## Workers' COMPanion

### JANUARY 2020

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# JUST THE WAY YOU ARE

## GIVING KIDS A BRIGHTER FUTURE

recently learned that Jan. 13 is Make Your Dreams Come True Day. When I first heard about this holiday, I thought of the old glib answer, "That's obvious! World peace." But I put a little extra thought into the idea and realized my dream is a little more complicated than that. It really hit me when I was listening to an audiobook about Fred Rogers, creator of "Mister Rogers' Neighborhood." I learned that Mr. Rogers would always tell little kids, "I like you just as you are." My dream is for every child to know they are loved and cared for.

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These words are such a big deal for little kids to hear. I know it would have meant a lot to me when I was young. I often felt isolated and alone growing up. My family fought all the time. Alcoholism, mental health issues, and physical abuse made for a scary environment to grow up in. I would just hide out in my room and read to escape. These feelings of loneliness continued when I went to school. I was a shy, nerdy kid. When we moved to Ohio at the start of junior high, I had a strong Southern accent and got bullied a lot. It wasn't a good time and it would have made a huge difference had I felt likable just as I was.

When my kids were born, it was very important for me to break that cycle. I wanted my children to feel safe and know they are loved. With my sons, I also taught them to stand up for others. My boys gained a reputation at their school for being the ones who would stand up for kids who were getting picked on because they were different.

Years ago, I got a call from the school after my oldest son got in a fight with a boy twice his size. Turns out, the other boy was picking on some kid and my son told the bully if he didn't stop, he'd have to answer to my son. The bully didn't stop and when my son popped him, they got into a tussle. I couldn't have been prouder. I don't condone picking fights, but I believe in standing up for others and standing up for what you believe in.

The Bible talks about turning the other cheek, but that assumes you have the ability to take that second hit. Not everyone does, so it's important that we look out for each other, especially those who aren't as strong as we are. While hard times can help us grow, there's a difference between going through something hard and going through something horrendous. No child should have to face something horrendous, which is why my wife and I support an organization called Operation Underground Railroad (O.U.R.).



This is a nonprofit organization dedicated to rescuing children from sex trafficking. As difficult as my childhood was, I cannot imagine the nightmare some children are forced into. O.U.R. comprises former Special Ops soldiers and past and current law enforcement who work with governments around the world. They help to rescue children, aid in survivors' recovery, and arrest perpetrators. Since the organization was founded in 2013, they've been able to rescue over 3,000 victims and arrest over 1,600 traffickers around the world.

It would be nice to protect kids from all the hideousness in the world, but that's just impossible. This doesn't mean we're completely powerless. We can support organizations that do good, teach children to stand up for others, and follow the example set by Fred Rogers by letting kids know they're loved and cared for just the way they are.

- Jim Monast

Help Your Kids Achieve More This Year

## WITH SIMPLE, ACTIONABLE GOALS

With every new year comes an opportunity to reinvent ourselves or start down a new path toward selfimprovement. Making resolutions is a big part of many families' New Year's traditions, and parents often have a desire for their kids to take part in that tradition when they're old enough. Following through on resolutions is tough, especially for young children, but with your help, they can achieve their goals.

#### Practice what you preach.

You are your children's role model for almost everything, including following through on New Year's resolutions. So, ask yourself if *you* follow through on your own resolutions. When you proclaim that you will read more books or finally get a gym membership, do you actually try to do it? Your kids will assign as much importance to New Year's resolutions as you do, so by sticking to your own commitments, you can help them stay on track too.

#### Keep things simple and achievable.

When your kids are forming their resolutions, their first attempts will probably be very broad. Statements like "I want to be more kind" or "I will try to help more around the house" incorporate good values but don't include any actionable steps. Help your kids think of tangible ways to act on those goals. For example, if they want to be tidier, a good resolution might be for them to clean their room once a week or take responsibility for one household chore every day.

#### Don't do all the work for them.

While it's important for you to help your kids formulate their goals, be sure that you aren't taking over. If they're ultimately responsible for their resolutions, they'll feel more compelled to keep them. Instead, suggest different goal areas they could improve, such as home, school, or sports, and let them elaborate.

When it comes to creating habits, nobody is perfect, so even if your kids falter on their goals in the middle of February, don't worry. The important thing is that you continue to encourage them every step of the way.

In classic Andy fashion, when Wilma called him to make sure it'd be okay to feature him in our newsletter, Andy suggested I start with the heading, "Look at this S.O.B. I had to defend!"

Actually, it's an apt headline ... that is if by S.O.B. we mean "still optimistic, bro!"

Just after Thanksgiving, Andy passed 20 years since his injury. And, oh, what an injury it was! Working as a water service technician (what he calls a "glorified plumber") doing industrialbased water treatment, Andy was getting into his work van when he slipped in mud, did the splits, and twisted his right knee. Little did he imagine how well-acquainted he'd become with hospitals and doctors. He had eight surgeries on his knee, none of which were very helpful. His surgeons told him he had the worst knee they've ever seen. After developing reflex sympathetic dystrophy of his right leg because of the original injury, his doctors tried a spinal stimulator, but it didn't reduce his pain.

Since his injury left him unable to bear weight on his right leg, drive, or walk without crutches, Andy's employment options were limited. Still, he attempted vocational rehab **six** times! Each time, the Ohio Bureau of Workers' Compensation concluded it wasn't feasible to retrain him. This is a hard blow for someone at any age, let alone someone disabled in their mid 30s.

By the time we filed for permanent total disability, the claim costs had exceeded \$1 million, and Andy had been found by the Industrial Commission to have 72% impairment, one of the largest I've seen. He was examined by a commission doctor who has heretofore concluded people with one foot in the grave can work; for Andy, he agreed with permanent total disability.

After all this, Andy remains positive. Though he can't get around by himself, his delightful ex-mother-in-law, Midge, helps him to and from appointments and with running errands. He's able to connect with others through social media and shares his apartment with an ornery cat. Wilma calls him periodically to check how he's doing.

He sent us several photos to include with his story. I'm including two — see if you can figure out which is which. The first he captioned, "Confused or smoldering? You be the judge!" Of the second, he says, "Happy because I don't know any better!"

All I can say is that "we like our Andy very much!"





## My Workers' Comp Doctor Isn't Helping Me! CAN I GET A NEW DOCTOR?

When you see a doctor, their first priority should be your care, regardless of the circumstances that brought you to their office. Whether you're visiting your family doctor for a wellness exam or a cardiologist after a heart attack, there should be no question that your doctor is looking out for you. Unfortunately, after filing for workers' compensation, it's not uncommon for patients to feel like their physician is looking out for someone else.

In Ohio, the doctor you see for your initial evaluation after a workplace injury must be a Bureau of Workers' Compensation (BWC)-approved doctor. The physician need not work for the BWC, but you must choose from a list of doctors approved by the BWC to handle workers' comp claims. These doctors are expected to provide workers' comp patients the same level of medical care they would give any other patient.



Besides helping their patients recover, a workers' comp doctor may also be called on to make judgments about the cause of the individual's injury and the patient's readiness to return to work. This is where we can see conflict. Employers and insurance companies have been known to pressure doctors to support a claim denial or release a patient back to work before they're ready. Some doctors may even be on an insurance company's payroll and be more inclined to make decisions that would benefit the insurance company or employer.

While not all employers will use this tactic, be wary if your employer refers you to a particular medical practice, in-house medical dispensary, or local "work health center" for treatment.

#### Not happy with your current doctor? You can get a new one!

The BWC allows injured workers to switch doctors, but they have to follow rules: You can only have one physician of record at a time, you must submit a change form, and you must pay for care yourself if you switch to a doctor who isn't BWC-certified.

Getting the right care is a crucial step for workers to recover from their injuries. Monast Law is dedicated to making sure workers can see the right doctors. If you're not getting the appropriate care you need from your current workers' comp doctor, call 614-334-4649 immediately. We can help you switch doctors and recommend great doctors to help on your workers' comp journey.



## MEET LEGAL ASSISTANT VICKI MATTHEWS

Vicki Matthews, legal assistant at Monast Law Office, has extensive workers' compensation experience not only in Ohio but also in Kentucky, Michigan, Pennsylvania, New Jersey, and New York. Vicki's 29 years in the

field have been varied, initially working as a workers' comp benefits administrator for self-insured employers in Toledo and Columbus. She then represented employers on behalf of third party administrators (TPAs) before finally donning the white hat and helping injured workers. Having worked both sides, she knows how to get things done.

At Monast Law, she is responsible for communication with clients, physician's offices, MCOs, TPAs, BWC, and the Industrial Commission. She assists with new client interviews and paperwork and pursues evidence necessary to advance claims for disability and medical treatment benefits. She also assists with settlement documentation and securing Medicare and Medicaid lien information.

Vicki was born and raised in Boardman, Ohio. She is a graduate of Bowling State University and also completed the American Institute of Paralegal Studies program. She likes to read in her spare time and attends Ohio State University's women's lacrosse games to watch her youngest niece play. Go Falcons, and go Bucks!

# NIBBLES WITH NUG

## HOPPIN' JOHN

A traditional New Year's favorite in the South, Hoppin' John includes black-eyed peas that are said to represent coins, a sign of prosperity for the coming year. It's usually served alongside collard greens, which represent cash.

#### Inspired by Epicurious

#### INGREDIENTS

- 1 cup dried black-eyed peas
- 5–6 cups water
- 1 dried hot pepper, optional (arbol and Calabrian are great options)

#### DIRECTIONS

- 1. Wash and sort peas.
- 2. In a saucepan, cover peas with water, discarding any that float.
- 3. Add pepper, ham hock, and onion. Gently boil and cook uncovered, stirring occasionally, until peas are just tender, about 90 minutes. At this point, you should have about 2 cups of liquid remaining.
- 4. Add rice, cover, drop heat to low, and simmer for 20 minutes, undisturbed.
- 5. Remove from heat and let steam for an additional 10 minutes, still covered.
- 6. Remove lid, fluff with a fork, and serve.



- 1 smoked ham hock 1 medium onion, diced
- 1 cup long-grain white rice

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# AIRPORT THE WORLD'S FIRST

### HOW LILOU AND ANIMALS LIKE HER CALM STRESSED-OUT TRAVELERS

Imagine you're navigating a vast airport on a busy Saturday, shouldering your way through crowds and struggling to hear the PA system over the clatter of 1,000 wheeled suitcases. Suddenly, you see a pig wearing a hot pink sweater waddling toward you on a leash. Do you stop in your tracks? Does your stress level drop? Do you laugh out loud when you see its pink nail polish?

If you answered "yes" to any of the above, then you can sympathize with the passengers, pilots, flight attendants, and staff at the San Francisco International Airport. They get to enjoy visits from Lilou, the world's first airport therapy pig, on a regular basis! As part of the Wag Brigade, the airport's cadre of (mostly canine) therapy animals, Lilou wanders the airport with her humans, bringing joy, peace, and calm to everyone she meets.

Lilou may be the only pig of her kind, but airport therapy animals have been a growing trend for the last few years. According to NPR, as of 2017, more than 30

airports across the U.S. employed therapy dogs, and these days, estimates land closer to 60. The San Jose and Denver airports have therapy cats, and the Cincinnati/Northern Kentucky International Airport even offers passengers the chance to play with miniature horses before boarding their flights.

Therapy dogs started appearing in U.S. airports after the 9/11 terror attacks, which changed American attitudes about flying. They did so well at helping passengers calm down that airports began implementing permanent programs. Some have pets on hand 24/7 to assist passengers, while others host animal visits every few weeks or months. These days, regular travelers have fallen hard for their local therapy animals, many of whom even have their own Instagram accounts and hashtags.

So, the next time you're traveling, keep an eye out for a friendly pup, cat, pig, or horse to pet. A bit of love from an animal just might improve your trip!