

Patrick Mickelsen, DC, DAAML

Rocky Mountain Clinic of Chiropractic

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Office: 801-782-2947 | Fax: 801-782-2948

Patient: Impaired Patient

Date: 01 Jan, 2019

To: Client Attorney
Local Law Group
2800 28th Street, Ste. 150
Ogden, Utah 84401
O: 801-801-8018
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Re: Impaired Patient

Certification of Impairment

Conclusions:

Mr. Patient's history of injury, current complaints, and objective examination findings placed him in the following categories: DRE category II for the cervical spine (Table 15-5; page 392 of *The AMA Guides*); category II for the lumbar spine (Table 15-3; page 382 of *The AMA Guides*); Class 3 (moderately severe) Pain Disorder (Table 18-3; page 575 of *The AMA Guides*); .

Total Impairment (combined): 21% whole person impairment

Regions:

- 8% whole person impairment as it pertains to the neck
- 11% whole person impairment as it pertains to the lower back
 - + 3% due to pain disorder
- 4% whole person impairment as it pertains to the upper extremity

Parameters:

The DRE method of impairment was utilized according to the AMA's *Guides to the Evaluation of Permanent Impairment, fifth edition* and according to practices taught by the American Academy of Disability Evaluating Physicians (AADEP).

Discussions:

Cervical Spine

According to Mr. Patient's history and objective examination findings, he met the criteria for DRE Cervical Category II according to table 15-4 of *The Guides* entitled *Criteria for Rating Impairment Due to Cervical Disorders* (page 392). The following criteria are relevant to Mr. Patient:

- "Clinical history and examination findings are compatible with a specific injury; findings of muscle guarding, and asymmetric loss of range of motion."

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Mr. Patient meets the criteria for, and has been assigned, the following whole person impairment rating as it pertains to the cervical spine:

- 8% whole person impairment.

Lumbar Spine

According to Mr. Patient's history and objective examination findings, he met the criteria for DRE Lumbar Category II according to table 15-3 of *The Guides* entitled *Criteria for Rating Impairment Due to Lumbar Spine Injury* (page 384). The following criteria are relevant to Mr. Patient:

- "Significant muscle guarding or spasm observed at the time of examination and asymmetric loss of range of motion."

It was observed during the FCE that lower back pain significantly limited Mr. Patient's functional capacity. It was also observed, throughout the medical records and during the intake interview, that Mr. Patient's level of pain has caused him significant emotional distress in so much that he feels that his future is ruined because of his injuries and pain. His perception is that his future is bleak and there is no hope.

It was determined that Mr. Patient's pain was ratable so that, according to 5th edition guidelines, he qualified for additional impairment based on the following criteria:

1. Mr. Patient's symptoms and clinical presentation were consistent with AMA impairment criteria for known medical conditions, but the conventional impairment did not adequately reflect the degree of loss of function as observed and measured throughout the functional capacity evaluation.
2. The pain related impairment substantially increased Mr. Patient's burden and loss of function so that he met Class 3 criteria (Table 18-3; page 575 of *The AMA Guides*).
3. He suffered significant injury to the nervous system (Table 18-1; page 571 of *The AMA Guides*), which is consistent with a well-established pain syndromes (i.e., brain injury and headaches),
4. His credibility was not called into question throughout a battery of distraction based testing so that his reports were determined to be reliable,

Mr. Patient meets the criteria for, and has been assigned, the following whole person impairment rating as it pertains to the lumbar spine:

- 11% whole person impairment.

Right Upper Extremity

According to Mr. Patient's history, objective examination findings, and functional capacity evaluation findings, he met criteria for impairment in the right upper extremity. Impairment was based on anatomic and functional losses according the chapter 16 of *The AMA Guides 5th edition*.

The following losses in range of motion qualified for impairment:

1. Right Shoulder - Extension
2. Right Shoulder – Internal Rotation

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Right shoulder extension measured 19 degrees which was 38% of normal and 30% of measured extension in left shoulder extension. According to Figure 16-40 (page 476 of *The Guides*), 19 degrees of shoulder extension represents a 2% regional impairment.

Right shoulder internal rotation measured 23 degrees which was 26% of normal half of that measured in the left shoulder. According to Figure 16-46 (page 479 of *The Guides*), 23 degrees of shoulder internal rotation represents a 4% regional impairment.

These two values were added to get a total regional impairment of 6% and then converted to a 4% whole person impairment (WPI) according to Table 16.3 (page 439 of *The Guides*).

Please noted that Mr. Patient's right shoulder flexion measured as impaired, but the value was not included in the impairment rating because the left (uninjured) shoulder measured approximately the same.

Total Whole Person Impairment

These three WPI values were combined according to the combined values chart on page 604 of *The AMA's Guides to the Evaluation of Permanent Impairment, fifth edition* for a total impairment rating as follows:

Total Impairment (combined): 21% Whole Person Impairment

I hereby affirm that the contents of this report are true and accurate according to the best of my knowledge. I certify that the subject's condition is permanent and stationary as required by the *Guides to the Evaluation of Permanent Impairment, fifth edition* for assignment of a permanent impairment rating.

Thank you for the referral of your client.

Regards,

X

Patrick Mickelsen, DC, DAAML