



February 10, 1988

CLEVAL Evaluation Center
Suite 102, Medical Arts Building
18660 Bagley Road
Middleburg Hts., OH 44130

RE: Workers' Compensation Claim of William Price
BWC No.: OD21223-22
Date of Injury: August 1983

Medical Evaluation on January 25, 1988

Dear Sirs:

On February 1, 1988, I received the medical report dated January 29, 1988, of Dr. S. C. Kansal, M.D. in relation to the above-captioned matter. I reviewed his report and frankly was shocked by his conclusion that Mr. Price was found to be "totally and permanently disabled." My surprise is not simply the result of the fact that Dr. Kansal came to a conclusion that I disagree with, but rather the fact that his conclusion appears to be based solely upon subjective complaint and history provided by the patient.

If you will carefully review the medical report, you will note that the history section makes no mention of the fact that Mr. Price receives no treatment, and is subject only to annual blood screening. Dr. Kansal seems to accept allegations of fatigue and the fact that Mr. Price believes that his work capacity is diminished.

If you will then refer to the physical examination portion, you will note the absence of objective evidence of disability.

We then go to the conclusion wherein Dr. Kansal states, "he tells me that he cannot work in his own household for more than ten to fifteen minutes at a time without getting fatigued and tired." Dr. Kansal goes on to state, "based on his symptoms, I have to conclude that his disability is probably permanent and total." Dr. Kansal then suggests that he doesn't think Mr. Price is capable of performing any type of work.

We utilized CLEVAL for purpose of independent medical examination, because Dr. Emily Allen of Mentor recommended same. When I discussed this matter with a representative of CLEVAL on the phone, I was assured that the doctors used at the evaluation center were neither employer, nor employee, oriented, and at all times highly objective.

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I think you will agree that objectivity did not lead Dr. Kansal to the conclusion.

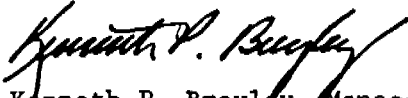
Mr. Price, as the medical evidence prior to examination by Dr. Kansal, suggests has done extremely well subsequent to surgical intervention designed to abate the angiosarcoma. It is a matter of record that he no longer receives treatment and that his recognized attending physician at the Cleveland Clinic has admitted that he is incapable of answering disability-related questions because he only sees his patient once a year to do a blood screen in an effort to determine existence of recurrent malignancy.

While I do not dispute the allegations of fatigue, sedentary employment does not require strenuous activity. It is a matter of record that following approximately a one year medical and vocational rehabilitation intervention by Upjohn Health Care Services, that Mr. Price chose to forego voluntary participation in the program which had been designed to return him to gainful employment within his medical restrictions. A physical capacities evaluation was performed wherein it was suggested that Mr. Price was a candidate for a vocational program contingent upon an endurance/strengthening program. The physical therapist assigned to the case was surprised and pleased by Mr. Price's physical abilities. Mr. Price has gone on record indicating an interest in employment in electronics and real estate. Although easily fatigued, he was capable of traveling to Europe during his rehabilitation program. Upjohn closed their file in May 1986, as Mr. Price indicated that he was no longer interested in alternative employment or job retraining. Mr. Price has traveled from his home in North Kingsville, Ohio, to my office and appeared in very good physical health.

In the absence of objective evidence of impairment or disability, I cannot accept Dr. Kansal's opinion that this 55-year old man is incapable of performing sedentary work.

In addition to a response, I would like a copy of Dr. Kansal's curriculum vitae and the rationale behind assignment of the William Price evaluation to him.

Sincerely,



Kenneth P. Breyley, Manager
Safety and Workers' Compensation

lsg:0159T

cc: Harlan Jewett

E. C. Allen, M. D.

GENC 002291

FED ID# 34-1344648

STATE ENT

216-243-2663

OH 243831

7083

WILLIAM G. PRICE
SS# 280-24-4441
BWC# OD21223-22
Diversitech General

FOR PROFESSIONAL SERVICES Kenneth P. Breyley

1/25/88 Specialist evaluation/report \$ 150.00

Total Due

\$ 150.00

RECEIVED

FEB 01 1988

2-1-88
OK to Pay
NAB

CLEVAL, INCORPORATED
Medical Arts Building
Suite 102
18660 E. Bagley Road
Middleburg Heights, Ohio 44130

pd 2-88 PCO

GENC 002292

ACCUAL

DEPT. NO. 800

9175
LOCATION Ashtabula EMPLOYEE William Price CLAIM NO. OH24383
DATE OF ACCIDENT 8-9-83 DATE OF REPORT _____ LAST DAY WORKED _____
NATURE OF INJURY Angiosarcoma
WEEKLY WORKERS' COMP. _____ DEPENDENT COMP. _____ SUP. COMP. _____ TOTAL _____
DATE OF ACCUAL _____ DATE OF ACCUAL ADJUSTMENT 1-26-88

ACCUAL OR ADJUSTMENT

ESTIMATED MEDICAL EXPENSES
ESTIMATED COMPENSATION _____ WEEKS • _____
ESTIMATED OTHER EXPENSES
CHARGE TO ACCOUNT 610

ORIGINAL OR ADJ. ACCUAL	ADJUSTED ACCUAL	CHANGE
80000	80000	-
371461	346461	(25000)
-	-	-
451461	426461	(25000)

REASON FOR ACCUAL: _____

REASON FOR ADJUSTMENT:
6 month review

METHOD USED TO DETERMINE ACCUAL/ADJUSTMENT:

ESTABLISHED BY:
kpb/scs

CLAIMS MANAGEMENT SYSTEM

ROUTINE 3M LOOK AT PAYMENTS/RESERVES, ALTERNATE

CUSTOM HEADINGS 443

ACCOUNT 01527 DIVERSITECH

01/21/88 BATCH 0000

KEY CLAIM NO. SFX LOC. ACC.DATE COVER CAUSE EMPL NAME, LAST-FIRST OPEN

/OH24383 / 9175 08/09/83 11 99 PRICE, WILLIAM G.

ST SEV OSHA DAYS E/A REPT.DATE CARR AGENT OCCUPATION / DEPARTMENT

34 5 OFF 10/18/83 610 800 PRODUCTION

ON MEDICAL COMPENSATN EXPENSE DEDUCTIBLE CLM.RECOVERY

TOTAL CASE RESERVE 80000 371461 .00

AMOUNT PAID TO DATE 45659.34 72024.54 .00 .00 .00

OUTSTANDING RESERVE 34340.66 299436.46 .00 .00

ENTR.10/24/83

PAY DATE CHECK NO TP AMOUNT VEND PAYEE NAME FROM DATE THRU DATE F

01/19/88 00516244 31 310.48 PRICE, WILLIAM G.01/10/88 01/16/88 0

01/12/88 00516178 31 310.48 PRICE, WILLIAM G.01/03/88 01/09/88 0

01/05/88 00516028 31 310.48 PRICE, WILLIAM G.12/27/87 01/02/88 0

12/21/87 00515928 31 620.96 PRICE, WILLIAM G.12/13/87 12/26/87 0

12/15/87 00515799 31 310.48 PRICE, WILLIAM G.12/06/87 12/12/87 0

12/08/87 00515671 31 310.48 PRICE, WILLIAM G.11/29/87 12/05/87 0

12/01/87 00515555 31 310.48 PRICE, WILLIAM G.11/22/87 11/28/87 0

11/20/87 00515473 31 310.48 PRICE, WILLIAM G.11/15/87 11/21/87 0

CONTINUE (C) OR END (E) DISPLAY C NEXT? _ _ / _ _ / _ _ (*=SAME)

6 MR

1-22-88

25,000.00

Sub ~~25,000.00~~ from med.

KPB

leave image for rehab. effort if
necessary and provide Clin. Clinic
info. + IME's.