

TALKING POINTS FOR SENATE BILL S3741 AND ASSEMBLY BILL A6294

- THE BILLS ARE BEING INTRODUCED IN THE SENATE AND ASSEMBLY TO PROTECT THOSE CLAIMANTS WHO HAVE INJURIES PREDATING DECEMBER 1, 2010
- THE NEW MEDICAL TREATMENT GUIDELINES DO NOT TAKE INTO ACCOUNT THAT THERE ARE PATIENTS WHO HAVE CHRONIC CONDITIONS AS A RESULT OF INJURIES TO BODY PARTS WHICH DID NOT COMPLETELY RESOLVE DESPITE RECEIVING NECESSARY AND APPROPRIATE TREATMENT.
- MANY PATIENTS WHO HAVE UNRESOLVED CONDITIONS REALIZE SIGNIFICANT IMPROVEMENT WITH TREATMENT WHICH PROVIDES PAIN RELIEF AND IMPROVED FUNCTION WHICH ALLOWS THEM TO PERFORM THEIR WORK AND/OR ACTIVITIES OF DAILY LIVING.
- MANY OF THESE PATIENTS RECEIVED LEGAL DECISIONS BY A LAW JUDGE, WHO AFTER HEARING ALL OF THE FACTS OF THE CASE, ALLOWED THEM ACCESS TO MEDICAL TREATMENT ON AN ONGOING BASIS FOR THE PERMANENT CONDITION AS LONG AS IT WAS NEEDED AND PROVIDED A BENEFIT. IN SOME CASES THE PATIENT OPTED TO ACCEPT TREATMENT AS NEEDED INSTEAD OF A MONETARY SETTLEMENT AWARD AND NOW THEY ARE LEFT WITH NOTHING.
- THE WORKERS COMPENSATION TREATMENT GUIDELINES EFFECTIVE DECEMBER 1, 2010 SUPERCEDES AND ELIMINATES THE BENEFIT THAT WAS LEGALLY PROVIDED TO THOSE PATIENTS PRIOR TO DECEMBER 1, 2010.
- WITHOUT THE LEGISLATION BEING PROPOSED, THE PATIENTS WHO SUSTAINED INJURIES PRIOR TO THE IMPLEMENTATION OF THE MEDICAL TREATMENT GUIDELINES HAVE NO WAY TO RECEIVE NECESSARY TREATMENT AS ANY PERSONALLY OWNED OR GROUP HEALTH INSURANCE COVERAGE THAT THEY HAVE WILL NOT PROVIDE BENEFITS FOR A WORK RELATED INJURY.
- THIS ISSUE HAS NOTHING TO DO WITH CHIROPRACTORS OR CHIROPRACTIC AND MERELY ADDRESSES AN ISSUE REGARDING THE WELFARE OF THE PATIENT AND THEIR NEEDS AS IT RELATES TO BEING ABLE TO RECEIVE NECESSARY HEALTH RELATED CARE FOR THEIR WELL BEING.