TO TAKE?

8 A. I DID GIVE HER A RECORDED STATEMENT.
9 BECAUSE I CALLED AND ASKED HER TO TEAR IT -- NOT TO
10 DESTROY IT. IT CAME FROM THE HOUSE.

11 Q. OKAY. IF I COULD SEE THAT PAGE AGAIN THAT
12 I HANDED YOU.

13 A. AND I WROTE IN THERE I TOLD HER DESTROY
14 THE TAPE. OR DESTROY THE HEALTH THING BECAUSE I
15 DIDN'T KNOW WHO IT WAS.

16 Q. AND YOU REFUSED TO GO OVER TO HEALTHWORKS,
17 DIDN'T YOU? YOU PUT THAT IN THIS E-MAIL ON PAGE 64
18 OF THE APA?

19 A. YEAH. BECAUSE I WAS ALREADY GOING TO MY
20 DOCTOR AND THAT WHAT THE E.R. DOCTOR TOLD ME TO DO.
21 AND I ALREADY GOING TO MY DOCTOR. YOU WOULD LEAVE
22 YOUR OWN DOCTOR AND GO TO A NURSE PRACTITION.

23 Q. WHATEVER YOUR REASON WAS, THE ANSWER IS
24 THAT YES, YOU REFUSED TO GO TO HEALTHWORKS?

25 A. NO. I SAID I WASN'T GOING TO HEALTHWORKS

1 AND I WAS ALREADY UNDER MY OWN DOCTOR.

2 Q. OKAY. MA'AM, LET ME ASK YOU, YES OR NO,
3 DID YOU GO TO HEALTHWORKS AFTER THIS DATE OF ACCIDENT
4 OF 10/23/03?

5 A. I WENT LATER ON CONCERNING SOMETHING ELSE.
6 BUT IT WASN'T WITH THAT ACCIDENT THERE.

7 Q. OKAY. THAT'S ALL I'M ASKING. I'M ASKING
8 WHETHER YOU WENT TO HEALTHWORKS WHICH IS THE FIRST
9 PLACE YOU'D GO FOR A WORKERS' COMP INJURY. YOU KNOW
10 THAT FROM WORKING THERE ALL THAT TIME.

11 A. WELL, I TALKED TO E.R. E.R. DOCTOR TOLD
12 ME NOT TO GO BACK OVER THERE. AND THEY TOLD ME TO
13 FOLLOW UP WITH MY OWN DOCTOR. SO I DON'T KNOW WHAT
14 THE PROCEDURE, BUT THAT'S WHAT THEY TOLD ME TO DO
15 WHEN THEY FIND OUT I WAS HAVING TROUBLE WITH MY 2001
16 ACCIDENT. TOLD NOT TO GO BACK OVER THERE.

17 Q. NOW, JUST BEFORE -- JUST BEFORE YOU WENT
18 TO DR. HOOK IN NOVEMBER OF 2003 WHICH IS YOUR OWN
19 DOCTOR, YOU WENT TO HIM IN NOVEMBER OF 2003?

20 A. IN NOVEMBER OF 2003.

21 Q. JUST BEFORE THE DATE OF ACCIDENT IN THIS
22 CLAIM WE'RE TALKING ABOUT RIGHT NOW, YOU HAD ALREADY
23 BEEN TREATING WITH DR. HOOK FROM FALLING AT A
24 CONFERENCE; RIGHT?

25 A. YES. I DID FELL AT THE CONFERENCE. IT

1 WAS -- I SLIDE ON THE CARPET.

2 MR. CHASE: AND, COMMISSIONER, I'M LOOKING
3 AT APA PAGE 33.

4 BY MR. CHASE:

5 Q. IN FACT, MA'AM, YOU HAD JUST BEEN IN TO
6 SEE DR. HOOK, THAT'S YOUR DOCTOR, ON SEPTEMBER THE
7 3RD OF 2003; RIGHT?

8 A. IF IT'S THERE, THE DATE RIGHT, THEN I HAD
9 BEEN THERE.

10 Q. ALL RIGHT. AND YOU SAW HIM -- IT'S APA
11 PAGE 35. THE FIRST TIME YOU SAW HIM AFTER THIS
12 CLAIMED INJURY OF OCTOBER 23RD OF 2003 WAS ON
13 NOVEMBER THE 25TH OF 2003. THAT'S ON APA PAGE --

14 A. I THINK THAT'S WHEN THEY GIVE MY
15 APPOINTMENT.

16 Q. -- THIRTY-FIVE; RIGHT?

17 A. WHEN THEY GIVE THE APPOINTMENT TO COME.

18 Q. YEAH. THAT'S YOUR OWN DOCTOR; RIGHT?

19 A. YEAH.

20 THE COURT: I NEED TO STOP Y'ALL.

21 THE WITNESS: BECAUSE THAT'S THE RIGHT
22 PAPERS.

23 THE COURT: I NEED TO STOP YOU. WHEN YOU
24 BOTH TALK AT THE SAME TIME, WE CAN'T MAKE A GOOD
25 RECORD. I'LL ASK EACH OF YOU TO WAIT ON THE OTHER

1 ONE TO FINISH AND THEN ANSWER. DO YOU HAVE ANOTHER
2 QUESTION?

3 THE WITNESS: IS THAT ALL -- Y'ALL GOT ALL
4 OF THE RIGHT PAPERS? IF HE GAVE Y'ALL EVERYTHING,
5 THEN THAT'S WHAT IT IS. BUT I DON'T HAVE THE RECORD
6 TO GO BACK THROUGH TO MAKE SURE THAT'S THE RIGHT
7 DATES.

8 BY MR. CHASE:

9 Q. OKAY. AND YOUR OWN DOCTOR HALFWAY DOWN ON
10 THIS APA PAGE 35, HE INDICATED THAT THIS WAS NOT A
11 POSTTRAUMATIC PROBLEM, DIDN'T HE? AND THIS IS YOUR
12 OWN DOCTOR.

13 A. IT'S HOWEVER AN MRI WAS IT TO REVIEW WITH
14 DR. MCBRYDE BECAUSE THAT'S NOT THE CASE. HE WAS
15 TALKING ABOUT MY FOOT WHEN THEY HAD DID THE MRI AND
16 SAID I HAD A TEAR IN ONE OF MY TENDONS OR SOMETHING.
17 THAT'S WHAT HE WAS TALKING ABOUT, DR. MCBRYDE.

18 Q. OKAY. THE WORD IS HIGHLIGHTED. HE SAID
19 IT'S NOT A POSTTRAUMATIC PROBLEM THAT YOU'RE THERE
20 FOR?

21 A. THAT -- IT WASN'T TALKING ABOUT -- IT'S
22 TALKING ABOUT MY LEFT FOOT WHEN I HAD TOLD HIM ABOUT
23 THE MRI THAT DR. MYBRYDE HAD -- HAD DONE. AND THAT'S
24 WHAT HE'S SAYING ABOUT THE MRI THAT DR. MCBRYDE HAD
25 ORDERED ON MY FOOT AND WAS -- HE AND ONE OF THE

1 OTHER -- HE HAD A CONTROVERSY WITH THE DOCTOR THAT
2 READ THE MRI ABOUT THE TEAR IN MY -- IN ONE THE
3 TENDONS OR LIGAMENTS, SOMETHING IN THE FOOT. BUT
4 THEY WAS ARGUING ABOUT THAT, THE ONE AT THE HOSPITAL.

5 Q. NOW, THE SAME BODY PARTS THAT YOU'RE
6 CLAIMING IN THIS CLAIM WE'RE HERE ON NOW FOR OCTOBER
7 THE 23RD OF 2003, YOU HAD INJURED THOSE AREAS BEFORE
8 THROUGH VARIOUS CLAIMED ON-THE-JOB INJURIES IN CAR
9 ACCIDENTS?

10 A. I HAD NUMEROUS OF FALLS AND STUFF.

11 Q. SO THE ANSWER IS YES?

12 A. YEAH. I HAD HAD NUMEROUS FALLS.

13 Q. OKAY. THANK YOU.

14 A. I TELL YOU THEY WERE HURT BEFORE. IT
15 WASN'T THE FIRST TIME THEY WAS HURT.

16 Q. AND THEN AFTER -- AFTER THIS DATE OF
17 OCTOBER THE 23RD OF 2003, YOU HAD ANOTHER FALL AT
18 YOUR CHURCH, REDHILL BAPTIST CHURCH?

19 A. ON MAY THE 20TH OF LAST YEAR.

20 Q. MAY THE 20TH OF 2006; CORRECT?

21 A. YES, SIR.

22 Q. AND HAVE YOU INSTITUTED THE LEGAL ACTION
23 YOU WERE TELLING ME ABOUT THAT YOU WERE CONTEMPLATING
24 WHEN I TOOK YOUR DEPOSITION?

25 A. I HAD TO GO TALK TO MY DEACONS YESTERDAY,

1 AND THEY SAID THEY WAS GOING -- I HAVE TO FILL OUT
2 THE FORM AND THEY'RE GOING TO SUBMIT IT TO THEIR
3 INSURANCE COMPANY. BUT I WAS WAITING UNTIL I GET MY
4 PAPERWORK DONE. IT WAS HELD UP WITH THE PHYSICAL
5 THERAPY. THE GIRLS UP THERE WOULDN'T GET -- HAD MESS
6 UP THE PAYMENT. SO I WENT AND TALKED TO THE DEACONS
7 YESTERDAY AT CHURCH AND THEY SAID THEY HAD TO SUBMIT
8 A FORM TO THEIR INSURANCE COMPANY. I JUST HAVE TO
9 FINISH FILLING IT OUT.

10 Q. LET ME ASK YOU, MS. SHIVER. WHY WOULDN'T
11 YOU GO TO HEALTHWORKS WHICH IS THE COMPANY DOCTORS
12 AFTER YOUR CLAIMED INJURY THAT WE'RE TALKING ABOUT?

13 A. AIN'T LISTEN -- HE AIN'T LISTENING TO
14 NOTHING I WAS TELLING YOU. IS NO COMPETENT DOCTORS
15 OVER THERE. ONLY THE NURSE PRACTITIONERS. AND I HAD
16 THE PROBLEMS WITH -- WAS CAUSED WITH MY FOOT. SHE
17 WAS TAKING CARE OF MY FOOT UNTIL DECEMBER I THINK IT
18 WAS 11TH. AND SHE TURNED ME LOOSE AND I HAD TO END
19 UP GOING RIGHT BACK OVER THERE. AND THAT'S WHEN SHE
20 SAID SEND ME TO -- GOT DR. DURKIN INTO MY CARE. BUT
21 SHE WAS TAKING CARE OF ME. AND I HAD DONE BEG HER TO
22 SEND ME TO AN ORTHOPEDIC, BUT SHE WOULDN'T DO IT.

23 Q. MS. SHIVER, ARE YOU AWARE THAT HEALTHWORKS
24 HAS AN OCCUPATIONAL HEALTH PHYSICIAN THERE IN THAT
25 GROUP?

1 A. IT WASN'T -- WASN'T THERE THEN. THE ONLY
2 TIME I WAS THERE WITH DR. DURKIN AND HE JUST WAS
3 THE -- THE NEUROLOGIST AND HE ONLY HAD COME THERE ON
4 WEDNESDAY. HE WAS THE MEDICAL DIRECTOR. AT THE TIME
5 WHEN THE ACCIDENT HAPPENED THEY DIDN'T HAVE NO
6 DOCTOR. I DON'T KNOW WHAT THEY GOT OVER THERE NOW.
7 BUT AT THE TIME THEY DIDN'T HAVE NO DOCTOR OVER
8 THERE. AND I STILL DON'T KNOW. BECAUSE I DON'T
9 KNOW. I HADN'T BEEN BACK OVER TO PALMETTO HEALTH.
10 OR OVER TO HEALTHWORKS. SO I DON'T KNOW WHAT THEY
11 GOT OVER THERE NOW.

12 Q. HOW MANY PERSONAL INJURY CLAIMS,
13 MS. SHIVER, HAVE YOU RECOVERED MONEY ON IN THE PAST?

14 A. MONEY?

15 Q. YES, MA'AM.

16 A. DO YOU THINK I WAS -- THIS ACTUALLY
17 HAPPENS TO BE ABOUT MONEY?

18 Q. IF YOU COULD JUST ANSWER THE QUESTION,
19 PLEASE.

20 A. ON MONEY? THE CAR ACCIDENT. TWO CAR
21 ACCIDENTS I HAD AND ONLY ONE WORKMEN'S COMP TO
22 TRIDENT HOSPITAL THAT I RECOVERED ON, THE ONE FROM
23 1997.

24 Q. AND HOW MUCH DID YOU GET ON THE TRIDENT
25 ONE?

1 A. I THINK MS. ATKINS -- I THINK SHE HAD
2 AWARD ME \$10,000. I THINK. AND THEN --

3 Q. IT WASN'T \$13,000?

4 A. NO. THEN HE -- SHE TOLD DOUGLAS HAD TO
5 PAY FOR MY MRI.

6 Q. OKAY. AND THEN YOU RECOVERED FROM TWO
7 DIFFERENT CAR ACCIDENTS; RIGHT?

8 A. YES.

9 Q. ONE WAS IN 1997?

10 A. I HAD TO REPRESENT MYSELF BECAUSE
11 ATTORNEY -- FIRST -- OH, LORD, WHAT'S THE BLACK
12 DOCTOR'S NAME DOWN THERE? HE MESSED ME UP WITH MY
13 CASE AND THEN I COULDN'T GET NOBODY ELSE TO HELP ME,
14 ANOTHER ATTORNEY.

15 Q. DID YOU RECOVER \$7,000 FROM THE 1997 CAR
16 ACCIDENT?

17 A. I THINK IT WAS SEVEN THOUSAND -- 7,500, I
18 THINK THAT'S WHAT IT WAS.

19 Q. AND THEN IN 2000 OR 2001 YOU TOLD ME YOU
20 HAD RECOVERED ABOUT 13,000?

21 A. YEAH. BARRY GEORGE WAS HANDLING THAT. I
22 DON'T KNOW EXACTLY. I CAN'T REMEMBER EXACTLY HOW
23 MUCH IT WAS.

24 Q. AND THAT WAS FOR YOUR NECK AND BACK?

25 A. YEAH, FOR THE NECK AND THE BACK.

1 Q. AND HE GOT YOU ANOTHER \$1,000 AS SOME
2 OTHER PART OF THAT SETTLEMENT?

3 A. THAT CAME FROM MY -- MY IN--- MY OWN
4 INSURANCE COMPANY. HE SAID I HAD -- SINCE I HAD THAT
5 UNINSURED MOTORIST COVERAGE. THAT'S WHAT THAT CAME
6 FROM. BUT AT THE TIME I DIDN'T KNOW BECAUSE HE HAD
7 MISLEAD ME INTO SIGNING THAT FORM AND COMING TO THE
8 OFFICE.

9 Q. HAVE YOU BEEN FIRED FROM ANY JOBS IN THE
10 PAST?

11 A. YES. I WAS FIRED FROM TRIDENT. BECAUSE
12 THE NURSES HAD LIED AND TOLD I WAS MISTREATING
13 PATIENTS, BUT THE NURSING BOARD THREW THAT OUT. AND
14 NOW I GOT FIRED THE OTHER -- FROM RICHLAND MEMORIAL
15 BECAUSE OF MY BOOK THAT I WROTE THAT YOU GAVE TO THEM
16 AND HE FIRED ME FOR THAT.

17 Q. AND YOU WERE FIRED DOWN IN BEAUFORT TOO;
18 RIGHT?

19 A. YEAH. BECAUSE IF SOMETHING HAPPENED, THEY
20 SAID I WAS RESPONSIBLE FOR SOME MEDICATION SOMETHING.
21 I DON'T KNOW WHAT HAPPENED. BUT I HAD STAYED LATE
22 OVER TRYING TO CATCH UP SOME WORK. ANOTHER NURSE HAD
23 LEFT OVER. AND WHEN I CAME IN THAT DAY THEY HAD
24 TERMINATE ME.

25 Q. ALL RIGHT. AND YOU WERE FIRED AT

1 CHARLESTON MEMORIAL AND PROVIDENCE AS WELL, WEREN'T
2 YOU?

3 A. I WASN'T FIRED AT -- REALLY BECAUSE AT
4 CHARLESTON MEMORIAL I COULDN'T GO BACK AFTER I HAD
5 HURT MYSELF AT -- AT TRIDENT HOSPITAL. I WASN'T ABLE
6 TO DO TWO JOBS NO MORE.

7 Q. AND WHERE ARE YOU WORKING NOW, MS. SHIVER?

8 A. I'M WORKING AT K-MART. A CASHIER.

9 Q. HOW LONG HAVE YOU BEEN WORKING AT K-MART?

10 A. STARTED IT IN MAY.

11 Q. AND WHAT'S YOUR RATE OF PAY THERE?

12 A. SIX-FIFTY AN HOUR.

13 Q. AND HOW MANY HOURS A WEEK ON AVERAGE ARE
14 YOU NOW WORKING?

15 A. THEY USUALLY SOME -- GIVE ME -- CAN'T GET
16 NO MORE THAN 15. SOMETIME WHEN SOMEONE CALL IN THEY
17 LET ME WORK A COUPLE OF HOURS OVER.

18 Q. FIFTEEN DID YOU SAY?

19 A. FIFTEEN HOURS. BECAUSE I COULDN'T GET THE
20 PART TIME. THAT'S ALL THEY GIVE ME. BECAUSE I GUESS
21 THE ECONOMY OR WHATEVER.

22 Q. AND YOUR JOB IS JUST A CASHIER? YOU DON'T
23 DO ANY INVENTORY OR STOCKING OR ANYTHING LIKE THAT?

24 A. SOMETIME I HELP PUT BACK STUFF THAT
25 CLIENT -- PATIENTS COME -- CLIENTS COME IN AND THEY

1 DON'T WANT, I HAVE TO PUT THEM BACK IN THE AREA THAT
2 THEY COME FROM. BUT MY -- SHE HIRED ME AS A CASHIER.

3 Q. YOU MENTIONED EARLIER ON IN THE TESTIMONY
4 ABOUT SOME PRIOR MENTAL HEALTH CONDITION. DO YOU
5 HAVE ANY MENTAL HEALTH CONDITION CURRENTLY PRESENTLY?

6 A. I DON'T KNOW. IT'S -- IT MIGHT NOT BE A
7 MENTAL THING. I DON'T KNOW WHAT. I TOLD YOU
8 SOMETHING HAS TO DO WITH MY CHILDHOOD. AND ONE OF
9 THE PSYCHOLOGISTS AT SCHOOL TOLD ME THINGS THAT
10 HAPPENED WHEN YOUR CHILDHOOD COMES BACK WHEN YOU GET
11 A CERTAIN AGE. BUT HE DIDN'T TELL ME WHAT THE NAME
12 OF IT. AND I TOLD -- WROTE ABOUT IT IN MY BOOK. I
13 KNOW YOU DONE READ IT.

14 Q. ARE YOU ON ANY MEDICATIONS FOR ANY MENTAL
15 HEALTH CONDITION?

16 A. NO, I'M NOT ON NO -- I DON'T KNOW WHETHER
17 IT'S EXACTLY A MENTAL. HE DIDN'T TELL ME WHAT THE
18 NAME OF IT. I'M NOT TAKING NO MEDICATION.

19 Q. MS. SHIVER, ARE YOU ON ANY KIND OF
20 PRESCRIPTION MEDICATIONS RIGHT NOW?

21 A. JUST PAIN MEDICINE.

22 Q. WHAT ARE YOU TAKING?

23 A. I TAKE MY -- OH, LORD. CAN'T REMEMBER
24 THINGS RIGHT NOW. WITH DR. BRANDT PUT ME ON. AND
25 THEN DR. HOOK HAD HAD ME ON SOME TOO. I GOT THEM OUT

1 IN THE CAR. I DIDN'T BRING ALL OF THEM IN HERE. AND
2 THEN I TAKE A NERVE PILL SOMETIME. AND I HAVE SOME
3 OLD LORTAB AT THE HOUSE. BUT OLD MEDICATION, WHEN IT
4 HURTS REAL BAD I GO AHEAD AND TAKE ONE OF THEM. I
5 MEAN THERE'S OLD PRESCRIPTION I HAD AT THE HOUSE AND
6 I TAKE THAT.

7 Q. NOW, MS. SHIVER --

8 A. AND I ALSO TAKE MY MOBIC.

9 Q. PART OF MY SUBMISSION WAS YOUR LETTER TO
10 THE COURT REPORTER. DO YOU REMEMBER THAT WHERE YOU
11 ATTACHED WHAT THEY CALL AN ERRATA SHEET?

12 A. YEAH. THOSE SHEETS WHAT -- THOSE SHEETS
13 SHE TOLD ME -- I TOLD HER I HAD CORRECT -- GIVE
14 CORRECT -- CORRECTION.

15 Q. AND YOUR ERRATA SHEETS YOU TURNED IN --
16 LET ME MAKE SURE I HAVE IT RIGHT. 161 PAGES OF
17 ERRATA SHEETS TO YOUR DEPOSITION THAT I TOOK OF YOU;
18 RIGHT?

19 A. YEAH.

20 Q. OKAY. SO THESE ARE THINGS THAT YOU THINK
21 THE COURT REPORTER TOOK DOWN WRONG?

22 A. SOME OF THE THINGS ON THERE DIDN'T SOUND
23 LIKE WHAT -- BECAUSE I DON'T TALK LIKE NO STREET
24 PERSON. SHE -- HOW SHE HAD WROTE THINGS ON THERE. I
25 KNOW I DIDN'T TELL HER THAT, TALK LIKE THAT.

1 MR. CHASE: IF I COULD HAVE THAT BACK,
2 PLEASE. THANK YOU. I DON'T HAVE ANYTHING FURTHER.

3 THE COURT: OKAY. MA'AM, WE'LL GO TO THE
4 LAST CASE WHICH IS 0616756. THE DATE OF THE ACCIDENT
5 IS JULY 16TH, 2006 WITH PALMETTO HEALTH RICHLAND. IN
6 THIS CASE YOU'VE MADE A CLAIM FOR AN INJURY TO YOUR
7 RIGHT WRIST. YOU ARE NOT CLAIMING ANY COMPENSATION
8 FOR LOST WAGES, YOU ARE NOT CLAIMING ANY AWARD FOR
9 PERMANENCY AND YOU'VE TOLD ME TODAY YOU'RE NOT
10 CLAIMING ANY ADDITIONAL MEDICAL TREATMENT.

11 E X A M I N A T I O N

12 BY THE COURT:

13 Q. TELL ME --

14 A. I NEED TO MAKE CORRECTION ON THAT. I
15 DIDN'T KNOW I HAD ANY PERMANENCY UNTIL I LOOKED BACK
16 THROUGH THE NOTES THAT DR. NOOJIN HAD SENT. HE DID
17 PUT SOME --

18 Q. SO YOU'RE CLAIMING PERMANENCY TODAY?

19 A. HE PUT SOME DISABILITY ON -- ON THERE. I
20 SAW IT LAST NIGHT. I WAS LOOKING THROUGH THE NOTES
21 THAT DR. NOOJIN WROTE. BECAUSE I THOUGHT HE DIDN'T
22 HAD WROTE DOWN ANYTHING.

23 Q. YOU'RE CLAIMING DISABILITY TO YOUR RIGHT
24 ARM?

25 A. NO, SIR. HE GAVE ME -- I THINK IT'S TO

1 THE WRIST. I THINK.

2 Q. YES. THAT'S WHAT I MEAN. THE RIGHT WRIST
3 OR RIGHT ARM.

4 A. THAT'S TO THE WRIST -- IT'S IN DR. NOOJIN
5 NOTES. I THOUGHT I WROTE. TRYING TO FIND IT. I
6 HAVE TO FIND IT. I THOUGHT I HAD WROTE...

7 COURT REPORTER: I'M SORRY. A LITTLE
8 LOUDER, MA'AM.

9 THE WITNESS: THIS WHAT I GOT FROM
10 DR. NOOJIN. AND HE PUT --

11 THE COURT: YOU NEED TO LET THEM SEE IT.

12 THE WITNESS: HE PUT A TWO PERCENT DOWN ON
13 THERE. THAT'S WHAT THE PAPER I GOT OUT OF YOUR FORM.
14 WHEN I WAS LOOKING THROUGH IT LAST NIGHT I -- I'M
15 SORRY.

16 THE COURT: THAT'S ALL RIGHT. HE'S GOT
17 THE RIGHT TO SEE SOMETHING THAT YOU'RE GOING TO
18 SUBMIT.

19 THE WITNESS: OKAY.

20 THE COURT: DO YOU HAVE ANY OBJECTION TO
21 THAT?

22 MR. CHASE: IT'S ALREADY BEEN PART OF
23 THE...

24 THE COURT: IT'S ALREADY IN THE APA'S?

25 MR. CHASE: YES, COMMISSIONER.

1 BY THE COURT:

2 Q. SO YOU'RE CLAIMING DISABILITY TO YOUR
3 RIGHT WRIST?

4 A. YEAH. HE GOT...

5 Q. YES, MA'AM. THEY DENY YOU GOT HURT.
6 THAT'S ALREADY IN THE RECORD.

7 A. OH, OKAY.

8 Q. TELL ME HOW YOU GOT HURT.

9 A. I WAS USING THE HOLE PUNCHER PUNCHING
10 PAPERS LIKE I ALWAYS BEEN DOING FOR SIX YEARS. I
11 DEVELOPED SOME PAIN IN THE RIGHT WRIST.

12 Q. MA'AM, HOW OFTEN DID YOU USE THE HOLE
13 PUNCH?

14 A. I USE IT ALL THE TIME. I BE USING IT EVER
15 SINCE I STARTED WORKING THERE.

16 Q. I DIDN'T ASK THAT WELL. HOW MANY TIMES
17 PER HOUR OR PER DAY WOULD YOU USE THE HOLE PUNCH?

18 A. IT'S STEADY BECAUSE I -- I WORK IN MEDICAL
19 RECORDS WITH THE PAPERS. AND I HAVE TO PUNCH EACH
20 CHART WHEN I DO PUNCH HOLES IN THE PAPERS.

21 Q. OKAY. HOW MANY --

22 A. SO STEADY.

23 Q. HOW MANY TIMES PER MINUTE OR PER HOUR
24 WOULD YOU PUNCH? AS BEST YOU REMEMBER.

25 A. IT'S A LOT. BECAUSE I -- I DO -- I DO

1 PUNCH HOLES IN THE PAPERS TO PUT THEM IN THE CHART.

2 Q. YES, MA'AM. BUT THAT WOULD BE -- WOULD
3 THAT BE ONCE A MINUTE, TEN TIMES AN HOUR? HOW MANY
4 TIMES DO YOU THINK?

5 A. I HAVE NO IDEA HOW...

6 Q. BUT IT'S A LOT?

7 A. YEAH. IT'S A LOT OF WORK. COULDN'T TELL
8 YOU BECAUSE I DIDN'T COUNT THEM. BUT I STAYED STEADY
9 WORK.

10 Q. AND I ASSUME WHAT IS -- YOU DIDN'T CLAIM
11 ANY LOST WAGES OR PERMANENCY IN YOUR FORM. I
12 UNDERSTAND YOU'RE CLAIMING PERMANENCY TODAY. BUT I
13 ASSUME YOU'RE CLAIMING PAYMENT OF YOUR OUTSTANDING
14 MEDICAL BILLS?

15 A. YES, SIR.

16 Q. AND WHO ARE THOSE TO? WHO GAVE YOU
17 TREATMENT?

18 A. I HAD -- TO DR. NOOJIN I HAD TO GET
19 PHYSICAL THERAPY. BUT, SEE, AT THE TIME WHEN I HURT
20 MYSELF I ALREADY SCHEDULED DOC---THE NURSE
21 PRACTITIONER OUT OF DR. HOOK'S OFFICE ALWAYS SEND ME
22 TO THE ORTHOPEDIC DOCTOR BECAUSE OF MY INJURIES AT
23 THE CHURCH.

24 Q. DID YOU ASK YOUR EMPLOYER TO SEND YOU TO A
25 DOCTOR FOR YOUR WRIST?

1 A. NO. I JUST TOLD -- TONI KNOW WHAT I WAS
2 DOING AND SHE DIDN'T TOLD ME TO GO OVER THERE. AND
3 THEN AFTER I HAD -- AFTER LATER ON BARRINGTON TOLD ME
4 TO GO OVER THERE TO THE LADY AT HEALTHWORKS. I THINK
5 SHE'S THE COORDINATOR. I CAN'T REMEMBER HER NAME.
6 SO I WENT OVER THERE AND TOLD HER WHAT HAPPENED; THAT
7 I WAS GOING TO DR. NOOJIN. AND SHE SAID SHE WAS
8 GOING -- WASN'T GOING TO MAKE ME CHANGE DOCTORS.
9 BRING HER THE MEDICAL RECORDS. AND I TOLD HER I WAS
10 GOING TO BRING THEM WHEN I FINISH FOR DR. NOOJIN.

11 Q. DID YOU TELL HER YOU WERE MAKING A CLAIM
12 FOR A WORK-RELATED INJURY?

13 A. YEAH. I TOLD HER WHAT HAPPENED. SHE
14 ASKED ME WHAT HAD HAPPENED. AFTER BARRINGTON --
15 BARRINGTON SENT ME OVER TO HER, THE COORDINATOR. I
16 DON'T KNOW HER NAME. AND I TOLD HER WHAT HAD
17 HAPPENED.

18 Q. SO YOUR TESTIMONY IS YOU REPORTED IT TO
19 YOUR SUPERVISOR?

20 A. SUPERVISOR, NO.

21 Q. YOU TOLD THEM IT WAS WORK-RELATED AND THEY
22 TOLD YOU TO GO TO YOUR OWN DOCTOR? IS THAT YOUR --

23 A. AT FIRST TONI DIDN'T TELL ME. TONI DIDN'T
24 TELL ME. I REPORT TO HER. AND THEN I LET BARRINGTON
25 KNOW AND ANNETTE KNEW ABOUT IT. IT WASN'T UNTIL

1 SEPT--- SEPTEMBER THAT BARRINGTON HAD TOLD ME TO GO
2 OVER TO HEALTHWORKS TO THE LADY OVER THERE. SO I
3 WENT TO THE COORDINATOR. THAT'S WHO I WENT TO.
4 THAT'S WHO -- LIBERTY AND THEM TOLD ME GO AROUND
5 THERE TO HER. SO I SIT DOWN AND TALKING WITH HER. I
6 DON'T KNOW HER NAME. AND I TOLD HER WHAT HAD
7 HAPPENED AND I TOLD HER WHAT DOCTOR I WAS GOING TO
8 AND EVERYTHING. SO SHE TOLD ME SHE WASN'T GOING TO
9 MAKE ME CHANGE MY DOCTOR. BECAUSE I HAD TOLD HER I
10 WAS ALREADY GOING TO DOCTOR -- HAD TO GO TO
11 DR. NOOJIN BECAUSE I HAD FELL AT THE CHURCH. AND I
12 TOLD HER ABOUT DR. HOOK'S OFFICE AND THEM WAS SENDING
13 ME THERE. SO SHE TOLD ME TO BRING THE MEDICAL
14 RECORDS.

15 SO I DIDN'T FINISH WITH DR. NOOJIN UNTIL
16 JANUARY. AND IN THE MEANTIME I GOT FIRED IN OCTOBER.
17 AND WHEN I GOT FIRED BARRINGTON WINT HAD ESCORTED ME
18 OUT OF THE HOSPITAL WHERE TO THE NORTH GARAGE
19 GRINNING. SO AFTER THEN I WENT THROUGH THE DISPUTE
20 RESOLUTION AND MR. GREGORY ACCUSED ME OF TRYING TO
21 PLAN TO PUTTING A BOMB IN THE HOSPITAL.

22 Q. MA'AM --

23 A. SO I DIDN'T GO BACK OVER THERE, SIR.

24 Q. OKAY. WHAT --

25 A. I DIDN'T GO BACK AROUND THE HOSPITAL

1 SINCE --

2 Q. WHAT PROBLEMS, IF ANY, ARE YOU HAVING NOW
3 WITH YOUR RIGHT WRIST?

4 A. I STILL HAVE SOME PAIN IN THERE. BUT HE
5 TOLD ME --

6 Q. ARE YOU ABLE TO BEND YOUR WRIST?

7 A. YEAH, I CAN DO IT BUT IT HURTS -- STILL
8 HURTS --

9 Q. ARE YOU ABLE TO MOVE ALL YOUR FINGERS?

10 A. (WITNESS CORRESPONDS.)

11 Q. OKAY.

12 A. AND I STILL HAVE PAIN IN THE WRIST AND IN
13 KNEE, IN THE RIGHT KNEE. BUT THAT CAME FROM THE
14 CHURCH WHERE I FELL AT THE CHURCH.

15 THE COURT: GIVE MR. CHASE A CHANCE TO ASK
16 YOU SOME QUESTIONS.

17 MR. CHASE: THANK YOU, COMMISSIONER.

18 C R O S S - E X A M I N A T I O N

19 BY MR. CHASE:

20 Q. MS. SHIVER, YOU HAD JUST FALLEN AT YOUR
21 CHURCH IN MAY OF 2006; CORRECT?

22 A. UH-HUH.

23 Q. OKAY. SO THAT --

24 THE COURT: IS THAT A YES, MA'AM?

25 THE WITNESS: YES, SIR.

1 BY MR. CHASE:

2 Q. SO THAT WAS JUST A COUPLE OF MONTHS BEFORE
3 YOU SAYING YOU WERE INJURED USING A HOLE PUNCHER?

4 A. AT THE HOLE PUNCHER I HURT MY RIGHT WRIST,
5 THE HOLE PUNCHER. AT THE CHURCH I HAD HURT MY LEFT
6 WRIST AND MY TWO KNEES. I DIDN'T HURT MY RIGHT WRIST
7 AT THE CHURCH.

8 Q. AND IF I UNDERSTAND YOUR TESTIMONY
9 CORRECT, YOU JUST WENT ON TO YOUR OWN DOCTORS AFTER
10 YOU SAY YOU GOT HURT WITH THE HOLE PUNCHER; RIGHT?

11 A. I SENT MY SUPERVISOR E-MAIL AND TOLD HER I
12 ALREADY HAD AN APPOINTMENT TO GO TO MY ORTHOPEDIC
13 DOCTOR WITH OTHER PROBLEMS. AND I TOLD HER I WAS
14 GOING TO LET HIM CHECK THAT TOO. AND SHE DIDN'T TOLD
15 ME NOTHING ELSE TO DO. SO I WENT. AND ANNETTE AND
16 BARRINGTON KNEW ABOUT IT AND THEY DIDN'T SAY NOTHING
17 EITHER. SO I WENT ON TO THE ORTHOPEDIC DOCTOR AND I
18 TOLD HIM ABOUT THE RIGHT WRIST TOO AND I TOLD HIM IT
19 WAS HURT AT THE HOSPITAL. SO I HURT IT USING THE
20 HOLE PUNCHER.

21 Q. WHEN YOU REPORTED THIS WHICH WAS IN
22 SEPTEMBER OF 2006, YOU --

23 A. NO. THAT WAS THE NEXT --

24 Q. LET ME ASK MY QUESTION, MA'AM.

25 A. THE NEXT DAY I TOLD --

1 Q. LET ME ASK MY QUESTION FIRST.

2 A. SEND TONI AN E-MAIL.

3 THE COURT: YOU HAVE TO STOP. AND I'M
4 GOING TO ASK YOU AGAIN AS I DID BEFORE. WHEN YOU
5 BOTH TALK AT THE SAME TIME, WE CANNOT MAKE A GOOD
6 RECORD. SO I'LL ASK EACH OF YOU TO WAIT UNTIL THE
7 OTHER FINISHES AND THEN ANSWER.

8 MR. CHASE, IF YOU WOULD ASK YOUR QUESTION AGAIN.

9 MR. CHASE: THANK YOU, COMMISSIONER.

10 BY MR. CHASE:

11 Q. MS. SHIVER, WHEN YOU REPORTED THIS WHICH
12 THEY DOCUMENTED OCCURRED ON SEPTEMBER THE 1ST OF
13 '06 -- AND I'M REFERRING TO APA PAGE 16,
14 COMMISSIONER -- YOU HAD ALREADY BEEN TO DR. NOOJIN,
15 HADN'T YOU, IN JULY? BECAUSE THEY DOCUMENTED IT IN
16 THEIR SYSTEM. WE'VE ALREADY SENT YOU A COPY OF THAT.
17 BUT THAT'S ACTUALLY A COPY OF IT.

18 MR. CHASE: I'M SORRY, COMMISSIONER. THIS
19 IS OUR APA IN THIS.

20 THE WITNESS: ISN'T THE SUPERVISOR A
21 REPRESENTATIVE OF THE HOSPITAL? I TOLD HER THE VERY
22 NEXT DAY, TONI PATE. SENT HER AN E-MAIL.

23 MR. CHASE: AND, COMMISSIONER, THE
24 QUESTION IS -- AND I'LL ASK IT AGAIN. AS TO WHETHER
25 OR NOT SHE HAD ALREADY BEEN TO DR. NOOJIN IN JULY OF

1 2006 WHEN SHE REPORTED THE CLAIM TO THE EMPLOYER IN
2 SEPTEMBER OF 2006? SHE HAS NOT ANSWERED THE
3 QUESTION.

4 THE WITNESS: THE EMPLOYER WAS NOTIFIED ON
5 THE VERY NEXT DAY. TONI PATE, THAT'S MY SUPERVISOR.

6 THE COURT: MA'AM, ALL HE'S ASKING IS DID
7 YOU GO TO DR. NOOJIN BEFORE YOU REPORTED IT TO YOUR
8 EMPLOYER?

9 THE WITNESS: NO, SIR. I TOLD TONI ABOUT
10 IT. TONI PATE IS A SUPERVISOR OF THE -- WELL, SHE'S
11 A REPRESENTATIVE OF THE HOSPITAL. SHE'S MY
12 SUPERVISOR.

13 BY MR. CHASE:

14 Q. OKAY. IF I COULD SEE THAT SHEET BACK,
15 PLEASE. AND THEY HAD ASKED YOU IN SEPTEMBER WHEN YOU
16 CAME IN, SEPTEMBER OF 2006, MS. SHIVER, TO COLLECT
17 YOUR PERSONAL DOCTOR RECORDS AND SUBMIT THEM TO
18 HEALTHWORKS?

19 A. I WASN'T FINISHED WITH DR. NOOJIN. I JUST
20 HAD STARTED WITH HIM IN JULY.

21 Q. BUT YOU NEVER DID SUBMIT YOUR RECORDS, DID
22 YOU?

23 A. I WAS WAITING UNTIL I FINISH WITH
24 DR. NOOJIN. THAT'S WHY I DIDN'T FINISH WITH HIM
25 UNTIL JANUARY OF 2007.

1 Q. WHAT OTHER --

2 A. AND THEN YOU SENT -- SENT ME A LETTER
3 DENYING THE CLAIM AND THAT YOU WAS ALREADY SENDING
4 FOR THE RECORDS ALSO.

5 Q. MS. SHIVER, WHAT OTHER TASKS WERE YOU
6 RESPONSIBLE FOR IN THIS JOB WHERE YOU SAY YOU WERE
7 INJURED WITH THE HOLE PUNCHER?

8 A. I PUT THE RECORD TOGETHER. I USE THE
9 COMPUTER. ALSO I BEEN FILED -- CHARTS BACK AT THAT
10 TIME WE WAS TRYING TO SWITCH OVER TO ELECTRONIC. WE
11 STILL HAD SOME PAPER RECORD. WE DID THE OTHER
12 ELECTRONIC RECORDS. FILING, HOLE PUNCHER, USING THE
13 STAPLER.

14 Q. OKAY. AND HOW MUCH OF THE TIME DID YOU
15 SPEND ON THE COMPUTER?

16 A. MAJORITY OF THE TIME I'M ON THE COMPUTER
17 BECAUSE I -- IT'S DESK WORK.

18 Q. BUT YOU HAD TO GET UP AND DO FILING TOO,
19 DIDN'T YOU?

20 A. GET UP, DO FILING. AND WHEN I FINISH WITH
21 SOME OF THE PAPERWORK. BECAUSE I HAD TO PUT THEM IN
22 THE DIFFERENT AREAS I HAVE TO PUT THEM AT WHERE THEY
23 TOLD ME TO PUT THEM.

24 MR. CHASE: THAT'S ALL I HAVE,
25 COMMISSIONER. THANK YOU.

1 THE COURT: IS THERE ANY OTHER WITNESSES?
2 ANY OTHER EVIDENCE?

3 OKAY. IF NOT, MS. SHIVER, THANK YOU FOR COMING
4 TODAY. I WISH YOU WELL. I HOPE THINGS GO WELL FOR
5 YOU. THAT CONCLUDES THE HEARING.

6

7 (WHEREUPON, THE HEARING WAS CONCLUDED AT 10:43 A.M.)

8

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CERTIFICATE OF REPORTER

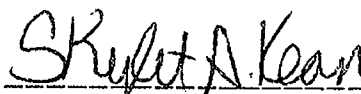
STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

I, SKYLET A. KEAN, COURT REPORTER AND NOTARY PUBLIC, FOR THE STATE OF SOUTH CAROLINA, DO HEREBY CERTIFY THAT THE TRANSCRIPT OF THE FOREGOING HEARING IS A STENOGRAPHIC REPORT AND WAS TRANSCRIBED THROUGH COMPUTER-AIDED TRANSCRIPTION; THAT THE FOREGOING TRANSCRIPT CONTAINS A TRUE RECORD OF THE PROCEEDINGS IN THE FOREGOING HEARING.

I FURTHER CERTIFY THAT I AM NEITHER ATTORNEY NOR COUNSEL FOR, NOR RELATED TO NOR EMPLOYED BY ANY OF THE PARTIES CONNECTED TO THE ACTION, NOR AM I FINANCIALLY INTERESTED IN THE ACTION.

WITNESS MY HAND AT COLUMBIA, SOUTH CAROLINA,
THIS 26TH DAY OF SEPTEMBER, 2007.



SKYLET A. KEAN

NOTARY PUBLIC FOR SOUTH CAROLINA
MY COMM. EXPIRES JUNE 22, 2014

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS
FIFTH JUDICIAL CIRCUIT

Gertrude Shiver,
Employee,
Claimant/ Appellant,

Civil Action No. 2015-CP-40-001109

vs.

APPELLANT'S REPLY TO DEFENDANT'S/
RESPONDENTS' NOTICE AND MOTION TO DISMISS
CLAIMANT'S/APPELLANT'S COMPLAINT

Palmetto Health Richland,
Employer,

Palmetto Health Trust,
Carrier,
Defendants/
Respondents,

To: Defendants/ Respondents:

Pursuant to Rule 12 of The South Carolina Rules of Civil Procedure, The Defendants/ Respondents have filed a Notice and Motion, dated February 24, 2015, To dismiss Claimant's/ Appellant's Appeal on the basis that This Circuit Court lacks subject matter jurisdiction to hear and determine the Appeal issues Claimant/ Appellant has raised in her Exceptions To her Appeal before The Court. The Claimant/Appellant, therefore, opposes Defendants'/ Respondents' Motion to dismiss based on the following ground:

- A. This Court has Jurisdiction over the Subject Matter underlying The Single Commission's and The Full Commission's Order that denied Claimant's/ Appellant's Motion requesting to be awarded sanctions and penalties against Defendants/Respondents for (1) The Suspension of over twelve (12) years-without a legal basis or justification-payments of Temporary Total Disability benefits and for (2) The Nonpayment of all Claimant's/Appellant's authorized medical bills causally related to the accidental injury in This Case.

Subject Matter Jurisdiction is the power of a Court/Tribunal to hear and determine Cases of the general Class to which The Proceeding in question belong. Dove v. Gold Kist, Inc., ____ S. C. ____, 442 S. E. 2d. 598 (1994). Jurisdiction of The Subject Matter is satisfied when appropriate Claims are filed in a competent Court. The State Constitution gives The Court of Common Pleas jurisdiction in all Civil Cases. South

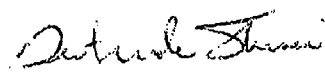
Carolina Constitution (1895), Art.5, § 15; Fidelity Fire Ins. Co. v. Windham, 134 S. C. 373, 133 S. E. 35 (1926). The Circuit Court's jurisdiction includes the action of an employer who unlawfully suspend overdue payments of Temporary Total Disability benefits without legal justifications or legal basis. Martin v. Rapid Plumbing, 369 S. C. 278, 631 S. E. 2d 547 (Ct. App. 2006); Section 42-9-260 (G) of The South Carolina Code of Laws (Cum. Supp. 2005).

This Circuit Court's jurisdiction also includes a determination of whether both The Single Commission and The Full Commission erred in not granting Claimant's/Appellant's Motion requesting The Commission to impose sanctions and penalties upon Defendants/ Respondents for their failure to pay all authorized medical bills as required under The South Carolina Workers' Compensation Act. See Section 42-15-60 of the South Carolina Code of Laws (1976, as amended).

The Claimant/ Appellant requests Judicial Review of the Decision and Order of The South Carolina Workers' Compensation Commission's affirmation of The Single Commission's order denying Claimant's/Appellant's Motion which sought the imposition of sanctions and penalties against Defendants/Respondents for their unlawful suspension for twelve (12) years the overdue payment of Temporary Total Disability Compensation benefits and for the Nonpayment of all authorized medical bills associated with the instant Claim.

Moreover, these issues in her Appeal before This Court have never been presented to the South Carolina Court of Appeals and these issues are not "Currently pending between the same parties for the same claim in The South Carolina Court of Appeals "as Defendants/ Respondents alleges.

Respectfully submitted,



Gertrude Shiver, Pro se
1026 Congaree Church Rd.
Gadsden, S. C. 29052
(803) 353-3892

March 4, 2015

STATE OF SOUTH CAROLINA	)	BEFORE THE
COUNTY OF RICHLAND	)	SOUTH CAROLINA WORKERS'
<i>Gertrude Shiver</i>	)	COMPENSATION COMMISSION
	)	
Claimant,	)	W.C.C File No. 0217755
vs.	)	
<i>Palmetto Health Richland</i>	)	<u>MOTION FOR SANCTIONS FOR NON-</u>
	)	<u>COMPLIANCE WITH PAYMENT OF</u>
Employer/Defendant.	)	<u>STATUTORY BENEFITS</u>
	)	

**TO: LANA H. SIMA, Jr., ESQUIRE, ADAMS AND REESE LLP, ATTORNEY
FOR THE DEFENDANT:**

PLEASE BE ADVISED that the claimant will move before the appropriate Commissioner for an Order requiring the Defendant to provide the following:

1. On March 23, 2002 claimant, Gertrude Shiver, sustained an injury to her lower back and aide during the course and scope off her employment at Palmetto Health Richland. The Defendant admitted the claims and agreed to persuade claimant with the following: a) temporary total disability compensation from March 23, 2002 through April 8, 2002; and b) full payment of all authorized medical treatment and care.

2. As of today's date, the Defendant has not provided temporary total compensation or paid all authorized medical costs.

3. Fourteen (14) years have passed and the Defendant has refused to provide temporary total compensation and payments of all authorized medical cost without filling a form 21 or 17 as required by Regulation 67-506 of the South Carolina Case.

4. Claimant has appealed the instant case to the South Carolina Court of Appeals, raising the issues that the injuries she sustained to her lower back and side on March 23, 2002 aggravated a pre-existing condition, infirmity or disease which is compensable under the workers' compensation statute. See Mullinax v. Winn-Dixie stores, Inc., 458 S. E. 2d 76 (S.C. App. 1995); Thompson Ex Rel. Harvey v. Cisson const., 659 S. E. 2D 171 (S. C. App. 2008). On appeal, Defendant does not contest payment of temporary total compensation and all medical cost and agreed to do so.

WHEREFORE, the claimant is informed and believes that the Defendant should be required to authorized and provide the following: 1) temporary total disability compensation from March 23, 2002; 2) All temporary total compensation owned to date; 3) Payments of all authorized medical treatment and care; and 4) Sanction as further directed by the commission for failing to comply with its agreement and to have had promised payment of temporary total compensation and all causally-related medical care and treatment.



Gertrude Shiver

Claimant Pro Se

Columbia, South Carolina

ADAMS AND REESE LLP

February 24, 2015

HAND-DELIVERED

Jeanette W. McBride
Richland County Clerk of Court
1701 Main Street, Room 205
Columbia, 29201

Attorneys at Law
Alabama
Florida
Louisiana
Mississippi
South Carolina
Tennessee
Texas
Washington, DC

Lana H. Sims, Jr.
Direct: 803.212.4953
E-Fax: 803.343.1236
lana.sims@arlaw.com

RE: Gertrude Shiver v. Palmetto Health Richland Memorial Hospital, et al.
Civil Action No.: 2015-CP-40-001109
Our File No.: 050015-093730

Dear Ms. McBride:

Enclosed for filing, please find the original and one (1) copy of the Defendants'/Respondents' Notice and Motion to Dismiss Claimant's/Appellant's Complaint in the above referenced matter. Please file the original and return clocked in copy to our courier. By copy of this letter, we are serving a copy of the Defendants'/Respondents' Notice and Motion to Dismiss Claimant's/Appellant's Complaint on the Pro se Claimant.

With kind regards, I remain,

Very truly yours,



Lana H. Sims, Jr.

LHS/urv

Enclosure

Cc:

VIA U.S. MAIL AND CERTIFIED MAIL

Gertrude Shiver, Pro se
1026 Congaree Church Road
Gadsden, SC 29052

COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS

Gertrude Shiver,
Employee,

CIVIL ACTION COVERSHEET

Plaintiff(s)

2015-CP - 40- 001109

vs.

Palmetto Health Richland,
Employer,

Palmetto Health Trust,
Carrier.

Defendant(s)

Submitted By: Lana H. Sims, Jr.
Address: Adams and Reese LLP
1501 Main Street
Columbia, SC 29201

SC Bar #: 5125
Telephone #: (803) 254-4190
Fax #: (803) 779-4749
Other:
E-mail: lane.sims@arlaw.com

NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

*If Action is Judgment/Settlement do not complete

- ☐ JURY TRIAL demanded in complaint. ☒ NON-JURY TRIAL demanded in complaint.
☐ This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
☐ This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
☐ This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

- | | | | |
|--|--|---|---|
| Contracts
☐ Constructions (100)
☐ Debt Collection (110)
☐ Employment (120)
☐ General (130)
☐ Breach of Contract (140)
☐ Other (199) | Torts - Professional Malpractice
☐ Dental Malpractice (200)
☐ Legal Malpractice (210)
☐ Medical Malpractice (220)
Previous Notice of Intent Case #
20 -NI- -
☐ Notice/ File Med Mal (230)
☐ Other (299) | Torts - Personal Injury
☐ Assault/Slander/Libel (300)
☐ Conversion (310)
☐ Motor Vehicle Accident (320)
☐ Premises Liability (330)
☐ Products Liability (340)
☐ Personal Injury (350)
☐ Wrongful Death (360)
☐ Other (399) | Real Property
☐ Claim & Delivery (400)
☐ Condemnation (410)
☐ Foreclosure (420)
☐ Mechanic's Lien (430)
☐ Partition (440)
☐ Possession (450)
☐ Building Code Violation (460)
☐ Other (499) |
| Inmate Petitions
☐ PCR (500)
☐ Mandamus (520)
☐ Habeas Corpus (530)
☐ Other (599) | Administrative Law/Relief
☐ Reinstate Drv. License (800)
☐ Judicial Review (810)
☐ Relief (820)
☐ Permanent Injunction (830)
☐ Forfeiture-Petition (840)
☐ Forfeiture-Consent Order (850)
☐ Other (899) | Judgments/Settlements
☐ Death Settlement (700)
☐ Foreign Judgment (710)
☐ Magistrate's Judgment (720)
☐ Minor Settlement (730)
☐ Transcript Judgment (740)
☐ Lis Pendens (750)
☐ Transfer of Structured Settlement Payment Rights Application (760)
☐ Confession of Judgment (770)
☐ Petition for Workers Compensation Settlement Approval (780)
☐ Other (799) | Appeals
☐ Arbitration (900)
☐ Magistrate-Civil (910)
☐ Magistrate-Criminal (920)
☐ Municipal (930)
☐ Probate Court (940)
☐ SCDOT (950)
☒ Worker's Comp (960)
☐ Zoning Board (970)
☐ Public Service Comm. (990)
☐ Employment Security Comm (991)
☐ Other (999) |
| Special/Complex /Other
☐ Environmental (600)
☐ Automobile Arb. (610)
☐ Medical (620)
☐ Other (699) | ☐ Pharmaceuticals (630)
☐ Unfair Trade Practices (640)
☐ Out-of State Depositions (650)
☐ Motion to Quash Subpoena in an Out-of-County Action (660)
☐ Sexual Predator (510) | | |

Submitting Party Signature: _____

Date: 2/24/2015

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
Gertrude Shiver,)
Employee,)
Claimant/Appellant,)
Palmetto Health Richland,)
Employer,)
Palmetto Health Trust,)
Carrier,)
Defendants/)
Respondents)

IN THE COURT OF COMMON PLEAS

Case No. 2015-CP-40-001109

DEFENDANTS'/RESPONDENTS' NOTICE
AND MOTION TO DISMISS CLAIMANT'S/
APPELLANT'S COMPLAINT

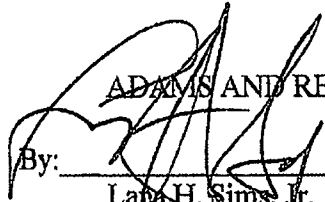
TO: GERTRUDE SHIVER, CLAIMANT PRO SE:

YOU WILL PLEASE TAKE NOTICE that Defendants/Respondents, by and through its undersigned attorney, will move before the Presiding Judge for the Court of Common Pleas for Richland County in the Richland County Courthouse on the tenth day after the service hereof for an order dismissing the Claimant/Appellant's Complaints, pursuant to S.C. Rules of Civil Procedure 12, on the following grounds:

1. Defendants/Respondents assert that Claimant's appeal of the Workers' Compensation Commission's Order regarding WCC File Number 0217755 is ripe for dismissal on the basis that this action, along with 6 other claims, is currently pending between the same parties for the same claim in the South Carolina Court of Appeals. (Rule 12(b)(8), SCRCP).

2. Defendants/Respondents assert that Claimant's appeal of the Workers' Compensation Commission's Order regarding WCC File Number 0217755 is lacking in subject matter jurisdiction, as the same issues are under the exclusive jurisdiction of the South Carolina Court of Appeals. (Rule 12(b)(1), SCRCF and Rule 205, SCACR)
3. As this specific claim (WCC File No.: 0217755) has already been adjudicated by the Circuit Court and that Order is under active appeal to the South Carolina Court of Appeals, allowing this claim to be heard would allow concurrent appeals in multiple courts and result in a significant waste of judicial economy.

The motion will be based on the pleadings, applicable statutory and case law, and any other memoranda filed prior to the hearing date on the Motion.


ADAMS AND REESE LLP
By: _____
Lana H. Sims, Jr.
Lana.Sims@arlaw.com
Andrew W. Fajardo
Andrew.Fajardo@arlaw.com
1501 Main Street, 5th Floor
Columbia, SC 29201
(803) 254-4190 Tel
(803) 779-4749 Fax

Attorneys for Palmetto Health Richland and
Palmetto Health Trust

February 23, 2015

RECEIVED

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
Gertrude Shiver,)
Employee,)
Claimant,)
Palmetto Health Richland,)
Employer,)
Palmetto Health Trust,)
Carrier,)
Defendants.)

BEFORE THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION
APR 03 2014
(FRONT DESK)
SC Workers' Comp Comm
W.C.C. File Number: 0217755

REPLY TO CLAIMANT'S MOTION FOR
SANCTIONS AND/OR MOTION TO DISMISS
FOR LACK OF SUBJECT MATTER
JURISDICTION

TO: GERTRUDE SHIVER, CLAIMANT PRO SE:

YOU WILL PLEASE TAKE NOTICE that Defendants, by and through its undersigned attorney, hereby moves the Commission, motion to be heard on the tenth day following service hereof, or as soon thereafter as counsel might be heard, for an Order dismissing the above-captioned claim on the basis that the Commission lacks subject matter jurisdiction.

In support of its Motion, Defendants will show:

1. The Claimant, Gertrude Shiver, sustained an admitted injury by accident to her lower back on March 23, 2002. This claim was consolidated with six (6) additional claims for hearing before the South Carolina Workers' Compensation Commission (the "Commission").

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2. On September 4, 2007, the Honorable David W. Huffstetler, Commissioner of the South Carolina Workers' Compensation Commission, heard the aforementioned (FRONT DESK) hearing. By Order dated October 23, 2007, Commissioner Huffstetler separately addressed each claim heard before him.
3. Regarding WCC File Number 0217755, Commissioner Huffstetler found; that Claimant had sought out unauthorized medical treatment, for which the Defendants were not responsible; that Claimant did not suffer any permanent disability; that Defendants did not contest the payment of temporary total benefits from March 23, 2002 through April 8, 2002; and that Defendants had submitted evidence showing they had paid all authorized medical costs. The Order did not command Defendants to pay any temporary total disability benefits at that time.
4. On November 5, 2007 and before Defendants could pay any temporary total disability benefits, the Claimant wrote to Commissioner Huffstetler asking to submit additional evidence as to her claims as well as addressing the merits of the single Order. The Commission treated her letter as a motion for additional evidence and a Form 30 appeal of the single Order.
5. By a December 6, 2007 Order, the Full commission denied the Claimant's motion for additional evidence but did not address her appeal on the merits. Claimant then filed a petition for appeal to the Circuit Court, but this appeal was dismissed as interlocutory and the matter was remanded to the Full Commission for a determination of the merits of Claimant's appeal of the October 23, 2007 single Order. Appellant made a second motion for additional evidence on November 2, 2010, which was subsequently denied by the Full Commission.

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Compensation Commission does not have subject matter jurisdiction and should be dismissed.

the Form 50 filed on or about March 21, 2014 pending final adjudication by the higher

court.

(FRONT DESK)
SQ Workers' Comp Comm

13. Defendants have not appealed any portion of the Single Commission, Full Commission, or Circuit Court Order. Rather, the Claimant has maintained an ongoing appeal of the instant claim (and 6 other claims) with higher courts since originally adjudicated by Commissioner Huffstetler in 2007.
14. Defendants would submit that they are willing to pay the temporary total disability benefits due from March 23, 2007 through April 8, 2002. However, because there is no Order commanding Defendants to pay the temporary total disability benefits, no Sanctions or penalties are appropriate. Furthermore, because no final adjudication of this claim has been made by a higher court and the Claimant has maintained her appeal in higher courts, Defendants are unable to pay this amount and no Sanctions or penalties are warranted whatsoever.
15. Defendants would further submit that if this is an indication that the Claimant is willing to accept the original award of the Commission in the instant case and dismiss her appeal of this claim in the Court of Appeals, Defendants would pay the temporary total disability benefits due accordingly without further delay.

WHEREFORE, the Defendants respectfully move the Commission for an Order dismissing this claim, Form 50 and Motion for Sanctions for lack of subject matter jurisdiction due to a pending appeal in a higher Court and the aforementioned arguments above.

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6. The Full Commission considered the appeal on the merits of the single Order without oral argument, on February 24, 2011, and in a May 3, 2011 Order, the (FRONT DESK) affirmed Commissioner Huffstetter's Order in its entirety. 30 Workers' Comp Comm
7. Claimant then sent a May 28, 2011 letter to the Commission stating her intent to appeal the Full Commission's Order to the Circuit Court. On June 1, 2011, the Claimant again filed a petition for appeal in the Circuit Court, this time as to the Full Commission's affirmation of the merits of the single Order.
8. A hearing on the Claimant's appeal to the Circuit Court was held on November 1, 2012, before the Honorable Alison Renee Lee. Judge Lee issued a March 25, 2013 Order affirming the Full Commission's Order in its entirety. By letter dated April 22, 2013, the Claimant wrote to the Court of Appeals stating her intention to file a further appeal to this higher court.
9. Claimant's claim involving WCC File Number 0217755 is still pending in the Court of Appeals regarding additional indemnity and medical benefits. No final Order has been issued regarding this claim.
10. Pursuant to Rule 205 of the South Carolina Appellate Court Rules, the Court of Appeals has exclusive jurisdiction over the appeal upon service of the notice of appeal by the Claimant.
11. On or about March 21, 2014, the Claimant filed a Form 50 and Motion for Penalties in WCC File Number 0217755. Therein, the Claimant alleges that Defendants should be required to pay temporary total disability benefits and the cost of authorized medical treatment.
12. As WCC File Number 0217755 is still pending in the Court of Appeals, the Workers'

RECEIVED

APR-03-2014

RESPECTFULLY SUBMITTED,

(FRONT DESK)

SC Workers' Comp Comm


Andrew W. Fajardo, Esquire
Adams and Reese LLP
1501 Main Street
Columbia, SC 29201
(803) 254-4190

369

5

Gertrude Shiver Profile Go Sign Out Home

Exhibit A

Friday, June 20, 2014 4:37 PM

RE: Motion and Order that was signed

From: "Cheeseboro Barbara" <BCheeseboro@wcc.sc.gov>

To: "Gertrude Shiver" <g.shiver@att.net>

Any SCWCC appeal cases heard prior to 2007 goes to the Circuit Court.
Hope this clarifies your question.

Barbara D. Cheeseboro
Administrative Assistant to
Commissioner Andrea C. Roche
(803) 737-5678 (Tel.)
(803) 737-1204 (Fax)
bcheeseboro@wcc.sc.gov

-----Original Message-----

From: Gertrude Shiver [mailto:g.shiver@att.net]

Sent: Friday, June 20, 2014 4:13 PM

To: Cheeseboro, Barbara

Subject: RE: Motion and Order that was signed

Dear Ms. Cheeseboro:

This will be to the Circuit Court since the accident happened in 2002, right?

Sincerely,

Gertrude Shiver

On Fri, 6/20/14, Cheeseboro, Barbara <BCheeseboro@wcc.sc.gov> wrote:

Subject: RE: Motion and Order that was signed

To: "Gertrude Shiver" <g.shiver@att.net>

Cc: "andrew.fajardo@arlaw.com" <andrew.fajardo@arlaw.com>

Date: Friday, June 20, 2014, 4:08 PM

The Order was placed in today's
mail.

I submitted copies of the Form 30 and 32 along with the Order.

No motion. She'll have 14 days to appeal the order now that it's been signed. (This was Comm. Roche's response to your earlier e-mail regarding filing a
counter
motion)

Barbara D. Cheeseboro
Administrative Assistant to
Commissioner Andrea C. Roche
(803) 737-5678 (Tel.)
(803) 737-1204 (Fax)
bcheeseboro@wcc.sc.gov

-----Original Message-----

From: Gertrude Shiver [mailto:g.shiver@att.net]

Sent: Friday, June 20, 2014 4:01 PM

To: Cheeseboro, Barbara

Cc: andrew.fajardo@arlaw.com

Subject: RE: Motion and Order that was signed

Dear Ms. Cheeseboro:

This is what I was talking about. Attorney Fajardo had submitted a Motion along with this Proposed Order. I was going to submit a Counter Motion before
she signed the Order. If Commission Roche signed the proposed Order that was submitted then I will have to Appeal the Order To the Circuit Court. How
many days do I have to Appeal this Order and the Motion that was included with this Order To The Circuit Court.

Yours truly,

370

6/20/2014 5:

06/23/2014 11:39

8434829010

CHARLESTON SPINE

Exhibit B



**Charleston Spine &
Physical Medicine, PA**

Gregory M. Jones, M.D.
2093 Henry Tecklenburg Drive, Suite 310
Charleston, SC 29414

Office (843) 402-0111
FAX (843) 402-9010
Toll Free (800) 393-7008

June 23, 2014

To Whom It May Concern:

Gertrude Shiver was a patient of mine relating to an injury sustained March 2002. My practice was issued a Letter of Protection relating to this case, and upon settlement her medical care was to be covered by this LOP. However, we were not paid for Ms. Shiver's medical care and this is notice that Ms. Shiver still has an outstanding balance of \$19,175.25.

Sincerely,

Gregory M. Jones, M. D.

GMJ/bjl

Ledger Charge Item Detail View Report

Exhibit C

Guarantor: 4559: Shiver, Gertrude

Criteria [Date Range: 2/19/2009 to 04/22/2014; Provider: All; Office: All; Include: Charges, Payments, Comments, Adjustments, Comments, Unposted]

Svc Date	Post Date	Ofc	Prv	Code	Meth	Modifier	Description/Source	Claim #	Amount	Ins Bal	Pt Bal
4559: Shiver, Gertrude									-200.00		
10/18/2011	10/18/2011			PTPAY	CK		Gertrude Shiver # 094		-100.00		
01/04/2012	01/04/2012			PTPAY	CK		Gertrude Shiver # 302		-200.00		
02/01/2012	02/01/2012			PTPAY	CK		Gertrude Shiver # 103		-200.00		
02/23/2012	02/23/2012			PTPAY	CK		Gertrude Shiver # 111		-200.00		
04/17/2012	04/17/2012			PTPAY	CK		Gertrude Shiver # 118		-200.00		
05/28/2012	05/28/2012			PTPAY	CK		Gertrude Shiver # 128		-200.00		
06/21/2012	06/21/2012			PTPAY	CK		Gertrude Shiver # 136		-200.00		
07/30/2012	07/30/2012			PTA	AJ		PT adjustment		-200.00		
07/30/2012	07/30/2012			PTPAY	CK		Gertrude Shiver # 146		-100.00		
08/28/2012	08/28/2012			PTPAY	CK		Gertrude Shiver # 153		-100.00		
10/09/2012	10/09/2012			PTPAY	CK		Gertrude Shiver # 167		-100.00		
11/01/2012	11/01/2012			PTPAY	CK		Gertrude Shiver # 177		-100.00		
11/19/2012	11/19/2012			PTPAY	CK		Gertrude Shiver # 189		-200.00		
01/04/2013	01/04/2013			PTPAY	CK		Gertrude Shiver # 199		-100.00		
02/13/2013	02/13/2013			PTPAY	CK		Gertrude Shiver # 212		-100.00		
02/25/2013	02/25/2013			PTPAY	CK		Gertrude Shiver # 222		-100.00		
03/15/2013	04/15/2013			PTPAY	CK		Gertrude Shiver # 231		-100.00		
04/24/2013	04/29/2013			PTPAY	CK		Gertrude Shiver # 242		-100.00		
05/28/2013	06/03/2013			PTPAY	CK		Gertrude Shiver # 308		-100.00		
06/23/2013	06/27/2013			PTPAY	CK		Gertrude Shiver # 258		-100.00		
07/16/2013	07/30/2013			PTPAY	CK		Gertrude Shiver # 260		-100.00		
08/25/2013	08/26/2013			PTPAY	CK		Gertrude Shiver # 270		-100.00		
09/22/2013	09/24/2013			PTPAY	CK		Gertrude Shiver # 280		-100.00		
10/29/2013	10/29/2013			PTPAY	CK		Gertrude Shiver # 286		-100.00		
11/26/2013	11/26/2013			PTPAY	CK		Gertrude Shiver # 290		-700.00		
12/30/2013	01/02/2014			PTPAY	CK		Gertrude Shiver # 300		-600.00		
12/17/2013	01/02/2014			PTPAY	CK		Gertrude Shiver # 298		-200.00		
03/26/2014	03/26/2014			PTPAY	CK		Gertrude Shiver # 371		-300.00		
03/24/2014	03/24/2014			PTPAY	CK		Gertrude Shiver # 312		-300.00		
03/24/2014	03/24/2014			PTPAY	CK		Gertrude Shiver # 318		-300.00		
Balance									18,975.25	0.00	18,975.25

	Current	31-60	61-90	91-120	121+	Unapplied	Total
Insurance	\$1,291.00	\$250.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,541.00
Patient	\$0.00	\$0.00	\$845.00	\$0.00	\$18,975.25	\$0.00	\$19,820.25
Collections	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$1,291.00	\$250.00	\$845.00	\$0.00	\$18,975.25	\$0.00	\$21,361.25

Charleston Spine Physical Me

372

04-22-14

06/23/2014 11:39

B434029010

CHARLESTON SPINE

Alt #	Check #	Trans Date	Type	Clr.	Vold	Status	Payee	Check Amount	From/To Date	Invoice #	Transaction Type	Detail Amount	User	Check Date
79	574872	8/7/2002	Payment	No	No	P	Pitts Radiological Assoc	\$18.00	3/24/2002 - 3/24/2002	8208300003	Radiology	\$18.00	gandre	8/8/2002
84	0	8/7/2002	Payment	No	No	P	Intracorp Hospital Bill R	\$3.53	3/24/2002 - 3/24/2002	2306095015	Intracorp/Bill Review	\$3.53	gandre	8/7/2002
170	575674	8/21/2002	Payment	No	No	P	Palmetto Baptist Medical	\$488.00	3/24/2002 - 3/24/2002	b0208300003	Hospital/Institution	\$488.00	wkelle	8/22/2002
171	0	8/21/2002	Payment	No	No	P	Intracorp Hospital Bill R	\$3.53	3/24/2002 - 3/24/2002	2308098552	Intracorp/Bill Review	\$3.53	wkelle	8/21/2002
798	598909	5/10/2003	Payment	No	No	P	CHARLESTON SPINE & PHYS M	\$1,088.00	6/10/2002 - 7/30/2002	4558-12	Doctor	\$1,088.00	CSC	11/5/14/2003
799	0	5/10/2003	Payment	No	No	P	Intracorp Hospital Bill R	\$23.63	6/10/2002 - 7/30/2002	2307418793	Intracorp/Bill Review	\$23.63	CSC	11/5/10/2003
800	598910	5/10/2003	Payment	No	No	P	CHARLESTON SPINE & PHYS M	\$622.78	7/30/2002 - 11/14/2002	4559-10	Doctor	\$622.78	CSC	11/5/14/2003
801	0	5/10/2003	Payment	No	No	P	Intracorp Hospital Bill R	\$46.85	7/30/2002 - 11/14/2002	4559-10	Doctor	\$46.85	CSC	11/5/10/2003
526	599235	5/15/2003	Payment	No	No	P	CHARLESTON SPINE & PHYS M	\$1,537.00	8/27/2002 - 11/14/2002	2307418818	Intracorp/Bill Review	\$1,537.00	CSC	11/5/15/2003
1527	0	5/15/2003	Payment	No	No	P	Intracorp Hospital Bill R	\$105.92	8/27/2002 - 11/14/2002	4559-10	Doctor	\$105.92	CSC	11/5/15/2003
1407	0	5/19/2003	Payment	No	No	P	CHARLESTON SPINE & PHYS M	\$22.00	5/1/2003 - 5/31/2003	2307436340	Intracorp/Bill Review	\$22.00	dlee	9/19/2003
1771	602106	6/24/2003	Payment	No	No	P	PHT Services, Ltd.	\$105.60	5/13/2003 - 5/13/2003	0501-0531-2003	Managed Care	\$105.60	CSC	11/6/27/2003
4772	0	6/24/2003	Payment	No	No	P	CHARLESTON SPINE & PHYS M	\$14.17	5/13/2003 - 5/13/2003	455813	Physical Therapy	\$14.17	CSC	11/6/24/2003
7878	612208	1/3/2003	Payment	No	No	P	Intracorp Hospital Bill R	\$902.40	9/8/2003 - 9/8/2003	2307575760	Intracorp/Bill Review	\$902.40	CSC	11/11/5/2003
7879	0	1/3/2003	Payment	No	No	P	PALMETTO RICHLAND	\$500.00	9/8/2003 - 9/8/2003	R0325100081	Radiology	\$500.00	CSC	11/11/3/2003
880	0	1/3/2003	Payment	No	No	P	PALMETTO RICHLAND	\$47.83	9/8/2003 - 9/8/2003	R0325100081	Deductible Applied	\$47.83	CSC	11/11/3/2003
10246	661407	3/8/2005	Payment	No	No	P	Intracorp Hospital Bill R	\$41.07	1/24/2005 - 1/24/2005	2308002882	Intracorp/Bill Review	\$41.07	Smith	9/7/2005
18524	0	2/22/2005	Collection	No	No	R	Reimbursement Consultants	(\$410.69)	2/4/2005 - 2/4/2005	1108583461	SIF Recovery Fees & Expen	(\$410.69)	Laurits	2/22/2005
10336	692082	1/17/2007	Payment	No	No	P	Second Injury Fund	\$60.00	12/20/2006 - 12/20/2006	12-06-247	Court Reporting Fees	\$60.00	ahartin	1/17/2007
Garber Reporting Service														
Over all Total: \$5,199.62									Payments: \$5,610.31		Collections: \$410.69			
												Voids: \$0.00		

Proprietary & Confidential Data
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Exhibit D

Ledger Charge Item Detail View Report

Guarantor: 4559: Shiver, Gertrude
 Criteria [Date Range: 2/19/2009 to 04/22/2014; Provider: All; Office: All; Include: Charges, Payments, Comments, Adjustments, Comments, Unposted]

Src Date	Post Date	Ofc	Prv	Code	Meth	Modifier	Description/Source	Claim #	Amount	Ins Bal	Pt Bal
04/15/2014	04/17/2014	1	1	77003		26	Fluoroguide for spinal inject	13684	291.00	291.00	0.00
							Balance		291.00	291.00	0.00
04/15/2014	04/17/2014	1	1	62311			Inject spine l/s (cd)	13684	1,000.00	1,000.00	0.00
							Balance		1,000.00	1,000.00	0.00
03/03/2014	03/25/2014	1	1	99215			OFFICE/OUTPATIENT VISIT EST	13541	250.00	250.00	0.00
							Balance		250.00	250.00	0.00
02/17/2014	03/24/2014	1	1	99245			OFFICE CONSULTATION		845.00	0.00	845.00
							Balance		845.00	0.00	845.00
02/19/2009	02/19/2009	1	1	misysd			Moved from misys		27,175.25	0.00	18,975.25
02/19/2009	02/19/2009			PTPAY CK			Gertrude Shiver # 5382		-100.00		
03/10/2009	03/10/2009			PTPAY CK			Gertrude Shiver # 5341		-100.00		
03/17/2009	03/17/2009			PTPAY CK			Gertrude Shiver # 5397		-100.00		
03/25/2009	03/25/2009			PTPAY CK			Gertrude Shiver # 5360		-100.00		
04/20/2009	04/20/2009			PTPAY CK			Gertrude Shiver # 5419		-100.00		
05/21/2009	05/21/2009			PTA AJ			PT adjustment		-100.00		
05/21/2009	05/21/2009			PTPAY CK			Gertrude Shiver # 5449		-100.00		
07/20/2009	07/20/2009			PTPAY CK			Gertrude Shiver # 5472		-100.00		
11/05/2009	11/05/2009			PTPAY CK			Gertrude Shiver # 122		-100.00		
11/05/2009	11/05/2009			PTPAY CK			Gertrude Shiver # 111		-100.00		
11/05/2009	11/05/2009			PTPAY CK			Gertrude Shiver # 101		-100.00		
03/08/2010	03/08/2010			PTPAY CK			Gertrude Shiver # 163		-100.00		
05/18/2010	05/18/2010			PTPAY CK			Gertrude Shiver # 181		-100.00		
08/08/2011	08/08/2011			PTPAY CK			Gertrude Shiver # 279		-200.00		
06/15/2011	06/15/2011			PTPAY CK			Gertrude Shiver # 285		-100.00		
09/14/2011	09/14/2011			PTPAY CK			Gertrude Shiver # 216		-100.00		
09/14/2011	09/14/2011			PTPAY CK			Gertrude Shiver # 208		-100.00		
09/14/2011	09/14/2011			PTPAY CK			Gertrude Shiver # 197		-100.00		
09/23/2011	09/23/2011			PTPAY CK			Gertrude Shiver # 154		-100.00		
09/23/2011	09/23/2011			COPAY CK			Gertrude Shiver # 233		-100.00		
09/23/2011	09/23/2011			PTPAY CK			Gertrude Shiver # 221		-100.00		
09/23/2011	09/23/2011			PTPAY CK			Gertrude Shiver # 193		-200.00		
09/23/2011	09/23/2011			PTPAY CK			Gertrude Shiver # 289		-100.00		
09/23/2011	09/23/2011			PTPAY CK			Gertrude Shiver # 228		-100.00		
09/23/2011	09/23/2011			PTPAY CK			Gertrude Shiver # 273		-100.00		

	Current	31-60	61-90	91-120	121+	Unapplied	Total
Insurance	\$1,291.00	\$250.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,541.00
Patient	\$0.00	\$0.00	\$845.00	\$0.00	\$18,975.25	\$0.00	\$19,820.25
Collections	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$1,291.00	\$250.00	\$845.00	\$0.00	\$18,975.25	\$0.00	\$21,361.25

Charleston Spine Physical Me

Financial Statement

2/19/2009 to 8/21/2014

4559 : Shiver, Gertrude
1026 Congaree Church Rd
Gadsden, SC 29052-9783

Provider: All Providers
Office: All Offices
Address: 2093 Henry Tecklenburg Dr.
Suite 310
Charleston SC 294145743

Svc Date	Post Date	Ofc	Prv	Code	Meth	Modifier	Description/Source	Claim #	Amount	Ins Bal	Pt Bal
4559: Shiver, Gertrude											
08/21/2014	08/25/2014	1	1	64495			Third and any add'l, l/s	14266	900.00	900.00	0.00
							Balance		900.00	900.00	0.00
08/21/2014	08/25/2014	1	1	64494			Second level para facet,l/s	14266	450.00	450.00	0.00
							Balance		450.00	450.00	0.00
08/21/2014	08/25/2014	1	1	64493			Inject,paravertebral facet,l/s	14266	495.00	495.00	0.00
							Balance		495.00	495.00	0.00
08/21/2014	08/25/2014	1	1	64491			Second level inject, c/t	14266	460.00	460.00	0.00
							Balance		460.00	460.00	0.00
08/21/2014	08/25/2014	1	1	64490			Inject,paravertebral facet,c/t	14266	535.00	535.00	0.00
							Balance		535.00	535.00	0.00
07/07/2014	07/08/2014	1	1	99215			OFFICE/OUTPATIENT VISIT EST	14016	250.00	250.00	0.00
							Balance		250.00	250.00	0.00
05/27/2014	05/29/2014	1	1	77003	26		Fluoroguide for spinal inject	13879	291.00	291.00	0.00
							Balance		291.00	291.00	0.00
05/27/2014	05/29/2014	1	1	64495			Third and any add'l, l/s	13879	1,800.00	1,800.00	0.00
							Balance		1,800.00	1,800.00	0.00
05/27/2014	05/29/2014	1	1	64494			Second level para facet,l/s	13879	450.00	450.00	0.00
							Balance		450.00	450.00	0.00
05/27/2014	05/29/2014	1	1	64493			Inject,paravertebral facet,l/s	13879	495.00	495.00	0.00
							Balance		495.00	495.00	0.00
04/28/2014	04/29/2014	1	1	99215			OFFICE/OUTPATIENT VISIT EST	13748	250.00	250.00	0.00
							Balance		250.00	250.00	0.00
04/15/2014	04/17/2014	1	1	77003	26		Fluoroguide for spinal inject	13684	291.00	291.00	0.00
							Balance		291.00	291.00	0.00
04/15/2014	04/17/2014	1	1	62311			Inject spine l/s (cd)	13684	1,000.00	1,000.00	0.00
							Balance		1,000.00	1,000.00	0.00
03/03/2014	03/25/2014	1	1	99215			OFFICE/OUTPATIENT VISIT EST	13541	250.00	250.00	0.00

	Current	31-60	61-90	91-120	121+	Unapplied	Total
Insurance	\$2,840.00	\$0.00	\$250.00	\$3,036.00	\$1,086.00	\$0.00	\$10,212.00
Patient	\$0.00	\$0.00	\$0.00	\$0.00	\$17,975.25	\$0.00	\$17,975.25
Collections	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$2,840.00	\$0.00	\$250.00	\$3,036.00	\$22,061.25	\$0.00	\$28,187.25

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Financial Statement

2/19/2009 to 8/21/2014

4559 : Shiver, Gertrude
1026 Congaree Church Rd
Gadsden, SC 29052-9783

Provider: All Providers
Office: All Offices
Address: 2093 Henry Tecklenburg Dr.
Suite 310
Charleston SC 294145743

Svc Date	Post Date	Ofc	Prv	Code	Meth	Modifier	Description/Source	Claim #	Amount	Ins Bal	Pt Bal
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4559: Shiver, Gertrude

Balance									250.00	250.00	0.00
02/17/2014	05/22/2014	1	1	99215			OFFICE VISIT E/M	13840	2,295.00	2,295.00	0.00
Balance									2,295.00	2,295.00	0.00
02/19/2009	02/19/2009	1	1	misysd			Moved from misys		27,175.25	0.00	17,975.25
02/19/2009	02/19/2009			PTPAY	CK		Gertrude Shiver # 5382		-100.00		
03/10/2009	03/10/2009			PTPAY	CK		Gertrude Shiver # 5341		-100.00		
03/17/2009	03/17/2009			PTPAY	CK		Gertrude Shiver # 5397		-100.00		
03/25/2009	03/25/2009			PTPAY	CK		Gertrude Shiver # 5360		-100.00		
04/20/2009	04/20/2009			PTPAY	CK		Gertrude Shiver # 5419		-100.00		
05/21/2009	05/21/2009			PTA	AJ		PT adjustment		-100.00		
05/21/2009	05/21/2009			PTPAY	CK		Gertrude Shiver # 5449		-100.00		
07/20/2009	07/20/2009			PTPAY	CK		Gertrude Shiver # 5472		-100.00		
11/05/2009	11/05/2009			PTPAY	CK		Gertrude Shiver # 122		-100.00		
11/05/2009	11/05/2009			PTPAY	CK		Gertrude Shiver # 111		-100.00		
11/05/2009	11/05/2009			PTPAY	CK		Gertrude Shiver # 101		-100.00		
03/08/2010	03/08/2010			PTPAY	CK		Gertrude Shiver # 163		-100.00		
05/18/2010	05/18/2010			PTPAY	CK		Gertrude Shiver # 181		-100.00		
06/06/2011	06/06/2011			PTPAY	CK		Gertrude Shiver # 279		-100.00		
06/15/2011	06/15/2011			PTPAY	CK		Gertrude Shiver # 285		-200.00		
09/14/2011	09/14/2011			PTPAY	CK		Gertrude Shiver # 216		-100.00		
09/14/2011	09/14/2011			PTPAY	CK		Gertrude Shiver # 208		-100.00		
09/14/2011	09/14/2011			PTPAY	CK		Gertrude Shiver # 197		-100.00		
09/23/2011	09/23/2011			PTPAY	CK		Gertrude Shiver # 154		-100.00		
09/23/2011	09/23/2011			COPAY	CK		Gertrude Shiver # 233		-100.00		
09/23/2011	09/23/2011			PTPAY	CK		Gertrude Shiver # 221		-100.00		
09/23/2011	09/23/2011			PTPAY	CK		Gertrude Shiver # 193		-100.00		
09/23/2011	09/23/2011			PTPAY	CK		Gertrude Shiver # 289		-200.00		

	Current	31-60	61-90	91-120	121+	Unapplied	Total
Insurance	\$2,840.00	\$0.00	\$250.00	\$3,036.00	\$4,086.00	\$0.00	\$10,212.00
Patient	\$0.00	\$0.00	\$0.00	\$0.00	\$17,975.25	\$0.00	\$17,975.25
Collections	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$2,840.00	\$0.00	\$250.00	\$3,036.00	\$22,061.25	\$0.00	\$28,187.25

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Financial Statement

2/19/2009 to 8/21/2014

4559 : Shiver, Gertrude
1026 Congaree Church Rd
Gadsden, SC 29052-9783

Provider: All Providers
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Svc Date	Post Date	Ofc	Prv	Code	Math	Modifier	Description/Source	Claim #	Amount	Ins Bal	Pt Bal
4559: Shiver, Gertrude											
09/23/2011	09/23/2011			PTPAY	CK		Gertrude Shiver # 228		-100.00		
09/23/2011	09/23/2011			PTPAY	CK		Gertrude Shiver # 273		-100.00		
10/18/2011	10/18/2011			PTPAY	CK		Gertrude Shiver # 094		-200.00		
01/04/2012	01/04/2012			PTPAY	CK		Gertrude Shiver # 302		-100.00		
02/01/2012	02/01/2012			PTPAY	CK		Gertrude Shiver # 103		-200.00		
02/23/2012	02/23/2012			PTPAY	CK		Gertrude Shiver # 111		-200.00		
04/17/2012	04/17/2012			PTPAY	CK		Gertrude Shiver # 118		-200.00		
05/28/2012	05/28/2012			PTPAY	CK		Gertrude Shiver # 128		-200.00		
06/21/2012	06/21/2012			PTPAY	CK		Gertrude Shiver # 136		-200.00		
07/30/2012	07/30/2012			PTA	AJ		PT adjustment		-200.00		
07/30/2012	07/30/2012			PTPAY	CK		Gertrude Shiver # 146		-200.00		
08/28/2012	08/28/2012			PTPAY	CK		Gertrude Shiver # 153		-100.00		
10/09/2012	10/09/2012			PTPAY	CK		Gertrude Shiver # 167		-100.00		
11/01/2012	11/01/2012			PTPAY	CK		Gertrude Shiver # 177		-100.00		
11/19/2012	11/19/2012			PTPAY	CK		Gertrude Shiver # 189		-100.00		
01/04/2013	01/04/2013			PTPAY	CK		Gertrude Shiver # 199		-200.00		
02/13/2013	02/13/2013			PTPAY	CK		Gertrude Shiver # 212		-100.00		
02/25/2013	02/25/2013			PTPAY	CK		Gertrude Shiver # 222		-100.00		
03/15/2013	04/15/2013			PTPAY	CK		Gertrude Shiver # 231		-100.00		
04/24/2013	04/29/2013			PTPAY	CK		Gertrude Shiver # 242		-100.00		
05/28/2013	06/03/2013			PTPAY	CK		Gertrude Shiver # 308		-100.00		
06/23/2013	06/27/2013			PTPAY	CK		Gertrude Shiver # 258		-100.00		
07/16/2013	07/30/2013			PTPAY	CK		Gertrude Shiver # 260		-100.00		
08/25/2013	08/26/2013			PTPAY	CK		Gertrude Shiver # 270		-100.00		
09/22/2013	09/24/2013			PTPAY	CK		Gertrude Shiver # 280		-100.00		
10/29/2013	10/29/2013			PTPAY	CK		Gertrude Shiver # 286		-100.00		
11/26/2013	11/26/2013			PTPAY	CK		Gertrude Shiver # 290		-100.00		

	Current	31-60	61-90	91-120	121+	Unapplied	Total
Insurance	\$2,840.00	\$0.00	\$250.00	\$3,036.00	\$4,086.00	\$0.00	\$10,212.00
Patient	\$0.00	\$0.00	\$0.00	\$0.00	\$17,975.25	\$0.00	\$17,975.25
Collections	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$2,840.00	\$0.00	\$250.00	\$3,036.00	\$22,061.25	\$0.00	\$28,187.25

Received

JUN 16 2014

Adams and Reese LLP

November 5, 2007

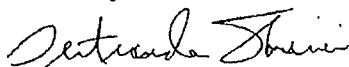
I would like to make a motion for the worker's compensation commission to consider my attachments and addendums that are already in my files and to grant me a motion to amend my Forms 50 and 58's in order to ask for some disability and all monetary compensation and any and all things that are due me under the law to include a loss in earning capacity because of multiple trauma to multiple body parts, especially my wrists, tendons, ligaments, back, feet, spine, shoulder, and thoracic area, neck, and joints. My whole body has been traumatized. I have some sciatica that was written for on my attachments in my file. I was denied it because it wasn't written directly on my Form 50, even though I and the defense attorney had already discussed it.

Some things were asked for in the attachments and addendums but because of the way that I was treated during the hearing, I became confused, anxious, nervous, and forgetful. I couldn't remember to tell the commissioner because of the way that he was treating me. I didn't have any protection against the commissioner and the defense attorney for how they were treating me. The commissioner must not have viewed my folder thoroughly. I am not an attorney, but every one is being very hard on me.

I also would like the commissioner to grant me a motion that my right to my claims are not taken away from me via the concept of "With prejudice." I would also like some protection from the defense attorney Michael E. Chase and any angry Commissioner that I come in contact with..

I would like a motion to add on other legal issues and wants if an attorney is obtained. I have been looking diligently for an attorney for legal guidance. I have not found one yet, but I am still looking. Thank you.

Sincerely,



Gertrude Shiver

**MOTION TO ACCEPT NEW EVIDENCE TO INCLUDE ALL INFORMATION
IN FOLDER, ADDENDA, AND ATTACHMENTS TO FORMS 50, 58, MY BOOK
WHICH COMMISSIONER HUFFSTETLER HAS A COPY AND
CLARIFICATIONS OF MISINFORMATION THAT PERTAINS TO THIS CASE
PARTLY DUE TO THE COMMISSIONER'S UNFAMILIARITY WITH THE
CASE AND HIS FAILURE TO SEE THAT ALL CLAIMS IN THIS CASE ARE A
CONTINUUM.**

INTRODUCTION TO THE APPEAL PROCESS FOR THE ENTIRE CASE

Is this a case of first impression?

Was my claims handled legally?

Are these claims separate and distinct or are they a continuum of one big case?

**Was the injured client being protected from the attack of the defense attorney
Michael E. Chase?**

**Did the anger of Commissioner Huffstetler toward the claimant interfered with him
rendering justice to the claimant?**

**Did Commissioner Huffstetler dismiss all the claimant's claims "with prejudice" to
spite the claimant because:**

1. There are three more pending claims. (Only two can be heard in actuality.)
2. Because the claimant was partly successful on a previous worker's compensation claim and two automobile accidents claims?
3. The claimant has residual problems with the tendons, ligaments, joints, back, shoulders, right arm, left side, Achilles tendon, spine, sciatica, right arm, feet, neck, wrists, cervico-thoracic area, high blood pressure, and a heart condition.
4. Some herniated discs in the spine, one from an automobile accident and the rest is worker's comp. related.
5. The claimant has some disability to her spine, cervico-thoracic area and neck.
6. Injury to the left chest wall area.

There are some inconsistencies with my oral testimony and what I had written for the worker's compensation court. I have a sickness where I become nervous, anxious, and forgetful or I don't entirely hear the questions. This is one of the reasons why I always need to make corrections on my oral depositions. It happens when I am in a crowd of white people, especially white men in close quarters. I feel like I am being attacked. This sickness first came upon me when I was in Charleston having all of those worker's compensation injuries and I was being abused by the white nurses and doctors there.

The Commissioner made a point that I was a paralegal, but I have only took some paralegal courses. I have never worked as a paralegal. Furthermore, I didn't get much worker's compensation education in Charleston with my course and worker's compensation is practiced different in Charleston than it is practice in Columbia. In addition, I took the courses a long time ago and I have to read and do research to try to understand points of law. In addition, I have been silently suffering with some mild depression and fear ever since I was having all of these accidents and the defense attorney Michael E. Chase caused me to be terminated on October 6, 2006. My forgetfulness is not to be construed as I was willingly lying. Commissioner Huffstetler didn't control his action nor Attorney Michael E. Chase actions toward me at the hearing.

Furthermore concerning my firing from some of my previous job, I was only fired from one job where I was accused of mistreatment of patients. This happened in 1998 after I had a worker's compensation injury at Trident Regional Medical Center where I hurt my left side and back. The nurses had lied on me to get me fired. During the hearing, Commissioner Huffstetler only focused on negative things about me and things that he could used to discredit me and he catered more to the defense attorneys, especially Michael E. Chase in his questionings. There are also some lies written in the Order. He wouldn't let me talk so that I could defend myself after he became angry at me for what I said about my previous claim of 1995 at Trident Hospital with Commissioner Mickie, Attorney Thomas M. White and Attorney Douglas E. Pratt-Thomas.

I had written and told the defense Attorney Michael E. Chase about the incident in my last year of nursing school which happened at Richland Memorial Hospital which concerned a potential medicine error. Subsequently, I was black balled in the medical and nursing community. Also, racism, envy, and jealousy played a part in my getting off on the wrong foot after finishing nursing school. This didn't have anything to do with worker's compensation for Attorney Michael Chase to attack me with. He even brought up the question of how long I have been working at Kmart to imply that I would be soon fired from there after he lied about my right wrist accident. My job at Kmart does require me to be on my feet a lot with twisting and bending of my body and to some time lift heavy objects which can potentially lead to another worker's compensation claim with the type of trauma I have had to my body. This is why I need a desk job which it was Attorney Michael E. Chase which caused me to be fired from Palmetto Health Richland from my desk job.

On September 4, 2007, Commissioner Huffstetler was angry with me and the defense attorney Michael E. Chase was angry at me for a letter that I wrote the transcription

company which he placed in front of me while standing up and all of the deposition papers that he waved in the air before me. He was vicious toward me and he made it a point that I had been terminated from other jobs and that I had said previously that I was not going to sue the Church. In addition, Commissioner Huffstetler didn't want me to talk so that I could defend myself. I became more nervous and forgetful. I still have some corrections to make concerning my right wrist accident and my left neck accident with my physicians and medical records.

For my worker's compensation case file number 0321756, DOA 10/23/03, I was given instructions by the emergency doctor at Palmetto Health Richland to follow up with my own doctor, which I did. With the incident with Mrs. Sullivan and Libby Holland, Mrs. Sullivan said that they were not going to pay if I didn't go over to health works. Mrs. Holland told me that I would have to go thought the nurse practitioners before seeing a doctor. I was never offered a doctor when I asked about one when I was first injured. I had communicated with her about a doctor several times and Mrs. Sullivan said that she was not going to pay for me going to Dr. Hook. They were forcing me to go to the nurse practitioners which I have had problems with the nurse practitioners in the past as well as with Mrs. Libby Holland.

I was only offered a nurse practitioner. At the time, the only doctor that I knew of that worked at Health Works was Dr. Durkin, and he only came there on Wednesday for a few hours. He is only a neurologist and the Director of HealthWorks. I already knew about him when he was taking care of my left Achilles tendon, heel, and foot. I went to Dr. Jones after leaving Dr. Hook because he was the only physician that I knew of besides The Carolina Spine Institute that gave injections in the back for pain. Both of these physician offices are located in Charleston. I cannot go back to The Carolina Spine Institute because no physician there will take care of me. Mrs. Sullivan had already informed me that she was not going to pay for me going to a doctor. Therefore, I would have no doctor at all. The employer supposed to supply the injured worker with a physician.

After Mrs. Holland had called me at home and tricked me into given my health information over the phone to Mrs. Sullivan, I tried to get Mrs. Sullivan to destroy the tape because I didn't know who she was. After this Mrs. Holland and Sullivan started to send me e-mails at work disturbing me when I came to work.

Starting with my case of January 23, 1995, at Trident Hospital, WCC File #9503744, this case had never been settled. I came from Charleston with these claims and my 1994 claims as far as I knew at the time. Consequently, all of my claims at Palmetto Health Richland were involved with most of the same body parts that were injured. Since my cases had not been settled, I saw this as a continuum and the way and time that these accidents were happening to me. Then there was the complications of the Consent Order which I was forced to sign without anything being explained to me and the hearing case of 1996, where the defense Attorney E. Douglas Pratt-Thomas clumped the injuries of the falls of September 25, 1994, the fall of October 1994, and the rest of the injuries of the fall of January 1995 under the hearing of 1996 so that Commissioner Bryan Lyndon

could get rid of all of my claims. I never asked for this to be done. This was something that was done illegally against me.

My left foot was injured with the two falls of 1994 at Trident Hospital and again on January 23, 1995, where both feet became flat because the tendons and the ligaments dropped. Also I had an injury to the ankle. With my accident of November 15, 2001, at Palmetto Health Richland when the metal supply cart was pushed into my left Achilles tendon and heel, my foot was again injured and these injuries were compounded. I was left with a disability to my left foot with no rating. I have some disability to my right shoulder and right foot with no rating. All the parts of my body have been reinjured again at Palmetto Health Richland except my right shoulder, arm, and foot. I have some disability to my cervico-thoracic area which Trident Hospital has never compensated me for.

In addition, after I fell at Trident Hospital in January of 1995, I had to end up having gyn surgery as a result to the fall. The fall aggravated a precondition. With the fall of October of 2003 at Palmetto Health Hospital, I had to end up having some more gyn surgery, because this fall aggravated a preexisting condition that I didn't know that I had.

All of my cases at Trident Hospital are entwined with my cases at Palmetto Health Richland. I have also been suffering from mistreatment and abuse over the last 15 years because of worker's compensation. I still have residual affects and some disability to my body. Commissioner Huffstetler has gone and dismissed all of my claims with prejudiced even though I am still bothered by the injuries.

EVIDENCE OF THE CASE

After Commissioner Huffstetler became angry with me for talking about Commissioner Mickle, Attorneys Thomas White and E. Douglas Pratt-Thomas, I became more nervous, anxious, and confused. In addition, he had made the statement that my claims were separate and distinct, but I didn't agree with this because they were on a continuum. The other attorneys in the room didn't agree with it either because they let out an exclamation. There were inconsistencies between what I had previously wrote and what I said because of the state that I was in. My education does not have anything to do with my mental state and how I become around white men and a group of white people in general, especially when I am being attacked. I was the only black person in the room. It is better for me to give written answers to my depositions and hearings.

Thomas White was never really representing me, but I didn't know it at the time. He was angry with me for some reason. The yelling part was first stated by the Attorney for the defense, Allison White, while she was sitting right beside me. I was confused and nervous and I went along with what she was saying. I was afraid of Attorney Thomas White and he knew that. He did force me to sign the form without reading or explaining anything to me. He used to have me closed up in the room with him and he talked rough with me. At times, he used to stand over me. He was also angry with my physician, Dr. William E. Crouch and I never knew the reason why. One time he cursed my doctor and my insurance company who was paying for my care. He used to take his anger out on me during these times. I was also sick and didn't know it, and under a lot of stress and abuse from some of the doctors and nurses and various people in the community in Charleston. I never went to a psychologist on my own because I didn't see any need too. I don't believe in psychologists. The problems that I had and still am having today have a religious and I believe a racial base to it. It is very painful for me remembering and talking about the experience I had with Attorney White and the experience I had with the other white people in Charleston.

The injuries of the claims for October of 1994, and the remainder of the injuries of January of 1995 were clumped under the claim for September of 1994, when I asked for a hearing. I never asked for this to be done. The hearing was held on March 14, 1996, in Charleston, S. C. In the Order that I received afterward, it talked about my injuries for October of 1994 and January of 1995. (APA 5). This was something that was done to me by E. Douglas Pratt-Thomas and Commissioner Bryan Lyndon which I never asked for. Attorney Huffstetler told me he didn't want any hearsay during the meeting. It wasn't until March of 1997, that I understood what had happened to all of my claims including the one of 1995. Commissioner Atkins and Mickle didn't tell me what was going on and I didn't understand. Even though I had gone to paralegal school in Charleston, I didn't have but very little worker's compensation. In addition, they practice worker's compensation different in Charleston than they do in Columbia. Furthermore, I have never worked in the legal field and I have not had much experience or contact with lawyers. I have had mostly bad experiences with the ones that I did have contact with. In addition, I was very green with worker's compensation and how some of the white

people treated the black people in Charleston, and especially if a worker has a worker's compensation injury.

Commissioner Mickle didn't physically force me. Commissioner Huffstetler takes things out of context. She was very angry with me and she gave me several ultimatums. If I had accepted the money for the settlement of my 1995 claim, then she was going to clinched up all of my claims and she was not going to consider my injuries especially to my left foot and ankle, my breast and uterine surgery and my heart condition and my high blood pressure which came upon me after this fall of January of 1995. This was not acceptable to me because I have an injury to my back. I had submitted the letter that Attorney Pratt-Thomas wrote and the Consent Order that was sent to me by Commissioner Mickle. (APA 6). I didn't take a tape recorder to the hearing because I didn't know that anything like this was going to happen. I didn't have anyone to take with me to the hearing.

I didn't take any information about my second job at Charleston Memorial Hospital to the hearing because I thought Commissioner Huffstetler had already gone back through my files and was familiar with my case. Evidently, he wasn't familiar with my long claim history or long history of abuse, etc. under the worker's compensation system in South Carolina. He didn't do me any justice with my hearing. The Judicial Director, Virginia Crocker, had already been through my file and held an informal conference (although I didn't know what it was at the time) on Wednesday, June 20, 2007, where she tried to get me to accept some money from Palmetto Health Richland for a full release for the claims of Palmetto Health Richland. The injuries to my left foot and the other injuries to my body parts that had previously been injured at Trident Hospital which E. Douglass Pratt-Thomas and Thomas White had gotten rid of by having Commissioner Bryan Lyndon signed the Consent Order and where Attorney Pratt-Thomas had clumped my injuries of October of 2004, and my injuries of January 23, 2005, under the hearing of March 14, 1996, WCC File No. 9457677, where Commissioner Lyndon ruled on them to get rid of them. I continually to have injuries to these same body parts which was none of my doing, but that of The Spirit.

The income from Charleston Memorial Hospital was never factored in. I was never told this by Attorney White because of the way that he was treating me. He also threw the check at me that day in his downtown office in Charleston. I was confused and anxious at this time. I never received an MRI of my right shoulder which one needed to have been done to rule out the continued pain and popping in my right shoulder and determine the cause of my deterioration in my penmanship. The fact of an MRI not being done was brought up at the hearing with Commissioner Mickle by Attorney Douglas Pratt-Thomas in the hearing of April 12, 2000. I sent Commissioner Huffstetler as well as the other attorneys a letter on September 5, 2007, stating that I needed an MRI. With my firing from Trident Hospital in and 1998, the nurses were making fun of the injury to my right shoulder and my penmanship. I didn't know that I could seek a ruling on the tendons, ligaments, and joints of the body since the General Assembly didn't assign a monetary value to these body parts. I had been offered a settlement for the injury to my right

shoulder and foot, but Commissioner Mickle was going to clinch up all of my other claims. I have a back injury which might require surgery later on. If I can seek some disability and compensation for this injury on my right shoulder and my other injuries to my tendons, ligaments, and joints, I am asking this court to grant me one.

*For the hearing, I had run off a copy of Dr. Bowles notes and submitted them. They weren't on the list. I am resubmitting another copy for my prior injuries at Trident Hospital for 1995.

**MOTION TO ACCEPT NEW EVIDENCE TO INCLUDE ALL INFORMATION
IN FOLDER, ADDENDA AND ATTACHMENTS TO FORMS 50, 58, MY BOOK
WHICH COMMISSIONER HUFFSTETLER HAS A COPY AND HIS FAILURE
TO SEE THAT ALL CLAIMS ARE A CONTINUUM AND
CLARIFICATIONS FOR WCC FILE NO 126962, DOA 11/15/2001**

Did Commissioner Huffstetler deliberately err by considering the end result of this injury to my Achilles tendon and heel as a separate and distinct injury from my prior left foot injury from Trident Hospital which has left me with residual pain and a disability?

Did the commissioner err in not awarding me anything for this injury where as the insurance had offered me a settlement?

Shouldn't the hospital have to pay for my additional care since they had nurse practitioner Coleen Collins taken care of an orthopedic injury?

Should a commissioner take his anger out on an injured claimant?

This was not a minor injury to my Achilles tendon and heel. My heel was also injured but Commissioner Huffstetler didn't include it. This injury was combined with my previous injuries to my left foot and ankle that occurred at Trident Regional Medical Center where Attorney Pratt-Thomas, Commissioner Lyndon, and Attorney White tried to get rid of it with the Consent Order and the inclusion of the injury of my left foot and heel, etc. with the Hearing concerning my fall of September of 2004, which Commissioner Lyndon tried to get rid of the injuries.

There wasn't anything else to do for this injury that I know at the present time but to wear my orthopedic shoes and ankle brace. The physician at the Miller Orthopedic clinic stated that I could get an arthroscopy for continued problems with my ankle when needed. I was made to work during this time with my injuries by the nurse practitioner

Coleen Collins and Dr. Durkin at Health Works even though I needed to rest my foot. I wasn't allowed to be off work via their worker's compensation policy.

I didn't get any treatment from the orthopedist that the hospital sent me to. They didn't order anything for my ankle nor did they order anything for my foot. I didn't get any treatment although Dr. McBryde did order an MRI of my foot. He didn't do anything afterward to my foot. I was made to seek help elsewhere.

I had begged Coleen Collins to send me to an orthopedic. Mrs. Collins was taking care of my orthopedic injury when she should have sent me earlier to an orthopedist. I fell at home while I was going up the steps. I was only given first aid by Nurse Griffin on the day of the injury to my left heel and Achilles tendon. I didn't hurt my foot. Subsequently, some lies were written in the medical record. My left elbow was injured, but Nurse practitioner Collins was writing some false information in my health record. As far as I know, the hospital never paid for the physical therapy that I received there.

Dr. Belding didn't do anything for me but wrote some lies in my medical record after he found out that my injury was a worker's compensation injury.

Dr. Durkin dismissed me because he didn't want to pay for me having an MRI.

Dr. Angus McBryde was referring to the abnormality about the flexor hallucis longus that was found on the MRI. There were several findings on the MRI which he was in a controversy with the radiologist Dr. Robert L. Waldron II of Palmetto Health about. There was also some fluid that had shown up and my foot was swollen. He had given me a final diagnosis of resolved contusion, left hind foot at retrocalcaneal area with residual pain. (Enclosed is a copy of the MRI that was done at Palmetto Health Richland.) (APA 8)

When Dr. Minter sent me back to Dr. McBryde, I still was very painful in multiple areas of my foot including the Achilles tendon and heel.

I am asking the court for a rating to my left foot to include the ankle, heel and Achilles tendon. Also, I am asking for some compensation for my injuries from Palmetto Health as well as from Trident Hospital. The two doctors that the hospital sent me to didn't do any treatment to my injuries. The blow on the Achilles tendon and heel caused an aggravation to the rest of my foot. My feet, especially the left foot had been injured at Trident Hospital. The injury at Palmetto Health and the one at Trident Hospital have been combined into one which has caused some more disability to my left foot. I never received a rating for this left foot.

There should be some punishment given for Coleen Collins for taking care of an orthopedic injury when she should have referred me to an orthopedist. I wasn't given any time to be off of my foot with this injury and she was taking care of my foot when I should have been sent to an orthopedist.

MOTION TO ACCEPT NEW EVIDENCE TO INCLUDE ALL INFORMATION IN FOLDER, ADDENDA AND ATTACHMENTS TO FORMS 50, 58, MY BOOK WHICH COMMISSIONER HUFFSTETLER HAS A COPY AND HIS FAILURE TO SEE THAT ALL CLAIMS ARE A CONTINUUM AND CLARIFICATIONS FOR WCC FILE NO. 0217755. DOA 3/23/2002

Did Commissioner Huffstetler deliberately not award me compensation for my sciatica and disc (s) even though I had asked for compensation on the attachment sheet for WCC File # 0217755 that was in my files dated and stamped on November 22, 2006 by the Judicial Department?

Since I received orders from the emergency room physician to follow-up with my private physician, shouldn't the insurance company be reimbursed for paying for my care and the MRI ordered by Dr Jones?

Shouldn't I receive some compensation for the aggravation of my prior herniated disc at the L4-5 level?

CLARIFICATION OF THE CASE FOR WCC FILE NO. 0217755

This is the first injury where I received written orders as well as a verbal order by the emergency room physician at Baptist Hospital to go to my primary physician even though he knew that it was a worker's compensation injury. (APA 13). He didn't state his reason, but I knew what experience I had had with Coleen Collins, the nurse practitioner and Barbara Griffin, the occupational health nurse taking care of my left foot, heel, and Achilles tendon. Then there was the experience I had with Dr. Durkins, the neurologist and the Director of Health Works who I believed to be incompetent.

It was my back and left side that was injured. I was working in the Trauma Department when I dropped my pen on the floor. It wasn't a minor injury. The MRI that was ordered by Dr. Jones showed some herniated disc of the sacral area at L5-S1, and possible new-onset symptomatic disc bulge at L3-4. I also developed some sacroiliitis and some sciatica from this fall. Dr. Huffstetler didn't award me anything for my sciatica because he said it wasn't marked on the Form. I was on the attachment to the Form 50.

Even though I hadn't mark the discs and sciatica on the Form 50, I had indicated on the attachment sheet for WCC File #0217755 that had been stamped by the Judicial Department on November 22, 2006, and was included in my folder that I needed to be compensated for this disc(s) and the sciatica. (APA 17) Also, when I went to Attorney Sims in December of 2006, for my deposition, I had discussed this with him when we were talking about possible settling the case. The attachment sheet may not have been put on the Form 50 that was submitted on October 20, 2006.

The office assistant said that this commissioner was very thorough and that he went through the files. I found out different from the way that he was treating me because of his anger and the way he was catering to the employer attorneys especially Michael E. Chase with his viciousness by confusing me and gearing his questions to benefit the hospital. In addition, he didn't award me anything and he dismissed my claims "with prejudice".

CLARIFICATION OF MEDICAL EVIDENCE OF THE CASE FOR WCC FILE NO. 0217755

In the first two paragraphs, Dr. Timothy Zgleszewski is referring to my left leg that was injured on 11/15/2001, WCC NO.126962. The paresthesias had come from the blow to the leg that I have received from the metal supply cart at Palmetto Health Richland.

The additional discs are in my sacral spine. The lumbar spine disc was just aggravated.

MOTION TO ACCEPT NEW EVIDENCE TO INCLUDE ALL INFORMATION IN FOLDER, ADDENDA AND ATTACHMENTS TO FORMS 50, 58, MY BOOK WHICH COMMISSIONER HUFFSTETTLER HAS A COPY AND HIS FAILURE TO SEE THAT ALL CLAIMS ARE A CONTINUUM AND CLARIFICATIONS FOR WCC FILE NO. 02227098. DOA 10/24/2002

Was this a minor accident to the neck and shoulder?

Should my physicians be paid since the emergency room physician wrote an order for me to follow up with him?

Shouldn't Dr. Jones be paid for his service since Lori Sharpe had authorized the treatment and later changed her mind after he had started treating me?

Because of his anger with me and being in a hurry, did Commissioner Huffstetler deliberately would not award me anything for this injury?

Was the deletion of the rest of Dr. Jones notes of 7/1/03 done to prejudiced the injured worker?

CLARIFICATION OF THE STATEMENT OF THE CASE WCC FILE NO. 0227098

The injuries to my left neck and shoulder were more than minor. I developed severe hoarseness after being hit with the heavy chart and I had to visit an ENT physician Dr. Jacquelyn Goings for an examination. I don't have her medical records at present because they are reportedly stored at Carolina ENT. Ass. PA. P. O. Box 791, Camden, S.

C. 29020. I sent for them over two months ago, but I have not received them. The only thing that I have with a diagnosis on it is a request for speech therapy. (APA 9) Dr. Hook mentions this in his notes. (APA 10). The diagnosis that I was given is muscle tension dysphonia. (This is APA 10.) I will submit these notes when I have received them. I did claim medical benefits because Lori Sharpe from PHTS had promised Dr. Jones that she would pay for my care, but as far as I know, she never did. She later changed her mind after he had started treating me. The explanations of the benefits are on the addendum to the Form 50 which was attached and stamped by the Judiciary Department.

On my Form 50 that was submitted on October 10, 2006, and stamped, I marked partial for number 8 under specific disability. This Form 50 was in my files with an addendum. (APA 11)

CLARIFICATION OF MEDICAL EVIDENCE OF THE CASE WCC FILE NO. 0227098

I was never examined by Dr. Wade. I was examined by Dr. Douglas Ross, a resident physician. Upon my reporting to the ER after I was sent there by Ms. Beverly Fulton, I notified the triage nurse of the pain in my shoulder and neck. After which I notified Dr. Ross of the pain in my neck and shoulder. In the emergency room report dictated by Dr. Ross a resident, first he dictates, "This 48-year-old, about 1800 was working here at Richland in the Medical Records Department, and a large paper NICU chart, approximately 2 inches thick, fell off a shelf and landed on the left side of her neck over the trapezius muscle. She has had increasing pain in this area throughout the night." Then he turns right around and dictates, "Denies any neck pain, denies any radicular symptoms, focal weakness or paresthesias." This is incorrect. Jason Morgan, the Supervisor dropped the chart on the left side of my neck and shoulder. It was a thick heavy chart, and it was more than two inches. The reason why I went to the ER was because I was having increasing neck and shoulder pain. On the triage sheet it is written neck pain. On the face sheet, it is written acute L trapezius strain. I was sent to the ER because of increasing pain in my neck and left shoulder.

I was discharge from the ER with a (prescription) for Darvocet for pain and flexeril for muscle spasms. I had 15 of each pill and a work excuse for 2 days. (APA 12) It was written that I should follow-up with my primary MD for recheck.

Commissioner Huffstetler skips some of Dr. Jones notes which have a bearing on me. I am going to start at the second paragraph. "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 of injury, particularly when impairments have addressed myofascial injuries in this region previously."

"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." (APA 14)

**MOTION TO ACCEPT NEW EVIDENCE TO INCLUDE ALL INFORMATION
IN FOLDER, ADDENDA AND ATTACHMENTS TO FORMS 50, 58, MY BOOK
WHICH COMMISSIONER HUFFSTETTLER HAS A COPY AND HIS FAILURE
TO SEE THAT ALL CLAIMS ARE A CONTINUUM AND
CLARIFICATIONS FOR WCC FILE NO. 0322274 DOA 01/21/2003**

CLARIFICATION OF THE CASE WCC FILE NO. 0322274

Is a slip and fall accident compensable under worker's compensation?

Shouldn't the hospital be made to pay for the injured worker's care if a doctor is not provided for the injured employee?

Under the Nurse Practice Act, are the nurse practitioners taking care of the injured workers under worker's compensation at Health Works independent contractors under the Worker's Compensation Laws and the Nurse Practice Act of south Carolina?

Does the Nurse Practitioner take precedent over the physician in taking care of the injured worker?

Under the Nurse Practice Act, are the nurse practitioners taking care of the injured workers under worker's compensation at Health Works considered independent contractors?

What type and schedule of narcotics were the nurse practitioners allowed to prescribe for the injured worker under the Nurse Practice Act at the time of this accident?

Is the ordering of pain medication part of the employer duty toward the care of the injured worker?

I have continued pain in my vaginal and perineum area which I should be compensated for.

When I called Mrs. Parham on January 24, 2003, she asked me what problems that I was having that was worker's comp. related and I told her that my whole body was hurting, I have left sided pain, I am nauseated and having dry heaves and my perineum hurts. The doctor in the ER ordered some narcotics and flexeril when I was last injured. Mrs. Parham replied, "Ms. Shiver, if you are having other problems, you need to see your own physician. I was told by Mrs. Parham from Health Works to go to my own doctor.

Mrs. Parham was called on January 24, 2004, because she was not in the office on January 22, 2003. I had been instructed to call Mrs. Mary Kay Parham on Wednesday morning by Ms. Schglione and Mrs. Lenora Bell, the two nursing supervisors because they knew I had already had a bad experience with Dr. Durkin, Coleen Collins, and Barbara Griffin concerning the care of my Achilles tendon, and left foot after the accident of November 15, 2001, where they were taking care of my orthopedic problems. I believe Coleen Collins had gotten into trouble because of her actions but the nursing supervisors wouldn't go into it with me.

The management of Palmetto Health Richland was angry with me saying that I wasn't following their worker's compensation policy and procedure when I followed the direction of the Emergency Room physician and went to my primary doctor as instructed. The emergency room physicians never directed me to go to the nurse practitioners for care nor did they ever direct me to go to Dr. Durkins. Dr. Durkin shouldn't have taken care of the patients anyway because his practice was not up to par. He was the medical director over Health Works and a neurologist.

This was a work related accident. Health Works at that time and I believe it is still being staff by nurses only. The accident happened when I was leaving out of the medical records department and I was still on the time clock.

CLARIFICATION OF THE EVIDENCE OF THE CASE FOR WCC FILE NO. 0322274

The defense counselor lied in what he said about me. I called Mrs. Parham as I was instructed to do by the nursing supervisors. It was Mrs. Parham that told me to go to my own doctor. Dr. Durkin is not at Health Works on Friday mornings. In addition, he is a

neurologist and Director of HealthWorks. He is not a person to be doing a vaginal exam, etc. on anybody.

Falling at the hospital does not have anything to do with falling at the hotel. My perineum and vaginal area was hurting me from this fall at the hospital. I don't have a broken pelvis. I have pain because of the ligaments and tendons. My pelvis is not broken and my anus does not hurt.

CLARIFICATIONS OF MEDICAL EVIDENCE OF THE CASE FOR WCC FILE NO. 0322274

I don't know who Ms. Stafford is and no one at HealthWorks repeatedly offered to see me at HealthWorks. Mrs. Parham could not order me any narcotic for pain. All that is written in the record from these two nurses is nothing but lies to try to cover themselves. I don't know why Attorney Lana Sims put them up to it. What I wrote in my letter to the worker's compensation office that is attached to my Form 50 and 58 is accurate. You can see if for the information that you need for this section. (APA 15).

I was supposed to have been sent to the ER that night to be examined, but Mrs. Sass did not send me. In addition she didn't tell me to come back that next morning. 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 was sent out to have a CT scan done. These tests were not performed by Dr. Hook.

Mrs. Parham did not say anything about how she tried to get me fired that day while she was making her notes just because I was trying to find out if she wrote orders for narcotic for the pain that I was having since I didn't get any from Coleen Collins with my accident of 11/15/2001. I was never offered a physician and the nurses at HealthWorks were not taking care of me from the incident with my foot.

The nurse practitioner doesn't order the necessary tests, give pain medication, etc., that the injured worker need. There is not a doctor on site to take care of the injured workers. HealthWorks is being run by the nurse practitioners and the occupational health nurses.

The staff in HealthWorks was mistreating me every since I went to them with my first worker's compensation injury. This is especially true of Mrs. Libby Holland. They weren't providing care for me.

MOTION TO ACCEPT NEW EVIDENCE TO INCLUDE ALL INFORMATION IN FOLDER, ADDENDA AND ATTACHMENTS TO FORMS 50, 58, MY BOOK

**WHICH COMMISSIONER HUFFSTETLER HAS A COPY AND HIS FAILURE
TO SEE THAT ALL CLAIMS ARE A CONTINUUM AND
CLARIFICATIONS FOR WCC FILE NO. 0321756 DOA 10/23/2003**

Should the claimant be denied an award for her bills simply because she did not bring the invoices even though she had tallied the amount on the attachment sheet?

Should the claimant be denied compensation simply because she was on pain medications and the pain in her side did not hurt the same all of the time?

Was the origin of claimant pain unknown when it was documented in the record?

Should an injured worker be made to leave a physician and go to a nurse practitioner for care?

Did Commissioner Huffstetler err by not seeing the connection of the fall on the cement floor with pain in the right side (rib pain) of the claimant at the time of the accident to continue until treated by Dr. Brandt?

Is it acceptable for a Worker's Compensation Commissioner to cater to the defense attorney and employer against the injured claimant?

Are the emergency room physicians of Palmetto Health Alliance considered and/or agents, employees, or independent contractors as it relates to giving care to injured workers and referrals of these patients under worker's compensation?

Did Commissioner Huffstetler conducted this hearing properly and legally by not asking me anything about my rib pain and how it was being managed?

**CLARIFICATION OF THE STATEMENT OF THE CASE FOR WCC NO.
0321756**

My right foot got caught in the telephone cord and I fell while I was moving. I injured both knees, both wrists, all of left side and back, and whole body except head. I fell on the hard floor in the Medical Records Department. I was sent to the emergency room that night. From there the emergency room physician instructed me to follow-up with my primary physician. (APA 19) The ER physician didn't direct me to the nurse practitioners for care. I should be compensated something for my injuries and something for the aggravation of my gyn condition where I had surgery.

At the time of the hearing, I forgot how I had been communicating with Mrs. Libby Holland over at Health Work about a physician. (APA 18). My forgetfulness was due to how Commissioner Huffstetler was treating me and his angry toward me. Also, the defense Attorney Michael E. Chase was being vicious toward me. I was already under Dr. Hook's care and Ms. Sullivan from Key Risk insurance company wanted me to leave Dr. Hook and go to the nurse practitioner. After I had needed some injections in my back for the pain, I was referred from Dr. Hook to Dr. Jones. I didn't know of any physician that gave injections in the back other than Dr. Jones except the physicians at Carolina Spine Institute in Charleston. The physicians in the Carolina Spine Institute will not treat me. Mrs. Sullivan was already very adamant about not paying Dr. Hook for taking care of me. The ER physician at Palmetto Health Richland had given orders for me to follow up with my primary physician. I was already under Dr Hook's care when Mrs. Sullivan wanted me to leave and go to a nurse practitioner.

The request for benefits for line 11a is found on the addendum sheet for the Form 50. I didn't know if I had any permanent disability at that time. I was confused, anxious, and nervous during the hearing because of Commissioner Huffstetler's actions toward me and the defense attorneys' action against me. Commissioner Huffstetler didn't want me to talk, yet he was not controlling the defense attorney Michael E. Chase. I was not offered or provided a physician, especially one who could give me injections in my back for the pain in my back. I was not assigned any more impairment rating. My prior condition was aggravated by the fall.

CLARIFICATION OF THE EVIDENCE OF THE CASE FOR WCC NO. 0321756

I was never on a stand. My employer sent me to the ER and the ER physician sent me to my primary physician. I wasn't directed by the emergency room physician to go to HealthWorks. At the time of these questions, Commissioner Huffstetler was still angry with me which was affecting my behavior and memory at the hearing. I was never offered a physician by my employer. I was only offered the nurse practitioners for care. I had been having trouble with the nurse practitioners and management of the Medical Records Department every since my WCC accident of 11/15/2001 where the Nurse Practitioner Coleen Collins didn't really take care of my foot. I was having a lot of stress because of my continued accidents and I had almost been fired from my job with the accident of January 20, 2003, when Mrs. Annette Sullivan would not let me come back to work because I wanted some pain medication for my pain. Mrs. Parham was the nurse practitioner during this time.

As to the defense attorney's statement "Claimant had previously injured the same body parts in "numerous falls and stuff," I had numerous falls beginning with the falls at Trident Hospital that were worker's comp. related. I wasn't properly taken care of by Trident Hospital and this also involved Attorneys Thomas M. White and E. Douglas Pratt-Thomas. (See the entire book, *The Fall of a Nurse: What is Wrong With Gerly* (APA 16)

I was being mistreated over at HealthWorks. In addition, the emergency room physician, Dr. Steven B. Macaruso at Baptist had told me not to go back over to Health Works. Mrs. Holland was one of the main persons who used to give me trouble over at Health Works. I never asked the CEO of Palmetto Health Richland for medical treatment, but I had been communicating with Mrs. Elizabeth Holland. I had added up my bills on the addendum sheet. I have had worker's compensation hearing before and I was never required to bring any medical bills.

I had injured myself in August of 2003, at the Embassy Suites Hotel. I have been having falls and accidents for unknown reasons and I also have some foot injuries that were worker's comp. related. My left heel and Achilles tendon had been injured at Palmetto Health Richland and the injury was not properly taken care of by the Nurse Practitioner, Coleen Collins, Dr. Durkin, Barbara Griffin, and the orthopedic physicians that they had sent me to. This is one of the reasons why the ER physician had told me not to go back over to HealthWorks. The staff over at HealthWorks was not very interested in taking care for me with my worker's compensation injuries because they claimed I was not following their worker's compensation policy. This accident happened in 2003. The first set of left foot injuries occurred at Trident Hospital in 1994 and 1995.

I was only promised 15 hours/ week at K-mart and sometimes I don't get but 9 hours. The pay is only \$6.50 an hour. The work is not good for my health because I am on my feet a lot and I have trouble with my tendons and ligaments as well as some herniated discs in my back. I have back problems, right shoulder, arm, feet, left neck, left shoulder, wrists, cervico-thoracic area, Achilles tendon, etc, which are all worker's compensation related. I have pain and popping in my right shoulder where I was not taken care of at Trident Medical Center. A cashier's job was the only job that I could find after I was fired from Palmetto Health Richland because of my book that I wrote. The defense attorney, Michael E. Chase was behind my firing. Lexington Medical Center would not hire me and I have been forbidden to go to Providence Hospital to look for a job.

I don't know whether the problem that I have would be classified as a phobia, post-traumatic stress syndrome or what. I have not been mentally diagnosed. I was almost kidnapped by a tall white man when I was about 4 ½ years old. I never stated anything about 161 pages. The defense Attorney Michael E. Chase had stood up on the side of the table in opposite me and waved the sheets of paper before me. He had also shoved the letter that I had written the Court Reporter on the table in front of me. She had transcribed some words such as "straight up" and some other street words that I don't use. Even though I don't speak correct English all of the time, I never use these words. Commissioner Huffstetler didn't stop Attorney Michael E. Chase behavior toward me. Instead, he stopped me from saying or doing anything.

I have a herniated disc in my lower back that occurred in 1997, from a worker's compensation accident at Trident Hospital, WCC FILE NO. 9721145 where I was awarded \$10,814.88. I had an automobile accident in 1997, and another one in 2000. I was not responsible for either one of these accidents. The highway patrolman, D. C.

Patrick of Charleston, S. C. had falsified my accident report with my automobile accident of 1997, to prevent me from recovering what I should have recovered.

CLARIFICATION FOR EVIDENCE FOR WCC NO. 0321756

I had an aggravation of my prior back problems with this fall as well as the one in August of 2003. When I fell with this accident, I was complaining of side pain. The ER sheet listed it as left body pain. It was stated on the chest X-ray report as chest wall pain. Dr. Hook states it in his notes and on Dr. Brandt's initial notes for me on February 4, 2005, it states" ...Onset of pain, October 2003, following a fall injury. (APA 20, 21 22). The pain in my left chest wall never stopped hurting. I had chronic pain on the left side and it didn't hurt the same all of the time. It hurt sometimes more than others. In addition, I had gotten some injections in my back by Dr. Jones. The original pain started and never stopped. I didn't complaint of the same thing every time I went to the doctor. In addition, I was on pain medications for my pain, and I was using my heating pad and ice.

I was on Ultram, Bextra, and Lortab. Dr. Hooks had already told me that it takes from six to eight weeks for the injury to heal and something longer. The injury never healed so that why I started to complaint again.

I have been to hearings before and I wasn't required to bring my bills. I had already added up the amount. If the Commissioner had awarded me for my bills, I could have brought the bills by the office of Attorney Chase. He was listening to seven claims that day. I had sent a letter asking for the hearing to be held for two days in light that he was going to listen to seven claims. Commissioner Huffstetler was in a rush that day anyway. By August of 2004, the pain had become chronic. When I went to Dr. Brandt, the pain in my side had gotten worse and it wasn't responding to my pain medications like it had been.

I needed some injections in my back and side. No nurse practitioner could do that. As for Dr. Jones, there is only one other doctor group that I know of that gives injections in the back. The other group is in Charleston and I cannot go to that group because they will not treat me.

**MOTION TO ACCEPT NEW EVIDENCE TO INCLUDE ALL INFORMATION
IN FOLDER, ADDENDA AND ATTACHMENTS TO FORMS 50, 58, MY BOOK
WHICH COMMISSIONER HUFFSTETLER HAS A COPY AND HIS FAILURE
TO SEE THAT ALL CLAIMS ARE A CONTINUUM AND
CLARIFICATIONS FOR WCC FILE NO. 0616756 DOA 7/16/07**

What type of injury did the claimant have?

Was this a repetitive injury, a gradual injury, or a one time instant injury?

Is Commissioner Huffstetler wrong by not awarding me any benefits for the injury to my right wrist?

Is the physician forgetting to document the patient's complaint as it related to the right wrist and the fact that the pain developed while using the hole puncher at work constituted the fact that the physician wasn't told?

Was Palmetto Health Richland prejudiced because Dr. Noojin didn't document in his notes as the claimant told him that the pain in the right wrist developed while she was using the hole puncher at work?

If an injured worker is going to an orthopedic specialist for injuries to both knees and left wrist, should she be required to go to a nurse practitioner for an on-the-job injury to her right wrist when the physician is already affiliated with her employer?

CLARIFICATION OF THE STATEMENT OF CASE FROM WCC NO. 0616756

I developed some pain in my right wrist while I was using the hole puncher at work on 7/16/06. Also, I started to drop things and I had difficulty removing staples. I never used the word "repetitively" to my immediate supervisor, Toni Pait, Dr. Noojin, or the physical therapist. I didn't use the word repetitively on my Form 50 or 58 or the addendum or the attachment. I was doing other things during the course of the shift and I didn't know exactly what type of injury had occurred. It was around 11:15 p.m. that Sunday night when the pain started. I was the only one in the department at that time. The pain in the right wrist wasn't an emergency. I was having similar pain at that time in my left wrist and the pain in my right wrist felt the same. I sent an e-mail to my immediate supervisor, Toni Pait, about the pain that had developed in my right wrist. I communicated to her via e-mail and verbally from then on. The Manager of the Medical Records Department, Barrington Wint, also knew about the pain that had started at work. Each time that I went to physical therapy, I would bring him a copy of the notice that I was receiving physical therapy.

Neither Toni Pait, Barrington Wint, or Annette Sullivan ever told me that I had to go over to Health Works to the nurse practitioner for my right wrist when I communicated to Toni Pait that the nurse practitioner, Jean Massey, in Dr. Hook's office was already sending me to an orthopedic, Dr. Noojin for some other orthopedic problems that I was having. My left wrist and both knees had been injured in a fall at Red Hill Baptist Church on May 20, 2006. These were the majority of my injuries. All of them were aware that I was going to Dr. Noojin and receiving physical therapy for my injuries. I never refused treatment from my employer because I was never told that I had to go to Health Works to the nurse practitioner for my right wrist while I was going to Dr. Noojin

for my left wrist and both knees or go the nurse practitioner for my right wrist in addition to going to Dr. Noojin. Toni Pait was my immediate supervisor, Barrington Wint was the Manager over the Medical Records Department, and Annette Sullivan is the Director of the Medical Records Department.

I never refused treatment from my employer because my employer never told me that I had to go to the nurse practitioners instead of the physician that is associated with the hospital. When I was sent over to the coordinator of worker's comp. at Health Works by Barrington Wint, she told me that she was not going to make me change doctors since I was already going to Dr. Noojin.

CLARIFICATION OF THE EVIDENCE OF THE CASE FOR WCC NO. 0616756

I didn't know how to respond to the question of how many times a minute that I used the hole puncher. Second of all, I didn't know what Commissioner Huffstetler was talking about. The question had seemed stupid to me at the time. I was using the hole puncher when the pain started. I had worked in the Medical Records Department for over six years and never once did I count how many times that I used the hole punch per minute during the shift. I never said the word "repetitive" to anyone, nor did I ever classify my injury as being repetitive. I never indicated on any of my papers that the injury was repetitive.

Dr. Noojin didn't finish with my care until January of 2007. I visited the coordinator in September of 2006. On October 6, 2006, I was terminated from my employment because the defense Attorney Michael E. Chase took my book that I had written, *The Fall of a Nurse: What is Wrong With Gerly*, and gave it to the hospital and caused me to be fired from my job. On the day of my firing, Barrington Wint, the manager of the medical records department escorted me out of the hospital in to the parking lot of the north garage grinning.

Around November or December of 2006, Mr. Willis Gregory had accused me of wanting to put a bomb in the hospital. Other members on the dispute resolution panel were also accusing me of it. They also accused me of inciting other people to do it.

The farthest that I ever went near the hospital again since my firing was to keep my appointments with Dr. Noojin since I had been accused of wanting to put a bomb in the hospital. I was an assembly and analyze specialist. Trina Perkins, the morning specialist, was responsible for retrieving charts and putting them together. When she was absent, I sometimes picked up the charts and put them together. At the time of this accident, we were into the electronic medical record and there was very little filing to do. I had some stapling to do, but not that much. Also, we had cut down on some of the making of the paper record, and we had cut down on some of the paper work, such as the lab reports and other reports that we used to put in the chart. A lot of the documents were stored on the computer under Cerner.

CLARIFICATION OF THE MEDICAL EVIDENCE FOR WCC 0616756

Dr. Noojin was told about the pain in both wrists and splints were applied to both wrists by the orthopedic tech. Why he did not document the fact that the pain in my right wrist had developed from using the hole puncher, I don't know. He did examine both wrists before splints were applied to them. I did complain of pain in my right wrist and I showed Dr. Noojin how I was using the hole puncher at the time that I developed the pain, but this was not documented by Dr. Noojin. I first felt the pain as I was using the hole puncher around 11:15 p. m. that night and this was getting near the end of my shift.

I believe I was getting off work at 12:30 a.m. during these times. On Dr. Noojin's order for physical therapy dated 7-26-2006, the diagnoses are Wrist Sprain & 717.7-BI. (APA 23) Although the physical therapist documented the wrong wrist and added "repetitive" after I showed him how I was doing the motion, I never said that it was repetitive. There was some documentation to the fact that it was strained at work. (APA 24) There was some communication between the therapist and Dr. Noojin. I did receive therapy on the right wrist. (APA 25) The coders in the office and the therapists took the Order to mean both wrists and both knees. The coder said that the order meant both wrists. (This was checked with the coder after the hearing.) Subsequently, I received physical therapy on both wrists and both knees. I would bring a copy of my excuse after each physical therapy session and give a copy to Barrington Wint, the manager of the Medical Records Department. This is what Mrs. Toni Pait, my immediate supervisor told me to do. (APA 26). Although some may be missing, I gave Barrington Wint a copy of the excuses up until the day of my firing. Palmetto Health Richland was not prejudiced because I did receive treatment to the right wrist to lessen the affect of the injury. (APA 27)

I don't know why Dr. Noojin didn't document the pain in my right wrist on the first day that I went to him. He may have forgotten with his busy schedule or he may have just wrote about what was on the referral sheet from Jean Massey NP. I never had any reason to suspect that he would not document truthfully or omit something deliberately because he was never abusive to me nor talked to me roughly. He was always kind and gentle when I went to see him. Some modifications are going to have to be made to the medical record since this is my right.

I couldn't have reported the pain in my right wrist to Jean Massey on 6/21/06, because I develop pain in my right wrist on 7/16/06. I did not have a work related injury at the time of this visit to Nurse Practitioner Massey.

At the time of the hearing, I didn't know that there was a problem with my medical records nor did I suspect that there was something wrong with it. I wasn't aware that Dr. Noojin had given me a rating since the injuries involves the tendons as I was led to believe that they don't have any ratings for the tendons and ligaments. No monetary value is assigned in the laws for the tendons, ligament, and joints of the human body.

Attorney Michael Chase already had my medical records. He had already sent for them twice.

FINDINGS OF FACT FOR ALL CLAIMS

4. I had sent a letter requesting that the hearing be held over two days. Previously, Attorney Chase had sent me a letter where he was asking for a full day for the hearing. I knew that there was a lot of history and that it was long concerning my claim 9503744 of January of 1995, which needed to be explained. Also, I saw these seven claims as being a continuum, not separate and distinct. WCC NO. 0616756 is not included in the book because it happened after the book was published. If you follow the time line in my book, *The Fall Of A Nurse: What Is Wrong With Gerly?*, you will see that it does, too. This is why I asked for my January claim of 1995 at Trident Hospital to be held with these of Palmetto Health Richland. My WCC NO. 9721145 is also related. They are all built on one another, especially when I came from Charleston with the same body parts already injured that was injured again at Palmetto Health Richland.

5. I was never advised regarding my right to counsel and warned regarding proceeding *pro se*. Twice during the hearing Commissioner Huffstetler said that I had 14 days to do an appeal. I wrote this down on my pad. I was never given any warning about anything for having my case. Commissioner Huffstetler became angry at me when I told him what Commissioner Mickle had done and about Attorney Thomas White. He never asked anything about the posture of this case before he said that the claims were all separate and distinct. Neither one of the attorneys or myself agreed with that.

I had previously received a letter from the Commissioner before Huffstetler that Worker's Comp. had jurisdiction over my case.

7. I have never worked as an administrator. I have only lost one job where I was accused of mistreatment of patients.

This happened in 1998, when I was fired from Trident Hospital after I had the worker's compensation accident, WCC NO. 9721145. At this time, a group of white nurses had lied on me about mistreatment of patients so that I could get fired from my job because of this worker's compensation claim where a Jewish patient had hurt my back and left me with a herniated disc. This was the only nursing job that was worker's compensation related.

Bridgett Denzik, the nurse manager, was making fun of me and picking at my penmanship which had become worst after my January 23, 1995 accident at

Trident Hospital where I never received the proper treatment or an MRI and where the insurance company and some of the white people were mistreating me. This was where Attorney Thomas M. White and Attorney E. Douglas Pratt-Thomas and Commissioner Bryan Lyndon deliberately ruined my case. Thereafter, I have been suffering mentally and physically from what they did to me under worker's compensation.

The other times, I was falsely accused by the white nurses. I believe one involved an order from a chart. I had stayed over late to do some orders. I was basically a new black graduate during these times trying to work in a mostly white profession. This was mostly racism, jealousy, and envy. My problems had started in my last year of nursing school at Richland Memorial Hospital where I almost made a medication error. My instructor had tried to keep me from graduating.

As a result of this incident, I was black balled in the nursing as well as the medical community in Columbia, etc. This was compounded when I had so much trouble with Trident Hospital in Charleston, S. C. Now with this case which also ended at Palmetto Health Richland, I have been fired from my Health Information Management job because of a book that I wrote about my life. It wasn't because of my job performance.

8. My victimization is not alleged. These things actually happened to me. Now I am being victimized once again by the defense attorney Michael E. Chase and Commissioner Huffstetler.
9. I don't have extensive experience with worker's compensation. I still don't know exactly how this system work and why some of the commissioners lie and don't treat and talk to me right. I only have two more cases pending. These are the claims that Attorneys White, Pratt-Thomas and Commissioner Bryan Lyndon ruined for me. The third claim concerns an occupational disease and I am not sick. I won one of my worker's compensation cases because the Commissioner was Holly Atkins. She was very professional and fair and she did not get angry with me. She did not talk rough or mistreat me in any way. She never became angry with me.

I have had some worker's compensation injuries, but I have not been treated fairly with them. This is to include how the doctors, nurses, and the employers treat me when I try to do the right thing. I have had more than my share of abuse. I had attorneys to help me with the motor vehicle accidents at least part of the way.

10. I didn't know what I was doing. I have never been taught how to handle worker's compensation cases and the attorneys wouldn't help me. I have never worked in the legal field before. I have just picked up some information because a few attorneys have been kind enough to give me some pointers. If I had known

what I was doing and had the money and time, I would have served them properly.

FINDINGS OF FACT FOR WCC NO. 9503744

12. It was Attorney Allison White that first said he yelled. Perhaps it was the wrong word. He has talked to me very rough and he used to be very angry with me while I was in Charleston in 1995 until the time that he was taken off of my claims. He was also controlling. I had talked about what he did to me in my book and none of these things were lies. He has cursed me and cursed to me about my former doctor. I never could figure out why he was mistreating me and why he used to be very angry with me. He threw the worker's compensation check at me. He also had me closed up in the room where I had to squeeze my body between a table and chair.
13. I was sick at this time and didn't know it. I never went on my own to a psychologist and I don't believe in them. I never went to talk to a Priest about it.
14. This Consent Order **should not be binding** because of the way my signature was gotten on the form. Commissioner Huffstetler is making it binding because he is angry with me.
15. I believed that this information was already in my folder, since this was an old case. I am submitting a check stub and a letter and the papers of the figuring. (APA 18.) I should be paid for my second job.
16. There wasn't any physical force which I think Commissioner Huffstetler took out of context, but she was angry and gave me several ultimatums. One was that if I had to accept the money that was offered, then she would clinch up all of my cases. I have a back injury.
18. I took a letter on September 5, 2007, to Commissioner Huffstetler office where I was requesting an MRI to my shoulder.
20. I had been offered a settlement before. Why am I not entitled to the settlement now?

FINDING OF FACT FOR WCC NO. 0126962

21. The hospital physician didn't take care of my foot. The Worker's Compensation Commission can't make a physician take care of an injured worker.
22. They need to pay some more since they didn't take care of me.

- 23. I was made to work. I was not given any time off of my feet by the nurse practitioners.
- 24. I do have permanent disability to my left foot to include the Achilles tendon, heel, and ankle. This injury has been combined with my previous injury which occurred at Trident Hospital.

FINDINGS OF FACT FOR WCC NO. 0217755

- 26. The emergency room physician sent me to my physician, not to Health Works which is staff by nurse practitioners. The Code of Laws of South Carolina didn't speak to the nurse practitioners taking care of the injured worker.
- 27. Attorney Lana Sims was already aware of me asking for compensation for my herniated discs and sciatica. This was indicated on my attachment forms and was discussed in December of 2006 when I went to him for a deposition.
- 28. I had and still have some sciatica.

FINDINGS OF FACT FOR WCC NO. 0227098

- 30. The emergency room physician told me to follow-up with my primary physician. HealthWorks is staff by nurse practitioners. Lori Sharpe did give permission for Dr. Jones to treat my neck.
- 31. Defendant needs to pay for all treatment.
- 32. Attorney Lana Sims was already aware of the discs and the sciatica. The issues were on the addendums and attachments in my folder.
- 33. I have some more discs in my lower back that was caused by the fall.

FINDINGS OF FACT FOR WCC NO. 0322274

- 35. I followed the emergency room physician's instructions to follow-up with my own doctor. There are no doctors at Health Works.
- 36. The issues were on the addendums to the Form 50.
- 37. I have some more disability to my neck. I was not awarded anything for the aggravation of my neck.

have to go through a nurse practitioner, and that how it has always been. I didn't want any more confrontation with these nurses. If the nurse practitioners don't want you to see a doctor, then she will not refer you to one. These answers were obtained by the way Commissioner Huffstetler phrase the questions. I never talked to the CEO of the hospital about a doctor.

The Nursing supervisor sent me to the ER, and the ER physician sent me to my physician. I had communicated with Mrs. Sullivan, but she was adamant that I leave my doctor to go back over to Health Work to a nurse practitioner. I went to Dr. Jones after I received a referral from Dr. Hook to go.

Commissioner Huffstetler asked this question the way that Attorney Michael E. Chase had asked him so that my benefits could be denied. He was biased the whole time. I did request treatment. No nurse practitioner can give injections in the back. The nurses were rough with me and they spoke rough to me, especially Libby Holland.

43. I didn't know I have to submit any bill, etc. I never did it before. The insurance company paid most of my medical bill and the insurance company still have their EOB.'s. Attorney Lana Sims office were getting theirs from Blue Cross ad Blue Shield. If I was awarded payment for my medical bills, this could have been brought over to the office. I am only a claimant and I never had to do this before. Commissioner Huffstetler was rushing anyway, and he won't have taken time to go through the bills with seven claims, especially with the first one having a long history.

FINDINGS OF FACT FOR WCC NO 0616756

46. I developed pain in my right wrist while using the hole puncher.
47. I use the hole puncher throughout the shift. I never counted the number of times I used it.
48. Dr Noojin was aware of the work injury, he just didn't document anything.
49. The defense attorney Michael E. Chase had all of the notes.

CONCLUSIONS OF LAW

Isn't the employer responsible for acts of other employees upon an employee?

3. Defendants are supposed to send the injured worker to a physician not to a nurse practitioner.
6. I was forced to sign this document after the insurance company kicked me out of worker's compensation. **This Consent Order should not be binding.**
7. I still have pain and popping in my right shoulder. I have a bad penmanship.
9. I never received an MRI of my right shoulder which I needed.
10. If an employee injured another employee, the employer is responsible for any disability that occur.
11. If the commissioner would have accepted the two foot accidents together, the one from Trident Hospital and the ones from Palmetto Health Richland, he would have seen that there is some disability. Because of his anger toward me, he was very biased.
12. I never receive this money which I should have received ever since 2002.
13. I have some more discs in my lower back and I suffered from sciatica. I am not an attorney to know how to raised such issues. No questions from the Commissioner were geared toward my defense.
14. I do have some additional discs in my sacral area and some sciatica.
16. Part of this section that related to me was left out about my continued care. I still have some residual throat pain. All of Dr. Jones notes that pertain to me were not included.
17. I don't have my medical notes as it pertains to my throat and the muscle tension dysphonia. (Hopefully, these will be forthcoming)
18. I never received any care from HealthWorks with this accident because Mrs. Parham told me to go to my own doctor. In addition, Mrs. Parham caused me to be on suspension for a whole week because I wanted some pain medication.
19. I have continued pain in my vaginal area and perineum area. I need some partial disability.
20. I can't prove pain in the vaginal and perineum area because I am the only one feeling it.
22. My gyn conditions were aggravated by the fall up until the point that I had surgery.

23. There are the first notes of the accident, Dr. Hook notes, and Dr. Brandt's notes.
24. The medical bills are all part of my medications, my co-payments and the insurance EOB statements for surgery, MD bills, etc. These could have been brought by the office if I had been awarded payment of such by Commissioner Huffstetler. Since he was angry with me about Attorney White and Commissioner Mickle, this impaired his mind to be just and fair toward me. He never even asked about any bills. He just focused on making me nervous and confused. He never had any intentions of listening to me.
25. I should have been awarded something for the aggravation of my back. I had some injections in my back. I had to have gyn surgery. I had to have multiple injections from Dr. Brandt in my intercostals area. I was never asked about these things by Commissioner Huffstetler. He jumped to all his conclusions without ever asking me anything. He was catering to the defense attorneys, especially, Michael E. Chase.
26. I didn't claim that my wrist injury was repetitive. I never used the word "repetitive". The pain in my wrist developed while I was using the hole puncher. I first felt the pain while I was using the hole puncher.
27. This was a worker's compensation injury, and therefore I am entitled to an award.

ORDER

Should Commissioner dismissed all of my claims with prejudice even though I have permanent injuries to my tendons, ligaments, and joints, and it is easy for these member of my body to be injured again because of multiple trauma?

No appropriate medical treatment was given to me with my Achilles tendon, heel, and foot injury. The consent order was not entered into with my free will and nothing was explained to me. That was something that was deliberately done to me by Attorney Thomas M. White, with Attorney Pratt-Thomas backing and Commissioner Bryan Lyndon. I didn't willingly gave up my rights to my other injuries.

I still have some pain and popping in my right shoulder and the difficulty with my penmanship. I do have some permanent impairment to my right shoulder. I do have some permanent partial disability to my shoulder and right foot, and Trident Hospital should pay for it. My injuries were sustained at the hospital. Furthermore, I had been offered a settlement by Commissioner Mickle and Attorney E. Douglas Pratt-Thomas. The offer was declined because she wanted to clinch up all of my remaining claims, which wasn't acceptable to me.

Should Commissioner dismissed all of my claims with prejudice even though I have permanent injuries to my tendons, ligaments, and joints, and it is easy for these member of my body to be injured again because of multiple trauma?

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If Commissioners Atkins, and Mickle saw the liability of my injuries on Trident Hospital, why can't Commissioner Huffstetler see it. I believe this is a case of bias and conflict of interest on his part.

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July 2, 2003

Jodi Starnes
PHTS
P.O. Box 21099
Columbia, SC 29221-1099

Re: Gertrude Shiver v. Palmetto Richland Memorial Hospital
DOA: 11/15/01 & 3/22/02

Dear Ms. Starnes:

Enclosed please find a waiver that Ms. Shiver has sent to me stating that she understands that you will pay for her treatment with Dr. Gregory Jones, but that you will not pay for her mileage. If you have any questions regarding this letter, please do not hesitate to contact my office.

Yours truly,



Paula M. Stewart
Attorney

PMS:jbp
Enclosure
cc: Gertrude Shiver

**WAIVER OF MILEAGE REIMBURSEMENT FOR WORKER'S
COMPENSATION INJURY OF MARCH 23, 2002**

I, Gertrude Shiver, waiver my rights for mileage reimbursement from Palmetto Health Trust for the worker's compensation injury of March 23, 2002, as long as they pay Dr. Gregory M. Jones of Charleston Spine and Physical Medicine, P.A., for all treatments, professional services, and all tests deemed necessary and ordered to properly manage and treat my lower back injury of March 23, 2002, and they don't interfere with me seeing him.

Signature: Gertrude Shiver

Date: 6-11-03

1-20 @ Alpine Road
Columbia, SC 29219



Blue Cross and Blue Shield
of South Carolina
An Independent Licensee of the
Blue Cross and Blue Shield Association

EXPLANATION OF BENEFITS THIS IS NOT A BILL

If you have a question about your
claim, please call Customer Service at

1-800-868-2500 OR LOCALLY AT 788-0500 MON. - THURS.
8:00 A.M. - 6:00 P.M. OR FRI. 8:00 A.M. - 4:30 P.M.

August 26, 2002

GERTRUDE SHIVER
1026 CONGAREE CHURCH
GADSDEN S 29052-9690

SUMMARY INFORMATION

Patient's Name GERTRUDE G SHIVER		Relationship to Policyholder SELF		ID No. 249982546		Claim No. 2E3359670-00-00	
TOTAL CHARGE FOR YOUR CLAIM: 2,060.74		TOTAL AMOUNT WE PAID: .00		WHAT YOU OWE PROVIDER: 2,060.74			
				The provider can bill you for this amount if you have not yet paid.			
This claim contributed .00		toward your out-of-pocket maximum. You have satisfied 224.31		of the 1,000.00			
out-of-pocket maximum for this benefit period. We paid a total of 2,017.43 for this person this benefit period.							

DETAIL INFORMATION

Provider	CHARLESTON SPINE &	CHARLESTON SPINE &	CHARLESTON SPINE &	CHARLESTON SPINE &
Network Participation	YES	YES	YES	YES
Dates of Service	07/30/02	07/30/02	07/30/02	07/30/02
Type of Service	OFFICE SURGERY	OFFICE SURGERY	OFFICE SURGERY	OFFICE SURGERY
Charge	495.00	474.30	930.00	161.44
Amount Not Covered	495.00 01*	474.30 01*	930.00 01*	161.44 01*
Covered Expenses	.00	.00	.00	.00
Deductible	.00	.00	.00	.00
Copayment	.00	.00	.00	.00
Allowed Amount	.00	.00	.00	.00
Coinsurance	.00	.00	.00	.00
Amount Paid	.00	.00	.00	.00

* Please refer to the remarks section.

Suspect claims fraud? Please help by calling our hotline at 1-800-763-0703
THANK YOU FOR ALLOWING US TO SERVE YOU!

www.SouthCarolinaBlues.com



EXPLANATION OF BENEFITS THIS IS NOT A BILL

If you have a question about your
claim, please call Customer Service at

1-800-868-2500 OR LOCALLY AT 788-0500 MON. - THURS.
8:00 A.M. - 6:00 P.M. OR FRI. 8:00 A.M. - 4:30 P.M.

August 26, 2002

GERTRUDE SHIVER
1026 CONGAREE CHURCH
GADSDEN S 29052-9690

SUMMARY INFORMATION

Patient's Name GERTRUDE G SHIVER		Relationship to Policyholder SELF		ID No. 249982546		Claim No. 2E3359669-00-00	
TOTAL CHARGE FOR YOUR CLAIM: 359.00		TOTAL AMOUNT WE PAID: .00		WHAT YOU OWE PROVIDER: 185.00			
				The provider can bill you for this amount if you have not yet paid.			
This claim contributed .00 toward your out-of-pocket maximum. You have satisfied 224.31 of the 1,000.00 out-of-pocket maximum for this benefit period. We paid a total of 2,017.43 for this person this benefit period.							

DETAIL INFORMATION

Provider	CHARLESTON SPINE &	CHARLESTON SPINE &		
Network Participation	YES	YES		
Dates of Service	07/30/02	07/30/02		
Type of Service	OFFICE RADIOLOGY	OFFICE X-RAY/LAB		
Charge	185.00	174.00		
Amount Not Covered	185.00 01*	174.00 01*		
Covered Expenses	.00	.00		
Deductible	.00	.00		
Copayment	.00	.00		
Allowed Amount	.00	.00		
Coinsurance	.00	.00		
Amount Paid	.00	.00		

* Please refer to the remarks section.

Suspect claims fraud? Please help by calling our hotline at 1-800-763-0703

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EXPLANATION OF BENEFITS THIS IS NOT A BILL

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claim, please call Customer Service at

1-800-868-2500 OR LOCALLY AT 788-0500 MON. - THURS.
8:00 A.M. - 6:00 P.M. OR FRI. 8:00 A.M. - 4:30 P.M.

August 26, 2002

GERTRUDE SHIVER
1026 CONGAREE CHURCH
GADSDEN S 29052-9690

SUMMARY INFORMATION

Patient's Name GERTRUDE G SHIVER		Relationship to Policyholder SELF		ID No. 249982546	Claim No. 2E9359670-01-00
TOTAL CHARGE FOR YOUR CLAIM: 256.00		TOTAL AMOUNT WE PAID: .00		WHAT YOU OWE PROVIDER: 256.00	
The provider can bill you for this amount if you have not yet paid.					
To date, you have satisfied 250.00 of the 250.00 deductible for the benefit period that began 01/01/2002.					
This claim contributed .00 toward your out-of-pocket maximum. You have satisfied 224.31 of the 1,000.00 out-of-pocket maximum for this benefit period. We paid a total of 2,017.43 for this person this benefit period.					

DETAIL INFORMATION

Provider	CHARLESTON SPINE &	CHARLESTON SPINE &		
Network Participation	YES	YES		
Dates of Service	07/30/02	08/13/02		
Type of Service	MEDICAL SERVICES	MEDICAL SERVICES		
Charge	168.00	88.00		
Amount Not Covered	168.00 01*	88.00 01*		
Covered Expenses	.00	.00		
Deductible	.00	.00		
Copayment	.00	.00		
Allowed Amount	.00	.00		
Coinsurance	.00	.00		
Amount Paid	.00	.00		

* Please refer to the remarks section.

Suspect claims fraud? Please help by calling our hotline at 1-800-763-0703

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EXPLANATION OF BENEFITS THIS IS NOT A BILL

If you have a question about your
claim, please call Customer Service at

1-800-868-2500 OR LOCALLY AT 788-0500 MON. - THURS.
8:00 A.M. - 6:00 P.M. OR FRI. 8:00 A.M. - 4:30 P.M.

August 26, 2002

GERTRUDE SHIVER
1026 CONGAREE CHURCH
GADSDEN S 29052-9690

SUMMARY INFORMATION

Patient's Name	Relationship to Policyholder	ID No.	Claim No.
GERTRUDE G SHIVER	SELF	249982546	2E3359669-01-00
TOTAL CHARGE FOR YOUR CLAIM: 169.15	TOTAL AMOUNT WE PAID: .00	WHAT YOU OWE PROVIDER: 25.00	
		The provider can bill you for this amount if you have not yet paid.	
To date, you have satisfied 250.00 of the 250.00 deductible for the benefit period that began 01/01/2002			
This claim contributed .00 toward your out-of-pocket maximum. You have satisfied 224.31 of the 1,000.00 out-of-pocket maximum for this benefit period. We paid a total of 2,017.43 for this person this benefit period.			

DETAIL INFORMATION

Provider	CHARLESTON SPINE &	CHARLESTON SPINE &	
Network Participation	YES	YES	
Dates of Service	07/30/02	07/30/02	
Type of Service	MEDICAL SERVICES	INJECTION(S)	
Charge	144.15	25.00	
Amount Not Covered	144.15 01*	25.00 01*	
Covered Expenses	.00	.00	
Deductible	.00	.00	
Copayment	.00	.00	
Allowed Amount	.00	.00	
Coinsurance	.00	.00	
Amount Paid	.00	.00	

* Please refer to the remarks section.

Suspect claims fraud? Please help by calling our hotline at 1-800-763-0703

THANK YOU FOR ALLOWING US TO SERVE YOU!

www.SouthCarolinaBlues.com

414



EXPLANATION OF BENEFITS THIS IS NOT A BILL

If you have a question about your
claim, please call Customer Service at

1-800-868-2500 OR LOCALLY AT 788-0500 MON. - THURS.
8:00 A.M. - 6:00 P.M. OR FRI. 8:00 A.M. - 4:30 P.M.

August 26, 2002

GERTRUDE SHIVER
1026 CONGAREE CHURCH
GADSDEN S 29052-9690

SUMMARY INFORMATION

Patient's Name		Relationship to Policyholder		ID No.	Claim No.
GERTRUDE G SHIVER		SELF		249982546	2E3359669-01-00
TOTAL CHARGE FOR YOUR CLAIM: 169.15		TOTAL AMOUNT WE PAID: .00		WHAT YOU OWE PROVIDER: 25.00	
				The provider can bill you for this amount if you have not yet paid.	
To date, you have satisfied 250.00 of the 250.00 deductible for the benefit period that began 01/01/2002.					
This claim contributed .00 toward your out-of-pocket maximum. You have satisfied 224.31 of the 1,000.00 out-of-pocket maximum for this benefit period. We paid a total of 2,017.43 for this person this benefit period.					

DETAIL INFORMATION

Provider	CHARLESTON SPINE &	CHARLESTON SPINE &	
Network Participation	YES	YES	
Dates of Service	07/30/02	07/30/02	
Type of Service	MEDICAL SERVICES	INJECTION(S)	
Charge	144.15	25.00	
Amount Not Covered	144.15 01*	25.00 01*	
Covered Expenses	.00	.00	
Deductible	.00	.00	
Copayment	.00	.00	
Allowed Amount	.00	.00	
Coinsurance	.00	.00	
Amount Paid	.00	.00	

* Please refer to the remarks section.

Suspect claims fraud? Please help by calling our hotline at 1-800-763-0703

THANK YOU FOR ALLOWING US TO SERVE YOU!

www.SouthCarolinaBlues.com

August 26, 2002

1-800-868-2500 OR LOCALLY AT 788-0500 MON. - THURS.
8:00 A.M. - 6:00 P.M. OR FRI. 8:00 A.M. - 4:30 P.M.

GERTRUDE SHIVER
1026 CONGAREE CHURCH
GADSDEN S 29052-9690

SUMMARY INFORMATION

Patient's Name GERTRUDE G SHIVER		Relationship to Policyholder SELF	ID No. 249982546	Claim No. 2E3359669-00-00
TOTAL CHARGE FOR YOUR CLAIM: 359.00		TOTAL AMOUNT WE PAID: .00		WHAT YOU OWE PROVIDER: 185.00 The provider can bill you for this amount if you have not yet paid.
This claim contributed .00 toward your out-of-pocket maximum. You have satisfied 224.31 of the 1,000.00 out-of-pocket maximum for this benefit period. We paid a total of 2,017.43 for this person this benefit period.				

DETAIL INFORMATION

Provider	CHARLESTON SPINE &	CHARLESTON SPINE &	
Network Participation	YES	YES	
Dates of Service	07/30/02	07/30/02	
Type of Service	OFFICE RADIOLOGY	OFFICE X-RAY/LAB	
Charge	185.00	174.00	
Amount Not Covered	185.00 01*	174.00 01*	
Covered Expenses	.00	.00	
Deductible	.00	.00	
Copayment	.00	.00	
Allowed Amount	.00	.00	
Coinsurance	.00	.00	
Amount Paid	.00	.00	

* Please refer to the remarks section.

Suspect claims fraud? Please help by calling our hotline at 1-800-763-0703

THANK YOU FOR ALLOWING US TO SERVE YOU!

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416

I-20 @ Alpine Road
Columbia, SC 29219



of South Carolina
An Independent Licensee of the
Blue Cross and Blue Shield Association

EXPLANATION OF BENEFITS THIS IS NOT A BILL

If you have a question about your
claim, please call Customer Service at

1-800-868-2500 OR LOCALLY AT 788-0500 MON. - THURS.
8:00 A.M. - 6:00 P.M. OR FRI. 8:00 A.M. - 4:30 P.M.

June 24, 2002

GERTRUDE SHIVER
1026 CONGAREE CHURCH
GADSDEN S 29052-9690

SUMMARY INFORMATION

Patient's Name		Relationship to Policyholder		ID No.	Claim No.
GERTRUDE G SHIVER		SELF		249982546	2D7062465-01-00
TOTAL CHARGE OR YOUR CLAIM:	161.44	TOTAL AMOUNT WE PAID:	.00	WHAT YOU OWE PROVIDER: 161.44	
This claim contributed .00 toward your out-of-pocket maximum. You have satisfied 195.71 of the 1,000.00 out-of-pocket maximum for this benefit period. We paid a total of 1,903.03 for this person this benefit period.				The provider can bill you for this amount if you have not yet paid.	

DETAIL INFORMATION

Provider	CHARLESTON SPINE &			
Network Participation	YES			
Dates of Service	06/10/02			
Type of Service	OFFICE SURGERY			
Charge	161.44			
Amount Not Covered	161.44 01*			
Covered Expenses	.00			
Deductible	.00			
Copayment	.00			
Allowed Amount	.00			
Coinsurance	.00			
Amount Paid	.00			

* Please refer to the remarks section.

Suspect claims fraud? Please help by calling our hotline at 1-800-763-0703
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917



EXPLANATION OF BENEFITS THIS IS NOT A BILL

If you have a question about your
claim, please call Customer Service at

1-800-868-2500 OR LOCALLY AT 788-0500 MON. - THURS.
8:00 A.M. - 6:00 P.M. OR FRI. 8:00 A.M. - 4:30 P.M.

June 24, 2002

GERTRUDE SHIVER
1026 CONGAREE CHURCH
GADSDEN S 29052-9690

SUMMARY INFORMATION

Patient's Name GERTRUDE G SHIVER		Relationship to Policyholder SELF		ID No. 249982546	Claim No. 2D7062465-00-00
TOTAL CHARGE FOR YOUR CLAIM: 88.00		TOTAL AMOUNT WE PAID: .00		WHAT YOU OWE PROVIDER: 88.00	
				The provider can bill you for this amount if you have not yet paid.	
To date, you have satisfied 201.00 of the 250.00 deductible for the benefit period that began 01/01/2002.					
This claim contributed .00 toward your out-of-pocket maximum. You have satisfied 195.71 of the 1,000.00 out-of-pocket maximum for this benefit period. We paid a total of 1,903.03 for this person this benefit period.					

DETAIL INFORMATION

Provider	CHARLESTON SPINE &			
Network Participation	YES			
Dates of Service	06/10/02			
Type of Service	MEDICAL SERVICES			
Charge	88.00			
Amount Not Covered	88.00 01*			
Covered Expenses	.00			
Deductible	.00			
Copayment	.00			
Allowed Amount	.00			
Coinsurance	.00			
Amount Paid	.00			

* Please refer to the remarks section.

Suspect claims fraud? Please help by calling our hotline at 1-800-763-0703

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418

EXPLANATION OF BENEFITS

THIS IS NOT A BILL

If you have a question about your
claim, please call Customer Service at

1-800-868-2500 OR LOCALLY AT 788-0500 MON. - THURS.
8:00 A.M. - 6:00 P.M. OR FRI. 8:00 A.M. - 4:30 P.M.

September 19, 2002

GERTRUDE SHIVER
1026 CONGAREE CHURCH
GADSDEN S 29052-9690

RECEIVED
OCT 06 2014
(FRONT DESK)
SC Workers' Comp Comm

SUMMARY INFORMATION

Patient's Name	Relationship to Policyholder	ID No.	Claim No.
GERTRUDE SHIVER	SELF	249982546	072528599-00-00
TOTAL CHARGE FOR YOUR CLAIM:	TOTAL AMOUNT WE PAID:	WHAT YOU OWE PROVIDER:	
325.00	118.80	13.20	
Sent to Provider		The provider can bill you for this amount if you have not yet paid.	
This claim contributed 13.20 toward your out-of-pocket maximum. You have satisfied 270.31 of the 1,000.00 out-of-pocket maximum for this benefit period. We paid a total of 2,431.43 for this person this benefit period.			

DETAIL INFORMATION

Provider	DISC RADIOLOGISTS			
Network Participation	YES			
Dates of Service	08/14/02			
Type of Service	OFFICE X-RAY/LAB			
Charge	325.00			
Amount Not Covered	193.00 01*			
Covered Expenses	132.00			
Deductible	.00			
Copayment	.00			
Allowed Amount	132.00			
Coinsurance	13.20			
Amount Paid	118.80			

* Please refer to the remarks section.

Suspect claims fraud? Please help by calling our hotline at 1-800-763-0703

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Control #	Check #	Trans Date	Type	Clr.	Void	Status	Payee	Check Amount	From/To Date	Invoice #	Transaction Type	Detail Amount	User	Check Date
J386879	574872	8/7/2002	Payment	No	No	P	Pitts Radiological Associ	\$18.00	3/24/2002 - 3/24/2002	8208300003	Radiology	\$18.00	gandre	8/8/2002
J386884	0	8/7/2002	Payment	No	No	P	Intracorp Hospital Bill R	\$3.53	3/24/2002 - 3/24/2002	2306095015	Intracorp/Bill Review	\$3.53	gandre	8/7/2002
J386370	575674	8/21/2002	Payment	No	No	P	Palmetto Baptist Medical	\$488.00	3/24/2002 - 3/24/2002	b0208300003	Hospital/Institution	\$488.00	wkelle	8/22/2002
J388371	0	8/21/2002	Payment	No	No	P	Intracorp Hospital Bill R	\$3.53	3/24/2002 - 3/24/2002	2306098552	Intracorp/Bill Review	\$3.53	wkelle	8/21/2002
J437798	598909	5/10/2003	Payment	No	No	P	CHARLESTON SPINE & PHYS M	\$1,068.00	6/10/2002 - 7/30/2002	4559-12	Doctor	\$1,068.00	CSC	11/5/14/2003
J437799	0	5/10/2003	Payment	No	No	P	Intracorp Hospital Bill R	\$23.63	6/10/2002 - 7/30/2002	2307418793	Intracorp/Bill Review	\$23.63	CSC	11/5/10/2003
J437800	598910	5/10/2003	Payment	No	No	P	CHARLESTON SPINE & PHYS M	\$622.78	7/30/2002 - 11/14/2002	4559-10	Doctor	\$622.78	CSC	11/5/14/2003
J437801	0	5/10/2003	Payment	No	No	P	Intracorp Hospital Bill R	\$46.85	7/30/2002 - 11/14/2002	2307418818	Intracorp/Bill Review	\$46.85	CSC	11/5/10/2003
0438526	599235	5/15/2003	Payment	No	No	P	CHARLESTON SPINE & PHYS M	\$1,537.00	8/27/2002 - 11/14/2002	4559-10	Doctor	\$1,537.00	CSC	11/5/19/2003
0438527	0	5/15/2003	Payment	No	No	P	Intracorp Hospital Bill R	\$105.92	8/27/2002 - 11/14/2002	2307436340	Intracorp/Bill Review	\$105.92	CSC	11/5/15/2003
0459407	0	9/19/2003	Payment	No	No	P	PHT Services, Ltd.	\$22.00	5/1/2003 - 5/31/2003	0501-0531-2003	Managed Care	\$22.00	dlee	9/19/2003
0444771	602106	6/24/2003	Payment	No	No	P	CHARLESTON SPINE & PHYS M	\$105.60	5/13/2003 - 5/13/2003	455913	Physical Therapy	\$105.60	CSC	11/6/27/2003
0444772	0	6/24/2003	Payment	No	No	P	Intracorp Hospital Bill R	\$14.17	5/13/2003 - 5/13/2003	2307575760	Intracorp/Bill Review	\$14.17	CSC	11/6/24/2003
0467878	612208	1/3/2003	Payment	No	No	P	PALMETTO RICHLAND	\$902.40	9/8/2003 - 9/8/2003	R0325100081	Radiology	\$902.40	CSC	11/11/5/2003
7879	0	1/3/2003	Payment	No	No	P	PALMETTO RICHLAND	\$500.00	9/8/2003 - 9/8/2003	R0325100081	Deductible Applied	\$500.00	CSC	11/11/3/2003
880	0	1/3/2003	Payment	No	No	P	Intracorp Hospital Bill R	\$47.83	9/8/2003 - 9/8/2003	2308002682	Intracorp/Bill Review	\$47.83	CSC	11/11/3/2003
0540246	661407	3/8/2005	Payment	No	No	P	Reimbursement Consultants	\$41.07	1/24/2005 - 1/24/2005	1106593461	SIF Recovery Fees & Expen	\$41.07	lsmith	9/7/2005
0538524	0	2/22/2005	Collection	No	No	R	Second Injury Fund	(\$410.69)	2/4/2005 - 2/4/2005	126331483	Second Injury Fund Recove	(\$410.69)	Lcurtis	2/22/2005
0610336	692082	1/17/2007	Payment	No	No	P	Garber Reporting Service	\$60.00	12/20/2006 - 12/20/2006	12-08-247	Court Reporting Fees	\$60.00	ahartin	1/17/2007

Over all Total: \$5,199.62

Payments: \$5,610.31

Collections: \$410.69

Voids: \$0.00

Note:

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Exhibit D

DISC Imaging
P.O. BOX 198606
ATLANTA, GA 30384-8606

Date: 10/16/02

Patient:
SHIVER, GERTRUDE
1026 CONGAVE CHURCH ROAD
GADSDEN, SC 29052-0000
H: (803) 353-9714 W: (803) 434-7188

Guarantor:
SHIVER, GERTRUDE
1026 CONGAVE CHURCH ROAD
GADSDEN, SC 29052-0000
H: (803) 353-9714 W: (803) 434-7188

Patient No: 02-74-33
Account No: 1-000022212
Date of Birth: 5/19/1954
Social Security: 249-98-2546

Plan:
BC/BS OF SC PPC

Page: 1

Date	Code	Description	Diagnosis	Total
2/26/01	72141-TC	MRI CERVICAL SPINE -TC	721.0	1,440.00
3/26/01		Pay: BC/BS OF SC PPC		285.30-
3/26/01		Adj: *BLUE CROSS ADJUSTMENT		1,123.00-
1/18/02		Pay: SHRIVER, GERTRUDE		31.70-
8/14/02	72148-TC	MRI LUMBAR SPINE -TC	722.10	1,400.00
9/09/02		Pay: BC/BS OF SC PPC		295.20-
9/09/02		Adj: *BLUE CROSS ADJUSTMENT		1,072.00-
			Balance:	32.80

1ch

RETURN TO WORK OR SCHOOL

Gregory M. Jones, M.D.
Timothy M. Zgleszewski, M.D.
Charleston Spine and Physical Medicine, P.A.

1930 Charlie Hall Blvd.
Charleston, SC 29414
Satellite Office in Georgetown
(843) 402-0111 • 1-800-393-7008 • Fax: (843) 402-9010

This is to certify that

Date

7/30/02

Gertrude Shiver

has been under my care for the following:

Chronic
Lumbar Pain, Lumbosacral Sp. Dysf. spine

and is able to return to

work
school

on

8/1/02 Pain

Remarks:

off work today;
tomorrow post @ Lumbar facet
inj., SI joint block; Lumbar
Trigger point inj.

(SIGNATURE)

(SIGNATURE)

(SIGNATURE)

(SIGNATURE)

422

RETURN TO WORK OR SCHOOL

Gregory M. Jones, M.D.
Timothy M. Zgleszewski, M.D.
Charleston Spine and Physical Medicine, P.A.

1930 Charlie Hall Blvd.
Charleston, SC 29414
Satellite Office in Georgetown
(843) 402-0111 • 1-800-393-7008 • Fax: (843) 402-9010

This is to certify that
Gertrude Shiver
has been under my care for the following:

Date 9-19-02

Back pain
and is able to return to ☐ work ☐ school on 9-21-02

Remarks:

off Verbalis & tomorrow
for epidural injection

(SIGNATURE)

(SIGNATURE)

(SIGNATURE)

(SIGNATURE)

423

RETURN TO WORK OR SCHOOL

Gregory M. Jones, M.D.
Charleston Spine and Physical Medicine, P.A.

1930 Charlie Hall Blvd., Charleston, SC 29414
(843) 402-0111 • 1-800-393-7008 • Fax: (843) 402-9010

Date 10-17-02

This is to certify that

Gertrude Shiver
has been under my care for the following:
Back pain

and is able to return to ☐ work ☐ school on _____

Remarks:

off today & tomorrow
post epidural steroid
injection.


(SIGNATURE)

(SIGNATURE)

(SIGNATURE)

(SIGNATURE)

424

RETURN TO WORK OR SCHOOL

Gregory M. Jones, M.D.
Charleston Spine and Physical Medicine, P.A.

1930 Charlie Hall Blvd., Charleston, SC 29414
(843) 402-0111 • 1-800-393-7008 • Fax: (843) 402-9010

Date 11-14-02

This is to certify that

Gertude Shiver
has been under my care for the following:
LBP

and is able to return to work on 11-16-02
school

Remarks:

off today & tomorrow
post-lumbar injection

(SIGNATURE)

(SIGNATURE)

(SIGNATURE)

(SIGNATURE)

425

Financial Statement

2/19/2009 to 8/21/2014

4559 : Shiver, Gertrude
1026 Congaree Church Rd
Gadsden, SC 29052-9783

Provider: All Providers
Office: All Offices
Address: 2093 Henry Tecklenburg Dr.
Suite 310
Charleston SC 294145743

Svc Date	Post Date	Ofc	Prv	Code	Meth	Modifier	Description/Source	Claim #	Amount	Ins Bal	Pt Bal
4559: Shiver, Gertrude											
12/30/2013	01/02/2014			PTPAY	CK		Gertrude Shiver # 300		-700.00		
12/17/2013	01/02/2014			PTPAY	CK		Gertrude Shiver # 298		-600.00		
03/26/2014	03/26/2014			PTPAY	CK		Gertrude Shiver # 371		-200.00		
03/24/2014	03/24/2014			PTPAY	CK		Gertrude Shiver # 312		-300.00		
03/24/2014	03/24/2014			PTPAY	CK		Gertrude Shiver # 318		-300.00		
05/19/2014	05/19/2014			PTPAY	CK		Gertrude Shiver # 375		-200.00		
05/22/2014	05/22/2014			PTPAY	CK		Gertrude Shiver # 381		-200.00		
06/24/2014	06/24/2014			PTPAY	CK		Gertrude Shiver # 387		-200.00		
07/10/2014	07/10/2014			PTPAY	CK		Gertrude Shiver # 397		-200.00		
08/21/2014	08/21/2014			PTPAY	CK		Gertrude Shiver # 405		-200.00		
Balance									17,975.25	0.00	17,975.25

	Current	31-60	61-90	91-120	121+	Unapplied	Total
Insurance	\$2,840.00	\$0.00	\$250.00	\$3,036.00	\$4,086.00	\$0.00	\$10,212.00
Patient	\$0.00	\$0.00	\$0.00	\$0.00	\$17,975.25	\$0.00	\$17,975.25
Collections	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$2,840.00	\$0.00	\$250.00	\$3,036.00	\$22,061.25	\$0.00	\$28,187.25

426

***** INSTANT BILL *****

CHARLESTON SPINE & PHY. MED.
2093 HENRY TECKLEBURG, 310
SUITE 310
CHARLESTON, SC 29414

ACCT: 4559 DATE: 03/12/97

LAST PAYMENT YTD PAY
02/28/97 \$100.00 \$200.00

OFFICE PH:843-402-2111 HOME PH:803-352-3892 BUSINESS PH:803-434-7182
EXT:2045

PAT NAME APPOINTMENT
GS GERTRUDE SHIVER

MRS. GERTRUDE SHIVER
1026 CONNAREE CHURCH RD
GADSDEN, SC 29052

DIAGNOSIS

- 1-722.10 LUMBAR DISC DISPLACEMENT (5-722.0 CERVICAL DISC DISPLACEMENT
- 2-721.3 LUMBOSACRAL SPONDYLOSIS
- 3-724.3 SCIATICA
- 4-B47.2 LUMBAR STRAIN

NUM DOCTOR

- 1 GREGORY JONES, MD

DATE	DR	PAT	DIAG	TCODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
09/19/02	1	GS	123	J1030		DEPOMEDROL, 40 MG	25.00		5897.18
09/19/02	1	GS	123	E2030		COLD PACK-DISPOSAB	2.00		5899.18
10/17/02	1	GS	1	62311		L/S TRANSLAMINAR E	1035.00		6934.18
10/17/02	1	GS	2143	99070		SUPPLIES BLOCK	624.15		7558.33
10/17/02	1	GS	2143	99144		CONSCIOUS SEDATION	234.00		7792.33
10/17/02	1	GS	2143	99213	25	OFFICE/OP VISIT- E	86.00		7878.33
10/17/02	1	GS	2143	J1040		DEPOMEDROL, 80 MG	45.00		7923.33
10/17/02	1	GS	2143	J2250		VERSED IV EA 1MG	35.00		7958.33
						(DAYS/UNITS = 2)			
10/17/02	1	GS	2143	J1030		DEPOMEDROL, 40 MG	25.00		7983.33
11/14/02	1	GS	51	62311		L/S TRANSLAMINAR E	1035.00		9018.33
11/14/02	1	GS	2143	99070		SUPPLIES BLOCK	624.15		9642.48
11/14/02	1	GS	2143	76000	26TC	FLUOROSCOPY- (SEP	291.00		9933.48
11/14/02	1	GS	2143	99144		CONSCIOUS SEDATION	234.00		10167.48
11/14/02	1	GS	2143	99213	25	OFFICE/OP VISIT- E	86.00		10253.48
11/14/02	1	GS	2143	J1040		DEPOMEDROL, 80 MG	45.00		10302.48
11/14/02	1	GS	2143	J2250		VERSED IV EA 1MG	35.00		10337.48
						(DAYS/UNITS = 2)			
11/14/02	1	GS	2143	J1030		DEPOMEDROL, 40 MG	25.00		10362.48
** INS. FILED:04/22/03									
05/13/03	1	GS	4	97001		PHYSICAL THERAPY E	117.00		10479.48
05/13/03	1	GS	4	97014		MODALITY/ E, STIM	48.00		10527.48
05/13/03	1	GS	4	97039		MODALITY- HOT/COLD	41.00		10568.48

CONTINUED ON NEXT FORM

427

***** INSTANT BILL *****

ACCT: 4359 DATE: 03/12/07

CHARLESTON SPINE & PHY. MED.
2093 HENRY TECKLENBURG, 310
SUITE 310
CHARLESTON, SC 29414

LAST PAYMENT	YTD PAY
02/28/07 1100.00	1200.00

OFFICE PH:843-402-0111 HOME PH:803-357-3892 BUSINESS PH:803-424-7162
EXT:5045

PAT NAME	APPOINTMENT
MS. GERTRUDE SHIVER	02 GERTRUDE SHIVER

1026 CONBAREE CHURCH RD
GADSDEN, SC 29052

DIAGNOSIS

1-724.2 LOWER BACK PAIN (LUMBAGO)
2-724.3 SCIATICA

MDX DOCTOR

1 GREGORY JONES, MD

DATE	DR	PAT	DIAG	TCODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
** INS. FILED:05/21/02									
05/15/03	1	GS		2P		WORKMAN'S COMP PAY	1068.00		9499.48
** APPLIES TO CHARGES ON: 07/30/02 CHK#:598203									
05/15/03-	1	GS		98C		WORKMAN'S COMP WRI	506.44		8892.04
07/30/02									
05/15/03	1	GS		2P		WORKMAN'S COMP PAY	63.00		9828.96
** APPLIES TO CHARGES ON: 08/27/02 CHK#:598910									
05/15/03	1	GS		2P		WORKMAN'S COMP PAY	559.70		9269.26
** APPLIES TO CHARGES ON: 11/14/02 CHK#:598910									
05/15/03-	1	GS		98C		WORKMAN'S COMP WRI	362.07		7921.19
08/27/02									
05/15/03-	1	GS		98C		WORKMAN'S COMP WRI	1821.74		6079.45
11/14/02									
05/20/03-	1	GS		98C		WORKMAN'S COMP WRI	4338.45		1741.00
10/17/02									
05/20/03	1	GS		2P		WORKMAN'S COMP PAY	1537.00		204.00
** APPLIES TO CHARGES ON: 10/17/02 CHK#:598235									
06/30/03	1	GS		2P		WORKMAN'S COMP PAY	125.60		90.40
** APPLIES TO CHARGES ON: 05/13/03 CHK#:602106									
05/30/03-	1	GS		98C		WORKMAN'S COMP WRI	92.40		0.00
05/13/03									
06/10/02	1	GS	1	99213	25	OFFICE/DR VISIT- E	98.00		98.00
06/10/02	1	GS	2	99070		MISC SUPPLIES	60.00		158.00

CONTINUED ON NEXT FORM

428

***** INSTANT BILL *****

CHARLESTON SPINE & PHY. MED.
3993 HENRY TECKLENBURG, 310
SUITE 310
CHARLESTON, SC 29414

ACCT: 4552

DATE: 02/12/07

LAST PAYMENT

YTD PAY

02/28/07 1100.00 1200.00

OFFICE PH:843-402-0111 HOME PH:803-353-3892 BUSINESS PH:803-434-7120
EXT:2045

PAT NAME

APPOINTMENT

MRS. GERTRUDE SHIVER
1026 CONGAREE CHURCH RD
GADSDEN, SC 29052

GS GERTRUDE SHIVER

DIAGNOSIS

-999.99 UNSPECIFIED/REPORT/NO SHOW

PHYSICIAN

1 GREGORY JONES, MD

DATE	DR	PAT	DIAG	TCODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
** INS. FILED:06/08/04 REFILED:09/20/05									
07/23/04	1	GS	1	COPIE		COPY RECORDS FEE	54.77		202.77
** INS. FILED:08/09/04									
08/04/04	1	GS		230		ATTORNEY PAYMENT		54.77	148.00
** APPLIES TO CHARGES ON: 07/23/04 CHR#:16224									

MESSAGES

TOTAL: 1148.00

429

ACCT: 4559
 INSTANT BILL
 09/23/14
 * APPLIES TO CHARGES ON: 03/22/01 CHRG#13555
 7/15/03 1 05 117 PAYMENT BY CHECK 120.00 15303.50
 * APPLIES TO CHARGE ON: 02/12/81 CHRG#13555
 7/01/03 1 05 1455 93214 OFFICE/UP VISIT - 1 130.00 22441.00
 7/31/02 1 00 110 PAYMENT 1 120.00 23200.00

CONTINUED ON NEXT FORM

***** INSTANT BILL *****
 CHARLESTON SPINE & PTY. MCD.

ACCT: 4559

DATE: 09/23/14

ACT: 4559			INSTANT BILL	05/01/11
7/15/04	1	00	RENT OF CAR	100.00 22107.00
APPLIED TO CHARGES ON: 05/07/01 CHK#:3756				
7/27/04	1	00	PRIVATE INSURANCE	51.00 18505.00
APPLIED TO CHARGES ON: 12/12/03 CHK#:14003				
7/07/04	1	00	PRIVATE INSURANCE	45.00 22241.00

CONTINUED ON NEXT FORM

***** INSTANT BILL *****
 CHARLESTON SPINE & PAIN MED.

ACT: 4559

DATE: 09/03/14

acct: 4359			INSTANT BILL	01/02/14
/18/08	1	00	WARRANT BY CALLER	1821.00 22027.00
APPLIES TO CHARGES ON: 03/07/01 CHK#:3755				
/27/08	1	00	PRIVATE INSURANCE	51.00 22055.00
APPLIES TO CHARGES ON: 12/12/03 CHK#:14503				
/07/08	1	00	PRIVATE INSURANCE	45.00 22041.00

CONTINUED ON NEXT FORM

***** INSTANT BILL *****
 CHARLESTON SPINE & PAIN MED.

acct: 4359

DATE: 09/03/14

Acct: 4559

INSTANT BILL

09/03/14

* APPLIES TO CHARGES ON: 03/22/01 CHK#:13655

7/15/03 1 GS 11P PAYMENT BY CHECK

100.00 13303.60

* APPLIES TO CHARGES ON: 03/22/01 CHK#:13659

7/01/03 1 GS 1456 99214 OFFICE/OP VISIT - E

132.00

23441.80

7/31/03 1 GS 11P PAYMENT BY CHECK

42.00 13308.87

CONTINUED ON NEXT FORM

***** INSTANT BILL *****
CHARLESTON SPINE & PTY. MED.

ACCT: 4559

DATE: 09/03/14

434

Acct: 9259

INVENT BILL

05/03/19

DATE	DR	PAT	DIAG	TCODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
* APPLIED TO CHARGES ON: 07/22/03 CHK#:3266									
7/22/03	1	00	1	00000		TOP/ RECORDS FEE	42.00		3341.00
8/19/03		00		11P		PAYMENT BY CHECK		100.00	3341.00
* APPLIED TO CHARGES ON: 03/22/01 CHK#:3021									
9/17/03	1	00		11P		PAYMENT BY CHECK		100.00	3241.00
* APPLIED TO CHARGES ON: 03/22/01 CHK#:2705									
9/17/03	1	00		11P		PAYMENT BY CHECK		100.00	3141.00
* APPLIED TO CHARGES ON: 03/22/01 CHK#:3701									
8/30/03	1	00		00P		ATTORNEY PAYMENT	2736.45		29405.35
* APPLIES TO CHARGES ON: 04/23/00 CHK#:26335									
8/30/03	1	00		00P		ATTORNEY PAYMENT	6842.35		23141.00
* APPLIES TO CHARGES ON: 05/07/01 CHK#:26335									
1/20/03	1	00		11P		PAYMENT BY CHECK		100.00	23041.00
* APPLIES TO CHARGES ON: 03/22/01 CHK#:12/07									
2/12/03	1	00	1	00000		INS FORMS/REPORTS	55.00		23137.00
* INS. FILED: 12/19/02									
2/23/03	1	00		11P		PAYMENT BY CHECK		100.00	23037.00
* APPLIED TO CHARGES ON: 05/07/01 CHK#:2772									

435

Acct: 4559				INSTANT BILL		09/23/14
12/10/00	1	62	1004 99248	OFFICE CONSULTATIO	243.00	2215.05
12/21/00	1	65	32	PRIVATE INSURANCE		3172.55
** APPLIED TO CHARGES ON: 10/11/00 CURR:640026172						
12/21/00	1	68	1000	PRIVATE INSURANCE	39.00	3133.55
10/11/00						

CONTINUED ON NEXT PAGE

***** INSTANT BILL EXTENDED
CHARLESTON SPINE & PHYS. MED.

ACCT: 4559

DATE: 29/03/14

Acct#: 4555

INSTANT BILL

03/03/14

3 DOUGLAS E. MCGILL, M.

DATE	DR	PAT	DIAG	TCODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
06/29/00	1	SS		980		WORKMAN'S COMP WRI		75.00	75.00
10/21/00									
09/08/00	1	SS		117		PAYMENT BY CHECK		250.00	325.00
** APPLIES TO CHARGES ON: 09/21/00 CHK#:2974									
09/21/00	1	SS	12	62311		L/S TRANSLAMINAR E	355.00		270.00
09/21/00	1	SS	12	76005-00		FLUOROSCOPIC GUIDE	201.00		361.00
** INS. FILED:10/29/00									
10/11/00	1	SS	3142	99213		OFFICE/OP VISIT- E	58.00		419.00
** INS. FILED:10/12/00									
10/11/00	1	SS		117		PAYMENT BY CHECK		39.00	399.00
** APPLIES TO CHARGES ON: 09/21/00 CHK#:2981									
11/09/00	1	SS	5678	99070		SUPPLIES BLOCK	753.65		1352.65
11/09/00	1	SS	312	62311		L/S TRANSLAMINAR E	715.00		2067.65
11/09/00	1	SS	312	76005		FLUOROSCOPIC GUIDE	201.00		2268.65
11/21/00	1	SS		117		PAYMENT BY CHECK		07.00	2283.65
** APPLIES TO CHARGES ON: 09/21/00 CHK#:3171									
12/04/00	3	SS	3127	99213		OFFICE/OP VISIT- E	58.00		2371.65
** INS. FILED:12/08/00									

***** INSTANT BILL *****

ADCT: 4559 DATE: 03/12/07

CHARLESTON SPINE & PHY. MED.
2093 HENRY TECKLENBURG, 310
SUITE 310
CHARLESTON, SC 29414

LAST PAYMENT	YTD PAY
02/28/07 \$100.00	\$200.00

OFFICE PH:843-402-0111 HOME PH:803-353-3022 BUSINESS PH:803-424-7198
EXT:2045

PAT NAME	APPOINTMENT
SS GERTRUDE SHIVER	

MRS. GERTRUDE SHIVER
1026 CONGAREE CHURCH RD
BADEN, SC 29052

DIAGNOSIS

1-721.0 CERV. SPONDYLOSIS W/O MYEL	6-847.2 LUMBAR STRAIN
2-724.6 SI JOINT DYSFUNCTION	7-399.99 UNSPECIFIED/REPORT/NO SHOW
3-333.7	8-724.2 LOWER BACK PAIN (LUMBAGO)
4-722.4 CERVICAL DEGEN. DISC DISOR	9-847.0 CERVICAL STRAIN
5-722.0 CERVICAL DISC DISPLACEMENT	A-721.3 LUMBOSACRAL SPONDYLOSIS
NUM DOCTOR	

1 GREGORY JONES, MD

DATE	DR	PAT	DIAG	TCODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
06/04/03	1	GS	13	95070		INJECT SUPP II	144.15		9322.45
06/04/03	1	GS	13	99214	25	OFFICE/OP VISIT- E	139.00		9526.45
06/04/03	1	GS	31	97014		MODALITY/ E. STIM	92.00		9618.45
						(DAYS/UNITS = 2)			
06/04/03	1	GS	31	97010		MODALITY- HOT/COLD	41.00		9659.45
06/04/03	1	GS	13	62030		COLD PACK-DISPOSAB	4.00		9663.45
						(DAYS/UNITS = 2)			
07/01/03	1	GS	1456	99214		OFFICE/OP VISIT- E	139.00		9801.45
07/28/03	1	GS	7	99800		COPY RECORDS FEE	42.93		9844.38
04/19/04	1	GS		11P		PAYMENT BY CHECK		100.00	9744.38
** APPLIES TO CHARGES ON: 07/01/03 CHK#:3670									
04/23/04	1	GS		11P		PAYMENT BY CHECK		100.00	9644.38
** APPLIES TO CHARGES ON: 06/04/03 CHK#:3684									
04/23/04	1	GS	896A	99215		OFFICE/OP VISIT- E	168.00		9812.38
06/17/04	1	GS		11P		PAYMENT BY CHECK		100.00	9712.38
** APPLIES TO CHARGES ON: 06/04/03 CHK#:3931									
07/07/04	1	GS		11P		PAYMENT BY CHECK		100.00	9612.38
** APPLIES TO CHARGES ON: 04/23/03 CHK#:3947									
07/07/04	1	GS	826	99213	25	OFFICE/OP VISIT- E	88.00		9700.38
07/07/04	1	GS	2	27096	5951	SACROILIAC JOINT I	556.00		10256.38
07/07/04	1	GS	A	64475		L/S FACET INJ IT O	495.00		10751.38
07/07/04	1	GS	A	64476		L/S FACET INJ IT O	1395.00		12146.38
						(DAYS/UNITS = 2)			

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CONTINUED ON NEXT FORM

10/24/02

Neck

\$12964.53

***** INSTANT BILL *****
 CHARLESTON SPINE & PHY. MED.
 2093 HENRY TECKLEBURE, III
 SUITE 210
 CHARLESTON, SC 29414

ACCT: 4558 DATE: 01/12/07
 LAST PAYMENT 01/07
 01/29/07 \$100.00 \$100.00

OFFICE PH: 842-402-0111 HOME PH: 802-252-3092 BUSINESS PH: 802-434-7100
 EXT. 2045

PAT NAME APPOINTMENT
 09 GERTRUDE SHIVER

MRS. GERTRUDE SHIVER
 1026 CONGAREE CHURCH RD
 GARDEN, SC 29052

DIAGNOSIS

1-723.1 CERVICALGIA 5-332.7
 2-847.0 CERVICAL STRAIN
 1-840.9 SPRAIN/STRAIN SHOULDER ARM
 4-721.0 CERVL. SPONDYLOSIS W/D MYEL.

NUM DOCTOR

1 GREGORY JONES, MD

DATE	DP	PAT	DIAG	ICODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
04/23/02	1	GS	12	20245		OFFICE CONSULTATION	245.00		245.00
04/23/03	1	GS	12	72052		RADIOLOGIC EXAM- B	345.00		1090.00
05/13/03	1	GS	342	64470		C/T FACET INJ. JT 0	535.00		1625.00
05/13/03	1	GS	342	64472		C/T FACET INJ. JT 0	485.00		2110.00
05/13/03	1	GS	342	20553		INJECTION; SINGLE/	242.00		2352.00
05/13/03	1	GS	342	99070		INJECT SUPP II	144.15		2596.15
05/13/03	1	GS	342	99213	25	OFFICE/OP VISIT- F	20.00		2684.15
05/13/03	1	GS	342	J3303		ARTISTOSPAN/SMG	45.00		2729.15
						(DAYS/UNITS = 2			
05/13/03	1	GS	342	J1030		DEPMEDROL, 40 MG	25.00		2754.15
06/03/03	1	GS	5342	64472		C/T FACET INJ. JT 0	1940.00		4694.15
						(DAYS/UNITS = 4			
06/03/03	1	GS	5342	64470		C/T FACET INJ. JT 0	535.00		5229.15
06/03/03	1	GS	5342	99070		INJECT SUPP II	144.15		5373.30
06/03/03	1	GS	53	97014		MODALITY/ E. STIM	92.00		5465.30
						(DAYS/UNITS = 2)			
06/03/03	1	GS	5342	99212		OFFICE/OP VISIT- E	20.00		5552.30
06/03/03	1	GS	3421	J1040		DEPMEDROL, 80 MG	45.00		5598.30
06/03/03	1	GS	53	97010		MODALITY- HOT/COLD	41.00		5639.30
06/04/03	1	GS	435	64613		CHEMODENERVATION-	3115.00		8754.30
						(DAYS/UNITS = 7)			
06/04/03	1	GS	435	J0587		MYOBLOC PER 100 UN	490.00		9244.30
						(DAYS/UNITS = 35)			

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CONTINUED ON NEXT FORM

 CHARLOTTE SPINE & PAIN, M.D.
 2140 HENRY TECHNOLOGICAL, S.W.
 SUITE 214
 CHARLOTTE, NC 28414

ACCT: 4589 DATE: 01/29/87
 LAST PAYMENT YTD PAY
 02/28/87 \$100.00 \$500.00

STATE: 40000-000-0.11 HOME 041002-242-3892 BUSINESS 041002-40-7102
 EXT:0005

PAT NAME: MRS. BERTALDE SHIVER
 ADDRESS: 1022 WILSONS CHURCH RD
 COLUMBIA, SC 29209

DISPOSITION

L-722.13 LUMBAR DISC DISPLACEMENT (5-722.3 CERVICAL DISC DISPLACEMENT
 P-781.3 LUMBOSACRAL SPONDYLOSIS
 S-781.3 SCIATICA
 M-781.3 LUMBALgia

PHYSICIAN

(SPENCER JONES, MD

DATE	PAT	NUM	DOSE	NUM	DESCRIPTION	CHARGE	CREDIT	BALANCE
01/15/87	1	05	2143	11039	DEPOMEDROL, 40 MG	25.00		5097.12
01/15/87	1	05	2143	02070	COLD PACK-DISPOSAB	2.00		5099.12
01/15/87	1	05	2143	02071	L/S TRANSLAMINAR E	1025.00		6124.12
01/15/87	1	05	2143	02070	SUPPLIES BLOCK	524.15		7558.33
01/15/87	1	05	2143	02071	CONSCIOUS SEDATION	234.00		7792.33
01/15/87	1	05	2143	02071	OFFICE/OP VISIT- E	88.00		7880.33
01/15/87	1	05	2143	02071	DEPOMEDROL, 80 MG	45.00		7925.33
01/15/87	1	05	2143	02071	VERSED IV EA 1MG	35.00		7960.33
					(DAYS/UNITS = 2)			
01/15/87	1	05	2143	11039	DEPOMEDROL, 40 MG	25.00		7985.33
01/15/87	1	05	2143	02071	L/S TRANSLAMINAR E	1025.00		9010.33
01/15/87	1	05	2143	02071	SUPPLIES BLOCK	524.15		9534.48
01/15/87	1	05	2143	02071	FLUOROSCOPY- (SEP	291.00		9825.48
01/15/87	1	05	2143	02071	CONSCIOUS SEDATION	234.00		10059.48
01/15/87	1	05	2143	02071	OFFICE/OP VISIT- E	88.00		10147.48
01/15/87	1	05	2143	02071	DEPOMEDROL, 80 MG	45.00		10192.48
01/15/87	1	05	2143	02071	VERSED IV EA 1MG	35.00		10227.48
					(DAYS/UNITS = 2)			
01/15/87	1	05	2143	11039	DEPOMEDROL, 40 MG	25.00		10252.48
01/15/87	1	05	2143	02071	PHYSICIAN THERAPY E	117.00		10369.48
01/15/87	1	05	2143	02071	NEURALGIC E. STIM	45.00		10414.48
01/15/87	1	05	2143	02071	NEURALGIC- SET/COLD	41.00		10455.48

CHARLES R. BROWN
1993 AT 177 TOWNSEND ST. 312
BOSTON, MA 02114

ADDT: 1549 D.V.S. 01 12/91
LAST PAYMENT YTD PAY
02/28/92 \$100.00 \$100.00

WITNESS: 1993-01-01 HOME PH: 800-355-3892 BUSINESS PH: 800-424-7192
EXT: 3045

PAT NAME APPOINTMENT
02 GERTHADE SHIVER

WFE: GERTHADE SHIVER
1993 CONSUMABLES 02
BOSTON, MA 02114

DIAGNOSIS

724.2 ADULT 1924 BORN 11/10/30
724.1 BOSTON

1993-01-01

1 2200000 00 00 00

DATE	DEBIT	CREDIT	DESCRIPTION	CHARGE	CREDIT	BALANCE
01/15/92	1.00		WORKMAN'S COMP PAY	1050.00		9-96.45
01/15/92		1.00	APPLIES TO CHARGES IN 01/15/92 CHRG:599009		505.00	8952.84
01/15/92	1.00		WORKMAN'S COMP WRT			
01/15/92		1.00	WORKMAN'S COMP PAY	50.00		8322.86
01/15/92		1.00	APPLIES TO CHARGES IN 01/15/92 CHRG:599010		50.00	8272.86
01/15/92	1.00		WORKMAN'S COMP PAY			
01/15/92		1.00	APPLIES TO CHARGES IN 01/15/92 CHRG:599010		50.00	7921.86
01/15/92	1.00		WORKMAN'S COMP WRT			
01/15/92		1.00	WORKMAN'S COMP WRT	1021.74		6900.12
01/15/92	1.00		WORKMAN'S COMP WRT			
01/15/92		1.00	WORKMAN'S COMP WRT	1134.75		5765.37
01/15/92	1.00		WORKMAN'S COMP PAY	1500.00		4265.37
01/15/92		1.00	APPLIES TO CHARGES IN 01/15/92 CHRG:599010		150.00	4115.37
01/15/92	1.00		WORKMAN'S COMP PAY			
01/15/92		1.00	APPLIES TO CHARGES IN 01/15/92 CHRG:599010		150.00	4005.37
01/15/92	1.00		WORKMAN'S COMP WRT			
01/15/92		1.00	OFFICE/OF VISIT- E	50.00		3955.37
01/15/92	1.00		WIFE SUPPLIES	50.00		3905.37

***** INSTANT BILL *****
 CHARLESTON SPINE & PHY. MED.
 2033 HENRY TECKLENBURG, 310
 SUITE 310
 CHARLESTON, SC 29414

ACCT: 4559 DATE: 02/12/07

LAST PAYMENT	DATE	AMOUNT
02/23/07	1100.00	1200.00

OFFICE PH: 843-402-0111 HOME PH: 802-353-3692 BUSINESS PH: 802-434-7192
 EXT: 2045

PAT NAME	APPOINTMENT
MRS. GERTRUDE SHIVER	GS GERTRUDE SHIVER
1036 CONGAREE CHURCH RD	
GADESDEN, SC 29052	

DIAGNOSIS

1-721.0 CERV. SPONDYLOSIS W/O MYEL	6-847.2 LUMBAR STRAIN
2-724.6 SI JOINT DYSFUNCTION	7-999.99 UNSPECIFIED/REPORT/NO SHOW
3-333.7	9-724.2 LOWER BACK PAIN (LUMBAGO)
4-722.4 CERVICAL DEGEN. DISC DISOR	2-847.0 CERVICAL STRAIN
5-722.0 CERVICAL DISC DISPLACEMENT	A-721.3 LUMBOSACRAL SPONDYLOSIS
NUN DOCTOR	

I GREGORY JONES, MD

DATE	DR	PAT	DIAG	TCODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
06/04/03	1	GS	12	99070		INJECT SUPP 21	144.35		9328.45
06/04/03	1	GS	13	99214	25	OFFICE/OP VISIT- E	138.00		9526.45
06/04/03	1	GS	31	97014		MODALITY/ E. STIM	92.00		9618.45
						(DAYS/UNITS = 2)			
06/04/03	1	GS	31	97010		MODALITY-- HOT/COLD	41.00		9659.45
06/04/03	1	GS	13	E2030		COLD PACK-DISPOSAB	4.00		9663.45
						(DAYS/UNITS = 2)			
07/01/03	1	GS	1456	99214		OFFICE/OP VISIT- E	138.00		9801.45
07/28/03	1	GS	7	99000		COPY RECORDS FEE	42.92		9844.38
04/19/04	1	GS		11P		PAYMENT BY CHECK		100.00	9744.38
** APPLIES TO CHARGES ON: 07/01/03 CHK#:13870									
04/23/04	1	GS		11P		PAYMENT BY CHECK		100.00	9644.38
** APPLIES TO CHARGES ON: 06/04/03 CHK#:13864									
04/23/04	1	GS	896A	99215		OFFICE/OP VISIT- E	168.00		9812.38
06/17/04	1	GS		11P		PAYMENT BY CHECK		100.00	9712.38
** APPLIES TO CHARGES ON: 06/04/03 CHK#:13931									
07/07/04	1	GS		11P		PAYMENT BY CHECK		100.00	9612.38
** APPLIES TO CHARGES ON: 04/23/03 CHK#:13947									
07/07/04	1	GS	826	99213	25	OFFICE/OP VISIT- E	88.00		9700.38
07/07/04	1	GS	2	27096	5951	SACROILIAC JOINT I	658.00		10358.38
07/07/04	1	GS	A	64475		L/S FACET INJ JT 0	495.00		10853.38
07/07/04	1	GS	A	64476		L/S FACET INJ JT 0	1395.00		12248.38
						(DAYS/UNITS = 2)			

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CONTINUED ON NEXT FORM

***** INSTANT BILL *****
 CHARLESTON SCINE & PMA, MCD.
 2090 HENRY TECHNOLOGICAL, 310
 DRIVE 310
 CHARLESTON, S.C. 29414

ACCT: 4552 DATE: 07/15/87
 LAST PAYMENT
 02/28/87 \$100.00 \$500.00

OFFICE HOURS: 9:00-5:00 HOME PH: 003-272-3892 BUSINESS PH: 003-272-7152
 EXT: 0045

PAT NAME: DR. GERTUDE SHIVER
 APPOINTMENT: DR. GERTUDE SHIVER
 1025 KENNEDY CHURCH RD
 CHARLOTTE, NC 28205

1-722.00 LUMBAR DISC DISPLACEMENT 5-722.00 CERVICAL DISC DISPLACEMENT
 2-721.00 LUMBOSACRAL SPONDYLOSIS
 3-724.00 SCIATICA
 4-200.00 LUMBAL SPINE

1. SPENCER JONES, MD

DATE	PAT	DATE	CODE	DESCRIPTION	CHARGE	CREDIT	BALANCE
06/15/82	1	05	123	DEPOMEDROL, 40 MG	25.00		5077.15
07/12/82	1	05	123	COLD PACK-DISPOSAB	5.00		5082.15
07/12/82	1	05	1	L/S TRANSAMINAR E	1025.00		6107.15
07/17/82	1	05	2143	SUPPLIES BLOCK	524.15		7558.33
08/17/82	1	05	2143	CONSCIOUS SEDATION	234.00		7792.33
08/17/82	1	05	2143	OFFICE/OP VISIT- E	50.00		7842.33
08/17/82	1	05	2143	DEPOMEDROL, 80 MG	45.00		7887.33
08/17/82	1	05	2143	VERSED IV EA 1MG	35.00		7922.33
				(DAYS/UNIT = 2)			
08/17/82	1	05	2143	DEPOMEDROL, 40 MG	25.00		7947.33
08/17/82	1	05	51	L-S TRANSAMINAR E	1025.00		8972.33
08/17/82	1	05	2143	SUPPLIES BLOCK	524.15		9496.48
08/17/82	1	05	2143	FLUOROSCOPY- 1SEP	291.00		9787.48
08/17/82	1	05	2143	CONSCIOUS SEDATION	234.00		10021.48
08/17/82	1	05	2143	OFFICE/OP VISIT- E	50.00		10071.48
08/17/82	1	05	2143	DEPOMEDROL, 80 MG	45.00		10116.48
08/17/82	1	05	2143	VERSED IV EA 1MG	35.00		10151.48
				(DAYS/UNIT = 2)			
08/17/82	1	05	2143	DEPOMEDROL, 40 MG	25.00		10176.48
08/17/82	1	05	51	L-S TRANSAMINAR E	1025.00		11201.48
08/17/82	1	05	51	PHYSICAL THERAPY E	117.00		11318.48
08/17/82	1	05	51	MODALITY: E 9710	45.00		11363.48
08/17/82	1	05	51	MODALITY: 907/STLD	41.00		11404.48

10/24/02

neck

\$12964.53

***** INSTANT BILL *****
CHARLESTON SPINE & PHYS. MED.
2093 HENRY TECKLENBURG, JR.
SUITE 110
CHARLESTON, SC 29414

ACCT: 4559 DATE: 05/12/02
LAST PAYMENT 412.30
05/25/02 1100.00 1200.00

OFFICE PH: 842-402-0111 HOME PH: 802-253-3892 BUSINESS PH: 802-434-7189
EXT: 2045

PAT NAME APPOINTMENT
SS GERTRUDE SHIVER

MRS. GERTRUDE SHIVER
1026 CONGAREE CHURCH RD
GARDEN, SC 29052

DIAGNOSES

- 1-723.1 CERVICALGIA 5-333.7
- 2-847.0 CERVICAL STRAIN
- 2-840.9 SPRAIN/STRAIN SHOULDER ARM
- 4-721.0 CERV. SPONDYLOSIS W/O MYEL

NUM DOCTOR

1 GREGORY JONES, MD

DATE	DP	PAT	DIAG	TCODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
04/23/03	1	GS	12	99245		OFFICE CONSULTATION	845.00		845.00
04/23/03	1	GS	12	72052		RADIOLOGIC EXAM- B	245.00		1090.00
05/13/03	1	GS	342	64470		C/T FACET INJ, JT 0	535.00		1625.00
05/13/03	1	GS	342	64472		C/T FACET INJ, JT 0	485.00		2110.00
05/13/03	1	GS	342	20553		INJECTION; SINGLE/	242.00		2352.00
05/13/03	1	GS	342	99070		INJECT SUPP II	144.15		2536.15
05/13/03	1	GS	342	99213	25	OFFICE/OP VISIT- F	20.00		2684.15
05/13/03	1	GS	342	13303		ARTISSPAN/SMG	95.00		2729.15
						(DAYS/UNITS = 2			
05/13/03	1	GS	342	11030		DEPOMEDROL, 40 MG	25.00		2754.15
06/03/02	1	GS	5342	64472		C/T FACET INJ, JT 0	1940.00		4694.15
						(DAYS/UNITS = 4			
06/03/03	1	GS	5342	64472		C/T FACET INJ, JT 0	535.00		5229.15
06/03/03	1	GS	5342	99070		INJECT SUPP II	144.15		5373.30
06/03/03	1	GS	53	97014		MODALITY/ E. STIM	92.00		5465.30
						(DAYS/UNITS = 2			
06/03/03	1	GS	5342	99212		OFFICE/OP VISIT- E	92.00		5552.30
06/03/03	1	GS	3421	11040		DEPOMEDROL, 80 MG	45.00		5598.30
06/03/03	1	GS	53	97010		MODALITY- HOT/COLD	41.00		5639.30
06/04/03	1	GS	435	64613		CHEMODENERVATION-	3115.00		8754.30
						(DAYS/UNITS = 7			
06/04/03	1	GS	435	10587		MYOBLOC PER 100 UN	490.00		9244.30
						(DAYS/UNITS = 35			

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***** INSTANT BILL *****
 CHARLESTON SPINE & PHY. MED.
 2093 HENRY TECKLENBURG, 310
 SUITE 310
 CHARLESTON, SC 29414

ACCT: 4552 DATE: 03/12/07

LAST PAYMENT YTD PAY
 02/28/07 \$100.00 \$200.00

OFFICE PH: 843-402-0111 HOME PH: 803-353-3883 BUSINESS PH: 803-434-7188
 EXT: 2045

MRS. GERTRUDE SHIVER
 1025 CONGAREE CHURCH RD
 GADSDEN, SC 29052

PAT NAME

APPOINTMENT

SS GERTRUDE SHIVER

DIAGNOSIS

- 1-724.2 LOWER BACK PAIN (LUMBAGO)
- 2-724.3 SCIATICA
- 3-724.6 SI JOINT DYSFUNCTION
- 4-847.2 LUMBAR STRAIN

NUM DOCTOR

1 GREGORY JONES, MD

DATE	DR	PAT	DIAG	TCODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
07/07/04	1	SS	1234	J1020		INJ DEPO-MEDROL, 2	10.00		12258.38
07/07/04	1	SS	1234	J3303		ARISTOSPAN/5MG	45.00		12303.38
						(DAYS/UNITS = 2)			
07/07/04	1	SS	1234	99070		INJECT SUPP II	41.70		12345.08
07/07/04	1	SS	1224	A664E		OMNIPaque, IOMOLA	150.00		12495.08
07/07/04	1	SS	1234	J7050		SALINE, ML, 250CC	14.50		12509.58
07/07/04	1	SS	1234	A420C		SYRINGE W NEEDLE, 8	2.70		12510.28
07/07/04	1	SS	1234	A421S		NORMAL SALINE	8.50		12518.78
07/07/04	1	SS	1234	A424S		ALCOHOL WIPES	5.00		12523.78
07/07/04	1	SS	1234	A4927		GLOVES, NON-STERIL	10.00		12533.78
07/07/04	1	SS	1234	A4930		GLOVES, STERILE	15.00		12548.78
07/07/04	1	SS	1234	A5402		BRUIZE (4X4) STERILE	2.25		12551.03
07/07/04	1	SS	1234	A4247		BETADINE PREP	3.50		12554.53
08/17/04	1	SS		11P		PAYMENT BY CHECK		100.00	12454.53
** APPLIES TO CHARGES ON: 07/07/04 CHK#: 2982									
09/16/04	1	SS		11P		PAYMENT BY CHECK		100.00	12354.53
** APPLIES TO CHARGES ON: 07/07/04 CHK#: 4012									
10/19/04	1	SS		11P		PAYMENT BY CHECK		100.00	12254.53
** APPLIES TO CHARGES ON: 04/23/03 CHK#: 4027									
11/19/04	1	SS		11P		PAYMENT BY CHECK		100.00	12154.53
** APPLIES TO CHARGES ON: 04/23/03 CHK#: 4085									
12/17/04	1	SS		11P		PAYMENT BY CHECK		100.00	12054.53
** APPLIES TO CHARGES ON: 04/23/03 CHK#: 4110									

445

***** INSTANT BILL *****

CHARLESTON SPINE & PHY. MED.
2093 HENRY TECKLEBURG, 313
SUITE 310
CHARLESTON, SC 29414

ACCT: 4559 DATE: 03/12/07

LAST PAYMENT	YTD PAY
02/28/07 \$100.00	\$200.00

OFFICE PH:843-422-0111 HOME PH:803-352-3892 BUSINESS PH:803-424-7100
EXT:2045

PAT NAME

APPOINTMENT

MRS. GERTRUDE SHIVER
1026 LINGAREE CHURCH RD
GABSDEN, SC 29052

SC GERTRUDE SHIVER

DIAGNOSIS

NUM DOCTOR

1 GREGORY JONES, MD

DATE	DE	PAT	DIRE	TCODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
01/20/05	1	GS		11P		PAYMENT BY CHECK		100.00	11954.53
** APPLIES TO CHARGES ON: 04/23/03 CH#:4144									
02/17/05	1	GS		11P		PAYMENT BY CHECK		100.00	11854.53
** APPLIES TO CHARGES ON: 04/23/03 CH#:4173									

MESSAGES

TOTAL: 11854.53

446

***** INSTANT BILL *****
 CHARLESTON SPINE & PLY. MED.
 2802 HENRY TECKLENDURE, 210
 SUITE 310
 CHARLESTON, SC 29414

ACCT: 4555 DATE: 02/12/02
 LAST PAYMENT VTL 504
 02/28/02 \$102.00 \$200.00

OFFICE PH: 843-402-0111 HOME PH: 803-351-3052 BUSINESS PH: 803-434-7188
 EXT: 2045

MRS. GERTRUDE SHIVER
 1026 CONGAREE CHURCH RD
 GADSDEN, SC 29052

PAT NAME APPOINTMENT
 MR GERTRUDE SHIVER

DIAGNOSIS

1-721.1 CERV. SPONDYLOSIS W/MYELOP 5-723.1 CERVICALGIA
 2-721.3 LUMBOSACRAL SPONDYLOSIS 6-722.10 LUMBAR DISC DISPLACEMENT
 3-847.2 LUMBAR STRAIN
 4-724.2 SCIATICA

NUM DOCTOR

1 GREGORY JONES, MD

DATE	OR	PAT	DIAG	TCODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
06/10/02	1	GS	12	20550		INJECTION(S); SINE	161.44		161.44
06/24/02	1	GS	1234	99213		OFFICE/OP VISIT- E	88.00		249.44
07/30/02	1	GS	12	64476		L/S FACET INJ. JT 0 (DAYS/UNITS = 2)	930.00		1179.44
07/30/02	1	GS	563	27095	5159	INJECTION PROC- HI	658.00		1837.44
07/30/02	1	GS	12	64475		L/S FACET INJ. JT 0	495.00		2332.44
07/30/02	1	GS	563	72120		RADIOLOGIC EXAM- S	185.00		2517.44
07/30/02	1	GS	563	76140	26	CONS OUTSIDE XRAVS	174.00		2691.44
07/30/02	1	GS	5	99215	25	OFFICE/OP VISIT- E	168.00		2859.44
07/30/02	1	GS	5	20550		INJECTION(S); SINE	161.44		3020.89
07/30/02	1	GS	5	99070		INJECT SUPP II	144.15		3165.02
07/30/02	1	GS	6	11030		DEPOMEDROL, 40 MG	25.00		3190.02
08/13/02	1	GS	5	99213		OFFICE/OP VISIT- E	88.00		3278.02
08/27/02	1	GS	6	76140	26	CONS OUTSIDE XRAVS	174.00		3452.03
08/27/02	1	GS	6	99212		OFFICE/OP VISIT- E	68.00		3520.03
09/19/02	1	GS	6	62311		L/S TRANSLAMINAR E	1035.00		4555.03
09/19/02	1	GS	624	99070		SUPPLIES BLOCK	624.15		5179.18
09/19/02	1	GS	624	76000		FLUOROSCOPY-- (SEP	291.00		5470.19
09/19/02	1	GS	624	99144		CONSCIOUS SEDATION	234.00		5704.19
09/19/02	1	GS	624	99213	25	OFFICE/OP VISIT- E	98.00		5792.19
09/19/02	1	GS	624	11040		DEPOMEDROL, 80 MG	45.00		5837.19
09/19/02	1	GS	624	12250		VERSED IV EA 1MG	35.00		5872.19
						(DAYS/UNITS = 2)			

3/23/02 + ~~1/23/02~~

low back

\$10,769.25 subtotal

447

acct 4559		INSTANT BILL		05/01/14
/15/04	1 00	115	PAYMENT BY CASH	100.00 22527.00
APPLIES TO CHARGES ON: 05/07/01	CHK#:	3755		
/07/04	1 00	00	PRIVATE INSURANCE	51.00 22520.00
APPLIES TO CHARGES ON: 12/12/03	CHK#:	14503		
/07/04	1 00	1000	PRIVATE INSURANCE	48.00 22541.00

CONTINUED ON NEXT FORM

***** INSTANT BILL *****
CHARLESTON SPINE & PH. MED.

acct: 4559

DATE: 09/03/14

Acct: 4559

INSTANT BILL

09/22/14

* APPLIES TO CHARGES ON: 03/22/01 CHK#:13655

7/16/03 1 66 11P PAYMENT BY CHECK

100.00 33303.60

* APPLIES TO CHARGES ON: 03/22/01 CHK#:13659

7/01/03 1 68 1456 99214 OFFICE/OP VISIT- E

132.00

33441.80

7/31/03 1 68 11P PAYMENT BY CHECK

421.98 33208.27

CONTINUED ON NEXT FORM

***** INSTANT BILL *****
CHARLESTON SPINE & PTY. MED.

ACCT: 4559

DATE: 09/22/14

Acct: 4559

PAYMENT BILL

09/23/14

DATE	DR PAT DIAG TCDEF MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
* APPLIED TO CHARGES ON: 07/22/03		CHK#:3660			
7/22/03	1 02 1	20000	42.00		3341.00
8/15/03		11P		100.00	3341.00
* APPLIED TO CHARGES ON: 03/22/01		CHK#:3221			
3/17/03	1 00	11P		100.00	33241.00
* APPLIED TO CHARGES ON: 03/22/01		CHK#:2705			
3/17/03	1 00	11P		100.00	33141.00
* APPLIED TO CHARGES ON: 03/22/01		CHK#:2701			
3/30/03	1 00	23P		2736.45	29405.55
* APPLIED TO CHARGES ON: 04/23/00		CHK#:2033E			
3/30/03	1 00	23P		6263.55	23141.00
* APPLIED TO CHARGES ON: 05/07/01		CHK#:2503E			
1/20/03	1 00	11P		100.00	23041.00
* APPLIED TO CHARGES ON: 03/22/01		CHK#:2747			
2/12/03	1 00 1	20000	35.00		23137.00
* INC. FILED:12/19/02					
2/23/03	1 00	11P		100.00	23037.00
* APPLIED TO CHARGES ON: 05/07/01		CHK#:2772			

INSTANT BILL
 ACCT: 4359
 APPLIED TO CHARGES ON: 07/00/02 CRR#:558002
 1/15/03- 1.00 900 WORKMAN'S COMP WRT
 1/30/02 1.00 90 WORKMAN'S COMP PAY
 1/15/03 1.00 90
 APPLIED TO CHARGES ON: 06/27/02 CRR#:558910

03/03/14
 626.44 25785.54
 63.00 25783.40

CONTINUED ON NEXT FORM

***** INSTANT BILL *****
 CHARLESTON SPINE & ANK. RED.

ACCT: 4359

DATE: 09/03/14

Acct: 4559

INSTANT BILL

09/03/14

DATE	DR	PAT	DIAG	ICD9	MO	DESCRIPTION	CHARGE	CREDIT	BALANCE
3/19/02	1	GS	123	J1040		DEPOMEDROL, 80 MG	45.00		31177.53
3/19/02	1	GS	123	J2250		VERSED IV EA 1MG (DAYS/UNITS = 2)	35.00		31212.53
3/19/02	1	GS	123	J1030		DEPOMEDROL, 40 MG	25.00		31237.53
3/19/02	1	GS	123	S2030		COLD PACK-DISPOSAB	2.00		31239.53
3/19/02	1	GS		11F		PAYMENT BY CHECK		111.42	31128.11
* APPLIES TO CHARGES ON: 11/05/00 CHK#:3413									
3/19/02	1	GS		11F		PAYMENT BY CHECK		4.30	31132.41
* APPLIES TO CHARGES ON: 10/11/00 CHK#:3413									
3/17/02	1	GS	1	02311		L/O TRANSLAMINAR E	1025.00		32157.41
3/17/02	1	GS	2143	99070		SUPPLIES BLOCK	624.15		32781.56
3/17/02	1	GS	2143	99144		CONSCIOUS SEDATION	124.00		32905.56
3/17/02	1	GS	2143	99213	25	OFFICE/OS VISIT - E	38.00		33243.56
3/17/02	1	GS	2143	J1040		DEPOMEDROL, 80 MG	45.00		33288.56
3/17/02	1	GS	2143	J2250		VERSED IV EA 1MG (DAYS/UNITS = 2)	35.00		33323.56
3/17/02	1	GS	2143	J1030		DEPOMEDROL, 40 MG	25.00		33348.56
3/18/02	1	GS		11F		PAYMENT BY CHECK		24.00	33124.56

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Acct: 4553				INSTANT BILL		03/03/14
3/19/02	1	00	02311	2-8 TRANSLAMININ E	1235.00	29855.32
3/19/02	1	00	02311	SUPPLIES ZLDOK	624.15	30519.50
3/15/02	1	00	425	FLUOROSCOPY- (SEF	291.00	30810.52
3/19/02	1	00	426	CONSCIOUS SEDATION	234.00	31044.53
3/19/02	1	00	426	OFFICE/OP VISIT- E	30.00	31132.53

CONTINUED ON NEXT FORM

***** INSTANT BILL *****
CHARLESTON SPINE & PHYS. MCL

ACCT: 4553

DATE: 03/03/14

NET: 4559DR PAT DIAG TCODE MOD INSCRIPTION

CHARGE CREDIT 08402M06

DATE	QTY	UNIT	PRICE	DESCRIPTION	CHARGE	CREDIT	BALANCE
5/10/03							120.00 35592.83
5/24/03	1	GS	11P	PAYMENT BY CHECK			
* APPLIES TO CHARGES ON: 03/22/01 CHK#:3554							
5/13/03	1	GS	123	64470 C/T FACET INJ, JT 0	535.00		36227.83
5/13/03	1	GS	123	64472 C/T FACET INJ, JT 0	485.00		36712.83
5/13/03	1	GS	123	20553 INJECTION; SINGLE	342.00		37054.83
5/13/03	1	GS	123	99070 INJECT SUPP	14.00		37168.83
5/13/03	1	GS	4	97001 PHYSICAL THERAPY E	117.00		37285.83
5/13/03	1	GS	123	99213 20 OFFICE/OP VISIT- E	88.00		37373.83
5/13/03	1	GS	4	97014 MODALITY/ E. STIM	46.00		37419.83
5/13/03	1	GS	123	J0302 ARISTOSPAN/EMS	45.00		37464.83
(25YS/UNITS = 2)							
5/13/03	1	GS	4	97029 MODALITY- 10/7000	41.00		37505.83
* INS. FILED: 05/21/03							
5/13/03	1	GS	123	J1030 DEPOMEDROL, 40 MG	25.00		37530.83
5/14/03	1	GS	11P	PAYMENT BY CHECK		100.00	37430.83
* APPLIES TO CHARGES ON: 03/22/01 CHK#:3610							
5/15/03	1	GS	2P	WORKMAN'S COMP PAY		1066.00	36364.83

acct: 4559			INSTANT BILL			
1/23/03	1	GS 7	99455	IMPAIRMENT BRE, EE	265.00	26400.42
1/23/03	1	GS 16	72052	RADIOLOGIC EXAM- S	245.00	36738.43
1/23/03	1	GS	230	ATTNY REDUCTION AD		255.00 36473.43
1/23/03						
1/23/03	1	GS	1130	CREDIT PAYMENT		230.00 36702.92

CONTINUED ON NEXT FORM

***** INSTANT BILL *****
 CHARLESTON SPINE & PHY. MED.

ACCT: 4559

DATE: 09/03/14

Acct: 4559

INSTANT BILL

02/23/14

APPLIES TO CHARGES ON: 11/29/02 CCKW:3427

1/14/02	1	GB	31	02311	L/S TRANSLANIMAR E	1735.00	24150.68
1/14/02	1	GB	2143	99070	SUPPLIES BLOCK	124.11	24784.79
1/14/02	1	GB	2143	75030	FLUOROSCOPY	331.00	25375.83
1/14/02	1	GB	2143	99144	CONSCIOUS SEDATION	224.02	25809.85

CONTINUED ON NEXT FORM

***** INSTANT BILL *****
CHARLESTON SPINE & PHY. MED.

Acct: 4559

DATE: 02/23/14

Acct: 4559				INSTANT BILL		09/03/14
06/03/01	1	EC	12	MODALITY- RDT/COLE	41.00	29963.60
06/04/03	1	DS	121	OPERATION- 3115.00		33098.65
				(DAYS/UNITE = 7)		
06/04/03	1	DS	321	MYOBLOC PER 100 UN	490.00	33588.65
				(DAYS/UNITE = 15)		

CONTINUED ON NEXT FORM

***** INSTANT BILL *****
 CHARLESTON SPINE & PHY. MED.

Acct: 4559

DATE: 09/03/14

Acct: 4339

INSTANT BILL

01/14/14

DATE	DR	PAT	DIAG	TCODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
5/15/03	1	SS		SP		WORKMAN'S COMP PAY		559.70	35163.75
* APPLIES TO CHARGES ON: 11/14/02 CHK#:598910									
5/15/03	1	SS		95C		WORKMAN'S COMP WRI		266.07	35429.82
3/27/02									
5/15/03	1	SS		95C		WORKMAN'S COMP WRI		1921.74	32973.95
1/14/02									
5/20/03	1	SS		95C		WORKMAN'S COMP WRI		4338.45	28635.50
0/17/02									
5/20/03	1	SS		SP		WORKMAN'S COMP PAY		1537.00	27098.50
* APPLIES TO CHARGES ON: 10/17/02 CHK#:598235									
5/03/03	1	SS	1234	64472		C/T FACET INJ, JT C	1940.00		29038.50
(DAYS/UNITS = 4)									
5/03/03	1	SS	1234	64470		C/T FACET INJ, JT C	535.00		29573.50
5/03/03	1	SS	1234	99070		INJECT SURF II	144.15		29717.65
5/03/03	1	SS	1E	97014		MODALITY/ E. SCIM	92.00		29809.65
(DAYS/UNITS = 2)									
5/03/03	1	SS	1234	99813		OFFICE/OP VISIT- E	98.00		29907.65
5/03/03	1	SS	2345	J1040		DEPOMEDROL, 60 MG	45.00		29952.65

Acct: 4359

INSTANT BILL

29/03/14

DATE	OR PAT	DIAG	CODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
6/04/03	1	28	123	95070	INJECT BUPF II	144.15		33732.00
6/04/03	1	08	123	93214	OFFICE/OP VISIT - 2	28.20		33870.00
6/04/03	1	05	321	97014	MODALITY/ EL STIM	92.00		33962.00
					(DAYS/UNIT = 2)			
6/04/03	1	08	321	97010	MODALITY- HOT/COLD	41.00		34003.00
6/04/03	1	08	123	92030	COLD PACK-DISPOSED	4.00		34007.00
					(DAYS/UNIT = 8)			
6/04/03	1	05		11F	PAYMENT BY CHECK		100.00	33907.00
* APPLIES TO CHARGES ON: 03/22/01					CHK#:3629			
6/04/03	1	03		11P	PAYMENT BY CHECK		100.00	33807.00
* APPLIES TO CHARGES ON: 03/22/01					CHK#:3530			
6/19/03	1	05		11P	PAYMENT BY CHECK		100.00	33707.00
* APPLIES TO CHARGES ON: 03/22/01					CHK#:3535			
6/30/03	1	05		05	WORKMAN'S COMP PAY		105.60	33602.00
* APPLIES TO CHARGES ON: 05/13/03					CHK#:602105			
6/30/03	1	05		06C	WORKMAN'S COMP WRT		98.40	33503.00
6/13/03	1	03		11P	PAYMENT BY CHECK		100.00	33403.00
7/02/03	1	03		11P	PAYMENT BY CHECK			

Acct: 4559
 3 DOUGLAS E. MCBILL, M.

INSTANT BILL

03/03/14

DATE	DR	PAT	DIAG	TCODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
01/22/01	1	GS		9P		PRIVATE INSURANCE		743.25	2329.70
** APPLIES TO CHARGES ON: 03/21/00 CHK#:640027070									
01/22/01-	1	GS		1000		PRIVATE INSURANCE		15.05	2354.55
09/21/00									2329.00
01/29/01	1	GS	1234	76140	26	CONS OUTSIDE XRAYB	174.00		2503.00
						FINAL REQUEST NOTIFICATION			2516.55
01/29/01	1	GS	1234	99213		OFFICE/OP VISIT- E	88.00		2604.55
** INS. FILED: 01/21/01									
						FINAL REQUEST NOTIFICATION			2604.55
01/31/01	3	GS		9P		PRIVATE INSURANCE		44.10	2648.65
** APPLIES TO CHARGES ON: 12/04/00 CHK#:1540027666									
01/01/01	1	GS		9P		PRIVATE INSURANCE		825.00	1716.55
** APPLIES TO CHARGES ON: 11/09/00 CHK#:640027667									
02/26/01	1	GS	1234	72114		RADIOLOGIC EXAM- E	215.00		1971.55
02/26/01	1	GS	525	99213		OFFICE/OP VISIT- E	96.00		2067.55
02/26/01	3	GS		11P		PAYMENT BY CHECK		43.00	2016.05
** APPLIES TO CHARGES ON: 12/04/00 CHK#:3029									
02/26/01	1	GS		11P		PAYMENT BY CHECK		43.00	1972.15

Acct: 4509

INSTANT BILL

01/02/10

DATE	DR	PAT	DISE	TCODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
7/25/02	1	GS		11P		PAYMENT BY CHECK		100.00	25830.79
* APPLIES TO CHARGES ON: 06/10/02 CHK#13371									
** MOVED									
7/30/02	1	GS	12	04474		L/S FACET INJ, JT 0 (DAYS/UNITS = 2)	930.00		26610.15
7/30/02	1	GS	345	27095	5159	INJECTION PROC- NI	656.00		27266.15
7/30/02	1	GS	12	04475		L/S FACET INJ JT 0	430.00		27696.15
7/30/02	1	GS	345	72123		RADIOLOGIC EXAM- C	100.00		27796.15
7/30/02	1	GS	345	76140	26	CONS OUTSIDE XRAY	174.00		27970.15
7/30/02	1	GS	3	99215	23	OFFICE/OP VISIT- E	50.00		28020.15
7/30/02	1	GS	2	20530		INJECTION(0), BINO	151.44		28171.59
7/30/02	1	GS	4	99070		INJECT SUPP II	144.15		28315.74
7/30/02	1	GS	4	J1030		DEPOMEDROL, 40 MG	25.00		28340.74
7/30/02	1	GS		11P		PAYMENT BY CHECK		100.00	28240.74
* APPLIES TO CHARGES ON: 11/00/00 CHK#13302									
3/13/02	1	GS	4	99213		OFFICE/OP VISIT- E	50.00		28190.74
3/27/02	1	GS	4	76140	26	CONS OUTSIDE XRAY	174.00		28364.74
3/27/02	1	GS	4	99212		OFFICE/OP VISIT- E	50.00		28414.74

Acct: 4555

4/17/01	1	01	1238	J1038
5/07/01	1	32	9426	64472
5/07/01	1	35	9426	64478
5/07/01	1	00	9426	64435

INSTANT BILL

DEPOMEDROL, 40 MG	25.00
C/T FACET INJ, JT 0	330.00
(DAYS/UNITS = 1)	
C/T FACET INJ, JT 0	435.00
GREATER OCCIPITAL	295.00

02/03/14
16071.75
17061.75
17556.75
17851.75

CONTINUED ON NEXT FORM

***** INSTANT BILL *****
CHARLESTON SPINE & PHY. MED.

ACCT: 4555

DATE: 05/03/14

Acct# 4535

INSTANT BILL

05/03/14

DATE	DR	PAT	DIAG	TCODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
5/07/01	1	05	1234	IMPAT		IMPAIR RATING DRE	265.00		18116.75
5/07/01	1	05	1234	20530		INJECTION(2); SING (DAYS/UNITS = 2)	255.00		18372.75
5/07/01	1	05	1234	99070		INJECT SUPP II	144.15		18516.90
5/07/01	1	05	1234	99213		OFFICE/OP VISIT- E	88.00		18604.90
5/07/01	1	05	732	J1030		DEPOMEDROL, 40 MG	25.00		18629.90
5/28/01	1	05	5	62310		C/T TRANSLAMINAR E	715.00		19344.90
5/28/01	1	05	732	99070		SUPPLIES BLOOD	624.15		19969.05
5/28/01	1	05	5	76005	26TC	FLUOROSCOPIC GUIDE	291.00		20260.05
5/28/01	1	05	732	99144		CONSCIOUS SEDATION	234.00		20494.05
6/28/01	1	05	5	99213		OFFICE/OP VISIT- E	88.00		20582.05
6/28/01	1	05	732	J1040		DEPOMEDROL, 20 MG	45.00		20627.05
6/28/01	1	05	732	J2250		VERSED IV EA 1MG (DAYS/UNITS = 2)	35.00		20662.05
6/28/01	1	05	732	J1030		DEPOMEDROL, 40 MG	25.00		20687.05
7/10/01	1	05	2456	99213		OFFICE/OP VISIT- E	88.00		20775.05
8/13/01	1	05	2456	64472		C/T FACFT INJ, JT D (DAYS/UNITS = 2)	1455.00		22230.05

Acct: 4039

INSTANT BILL

20/03/14

DATE	DR	PAT	DIAG	TCODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
1/14/02	1	05	1234	99213	23	OFFICE/OP VISIT- E	30.00		13357.84
1/14/02	1	05	1234	J1040		DEPOMEDROL, 60 MG	40.00		13440.84
1/14/02	1	05	1234	J2250		VERSED IV EA 1MG (DAYS/UNITS = 2)	35.00		13477.84
1/14/02	1	05	1234	J1030		DEPOMEDROL, 40 MG	25.00		13502.84
INS. FILED: 04/23/03									
1/19/02	1	05		11P		PAYMENT BY CHECK		100.00	13402.84
* APPLIES TO CHARGES ON: 11/09/00 CHK#13452 MOVED \$4									
2/17/02	1	05		11P		PAYMENT BY CHECK		13.40	13389.44
* APPLIES TO CHARGES ON: 11/09/00 CHK#13477									
1/19/03	1	05	1234	99000		COPY RECORDS FEE	37.75		13421.19
3/05/03	1	05	1234	99000		COPY RECORDS FEE	54.45		13471.64
3/11/03	1	05		23P		ATTORNEY PAYMENT		54.45	13521.19
* APPLIES TO CHARGES ON: 03/05/03 CHK#142725									
3/27/03	1	05		23P		ATTORNEY PAYMENT		37.75	13558.94
* APPLIES TO CHARGES ON: 02/19/03 CHK#0050171									
4/23/03	1	05	56	99245		OFFICE CONSULTATIO	843.00		13628.42

SUBB: 1885

INSTANT BILL

03/01/14

DATE	DR PAT	DIAG	TCODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
03/13/01	1 GS	1234	95861		ENG- NEEDLE- 2 EXT (DAYS/UNITS = 2)	970.00		5042.15
03/13/01	1 GS	1234	95903		NERVE CONDUCTION- (DAYS/UNITS = 4)	900.00		5942.15
03/13/01	1 GS	1234	64470		C/T FACET INJ, JT 0	495.00		7437.15
03/13/01	1 GS	1234	95934		H-REFLEX- AMPLITUD (DAYS/UNITS = 2)	388.00		7825.15
03/13/01	1 GS	526	95906		NERVE CONDUCTION (DAYS/UNITS = 2)	370.00		8195.15
03/13/01	1 GS	1234	64405		GREATER OCCIPITAL	225.00		8420.15
03/13/01	1 GS	1234	76140	SS	CONS OUTSIDE XRAY	174.00		8594.15
03/13/01	1 GS	1378	99070		INJECT SUPP II	144.15		8738.30
03/13/01	1 GS	1234	99214		OFFICE/OP VISIT- 2	136.00		8874.30
03/13/01	1 GS	1378	99073		EMS SUPPLIES	115.00		9089.30
03/13/01	1 GS	526	J1030		DEPOMEDROL, 40 MG	25.00		9114.30
03/22/01	1 GS	23A	62211		LYE JAW/CLINICAL L	11.00		9125.30
03/22/01	1 GS	526	99070		SUPPLIES BLOCK	624.15		9749.45
03/22/01	1 GS	23A	75025		FLUOROSCOPIC GUIDE	291.00		10040.45

Acct: 4559

3/13/01	1	SS	2456	64470
3/13/01	1	SS	2406	64405
3/13/01	1	SS	2456	99455
3/13/01	1	SS	2456	99070
3/13/01	1	SS	2456	28550

INSTANT BILL

C/T FACET INJ, JT O	495.00
GREATER OCCIPITAL	255.00
IMPAIRMENT DRE, EC	255.00
INJECT SUPP 11.	144.15
INJECTION(S); SINE	120.00

09/03/14
22755.05
23050.05
23315.05
23459.20
23579.25

CONTINUED ON NEXT FORM

***** INSTANT BILL *****
CHARLESTON SPINE & PHY. MED.

Acct: 4559

DATE: 09/03/14

Acct: 6359

INSTANT BILL

09/03/14

DATE	DR	PAT	DIAG	TCODE	MCD	DESCRIPTION	CHARGE	CREDIT	BALANCE
03/22/01	1	00	123	J1030		DEPO-MEDROL, 40 MG	35.00		11143.45
04/02/01	1	00	456	64472		C/T FACET INJ, JT C (DAYS/UNITS = 2)	590.00		12133.45
04/02/01	1	00	456	64472		C/T FACET INJ, JT C	495.00		12628.45
04/02/01	1	00	7	20550		INJECTION(S); BING (DAYS/UNITS = 2)	364.00		13012.45
04/02/01	1	00	7	99070		INJEC SUBCUT	101.15		13156.60
04/02/01	1	00	7	99214		OFFICE/OP VISIT- E	138.00		13294.60
04/02/01	1	00	1238	J1030		DEPO-MEDROL, 40 MG	25.00		13319.60
04/17/01	1	00	12	62211		L/S TRANSAMINAR E	715.00		14034.60
04/17/01	1	00	12	64484		L/S TRANSFORAMINAL	695.00		14729.60
04/17/01	1	00	1238	99070		SUPPLIES BLOOD	624.15		15353.75
04/17/01	1	00	12	76005		FLUOROSCOPIC GUID	111.15		15464.90
04/17/01	1	00	1238	99144		CONSCIOUS SEDATION	234.20		15699.10
04/17/01	1	00	12	99213		OFFICE/OP VISIT- E	32.00		15966.75
04/17/01	1	00	1238	J1040		DEPO-MEDROL, 20 MG	45.00		16011.75
04/17/01	1	00	1238	J2030		VERSED IV EA 1MG (DAYS/UNITS = 2)	35.00		16046.75

Acct: 4559				INSTANT BILL		03/03/14
03/22/01	1	00	526	99144	CONSCIOUS SEDATION	234.00
03/22/01	1	00	290	99213	OFFICE/OP VISIT -	12.00
03/22/01	1	00	526	J1340	DEPOMEDROL, 80 MG	45.00
03/22/01	1	00	526	J2250	VERSED 19 EZ 1MG	35.00
				(DAYS/UNITS = 2		

10200.40
 11400.40
 11003.40
 11118.40

CONTINUED ON NEXT FORM

***** INSTANT BILL *****
 CHARLESTON SPINE & PHY. MED.

ACCT: 4559

DATE: 03/03/14

Acct: 4559

INSTANT BILL

09/03/14

ITE	DR	PAT	DIAG	TCODE	MOD	DESCRIPTION	CHARGE	CREDIT	BALANCE
									22077.20
3/13/01	1	GS	1224	99212		OFFICE/OP VISIT- E	28.00		22705.20
3/13/01	1	GS	5678	J1030		DEPOMEDROL, 40 MG	25.00		24135.20
1/20/01	1	GS	1249	64472		C/T FACET INJ, JT O	495.00		24630.20
1/20/01	1	GS	1249	64470		C/T FACET INJ, JT O	495.00		25125.20
1/20/01	1	GS	1249	64472		C/T FACET INJ, JT O	495.00		25620.20
1/20/01	1	GS	1249	64405		GREATER OCCIPITAL	295.00		25915.20
1/20/01	1	GS	1249	99070		INJECT SUPP II	144.15		26059.35
1/20/01	1	GS	1249	20550		INJECTION(S); STNG	26.00		26085.35
1/20/01	1	GS	5678	99212		OFFICE/OP VISIT- E	28.00		26113.35
1/20/01	1	GS	5678	J1030		DEPOMEDROL, 40 MG	25.00		26138.35
4/18/02	1	GS	1234	99080		COPY RECORDS FEE	37.20		26175.55
* INS. FILED: 04/23/02								37.20	26212.75
5/03/02	1	GS		9P		PRIVATE INSURANCE			26212.75
* APPLIES TO CHARGES ON: 04/18/02 CHK#: 1000490-12									26212.75
5/10/02	1	GS	AS	20550		INJECTION(S); STNG	151.44		26364.19
5/10/02	1	GS		11P		PAYMENT BY CHECK		250.00	26114.19
* APPLIES TO CHARGES ON: 01/29/01 CHK#: 13355									26114.19
5/24/02	1	GS	AS78	99212		OFFICE/OP VISIT- E	60.00		26174.19

Acct: 4559			INSTANT BILL	09/03/14
** APPLIES TO CHARGES ON: 11/09/00 CHK#:X02T				
03/13/01	1	00 1274 64472	C/T FACET INJ, JT 0	1980.00 3552.15
			(DAYS/UNIT) = 4	
01/13/01	1	00 1274 33564	NERVE CONDUCTION	1121.02 5072.15
			(DAYS/UNIT) = 1	

CONTINUED ON NEXT FORM

***** INSTANT BILL *****
 CHARLESTON SPINE & PHY. MED.

ACCT: 4559

DATE: 09/03/14

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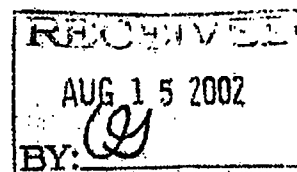
DISC IMAGING

DISC Imaging
Bowman Road
Mount Pleasant, SC 29464

Richard C. Holgate, M.D.
David D. Gottra, Jr., M.D.
Jeremy W.R. Young, M.D.

D I A G N O S I S • I N S I G H T • S E R V I C E • C A R E

PATIENT: SHIVER, GERTRUDE
SSN #: 249-98-2546
DATE: 08/14/02
REFERRED BY: GREG M. JONES, M.D.
TYPE OF EXAM: MRI LUMBAR SPINE
PT #: 02-74-33



There are no prior reports available for comparison.

CLINICAL INFORMATION: The patient is a 48-year-old female with low back pain.

TECHNIQUE: The patient is examined on the High Field GE Horizon LX Echo Speed MR System which functions at 1.5 Tesla. A dedicated spine coil is used to obtain high resolution images of the lumbar spine. SERIES: 1) COR, T1, SE, 7 mm; 2) SAG, Proton, FSE, 3 mm; 3) AX, Oblique, Proton, T2, FSE, 3 mm; 4) AX, T1, SE, 5 mm. Additional series: 1) MR myelotomography.

CONTRAST: None.

SEDATION: None.

FINDINGS:

OVERVIEW: Overview of the lumbar spine shows that there is normal bony alignment and normal marrow signal with no evidence of a congenital anomaly of the spine. The visualized paraspinal soft tissues are unremarkable. Images of the hips, sacroiliac joints, piriformis muscles and proximal sciatic nerves reveal no abnormality.

There appears to be some prominence of the tissue in the left adnexa, possibly representing ovarian cystic lesion, but clinical correlation, and possibly pelvic sonography would clarify.

THORACIC SPINE: Views of the distal thoracic spine show a normal spinal cord and conus medullaris, normal vertebra, and no evidence of abnormal discs.

INTERVERTEBRAL DISCS:

L1-2, L2-3. There is normal disc space height and signal without disc bulge or herniation of disc material beyond its normal confines. There is no evidence of entrapment of the nerve roots in the exit foramen, lateral recess or in the central canal.

L3-4. There is mild loss of disc height, with a mild concentric disc bulge, without definite sequelae.

(CONTINUED)

DISC IMAGING

1136 Bowman Road
Mount Pleasant, SC 29464

Richard C. Holgate, M.D.
David D. Goltra, Jr., M.D.
Jeremy W.R. Young, M.D.

D I A G N O S I S • I N S I G H T • S E R V I C E • C A R E

PATIENT: SHIVER, GERTRUDE
SSN #: 249-98-2546
DATE: 08/14/02
REFERRED BY: GREG M. JONES, M.D.
TYPE OF EXAM: MRI LUMBAR SPINE
PT #: 02-74-33

(CONTINUED - PAGE 2)

L4-5. There is mild loss of disc signal, associated with a mild, broad-based disc protrusion, containing a small annular tear, and mildly contacting the transiting L5 nerve roots, bilaterally. There is slightly more marked protrusion into the left neural foramen, resulting in moderate foraminal stenosis, but without definite impingement on the exiting L4 nerve roots.

L5-S1. There is a mild right paracentral disc protrusion, impinging upon and mildly displacing the transiting right S1 nerve root. An annular tear is identified. There is also moderate right-sided foraminal stenosis.

OPINION:

1. Mild, non-compressive annular bulge at L3-4.
2. Mild, broad-based disc protrusion at L4-5 containing an annular tear and impinging upon the transiting L5 nerve roots, bilaterally.
3. Mild to moderate right paracentral disc protrusion at L5-S1 containing an annular tear and displacing the transiting right S1 nerve roots.
4. Right adnexal fullness, possibly representing ovarian cyst formation, but clinical correlation and possibly ultrasound may be useful.

Please see above for details of individual levels.


JEREMY W. YOUNG, M.D.

JWY/SS

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Hon. Tanya A. Gee, Circuit Court Judge

Case No. 2015-CP-40-00169

Gertrude Shiver,.....Employee, Appellant,

v.

Palmetto Health Richland, Employer,

Palmetto Health Trust, Carrier,.....Respondents.

CERTIFICATE OF COUNSEL

The undersigned hereby certifies that the Record on Appeal contains all material
propose to be included by any of the parties and not any other material.

August 9, 2016

Gertrude Shiver
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