

Successfully Prosecuted a Termination Petition

Successfully prosecuted a termination petition in a matter involving a registered nurse, who sustained a lower back work-related injury. She was employed by a national healthcare company and was injured as the result of riding in a bus. The Workers' Compensation Judge accepted the defendant's argument that the nurse was fully recovered as of an initial physical medicine and rehabilitation IME. The Judge accepted that the nurse did not sustain any additional injuries to her cervical spine, and or aggravation of a pre-existing lower back condition, which was based upon diagnostic studies from both before and after the date of injury, which defendant established failed to show any substantial change in nurse's lumbar spine. As a result of the decision, the client experienced a significant cost savings and could be eligible for a sizable recovery from the supersedeas reimbursement fund.