

ATTACHMENT C

**RESPONDENT'S ARGUMENT REGARDING THE
PETITION FOR RECONSIDERATION**



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2016 AUG 10 AM 10:55

Department of Chemistry & Biochemistry

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August 4, 2016

Supporting Document for Ref# 2013-0989

To Whom It May Concern:



I am writing on behalf of Patricia Anderson, a former colleague at California State University San Marcos. I have included a copy of my original letter, but I also wanted to note that I attended a meeting with a CalPERS physician with Ms. Anderson that resulted in a report with significant false information. I recorded the entire physical examination with the permission of the doctor, so I am certain that these items are not accurate.

On June 18, 2013, I met Ms. Anderson at a doctor in Poway, CA, who was to examine her on behalf of CalPERS. A friend had driven Ms. Anderson to the doctor's office, and Ms. Anderson was nauseous for most of the visit as a result of the trip. I escorted her into the office, requested permission to record the visit, since Ms. Anderson had trouble remembering anything that she is told. I was given permission. Once in the office, I filled out all paperwork for Ms. Anderson as she could not write, the doctor asked for information verbally and it was obvious that it took great effort to recall anything. He then asked a few questions like simple arithmetic problems, had Ms. Anderson do a few physical things like try to walk a straight line and to touch her nose – which she could not do well. Because she had a recent procedure, her breasts were wrapped. Thus, he never did a breast exam, though this was mentioned in the report. During the entire visit, Ms. Anderson had difficulty recalling exactly what the doctor wanted to know about, and it seemed like he was not listening or at least not taking good notes, or trying to trick her into saying something different when she had to repeat herself. He did very little in the way of any physical exam. Because I know how incredibly sharp she was before this accident, I know that she was struggling through the entire exam, both mentally and physically. She did, however, remain cooperative and courteous regardless of the manner of the doctor. It took several minutes for her to respond to most very simple requests. And, though she could do the simple addition and subtraction problems, it took her several seconds to do them. There is no way she could have taught given her condition at that examination. She was slow physically, obviously in great pain, confused, and nauseous. Most of the time was spent in conversation, all of which Ms. Anderson has recorded. It is absolutely impossible to come to the conclusion that she could work at anything given her condition unless he was accusing her of faking the entire thing, which I can assure you she was not. Also in the tape is several conversations about things he must be missing from her current doctors, such as the determination about having a spinal fluid leak. He

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left and found them and said he would review them, but they appear still to be missing in his final report. I am skeptical that this report was written based on the examination I attended. Though I am not a physician, I find it difficult to believe that a few conversations, 3-4 exercises, and arithmetic problems that she could barely do are enough to make the type of complete diagnosis that was included in the report, especially after hearing from my daughter what a typical visit to a neurologist entails. I question that this doctor actually read her materials given that he did not have any grasp of them during the visit, and based on his report including things that he had not done or tested, I question his integrity overall.

Sincerely yours,



Jacqueline A. Trischman
Professor, Department of Chemistry and Biochemistry

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August 27, 2014

To Whom It May Concern:

Patricia Anderson-Johnson served as an adjunct faculty member here at Cal State San Marcos, where I met her over a decade ago. For six years, I served as her supervisor. Ms. Anderson taught our Earth Science course for future teachers (ES 100) as well as an occasional upper division general education course (Chemistry & the Environment, Chem 311). During this time, I developed a more personal as well as collegial relationship with Ms. Anderson, and I found her to be an extremely enthusiastic and effective educator.

Ms. Anderson stepped into a course (ES 100) that we considered easy to teach, but difficult to teach well. The content covering a broad range of Earth Science topics was mandated by state standards. Ms. Anderson took the basic textbook and list of topics and turned the course into an engaging experience for her students. She added several hands-on activities to teach geology to show the students how to use rock and mineral kits in their classrooms and the Nike shoe investigation to study ocean circulation. She arranged several oceanography field trips through connections she established while at Scripps. Student comments about Ms. Anderson's teaching typically praised her teaching style, claiming such things as, "The course was very exciting, fun, active, and meaningful." The students clearly recognized her enthusiasm and the amount of work that went into the design of her classes.

More personally, I could tell that Ms. Anderson genuinely enjoyed teaching, and was excited by the subjects and the excitement of the learning process. She never slowed down, always modifying her courses to reach more students and to give them more tools to use when they became teachers. She was very civic-minded and encouraged her students to volunteer when opportunities arose, right alongside her and her family.

When Ms. Anderson began having difficulty with her health as a result of her accident, it was obvious to everyone around her. First, she had to cancel class, which literally had never happened before in my 5 years as her supervisor at that point. After that, you could tell she was battling major migraines and other pains as she lost focus and could not keep up with the demands of teaching her class. We made accommodations where we could, offering grading help and a few other aids, but eventually, she could not even sit at her computer or stand and talk in front of the class. I was alarmed at her seemingly rapid descent into this state of constant debilitating pain. Even after she left her position, we stayed in touch and I even went with her to one of her appointments as a friend to be sure she was aware of what was going on during the doctor visit.

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If there was any way Ms. Anderson could get back to teaching, I know she would be here right now. Unfortunately, she is just starting to recover to the point where she can send emails that are coherent, and it has been a huge struggle to get this far. Though it will continue to take tremendous effort to improve to the point where she could teach again, I know that Ms. Anderson has a fighting spirit that will help her heal as soon as humanly possible.

I was very sad when Ms. Anderson could no longer teach, and even more sad when she had to move away to be able to focus on her recovery. However, I could see that she was in no condition physically to be able to do her job. I only hope that one day, she will be able to get that excitement of the classroom back.

Sincerely,



Dr. Jacqueline A. Trischman
Department of Chemistry and Biochemistry

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