

## More War Stories From A Disability Claim Consultant

by Arthur Fries

**I**sometimes get hired by an attorney when criminal charges are pending against a disability claimant. There are often questions related to professional licenses being cancelled, such as when the claimant first saw a physician, whether it was the correct physician, and whether the policy had an incarceration exclusion.

One case involved a plastic surgeon who

had many malpractice lawsuits against him because of damage he inflicted on patients. There were even questions about whether he was a licensed M.D. He advertised heavily and charged less than many of his competitors did. The good doctor put in a disability claim saying that he was depressed. But he was not too depressed to play golf three times a week while under indictment. The insurance company witnessed these actions under video surveillance. It was not very bright on his part, but I guess he liked the limelight.

Several stories come to mind involving claimants who hired me directly. A businessman went on disability for multiple medical symptoms including chronic low back pain and major depression. He was on a great deal of medication. On one of his

worst days, he backed his \$200,000 Ferrari out of the garage, but forgot to open the garage door. He blasted out the rear of his car and wounded his garage door. To make matters more depressing, the following week, he backed his wife's Mercedes out of the garage. This time, he was careful to open the garage door. But, he should have looked behind him to avoid the gardener's truck.

A number of my dentist or physician clients, who think they are supermen, push on despite chronic pain. It is not going to make your day or mine when a crown falls down your throat because my client has severe bilateral carpal tunnel syndrome. Being operated on by a nearly blind surgeon is not going to instill confidence either.

One chiropractor hired me after the insurance company terminated his claim. He was well documented with low back problems from a medical standpoint. But, while he was on claim, he gave chiropractic demonstrations around the country so other chiropractors could get C.E. credits. He would do a little bit of a cervical adjustment with the help of others. His claim was terminated based on video surveillance from the insurance company. As a result of my involvement, the claim was reinstated. But, that reinstatement was short lived.

He was videotaped again for 30 days while at a ski resort under an assumed name. He was taped on 21 of the 30 days snowboarding, which blew his credibility out the window. When I asked why he would do something so stupid, he said, "I stopped skiing two years ago and, since you don't bend your waist while snowboarding, I felt that wouldn't affect my claim." I couldn't buy that argument or the reason he was there using a phony name to register. One point for the insurance company! □

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