

Cap Insurance Rates **NOT** Injured Workers' Care

**FOR IMMEDIATE RELEASE:
Thursday, October 14, 2004**

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INJURED WORKERS' DEATH TOLL MOUNTS: "Injured Workers are Treated Worse than Prison Convicts"

SACRAMENTO, CA - Connie Cardinalli, the widow of John Cardinalli, Jr., an injured electrician who committed suicide in despair after fighting unsuccessfully to get the care needed to recover from his work injuries, told a State Capitol news conference today that "the workers' comp system treats injured workers worse than convicts in prison." Ms. Cardinalli blamed her husband's suicide on "a never-ending battle with a system that was never on his side." Ms. Cardinalli charged that "company doctors want to overmedicate and not treat the injured workers."

John Cardinalli is the second injured worker to commit suicide since the latest round of cuts in care and benefits passed in April. Ms Cardinalli charged that the workers' compensation system failed to provide effective psychiatric care, rehabilitation or hope to her husband, "My husband did not take his own life, he was murdered by a system that ignores, delays and avoids the needs of the injured worker."

John Cardinalli was 43 years old when his life ended. The Manteca resident had worked as a production worker and electrician for many years, and developed back injuries while on the job. John had a failed back with intractable pain. After years of dealing with disabling pain, and after a request for psychiatric care was not approved, Mr. Cardinalli killed himself on August 15th by overdosing on pain medications.

Connie Cardinalli blasted the cuts in workers' comp benefits and the failure to provide timely treatment, "The only thing my husband wanted was relief from his pain and to return to work. For three years he did everything asked of him, followed all the rules, but still never received all of the help or medical attention needed and requested by his doctor, including psychiatric counseling for the depression resulting from all the pain and problems he was going through."

Ms. Cardinalli criticized Governor Schwarzenegger for the most recent cuts in injured workers' care and benefits. "The new reform Governor Schwarzenegger speaks about will not improve the system or help the injured worker. His words are lies and carry no weight. Injured workers live with the reality of a system that has no respect, care, understanding or human feeling towards the injured worker. The system ignores, delays and avoids the needs of the injured worker."

On the day of his injury, John was earning \$40 per hour, plus benefits. After his injury, the Cardinalli family suffered severe financial hardship as a result of the failures of the workers' compensation system.

Failure to Provide Vocational Rehabilitation and Disability Payments

Due to recent cuts in vocational rehabilitation for injured workers, John reached the \$16,000 cap in November of 2003 and then was referred to State Disability Insurance (SDI). But due to delays by workers' compensation system and the failure to respond to SDI, John didn't receive any

payments from SDI for months. That failure to provide needed disability payments forced Connie Cardinalli to find and work a second job to keep the family's home. "In the last three years, we've lost over \$75,000 per year, we lost our boat, vehicles and were forced to file bankruptcy, destroying perfect credit we worked very hard to establish. At the end, John couldn't even afford the gas to get to school to retrain for another job."

Failure to Provide Psychiatric Treatment

John's treating physician had requested psychiatric treatment, but the care was not approved. Like so many other requests to meet the legitimate needs of injured workers, it was simply ignored.

John's attorney, Sharon Kelly, told the news conference that John's case is typical of the ways the workers' compensation system fails tens of thousands of injured workers, "In vocational rehabilitation, John was attempting to get his certification in construction inspection, but there was not enough money under the recently-imposed cap to complete his schoolwork. Now, there is no rehabilitation for injured workers."

Ms. Kelly also noted that John had been dissatisfied with the doctor the company had provided, and that he had requested to change doctors, which was denied. In January 2005, all injured workers will be forced to see only the company doctor. Workers like John would even be forced to leave the doctor currently treating them. "John was receiving injections and a variety of medications. Although it was chronic pain and the associated depression which led to his death, pain will not be considered in the new Permanent Disability schedule that the governor is currently developing as part of the most recent cuts."

"John Cardinalli's demise at the hands of the workers' compensation system is just one of thousands of horror stories currently taking place across our state," said David Rockwell, president-elect of the California Applicants Attorneys Association, whose members represent injured workers.

Rockwell added, "The Governor has broken his promise to make sure medical care is available to injured workers. How many more deaths will it take to get the policymakers in the Legislature and the governor's office to recognize that the system that is supposed to care for injured workers is broken. Injured workers are paying the price for the greed of insurance carriers that is forcing injured workers to give up their doctors, give up their homes and financial assets, and eventually give up hope altogether. This is a crisis and there will be more deaths. Responsibility for those deaths should be laid precisely where it belongs: at the governor's office door, and the doors of the insurance carriers who are refusing to meet their obligations."

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