

To: MLAC Committee Members

I truly wanted to be there in person today to tell my story and show my support for injured workers. I asked for the day off, but our shop is under-staffed this week so I was told no. I absolutely support any law that helps injured workers get the insurance they pay for and believe that the attorneys who help us fight through a complicated claims process should get the compensation they deserve. What happened in my case should illustrate why this is so crucial.

I've been working for the same Tualatin heavy steel fabrication shop as a painter and loader for over 14 years. It's a super physical job, requiring that I pick-up 100-150 pounds of steel throughout the day. In March 2011, I went to my regularly scheduled, bi-annual physical for work. The Kaiser attending doctor found that I had a hernia, but since I had no symptoms, advised that I leave it alone and go back to work. About a year later I was in serious pain and went back in to make a workers' comp claim to get treated. SAIF simply denied the claim and required that I go see their IME doc. That doctor said everything was fine and that I was just having "congenital weakness" in the area. I want it noted, that same doctor retracted everything when forced to respond to his diagnosis when I got my attorney involved. That felt criminal to me. I had hired an attorney who took my case on contingency. She sent me to another IME doctor, who in his opinion, thought I needed treatment right away. I was seriously debilitated and limping in and out of work. This was before any hernia surgery was even on the table.

It's also worth noting, that I have been paying into the same insurance company, loyally, for 20 years. I always pay my bills as a matter of principle, so I dipped into my personal savings just to get the treatment and cover the co-pays throughout this agonizing process. In hindsight, that was a huge mistake because my attorney is still fighting to get those co-pays reimbursed. A judge made the decision back in December 2013 that SAIF needed to pay my claim. My attorney was rightly compensated for her work to get me to that point – a court order to pay my legitimate claim – but she still to this day is working on my co-pay reimbursement. She hasn't been paid another dime since December 19, 2013 to be exact. It's like she's doing all pro-bono work. What the law doesn't take into account are all the extenuating circumstances to these types of cases. It's way more than the original complaint.

To be subjected to this cat-and mouse game after winning my case – again – seems criminal. Insurance is defrauding people and the injured worker relies on an attorney to see them through a complicated process. If those attorneys aren't getting paid, then how many will still be around to help us fight when we have to go up against these big, unprincipled offenders?

I've played by the rules and have been an honest worker my whole life. I'm sure I'm far from the only worker out there experiencing this same run around when trying to make a claim. The owner of my company came up to me just a few months ago and apologized for the way SAIF handled my case. I appreciated his sentiment, especially because I know it must be frustrating for him as well, to pay premiums for valued employees to be taken care of so they can get back to work in full capacity. SAIF just chose not to hold up their end of the bargain.

I fully support any law that assures workers like me have access to skilled attorneys who can help navigate a system that seems purposefully complicated to deny legitimate claims for injuries on the job. We pay into a system that at the very least should be there for us when we need it. Thank you.