

To Whom It May Concern

My name is John Kalamas. I worked for 25 years as a civil servant working in child welfare for a local DSS (Jefferson County) I retired in February 2023 in part due to medical issues I was having related to my workers comp injuries. Because there was a need I returned to PT work at the same local DSS as a caseworker in housing. I relocated to the Rochester NY area in July 2023 and started PT work in Monroe County as a caseworker in Adult Protective Services.

On 9/27/19 I was in an MVA while working. I have established injuries to my neck, thoracic back and right shoulder. I was initially off work for about 6 weeks as a result of the MVA and missed days after that due to issues related to the MVA. Just before I retired in February 2023 I was off work for about 4 weeks due to my workers comp injuries.

I was fortunate in that I could use sick time while off work. The vast majority of workers involved in workers comp don't have this option instead they have to wait for the "process" to play out before getting any monetary benefits.

My experience with NYS workers comp has been frustrating to say the least. The process has left me with the feeling that I was somehow trying to scam or take advantage of the system. I understand that there is fraud in this program with that being said I believe the vast majority of workers involved in this program have very legitimate issues and are in need of help.

My workers comp case started on 9/27/19 and it was finally resolved on 9/2023. My attorney filed an appeal in October 2023 and I am still waiting on that decision. My understanding is that the appeal process can take a year or more before any decision is made.

Yes that's right it took 4 years to resolve my case and likely another year+ before there is a decision on the appeal. In my experience with workers comp many people wait well over a year if not longer for their case to be resolved and/or appeals to be resolved.

The complexities of understanding the NYS workers comp process are daunting to say the least and impossible to navigate without legal representation.

Regarding medical providers they too struggle with understanding and dealing with the workers comp process. Through out my medical treatment while on workers comp I was seen mostly by Nurse Practitioners and/or PA's. A year into the workers comp process I was told that doctors had to attest to medical issues regarding workers comp. I understand that doctors supervise NP's and PA's however they don't typically see workers comp patients face to face to know the ins/outs of that person's particular medical situation.

When the Nurse Practitioner I was initially seeing on my workers comp case (I saw NP for about 3 years) retired the entire practice where she worked declined to take anymore workers comp cases. When I asked the supervising doctor at the practice to complete the needed paperwork to determine if I had reached MMI the doctor declined as he was not the one seeing

me regularly. They gave me a listing of doctors who work with workers comp and it took 4-5 months to get in to see someone new when I did find a new doctor to see me I found that he was not well versed in the requirements of workers comp.

Regarding insurance carriers there are way too many hoops to jump through. In seems that in all cases in order to get PT, MRI's, Xrays, or any kind of medications it has to be reviewed/approved by the carrier. My experience has been that once the case is resolved carriers are much less likely to approve treatment such as PT etc..and if treatment is denied it is complicated and difficult to contest the carrier's decision.

My hope is that during the public hearing on 5/15/24 law makers will get to hear testimony from workers, attorneys, medical providers, WCB staff, insurance carriers and others about their experiences with the NYS Workers Comp to include their ideas about how to improve the program. It's important to hear/get feedback from these folks as they are the major stakeholders in the program.

Once relevant information is gathered I challenge you as law makers to use that information and make informed decisions and move forward with legislation to make changes where needed.

Thank you for allowing me the opportunity to provide some feedback and more importantly thank you for taking the time to have this hearing and listening to stakeholders as having this conversation is definitely needed.

Thank You
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