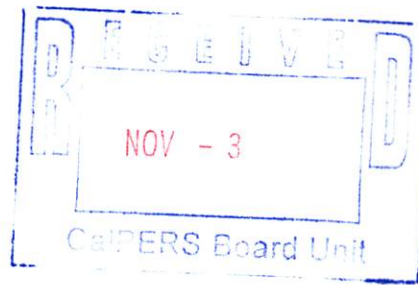


ATTACHMENT C
RESPONDENTS ARGUMENT

October 25, 2016

Cheree Swedensky, Assistant to the Board
CalPERS Executive Office
P.O. Box 942701
Sacramento, CA 94229-2701
Fax: (916) 795-3972



Subject: Application for Disability Retirement of Marilyn Strasburg-Langford

Ref No. 2014-1001

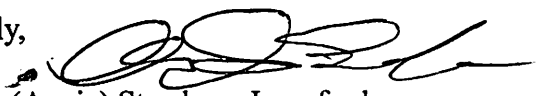
Respondent's Argument

Dear Board Member(s):

With all due respect, I disagree with the Administrative Law Judge's decision (denied). I am requesting that you please reconsider, and approve my Application for Disability. I have been employed by the State of California since 2000. I started having issues with my back sometime prior to 2003. Working as a Correctional Officer did wear on my back due to all of the equipment I carried around my waist. As stated in my file, I ended up medically demoting into another position (Office Technician) due to my continuing back issues in 2007. I had never even considered retirement. It was originally something my doctor discussed with me approximately 13 years ago. I decided to try another position in hopes that I could continue with my career. I love working, and I was very good at my job, and any tasks ever assigned to me (my Performance Reports show that). I applied for this disability with a heavy heart. However, I am not able to fully preform my job duties. Therefore, I am not working, nor contributing to my household finances. I have 6 children, ages 4 to 13 that I need to provide for. I have had zero income for several years now. If I could preform my job duties I would be at work helping to take care of my family. I am unable to work, and I need this disability retirement to be approved. My doctor was unable to attend the hearing in person, or by telephone, in Sacramento due to the fact that we live approximately 4 hours away, and due to his busy schedule as he is the only doctor at his practice. However, I did bring copies of my medical file, including recent notes from my doctor (August 2016) stating that I was permanent and stationary and at my max improvements. When I saw Dr. Henrichsen, he also felt that I was not capable of performing my job duties and felt I was disabled at the time. I was told by 2 different PERS employees that my application was only denied because in one of the questions Dr. Henrichsen answered, he stated he felt that the disability was temporary, and felt that there could possibly be improvements within the next 6 months. That was a couple of years ago, and there have been no improvements (therefore I would still be considered disabled). Dr. Henrichsen suggested that I get specific x-rays done (did not really understand what type of x-rays he was referring to). I'm not sure what his suggestions are for treatment either. I have never been informed by anyone that there are certain x-rays, or tests that I am supposed to have done, nor have I had the opportunity to go back and see Dr. Henrichsen for a follow up. He did not see me 6 months after my original examination. I am following my doctors orders and recommendations fully. I have had a constant bruised feeling in my back for over 13 years that never goes away. I cannot have any pressure at all applied to that part of my back, and my doctor has stated that it will most likely always be like that. I have bulged disks, with a possible tear. I deal with pinched nerves, sometimes so bad that I can't walk, can't get up, can't turn, and can't bend. I have constant pain. I've had several falls, which have injured both of my knees, and I believe have worsened my back. In my occupation, I have to be able to sit for long periods of time, do some lifting, and quite a bit of bending and reaching for filing purposes, especially. There are times I cannot move from where I am sitting. I was stuck on my floor for approximately 45 minutes after a fall because I could barely move parts of my lower body and legs. One step, one turn can throw my back out for hours, days, even weeks at a time. I've also

developed issues and pain with my feet and tailbone as well, which could be related to my back issues. Within an hour of being home from my MRI, I was laid up on the couch for the rest of that night and the day that followed. I could barely move and the pain brought me to tears. I had to continue to take Ibuprofen every six hours for several days, remain on a heating pad, and lay flat on my back. There are things that I am just unable to do. Pain is one thing, but my issues are more than just pain. There are times I can't physically move parts of my lower body (sometimes for hours at a time). I am asking that you please review my medical records, and the original report from Dr. Henrichsen. His opinion that I could have improvements is now proven false because it has been over 2 years. He felt I was disabled. He agreed with my doctor. My doctor is currently stating in his notes that I am permanently disabled. I am asking that after reviewing my file, that you please approve my Application for Disability Retirement. Thank you.

Sincerely,



Marilyn (Angie) Strasburg-Langford