

MIND MATTERS WINTER 2005

A Newsletter from the Brain Injury Association of Washington

Thriving in face of life-changing accident



By Rhonda Howard

Looking at Denise Hansen, you see an intelligent, accomplished woman. What you don't see is the constant pain that reminds her of what happened to forever change her life seven years ago.

Less than a day after returning from a month-long trip to Greece, London and Paris, Denise was biking from Edmonds to Seattle. Wanting to get a running start up the steep hill ahead of her, she pressed on, trying to beat the red light. Her bike tire got caught in a groove in the road, causing it to flip forward. The cleats on her shoes were stuck in the pedals; thus Denise and her bike became one, bouncing for 30-40 yards before stopping underneath a car.

"I was wearing a helmet, fortunately, but had sustained a concussion two years prior as a result of a non-helmeted rollerblading crash, and it is believed that having previous head trauma can increase the impact of another," Denise recalls. "Besides the brain injury, I also had a fractured clavicle, scapula and vertebrae, and damaged nerves in my shoulder."

Her health care provider failed to diagnosis all of the fractures and nerve injuries at the time of the accident. As a result, surgical repair to her broken bones was not performed until three months later. It is her feeling this delay in treatment is responsible for the chronic pain she now feels.

Denise often blames herself for the accident, asking herself "what if" questions: "What if I had not tried to beat the red light? If the broken bones had been repaired immediately instead of three months later, or if they had treated the incessant pain early on, would it have led to the chronic pain condition that has taken away my life as I knew and enjoyed it?"

She often feels guilty and frustrated for the many contradictions in her way of thinking about the accident and her injuries. "The situation has changed me in many positive ways, and I would never want to go back to the way my life was prior to injuries," she says. "But, I also say many times a week that I am so tired of this and I want my life back. I can't imagine spending the rest of my life in relentless pain and I would like to not feel confused and anxious about my communication style or inability to keep things organized. I would like to be able to read a novel and actually remember who the characters are once I put down the book. I have to re-read chapters to catch up to where I left off. Takes forever to finish a book."

At the time of the accident, Denise was the manager of product development at a Seattle-based start-up company, and led a team that created and delivered health behavior change programs. After about three years, Denise realized she would not be able to perform the cognitive tasks required to sustain her current job. At that point, she began working with the support and guidance of Karen Ball, a rehabilitation counselor at the University of Washington, and eventually built her own personal health coaching business.

"Having my own business has been one of the brightest outcomes of the accident," Denise says. "I get to do what I love to do the most: helping people change their lives, such as helping someone to lose weight or exercise in realistic and healthy ways. I help them change their way of thinking to a non-judgmental way, so they can make these changes last.

"Having this accident has made me empathetic and patient with people and their own difficult challenges and I never once think they should 'just get over it,'" she adds. "I can challenge them to change their expectations and judgments of themselves, because I force myself do this on a daily basis and I know it's possible to do."

Denise offers the following affirmation that might be of help to other TBI survivors as they seek relief and strength:

"Success is going from failure to failure without loss of enthusiasm."

-- Winston Churchill

Chairman's message: Donate to our 'dollar for dollar' campaign

Dear Friends,

We just learned that an anonymous donor has stepped forward and offered to "match dollar for dollar, without limit, donations (not previously pledged) made and received by BIAWA through December 31, 2005." Seldom is there an opportunity to make 100 percent on an investment. BIAWA has this unique opportunity if we all act now.

During the past year, 20,000 Washington residents suffered a traumatic brain injury, joining the hundreds of thousands of state residents already living with the pervasive and ongoing effects of past brain injuries.

A stronger BIAWA translates into an organization with more muscle to carry out its planned initiatives to increase our support and funding. These initiatives include maintaining the 20-plus Survivor Support Groups around the state of Washington; updating our resources and informational brochures; bringing together various health care providers to work together for survivors of traumatic brain injury; providing educational programs, and lobbying legislators for changes to current laws that adversely impact services for survivors and their family members.

Here are some ways your gift will help BIAWA:

- Your gift of \$1,000, when matched, will almost pay our staff's salary for one month and keep our "800" hotline number up and running;
- **Your gift of \$500, when matched, will pay for the design and printing of a new informational brochure for those calling us for help after a traumatic injury;**

- Your gift of \$250, when matched, will pay for the first phase of training of a survivor's support group facilitator;
- **Your gift of \$100, when matched, will pay for the production of our quarterly newsletter!**

Write a check to BIAWA and mail it in with the enclosed "Dollar for Dollar" flier. Please give generously, knowing that your contribution will have twice the impact. [Click here for a printable form!](#)

Sincerely,

Richard H. Adler, Attorney Chairman, Executive Board BIAWA
 Janet Novinger and David Stevens Community Partnership Co-Coordinators
 Kathy Bell, MD Educational Coordinator
 Kristin Cruse Event Coordinator
 Patrice Roney Facility Coordinator
 Shawn Meneely Financial Coordinator
 Marilyn Graham Grant Writer Coordinator
 Janet Mott Information/Resource Coordinator
 Jan Navarre Legislative Coordinator
 Fred Langer, Attorney Medical Advisory Board Co-Coordinator
 Jay Uomoto, Ph.D Medical Advisory Board Co-Coordinator
 David Butters, DC Newsletter Coordinator
 Jeremy Sardin Police Liaison Coordinator
 Nora Gibson Special Services Coordinator
 Simon Forgette Stakeholder Pledge Coordinator
 Valerie Wooten Support Group Coordinator
 Mike and Dana Lough Survivors' Speaker Co-Coordinators
 Jeff Tyler, Attorney Thank You Coordinator
 Ken Roberson Volunteer Coordinator
 Paul Walsh Web and Internet Coordinator
 Sandy Widlan, Attorney Social Security Disability Coordinator
 Jason Barlow Database Coordinator

State tells insurer to pay

Reprinted with permission from The Seattle Times, Oct. 21, 2005

By Danny Westneat

You don't have to take my word for it anymore that Farmers Insurance is off its rocker in refusing insurance coverage to car-wreck victim Ethel Adams.

The state is giving Farmers until the end of the day tomorrow to either agree to pay Adams, injured in a road-rage crash, or face legal action. State Insurance Commissioner Mike Kreidler met yesterday with Farmers lobbyist Mike Kapphahn in Olympia and told him: "It's not a question of if you pay Ethel Adams, but when."

"Nobody here has ever seen an insurance company come up with such a bizarre and imaginative way of applying insurance law as this case," Kreidler said in an interview. "They're just wrong, and it's obvious they're wrong. The bottom line is they are going to pay this claim."

Adams' odyssey into insurance hell started last March when a man named Michael R. Testa rammed his girlfriend's truck from behind to run it off the road. Testa bashed the truck across the centerline and into oncoming traffic, where it crashed into the Hyundai Adams was driving, squashing it.

The 60-year-old Everett woman spent nine days in a coma and five months in a hospital and a nursing home.

Testa had no insurance. But Farmers decided that the \$2 million uninsured-motorist policies covering Adams didn't apply to anything Testa did because he caused the wreck on purpose.

In Farmers' view, the wreck therefore was not an accident — even for Adams, who was just driving by, minding her own business.

Your insurance

If you have questions about your coverage or are having problems with a claim, call the state insurance consumer hotline at 800-562-6900.

Adams' medical bills so far top \$500,000. They have been paid through state workers' compensation because she was on the job when she was hit. Adams is seeking insurance coverage for the remainder of her lost wages and other expenses, as she suspects she will never work again.

Kreidler mentioned the case of Ryan Wade-Everett, the guy charged with stealing a car two weeks ago and leading police on a chase around the Eastside. Wade-Everett slammed into dozens of cars, then boasted about it afterward.

"So by Farmers' logic, none of those people who got hit would be covered?" Kreidler said. "We've never seen a company try to make a ridiculous argument like that."

Yesterday, Farmers continued to insist it has not actually denied Adams' claim. Kreidler called these statements "disingenuous," as the company wrote a letter denying all claims relating to the driver at fault — Testa — back in June. That is the same letter I quoted in a column last Friday.

Farmers also issued a statement Monday saying it has been "stymied in its efforts" to get the police report from the King County Sheriff's Office. If it had the report, it could "resolve this claim immediately."

Hmm. The Farmers letter denying Adams any coverage relating to Testa quotes from two such reports, the Police Traffic Collision Report and the King County Sheriff Incident Report. Those reports have been public record since late March.

"They're clearly trying to blame us now," said sheriff's Sgt. John Urquhart. "It's irritating, to say the least."

Farmers has said it might pay Adams if it can find any other driver who was at fault in the accident, and that it is continuing to investigate the wreck. But Urquhart said only Testa was at fault.

To Kreidler, the entire show of searching for other negligent drivers is a charade. If the company continues to refuse to pay, the state will initiate an administrative hearing accusing Farmers of violating the insurance code. That's the first step in suing them.

"We could always suspend their certificate to do business in this state as well," Kreidler added.

Hundreds of readers have contacted me wondering whether they'd be covered if some lunatic runs into them.

"If what you have reported is true, then if a person wants to attempt suicide and crosses the centerline to hit someone they don't know but want to end their own life, the person who gets hit is not involved in an 'accident' and their insurance doesn't have to pay?" wrote Paul Merz of Seattle. "Why do we have insurance? This is so bogus."

It is bogus. But a lawyer for the insurance commissioner's office said the state has left itself open to a company possibly exploiting this area of the law because the Legislature has never explicitly defined the word "accident."

"Almost every other state forces insurance companies to examine the facts of a case from the victim's point of view," said Carol Sureau, state deputy commissioner for legal affairs.

In Farmers' letter arguing that Adams was technically not in an accident, the company cites a 1990 Pierce County case in which a woman purposely crashed into a car driven by her ex-husband. The state Supreme Court ruled then that insurance didn't have to cover the ex-husband's injuries, in part because the outcome wasn't "unexpected or unforeseen" — that is, it wasn't an accident.

Sureau said the 1990 case doesn't apply to Ethel Adams' case for the simple reason that nobody was intending to hit Adams.

To make sure no company tries to work such a crafty angle again, Kreidler and his aides are introducing legislation to define "accident" as something bad that happens that's unexpected to whomever it happened to.

I guess we have to state the obvious to protect ourselves from tone-deaf corporations.

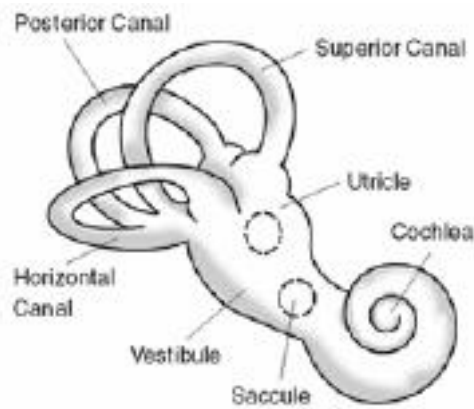
Someone suggested calling it "Ethel's Law."

Better to call it "Farmers' Law," so we can remember who tried to shine us on with this nonsense in the first place.

[UW Traumatic Brain Injury Model System update](#)

What causes dizziness after TBI?

Dizziness is a common complaint after TBI, even after relatively mild blows to the head. What is going on and what can be done about dizziness?



The two most common types of dizziness or vertigo are peripheral (also called Benign Paroxysmal Peripheral Vertigo, or BPPV) and central types. In the inner ear, there are small calcium particles in a sac called the utricle. Fluid flowing past these particles help the brain to figure out what directions our heads are moving in. A blow to the head can knock these particles out of the utricle into the semicircular canals. There the particles cause disturbances in the fluid flow, especially when the head is rotated, resulting in dizziness.

Treatment for this can often be done in the physician's office or by a physical therapist by rolling the head and body to float the particles back into place. BPPV will re-occur in some people but can be re-treated as needed.

Central vertigo is more difficult to treat and may be helped with medications and physical therapy. Central vertigo occurs after damage to the brain stem or cerebellum and is seen after more severe TBI.

Visit us on the Web at <http://depts.washington.edu/rehab/tbi/index.html>

UW to study exercise, depression and TBI

Does exercise work to improve symptoms of depression in persons with TBI?

Symptoms of depression may be sadness, poor appetite, low energy, poor concentration, less "get up and go," anger or body pain. This study will look at how exercise, in a group and at home, affects persons with TBI, including mood changes. It includes a 10-week, supervised exercise group at North Seattle Community College.

To be eligible for this study, you must have had a brain injury six months to five years ago, have symptoms of depression and be able to walk.

For more details, call Aaron at 206-731-5196.

Seattle: The Washington Coalition for Citizens with disAbilities and BIAWA are co-sponsors a new Seattle support group for people with mild brain injuries. An organizing meeting is scheduled Jan. 17, from 2-3:30 p.m. and again from 5:30-7 p.m., to determine what future meeting times would work best. Location: the Good Shepherd Center, 4649 Sunnyside Ave. N., Seattle (room yet to be determined). Contact: Janet Novinger at 206-547-2526.

Washington State Department of Services for the Blind, 3411 S. Alaska St., Seattle, 206-721-4422

Washington Talking Book & Braille Library, 2021-9th Ave., Seattle, 206-615-0200

Community Services for the Blind and Partially Sighted, 9709-3rd Ave., Suite 100, Seattle,
206-615-0400

Puyallup Area Brain Injury Support Group, 1st & 3rd Thursday of each month, 6-7:30 p.m., at
Good Samaritan Hospital Rehab Center, Mt. Adams Room, 407 14th Ave. S.E., Puyallup.
Contact: Kent and Heather Hamilton at 253-922-9184.