ATTACHMENT A

RESPONDENT'S PETITION FOR RECONSIDERATION

09/22/2014 12:11 8059343855

Attachment A

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To: Cherie Spendensky **Fax #:** (916) 795-3972

Date: 9/22/14 **# of Pages (including cover sheet):** 4

From: Susan Hall **Phone #:** (805) 937-2882

Subject: Disability Retirement Decision

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To the Honorable Mrs Cheree Swedensky

This Letter is to formally notify you that I wish to appeal your decision to deny my application for Dis-ability retirement. At this time I am applying for a re-hearing of my case

I was employed for 24 years as a field technican for the Dept. of Moto Vehicles. During the course of employment with the Dept, I was required to make repetative motions entering required data into the state supplied computer. This repetative motion brought about my condition of Capel tunnel. This condition, in which there is no dispute, was & is an Industrial Injury covered by Workman's Compensation.

During the course of treatment Workman's Compensation called the manager of The Santa Maria Office (Patty Hoyos) to explain the nature and severity of my injury. Along with the report from

(2)

Dr. Michael Behrman. With this report it was stated that I could return to work with certain restrictions.

Ms Hogos then called the Dept in Sacramento for guidance in this matter and was informed by the Department that I was not allowed back with those restrictions

My attorney's notified me to inform me the outcome of the Dept. decision.

This left me no alternative but to stay on Workman's Compensation and wait till I reached retirement age

My Second Point of Contention is your use of Dr Hands Brethel M.D. Rheumatologist, as your expert on my condition. Though Dr. has experience with Like Conditions, he is not a Hand and Upper Extremity Specialist. Dr Behrman on the other hand is rated as one of the best hand surgeons on the west Coast. Here we have a contradiction. One, a hand

(3)

Specialist is saying I am
dis-abled due to my employment
with the Dept and a Rheumatologist
saying that I am not. That would
be like saying a General Surgon
is a qualified Plastic Surgon.
They both perform surgery but
which would you choose to have
re-constructive surgery. I think
the choice is obvious
Cal Pers and the state has
had all the documents from my
case from the outset. Yet they
choose to use a Rheumatologist
instead of a hand specialist to
evaluate my condition. Relying
on a 20 minute exam over
a Dr who has treated my
condition from Day 1 is a
miscarriage of fair play.
Cal Pers, I am sure, also
has the report or documents, documenting
the phone conversation between
Sacramento, Patty Hoyos (SM Area Manager)
Dr Behrman and my Attorneys
Respectively
Susan Hale Susan Hale