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Name of Presenter:

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Date Received:

April 21, 2004

Letter Received by Review Committee April 19, 2004

Dear Ms. >>>

I am writing this letter to express my gratitude to the Manitoba New Democratic Party for conducting a review concerning the operations of the Manitoba Workers Compensation Board. I am an injured blue collar worker who was misdiagnosed and consequently victimized by Manitoba Workers Compensation Board. Hopefully after this review is completed the policies and procedures of WCB will protect the injured worker rather than degrading, blaming and discrediting the injured worker.

Please take the time to read and carefully examine the condensed history of my injury and how W.C.B handled the situation. In my opinion the W.C.B's actions are more reflective of a right wing political agenda, hence forth record profits are being achieved at the expense of injured workers. W.C.B needs to be a function *of* the New Democratic Party then it would be for the people; therefore consistent with the basic platform of the New Democratic Party.

I was employed by XX Industries from February 1995 until September 1998. I was on W.C.B for large portions of 1997 and 1998. Everything was going fine for me until in the Spring of 1997 when it was my turn to take out the garbage and I hurt my back lifting the garbage can into the bin. Immediately I felt this tremendous burning across my spine, pain around my ribs and shooting pains down *my* leg. That was the day I herniated the bottom disk in my back and got a pinched nerve. At the time however, I didn't know what a herniated disk was, or what a compression of the sciatic nerve even was. I figured I must have hurt the middle of my back due to the pain around my ribs and I must have pulled my hamstrings notable my right one. I figures that's why I felt pain and numbness in my right hamstring and buttock and that must be why I am getting these shooting pains down my leg. I had never pulled a hamstring or groin muscle, I didn't know what that was supposed to feel like. It may sound stupid, however it made sense to me at the time. I had no idea how the nervous system works, I learned the hard *way*. As time progressed I learned to cope with the pains around my ribs, however the pain in my right leg and buttock continued to intensify. I then spent the remainder of my career at XX on and off W.C.B as my condition gradually deteriorated.

I was called in for an examination by W.C.B, however nobody believed single word I was saying. I told the doctors, my right leg hurts so much I can't drive a car with either foot, I drove with an axe on the gas pedal or the brake. I told the doctors that I can't do any of the hobbies I used to, it's not even an option. I can't get out of the car sometimes after my shift, and some days I can not stand up out of the car. I would crawl from my car to my apartment, something is seriously wrong here. Alarm bells should have been ringing in these people's heads. Why didn't the W.C.B people believe me, I can only speculate.

- a. I look very fit and healthy
 - b. Socio-economic status, single, no kids, no mortgage, why work?
 - c. Long hair, swollen red eyes (allergies).
 - d. No evidence - x-rays show I'm healthy.
- e. Young man in his mid-twenties would rather be doing something else rather than earning an honest living?
- f. No work ethic, lazy... I don't know? If anything my strong work ethic and pure stubbornness completely worked against me in this situation. I used to think I could grind my teeth and overcome or persevere through everything.

The conclusion must have been obvious, there is nothing wrong with this man, look at him, he's fit as a fiddle. He is lazy, a liar for making this stuff up, a faker for pretending to be hurt and he just doesn't want to work. I am not a criminal, yet I sure was treated like one. Yes, obviously I do feel stigmatized by WCB (A) I would like to know why an MRI was not arranged for me right there and then?

At the time I didn't know what an MRI even was, however, I am positive that the Doctors examining myself sure did. (B) Why wasn't I taken seriously? (C) How was I labeled or stereotyped and why was I discriminated against?

As the time passed into 1998 I was given a bone scan which showed that I was healthy and my benefits and treatments were stopped again. I was doing everything I could to keep my job at XX for it was high paying and had good benefits. I was icing my back before and after my shift. I had transferred into several different departments trying to find a job I could do within my pain threshold but to no avail. I was taking all kinds of prescription pain killers, muscle relaxants and anti-inflammatory drugs and all that did was ruin my stomach. I had been limping with my right leg since mid 1997 and by 1998 I had limp with my left leg as well. It wasn't long that I started limping with both legs that I decided to quit. I didn't want to quit; however, I learned the hard way that a person has nothing if they do have their health. In addition to this all these WCB people continued telling me that there was nothing wrong, I had a minor injury, apparently I was imagining driving to and from work with an axe and crawling from my car to my apartment.

Apparently, I was imagining being in pain every second of every God Damn day. I phoned my adjuster at the end, he told me that my injury should have been healed and unless it was a new injury, I was cut off benefits again. Not only was I crippling myself daily, doing permanent damage to my stomach, I was on the verge of a nervous breakdown. How was I to earn my daily bread? I repeat how was I to earn my daily bread? Therefore I liquidated my assets and moved to the country to live with my grandparents in a very loving, stress free, economically friendly environment. Social Assistance is not an option to me and neither is a life of crime.

My pain immediately got much worse, although I was not working, because I stopped taking all the medication due to stomach complications. I never fully realized how badly I hurt myself at work until I went off all the

medication. I collected Employment Income for the rest of 1998 and started the ongoing process of educating myself about back injuries. I learned the hard way first by experience and then from books and finally from people. There is a difference between the cause of nerve damage pain and the effects or results of nerve damage pain. The cause of my pain had yet to be even taken seriously, let alone diagnosed, how could it be treated? I (Chris Cote) (Me) determined that I must have a herniated disk and a pinched nerve, for it could be the only explanation. I recall one WCB doctor suggesting that my pain was psychosomatic, apparently I was unhappy in life and I was imagining all this. That is where my anger and pure rage comes from. Can you imagine the audacity and pure stupidity of that statement coming from a doctor directed to an injured worker. I had learned the hardest way possible, and I was determined to figure out the cause of my pain. I learned that x-rays and bone scans are useless and if I wanted to determine the cause of my pain I needed an MRI.

The first time I tried to arrange an MRI I saw a neurologist who tapped me a few times with his rubber mallet and told me there was nothing wrong, before I could say anything or even get a word in, he was out of the office, the doctor literally out the door, and the examination was over. Again my injury was not taken seriously due to my appearance, as soon as I take off my clothes, I am immediately discredited. This examination did not last but a few minutes, and I never got two words in edgewise. The only comments I remember this doctor making were about how fit and healthy I looked. I don't remember his name, but I knew that this was not going to happen again. How was I to begin the healing process without a starting point? I felt I had suffered needlessly long enough and something had to be done and was going to give.

After this unfortunate setback, I got an appointment with another doctor with the power to arrange an MRI. This doctor was an orthopaedic surgeon by the name of Q. I walked into his office and I took off my clothes and the doctor tells me that I am the fittest man he's seen in six months and there cannot be anything wrong with me, examination over. I cannot articulate how furious this made me. I then moved my chair in front of the only exit so there was no escape and told the doctor that I couldn't take the pain anymore and the not knowing, and maybe he needs to feel some of my pain. I was out of options and prepared to give him some of my pain. The doctor asked me if I was serious? I told him I was very serious and feeling quite desperate. Apparently the only way for me to get an MRI was to physically threaten a fragile little old doctor. I am not proud of this, I am a honest God fearing man, it is sinful, humiliating and degrading to me that I had to resort to such an extreme desperate measure in order to receive a test that I should have had two years earlier. Doctor Q turned out to be one of my few supporters, he knew I was telling the truth by the way I behaved in his office. I told him that I was prepared to go to jail if a MRI was not arranged for me right there and then. Here are some of the phrases from a letter he wrote a Workers Compensation Adjudicator. "This man has much anger towards WCB (no kidding I wonder why). He felt that he was not properly investigated and

thinks that he has a disk herniation and wants a MRI scan or some further investigation...I want to give this man the benefit of doubt and therefore my plan is to do an MRI scan of the lumbar spine..." word for word I am not making this up.

After I had the MRI and Dr. Q reviewed my case history and interpreted the MRI results, he reports to the Workers Compensation Adjudicator.

"this man returns for MRI results of his lumbar spine. These L5S1 disk herniation right hand side... This is consistent with his job history of buttock pain, posterior thigh pain and pain going into his toes. This radiates down the posterior aspect of the thigh. This also is consistent with his historical description of his work...Historically, his description of symptoms matches MRI scan. Also, his physical findings are consistent with MRI scan"

word for word I am not making this up. After reviewing the results of my MRI scan Dr. Q strongly suggested surgery as an option. This was quite a startling and significant change pertaining to the assessment of my injury. From the minor, trivial injury WCB diagnosed, to a surgical procedure involving the removal of one of my disks and with the replacement of foreign materials into my spine. Dr. Q also stated that there was a slight chance (5%) that something could go wrong with the procedure and that I would be confined to a wheelchair, isn't that just wonderful. Shortly after I received the results of the MRI scan I hired a lawyer to represent me in my appeal with WCB. That is how I was able to get a copy of the letter Dr. Q wrote to the WCB adjudicator.

Now what is WCB going to do? An entire room full of their people examined me and deduced that I had a minor injury or no injury or no injury at all, surely all these WCB people could not have made a mistake diagnosing a patient, for they are infallible. In spite of this, a local respected orthopaedic surgeon who has some kind of relationship with WCB arranges a MRI and maintains that basically I (Chris Cote) was in fact telling the truth the whole time and indeed I suffered a serious permanent injury rather than the comparatively speaking minor injury of sprained back ligaments or soft tissue tears. How did WCB handle the situation, obviously a whole bunch of their people missed the boat on this one causing my condition to gradually deteriorate and causing me a great deal of pain and needless suffering.

How did WCB handle the situation? The answer is simple. The WCB could not discredit Dr. Q, he's on their payroll. Certainly WCB could not admit that a mistake was made diagnosing a patient, that's not an opinion for they are infallible. What other options are there? Only one, the answer is simple. All the Doctors are right. Discredit the injured worker. Blame the victim. Blame the injured worker. That is WCB policy.

This is what really downright sickens me. I wrote in reports that I thought I was injured in my mid back because of the pain around my ribs. There never was a problem with my mid back or upper back, the pain I feel in these areas are a result of the herniated disk and pinched nerve in my lower back.

Does common sense not dictate that if a person's bottom disk is not in its proper spot (herniated) then that herniated disk would create stress on the rest of spine, and create stress on the tendons, ligaments and nerves attached to the spine; therefore causing me to feel shooting pain around my ribs. Does it take a Doctor to figure out, really does it take a Doctor to figure this out. I figured this out on my own, out of necessity then demanded and consequently threatened for an MRI or; Is this not a logical conclusion? Comparatively speaking, does it take an architect or an engineer to figure out that if the wall are cracking on the sixth story of a ten story building then more than likely those cracks are a result of problems with the foundation or the base of building. My base or foundation is corrupted, unfortunately for me it's that simple. Furthermore, I never did have a hamstring or groin injury, the pain I feel in these areas are a result of the herniated disk and pinched nerve in my lower back. Well according to WCB this now irrefutable lower back injury of mine, must have been caused by something else, other than working. Something I did before or after my employment with Motor Coach, or some other extra curricular activity outside of work.

That's ridiculous, I had and still have the same injury the whole time, which was consistently and repeatedly misdiagnosed and therefore kept gradually deteriorating. Rather than taking responsibility for their indiscretions and doing their duty, which is to protect the rights of the injured worker. In cases like mine WCB degrades and victimizes the injured worker. The injured worker is guilty until proven innocent. If the WCB put one tenth of the effort they spent discrediting me into diagnosing my injury I would not be in this pathetic condition right now. I should have received the MRI in 1997 not as a result of physically threatening a doctor in 1999. I gave up on lawyers, making appeals and WCB altogether in the summer of 2000. What's the use, there probably are hundreds of ways WCB could blame this victim rather than taking responsibility and being accountable for their actions. I fell of a horse when I was preschooler, I hurt my shoulder baseball when I was a boy, I fell into the boards heavily playing hockey when I was a teen...whatever;

It's really quite sickening what depths the WCB will sink to in order to discredit and blame the injured worker therefore justifying their own actions. Is this not what is defined as establishing plausible deniability for the purpose of transforming a legitimate claim into a non-compensational injury. I thought the function of WCB was to protect the rights and to rehabilitate injured workers, not to establish new and innovative ways to victimize and blame the injured worker.

Since I quit my job at XX I have quit well over ten jobs due to my injury. I haven't been able to hold much more than a summer job as cold damp weather amplifies my condition, and only once did I earn over the poverty line. My injury has not stopped occurring since it first happened in 1997, these days I focus my efforts on trying to find a job I can do five days a week, fifty weeks a year and I am still looking. I am in pain every second of everyday and I have no support structure in place to help me over come

my injury. I have been reduced trying to tough things out, long enough wherever I am in order to qualify for Employment Income benefits. Everybody knows me at the Employment Income office because I'm always there, and nobody there is happy to see me. I hate being unemployed and I hate going to the Unemployment office. That's what happens when a person gets hurt at work and loses their lively hood.

I can not begin even articulate the amount of anger, rage and frustration I have towards WCB. Thank-you New Democratic Party for conducting this review of WCB. Please learn from the mistakes WCB made in my case, and make some kind of change. At least then I didn't cripple myself daily at work and ruin my stomach for nothing. I can not earn my daily bread and my lively hood has been taken away form me. I have been reduced to accepting the humiliation of living with my parents most of the time because I a m unable to support myself. I am only thirty one years old, what am I supposed to do? How am I supposed to pay for various treatments so at least I have a chance to heal when I can't hold a job? I am not a criminal, although WCB sure discredited me like one. I am a hones god fearing man with a strong work ethic. I would like somebody from the New Democratic Party to be accountable by directly addressing and responding to my questions, comments and conclusions contained in the body of this letter. I do not think this is unreasonable considering how much I have needlessly suffered and will continue to suffer probably for life due to mistakes made by the WCB. In summary:

A) Why was I not taken seriously?

B) How was I labeled or stereotyped?

C) Why was an MRI not arranged when I was examined by the panel or any other time during my employment with XX Industries? Other people I know get an MRI immediately, I was forced to physically threaten a fragile old man. Why was I discriminated against? If I knew then what I know now, I would have spent the money and got an MRI in the US.

D) Does it take a doctor to surmise that if a person's foundation or base is corrupted, then this misalignment of the spine would cause stress on the rest the spine resulting in pain being felt in non injured parts of the body. Since 1997 to this day my right buttock and hamstring is numb and painful every second of every day. Since 1997 to this day I encounter shooting pains around my ribs on a daily basis. Since 1997 I encounter shooting pains down my right leg into my foot and toes. There is nothing wrong with my mid or upper back and there is nothing wrong with my hamstring or foot. Does it take a doctor to conclude that the pain I feel in these non injured areas are the effects or results of my injury? Really does it?

E) How did discrediting the injured worker and there bye blaming the victim become common practice of the WCB?

I want answers, I saw on the news that the NDP was conducting a review of

WCB. Somebody from the NDP or the review board needs to review the details of my case. This is absolutely ridiculous. I am not making this up, I am not lazy or a faker and I am not a criminal. I got hurt at work, and terribly mistreated by WCB end of discussion. I am the victim of this situation, injured for life form going to work, and I demand that some kind of action be taken on my behalf period. I want answers, somebody from the NDP needs to be accountable for the injustices done to me by the WCB.

Thank you
Chris Cote