

Sabrina Kelley

From: Brett Bayne <brett.bayne@mgclaw.com>
Sent: Monday, February 19, 2018 2:42 PM
To: Sabrina Kelley
Cc: Wrinkle, Elizabeth
Subject: Re: Clarence Winfrey -Immediate Attention Requested-

Preston,

As this is a new condition you are attempting to connect, and not a condition which is causally related to the shock itself, you would need to file a Form 50 and ask for a hearing with the Commission as to compensability of this new condition. Additionally, as you are well aware, both Dr Travis and Dr Lide have stated this specific condition was not caused by the shock. Therefore, the care is denied at this time.

Brett H. Bayne
Attorney
MGC
O: 803-227-2281
C: 214-405-8175

Sent from my iPhone

On Feb 19, 2018, at 2:34 PM, Sabrina Kelley <sabrina@pfmcdlaw.com<mailto:sabrina@pfmcdlaw.com>> wrote:

Dear Brett:

I have not heard from either of you or Beth on this and so while this mainly concerns claims administration issues, I decided to send this to you with a copy to Beth instead of the other way around. As you know, the recent heart hospitalization and catherization/heart procedure were not immediately approved and so Clarence filed it under Medicare. Almost immediately, Dr. Lide and SC Heart Center replied to Beth's questionnaire. We requested records and obtained a copy of the completed questionnaire which I then again, sent it to Beth/you. I requested confirmation that both you and Beth were in receipt of it and that Beth had notified SC Heart Center that the treatment procedure was authorized and had notified all providers to send billing to Beth for payment.

Clarence is now receiving bills requesting he pay balances from the Heart Center, which state that they billed Medicare.

Let me apologize, and I do mean to be contentious, but I have to make sure this situation has been corrected, and if I haven't received confirmation from you/Beth/Liberty Mutual that all these providers have been contacted and this care authorized, I will have no choice but I guess to file a Motion in the Supreme Court to have medical care Ordered and provided. Like I said, I just have to get something done in that regard.

Finally let me mention, Brett we have had settlement pending for a long time and I thought that as I initially conveyed to you/Beth, maybe with this additional procedure that the reason for denial was the decision by Liberty to fund the Medicare set Aside and settle for the amount that we previously agreed to accept as was represented to Medicare.

Please let me know one way or the other by Friday; Again I am not trying to put any deadlines on anybody but I must get this resolved. From our side outside of the stress on Clarence every time there is a question about anything, it is a



tremendous amount of work for my staff and I just have to address this in as efficient and prompt manner as I can for my client and my office.

I look forward to hearing from y'all one way or the other by Friday.

Thanks,

Sabrina M. Kelley, Paralegal to
Preston F. McDaniel
McDaniel Law Firm
1315 Elmwood Ave
Columbia, SC 29201
Telephone : (803) 771-7211
Fax : (803) 252-0709

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Columbia, SC 29201
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Please consider the environment before printing this email.

Sabrina Kelley

From: Sabrina Kelley <sabrina@pfmcdlaw.com>
Sent: Monday, February 19, 2018 5:24 PM
To: 'Brett Bayne'
Cc: 'Wrinkle, Elizabeth'
Subject: RE: Clarence Winfrey -Immediate Attention Requested-

Dear Brett:

Thank you for your reply and since I know that you and Liberty Mutual have the original Award from the Commission, the Order from the Court of Appeals and more recently, the opinion of Dr. Lide in response to the questionnaire sent by Beth that this current procedure is casually related. I will assume that Liberty Mutual' s position on this is based on your legal opinion and will proceed accordingly.

In advising Clarence of his available legal remedies and what actions we will take, I will be glad to take into consideration any information you seek to provide in reference to this being in reference to a, "new condition you are attempting to connect" and in reference to your statement about Dr. Travis and Dr. Lide that this, "specific condition was not caused by the shock."

Finally, I know that you and Liberty Mutual have discussed the law and fact that under Workers Compensation not only are any conditions that are directly or indirectly caused by the work related injury compensable but that any latent, pre-existing or asymptomatic conditions that are in any way aggravated, accelerated or caused to become asymptomatic or which are triggered by the work related injury or its aftermath just as compensable under the Act. This includes such conditions under the Supreme Court decisions as: arthritis, high blood pressure, diabetes, rheumatoid arthritis, artero sclerosis, aneurysms, thrombosis, coronary artery disease, etc.

Wish we could avoid the litigation but I look forward to working with you and/or other attorneys in the best interests of our clients going forward.

Sincerely
-Preston

Thanks,

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Sent: Monday, February 19, 2018 2:42 PM
To: Sabrina Kelley <sabrina@pfmcdlaw.com>
Cc: Wrinkle, Elizabeth <Elizabeth.Wrinkle@LibertyMutual.com>
Subject: Re: Clarence Winfrey -Immediate Attention Requested-

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Sabrina Kelley

From: Sabrina Kelley <sabrina@pfmcdlaw.com>
Sent: Wednesday, February 21, 2018 11:54 AM
To: 'Wrinkle, Elizabeth'
Cc: 'Brett Bayne'
Subject: Clarence Winfrey

Beth:

I assumed you received this but Clarence just let us know that Columbia Heart told him it is time for him to reinstitute his rehab from the value replacement and stroke. I am assuming you received something, but if you need anything else. Please let us know.

Thanks,

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Sabrina Kelley

From: Wrinkle, Elizabeth <Elizabeth.Wrinkle@LibertyMutual.com>
Sent: Wednesday, February 21, 2018 11:56 AM
To: Sabrina Kelley
Subject: RE: Clarence Winfrey

I have not received anything.

Beth Wrinkle
Technical Claims Specialist II
P.O. Box 49000
Charlotte, NC 28277
866-539-6446, 715-870-6974
603-430-1953, fax
Elizabeth.Wrinkle@LibertyMutual.com

From: Sabrina Kelley [mailto:sabrina@pfmcdlaw.com]
Sent: Wednesday, February 21, 2018 10:54 AM
To: Wrinkle, Elizabeth <Elizabeth.Wrinkle@LibertyMutual.com>
Cc: 'Brett Bayne' <brett.bayne@mgclaw.com>
Subject: Clarence Winfrey

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From: Sabrina Kelley <sabrina@pfmcdlaw.com>
Sent: Thursday, February 22, 2018 9:22 AM
To: 'Wrinkle, Elizabeth'
Cc: 'Brett Bayne'
Subject: RE: Clarence Winfrey

Beth:

I assume that you are contacting them but we will also contact Dr. Lone to get something in writing.

So you can get what you need in writing as fast as possible, it would be helpful if you could let me know who your contact person is (i.e. who calls you for normal authorization)

Thanks,

Sabrina M. Kelley, Paralegal to
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