



Freedom of Choice IN THE WORKERS' COMPENSATION ARENA

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This American Grub

How Hot Dogs and Hamburgers Became National Treasures

If your plans for this Independence Day involve firing up the barbecue, you'll probably be cooking two American classics: hot dogs and hamburgers. Come the Fourth of July, families will be grilling up burgers and dogs from sea to shining sea, but it wasn't always this way. The story of how beef patties and sausages became culinary symbols of our nation will give you plenty of food for thought.



THE HOT DOG
It was German immigrants who brought the "frankfurter" and the "wienerwurst" to American soil in the 1800s. There is much debate

over who first decided to place one of these franks in a bun, but by the opening of the 20th century, hot dog stands had popped up all over the Eastern Seaboard. We do know the identity

of the man who took the hot dog's popularity to a national level: Nathan Handwerker.

A Jewish immigrant from Poland, Nathan sliced buns for a hot dog stand on Coney Island. After scraping together enough money, he quit his job and opened a stand of his own, undercutting his former employer's prices by half. Not only did Nathan's hot dogs outsell the competition, the Great Depression made them the perfect food for a nation suddenly living on a tight budget. By the 1930s, hot dogs had become so unquestionably American that Franklin Roosevelt famously served them to King George VI during his royal visit in 1939.



THE BURGER
Like the hot dog, the exact origin of the beef patty's eventual "sandwiching"

is lost to history. Once again, it was German immigrants who brought their recipes for "Hamburg steak" with them across the Atlantic, but reports vary as to who first sold the meat patty inside a bun.

Multiple diners and fairgrounds across America claim to be the home of the first hamburger. All of these claims date to the turn of the 20th century, a time when our nation was faced with feeding a growing working class quickly and cheaply. By the 1950s, the burger had become a symbol of the American everyman.

Both the hot dog and hamburger embody the history of our nation. Immigrant traditions merged with blue-collar needs to create two uniquely American foods. It's fitting that we celebrate America's birthday with the grub that has grown along with it.



With the celebration of Independence Day, our thoughts often turn to our love of country and the precious gift of freedom that we have here in America. Every freedom has its limits, of course. The classic example of a limit on the First Amendment is that we cannot yell "Fire!" in a crowded theater. In the arena of New Jersey Workers' Compensation Law, injured workers gave up the freedom to choose their own physician, supposedly in exchange for prompt access to medical care.

In drafting the "grand bargain" between employee and employer, the legislature tried to strike a balance between the needs of injured workers' while also protecting businesses from expensive lawsuits. As a result, employees cannot receive an award for "pain and suffering" or punitive damages (there are no multi-million-dollar verdicts in the Division of Workers' Compensation). If an employee is able to quickly obtain needed medical treatment and lost wages in exchange for giving up the right to sue, that is an arguably good trade-off in my view. But when the Workers' Compensation Act was originally passed in 1911, did the legislature foresee that the practice of medicine would become a big business or that insurance carriers would require an injured employee to treat with a doctor he dislikes or distrusts? Did the legislature anticipate that insurance carriers would manipulate physicians to terminate treatment prematurely, to the detriment of the patient, all in the name of cost savings?

It has been the unquestioned belief of the insurance industry that the employer or its carrier must have the right to direct medical treatment in

order to reduce medical costs, which continue to skyrocket. Well, we have had employer control over medical care in New Jersey for the past 107 years. How is that working out? According to the National Council on Compensation Insurance (NCCI), New Jersey ranks as the fifth highest-cost state for "medical only" claims. Perhaps it is time to try another way to control costs — by giving employees the right to choose their own physicians.

It is natural that patients who trust their doctors will be more likely to accept recommended treatment plans or the painful reality that there is simply no further medical intervention that is likely to improve their function, and move on with their lives. When patients are able to compare physicians by training, outcome, and demeanor, the best physicians will rise to the top of the medical marketplace. The waiting rooms of physicians with less than stellar results, whose medical errors and poor judgment cost more in dollars and tears in the long run, will rapidly empty out.

Currently, workers' compensation physicians in NJ have divided loyalties. While some dedicated physicians treat patients the same regardless of who is paying the bill, we must acknowledge that medical facilities are business entities, with expenses to pay and a profit margin to meet. When a workers' compensation insurance adjuster is given the power to refer large numbers of patients to a particular physician, who is the physician more motivated to serve: the single patient he may never see again after treatment ends or the claims adjuster who might send him his next 100 customers? Call me jaded, but if a doctor could potentially be standing over me with a scalpel, I want him to know that I can walk away at any time if I am not happy with his services.

The concept that an injured worker must succumb to being treated by a physician chosen by an insurance bureaucrat seems antithetical to the concept of freedom. After all, what personal freedom is more basic than the right to make our own medical choices? It is time to rethink employer control of medical care in New Jersey. Insurance carriers may be pleasantly surprised to learn that medical costs actually fall when trust is improved between doctor and patient and the patient's input is taken into consideration when evaluating the effectiveness of workers' compensation physicians.

-Lisa Pezzano Mickey



LEARNING THAT DOESN'T FEEL LIKE SCHOOL

Mentally Stimulating Activities for Summer

process of making the solution will teach ratios, and finding creative ways to blow bubbles fosters problem-solving skills and creative thinking.

FOR TEENAGERS: FAMILY DINNER PARTY

Cooking teaches so many important skills: math, science, nutrition, concentration, cultural understanding, following directions, creativity, time management, and more. Even better, it doesn't feel like learning; it feels like fun. Encourage your older children to take the reins for preparing regular meals throughout the summer. You can pick guiding themes, like "a trip to Mexico" or "pasta party," but let them choose the recipes and prep the meals on their own.

FOR THE ENTIRE FAMILY: AN EDUCATIONAL FIELD TRIP

Field trips always inspire excitement in students, and you'll find the same goes for your family members. You can tailor your destination to the interests of your kids for maximum engagement. If you have a family of art lovers, head to a museum for some inspiration and discussion. Kids who prefer the outdoors will enjoy a nature walk or hike. You can bring along a field guide to identify flora and fauna. These trips may not pack the thrill of a water park, but they're fun in an entirely different way.

Every summer, parents across the country have to deal with the same delicate problem. They want to make sure their kids continue to learn without feeling like they're being assigned tasks. After all, summer homework is every child's worst nightmare. Luckily, you don't have to rely on math problems and book reports to keep your child's development from taking a two-month vacation. Here are a few mentally stimulating activities that are as educational as they are fun.

FOR LITTLE ONES: HOMEMADE BUBBLES

Bubbles fascinate young children, so why not spend a day making your own solution and experimenting by blowing different types of bubbles? The formula is simple: 1 part dish soap (Dawn or Joy work best) to 10 parts water. Optionally, you can also include 1/4 part glycerin. The



Lori Shares Her Appreciation FOR THE PMB FAMILY

Lori is an essential part of our team at PMB, and she's involved with a lot of the behind-the-scenes support. In her role as the marketing coordinator, she is responsible for the firm's advertising, including managing the firm's Facebook page. She also prepares files for court so our attorneys have accurate medical chronologies to argue on behalf of our clients. "I summarize the treatment

history so that the details are at the fingertips of our attorneys," says Lori. "Even though I don't have the opportunity to meet clients (since I work part-time from home), I do get a feel for what they're going through."

Before coming to our firm, Lori worked for a NYC advertising agency where she was the production manager for several different accounts. After marrying her husband and having children, she decided to put work on hold to be with her family. It was at the suggestion of attorney Lisa, who also happens to be Lori's big sister, that she returned to the workplace in the legal field.

Lori is grateful to work with the PMB team. "I've never met such a nice group of people," she says. "Working at a large company, everyone is pretty much on their own. With this smaller firm, everyone works together

and helps each other to ensure client's needs are always the priority. I have to say, everyone at the office sincerely cares about each client."

Lori first noticed this camaraderie during the yearly Christmas gathering that Lisa and Wendy treated the staff to. "In between the festivities, many of the conversations concerned our clients and what else could be done to help them," Lori says.

Outside of work, family is the most important thing to Lori. She has two daughters, ages 14 and 17, and she appreciates the ability to continue to be at home with them during these school years. "We are a very close-knit family," says Lori. "I feel thankful, since my teenage girls still love to be around me and my husband! We spend a lot of time together, especially at the beach on the weekend — that's our getaway."

That extends to the relationship with our attorney Lisa. "I look up to my sister even more now that I see what she's doing at work. She is one of the hardest-working people I know, and she puts her heart and soul into everything she does," Lori says. She appreciates the way Lisa has always looked out for her, as well. "No matter what age we are, she still takes me under her wing and guides me, just like when we were younger. I'm so fortunate to have a sister, and a boss, like her. It's gotten us closer. It's been a real pleasure to work with all of the caring and hard-working women here at PMB."

Aimee's Story

Attorney Lisa Fights for Disabled Workers

Our team is passionate about getting clients the compensation they need. Recently, attorney Lisa Pezzano Mickey testified before the New Jersey Labor Committee on the topic of workers' compensation permanent disability benefits. Lisa shares the story of one of her clients and explains why this bill is so important to New Jersey citizens.

I had the pleasure of testifying recently before the N.J. Senate Labor Committee regarding Bill No. 782, which increases workers' compensation permanent disability benefits for the loss of a hand or foot. As anyone familiar with the law knows, our state provides woefully insufficient compensation to workers with injuries to their extremities. One of my clients, Aimee, was kind enough to join me in Trenton to share her experience with the Committee.

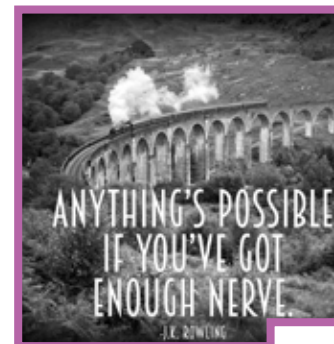
Aimee fractured her right (dominant) wrist in 2010, when she was working her way through college as a bartender. She underwent three surgeries and was unable to continue bartending, so she had to leave college. Eight years later, she continues to drop things because of the injury and still uses a brace on her hand. She received a workers' compensation award of 35 percent — a pretty high disability level, right? Guess what dollar amount she received for a 35 percent loss in the use of her hand: \$14,285.09, which net her at approximately \$12,000 after cost and fees. Let me repeat that: three surgeries, causing her to drop out of



college, and a future which most likely includes developing arthritis. For that she received a grand total award of only \$14,000.

The "hand and foot bill" proposes to increase the number of weeks of benefits paid for more serious injuries to the extremities (defined as a 25 percent or greater disability) to 300 weeks of compensation for a total loss of a hand or foot. For example, if Aimee's injury occurred in 2018 (the rates change every year), she would have received a gross award of \$20,665.75 for a loss of 35 percent of her hand usability. If this bill becomes law, the same injury will result in an award of \$24,676.75. This modest increase in benefits is long overdue. Thank you for sharing your story, Aimee!

TAKE A BREAK



Watermelon SALAD

This simple, delicious salad is the perfect summer refresher. In under 30 minutes, you'll have a dish that will inspire rave reviews at your next summer cookout.

INGREDIENTS

- 8 cups seedless watermelon, cut into 1-inch cubes
- 1/4 cup fresh lime juice
- 1 pinch of cayenne pepper
- 1/2 cup mint leaves, torn
- Salt to taste

DIRECTIONS

1. In a large mixing or salad bowl, toss watermelon with lime juice and cayenne pepper.
2. Gently fold in mint leaves.
3. Sprinkle with salt and serve.

Inspired by Food & Wine magazine