

Hidden Pitfalls in Auto Trials Boardwalk Seminar 2017

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Medico-Legal Evaluations

Shoulder Injuries Shoulder Exam

- ROM
- Impingement
 - Impingement Sign
 - Hawkins Test
- Rotator Cuff testing
 - Lift off
 - Belly press

- Jobe's Test (empty can)
- Drop Arm
- Labral testing
 - Crank
 - O'Brien's Test

Shoulder MRI Findings

- Rotator cuff tear
 - Partial/complete
 - Retracted
 - Fatty degeneration
- Rotator cuff tendinopathy
- Labral tear
- Impingement/bursitis

Fatty Degeneration

Spine Injuries

Spine Exam

- Palpation
- Spasm
- Flexibility
- Provocative
 - Straight Leg Raise
 - Spurlings
- Reflexes
 - Hoffman's
 - Clonus
- Strength (0-5/5 ASIA)
- Sensation (Dermatome)

Spine MRI findings

- Disk Bulge - >25% circumference
- Disk Herniation <25%

circumference

- Protrusion – outer annular fibers intact
- Extrusion – may migrate
- Disk osteophyte complex
- DDD
- Foraminal Stenosis – nerve root impingement
- Spinal (Central) Stenosis
- Spondylosis
- Spondylolisthesis
- Reversal of lordosis

MRI Disk Features

HNP, Stenosis, Bulge &

DDD by Age

Knee Injuries

Knee Exam

- ROM
- Palpation
- ACL
 - Lachman
 - Anterior Drawer
 - Pivot Shift
- Meniscus
 - McMurray

Knee MRI

- Meniscus
 - Degeneration
 - Tear
 - Shape (Longitudinal, Horizontal, Radial, Complex)
 - Displacement (bucket handle)
 - Grade 1,2a,2b,2c,3
- Ligaments
 - MCL
 - ACL
- OA
- Bone Contusion
- Baker's Cyst

Causation

- Injury and disability caused by

accident

- Prior injury, prior surgery, prior treatments
- Active treatment for same area of injury
- Pre-existing asymptomatic vs symptomatic
- Incidental findings on studies - MRI

Exacerbation of pre-existing condition

- Asymptomatic or symptomatic pre-existing condition
 - Older patients likely have pre-existing arthritis, meniscus tears, rotator cuff tears,

degenerative disk disease, disk herniations, etc.

- Acute on chronic injury
 - Bone contusion with pre-existing arthritis
 - Injury with h/o prior surgery
- Apportionment
 - If pre-existing injury is symptomatic/actively treated

Verbal Threshold

- NJ residents with verbal threshold (AKA: limitation on lawsuit) are unable to file civil lawsuits to obtain financial compensation for pain and suffering damages unless their

injuries fall under certain categories: (1) death; (2) dismemberment; (3) loss of a fetus; (4) significant disfigurement or scarring; (5) displaced fractures; or (6) permanent injury.

Permanent Injury

- Under Section 39:6A-8, an injury is considered permanent when a body part or organ “has not healed to function normally and will not heal to function normally with further medical treatment.” In addition, a treating medical

doctor must provide a certification, based on objective clinical evidence, that the injury is permanent. Examples of objective clinical evidence include diagnostic tests such as x-rays, MRIs, etc.

Objective Clinical Evidence

- X-ray – fractures
- MRI
- EMG/NCV
- Exam findings