

COPY

January 9,
1936

O.D. 5050

Mr. Wm. T. Blake, Commissioner,
The Industrial Commission of Ohio,
Building.

Dear Mr. Blake:

The original application in this claim was filed on July 20, 1928. Claimant alleged he was suffering from what the doctors described at that time as peripheral neuritis. He claimed this condition came about as a result of his work while machining test steel bars between May 27, 1926 and April 1, 1928. The claim was investigated by our Canton Branch Office manager.

On November 13, 1928 the Commission referred the claim to Dr. Obetz for investigation and report. Dr. Obetz visited the plant and witnessed the operations in the laboratory, and reviewed all the proof including the medical proof on file at that time. Dr. Obetz recommended disallowance of the claim in a full, written review, for the reason that the claimant's disability was not the result of any occupational disease arising out of his employment. On January 8, 1929 claim was denied by the Commission for the reason that the proof failed to show that the claimant's disability was the result of a compensable occupational disease.

On August 7, 1935 the claimant filed an application for modification of award accompanied by considerable medical proof including a clinical diagnosis made at The Mayo Clinic, where the claimant's legs were amputated. The proof was then reviewed by our Legal Department and a statement of facts prepared. A hearing was had before the Commission on October 22, 1935 on this statement of facts, which included a review of all the proof up to date.

The referee hearing the case before the Commission discussed this case with Dr. Obetz and Dr. Hayhurst on numerous occasions. Doctor Obetz prepared a second written review of the case after conferring with Dr. Hayhurst. Dr. Obetz felt that the exposure was very slight and so mild as not to have affected the claimant's pre-existing vascular disease of his blood vessels.

Mr. Sain of our Safety Department visited the plant of the employer and witnessed the various operations performed by the claimant in the laboratory of the employing company. He felt that the operation required the use of such minute quantities of lead as not to have affected claimant's physical condition.

This claimant was further discussed with all three members of the Commission, Mr. Gregory being consulted on three occasions. An order was placed on the claim on December 31, 1935, disallowing claim, and dismissing the application for modification of award filed August 7, 1935, for the reason that the proof indicated that

KE 0016698

if the claimant suffered any exposure at all to lead poisoning, it was so slight in its nature that it could not possibly have affected his conceded pre-existing condition. Furthermore, the proof indicates that it has never been definitely established that the claimant did at any time suffer from lead poisoning. The original condition was described as "peripheral neuritis", while some of the other symptoms suggested are not unusual, or if so, common to many other types of disease.

Very truly yours,

C. M. TRUNICK, CLAIMS REFEREE