

STATE OF CALIFORNIA  
**WORKERS' COMPENSATION APPEALS BOARD**

Ruth Medina,

*Applicant,*

vs.

Northwest Airlines, et al.,

*Defendants.*

Case No. SJO [REDACTED]

**FINDINGS AWARD & ORDER**

Following hearing and submission, Lawrence F. Newman, Workers' Compensation Judge, now finds and awards as follows:

FINDINGS OF FACT

1. Ruth Medina born on [REDACTED] while employed as a flight attendant, occupational group number 322, on December 13, 2000 at San Francisco, California, by Northwest Airlines, insured by Liberty Mutual Insurance Company, sustained injury arising out of and in the course of employment to her respiratory system and psyche but not to the head, immune system or neurological system.
2. At the time of injury herein applicant's average weekly earnings were \$ [REDACTED].
3. The injury caused temporary total disability from January 14, 2001 through June 14, 2002.
4. The injury caused permanent partial disability, after adjustment for age and occupation, of 57%.
5. Issues regarding self-procured medical treatment are deferred for informal adjustment between the parties with jurisdiction reserved if the parties cannot make such adjustment.
6. Applicant is in need of further psychiatric and medical treatment to cure or relieve from the effects of the injury herein.
7. The Employment Development Department has paid unemployment compensation disability benefits during a portion of the period for which disability indemnity is being awarded herein in an exact amount to be informally adjusted between the parties with jurisdiction reserved if they are unable to make the adjustment.
8. Lien claims of Dr. B [REDACTED] is deferred for informal adjustment between the parties with jurisdiction reserved if the parties cannot make such an adjustment.
9. Applicant's psychiatric and medical condition became permanent and stationary on June 14, 2002.

10. Carlo & Bondelie lien claim for a reasonable attorney fee is deferred for informal adjustment between applicant and lien claimant with jurisdiction reserved if they are unable to adjust it.

AWARD

AWARD IS MADE in favor of Ruth Medina and against Liberty Mutual Insurance Company as follows:

- a) Reimbursement for self-procured medical expense as set forth in Finding of Fact No. 5.
- b) Further medical treatment as set forth in Finding of Fact No. 6.
- c) Temporary disability indemnity as set forth in Finding of Fact No. 3, less credit for any sums heretofore paid on account thereof, and less lien claim of the Employment Development Department per Finding of Fact number 7.
- d) Permanent disability indemnity in the amount of \$ [REDACTED], payable at the rate of \$ [REDACTED] per week beginning June 15, 2002, less credit for any sums heretofore paid on account thereof, and less an attorney's fee as set forth in Finding of Fact number 10 payable to Carlo & Bondelie.
- e) All other lien claims as set forth in Finding No. 8.
- f) Attorneys' fees as set forth in Finding No. 10.

ORDER

IT IS ORDERED that defendant hold in trust from the permanent partial awarded herein an amount equal to twelve percent thereof pending applicant and attorney Carlo agree on the amount thereof or until further order of the Board.



Lawrence F. Newman

Workers' Compensation Administrative Law Judge

Filed and Served by mail on all parties on the  
Official Address Record on 01/31/07

By: M. [REDACTED]

STATE OF CALIFORNIA  
WORKERS' COMPENSATION APPEALS BOARD

Case No. SJO [REDACTED]

Ruth Medina

vs.

Northwest Airlines  
Liberty Mutual Insurance Company

**OPINION ON DECISION**

BODY PARTS INJURED

Applicant claims injury to the head, immune system and neurological system. There is no medical evidence to support injury to these body parts so none will be found. All of applicant's neurological tests and immune systems tests have been normal. The MRI for the head was normal. Headaches are not a body part which can be injured but rather a symptom. Her headaches have derived from her admitted injury and thus are a ratable factor of disability.

The parties stipulated there was injury to the psyche and respiratory system.

PERMANENT DISABILITY/FUTURE MEDICAL CARE

Permanent disability will be found as set forth in recommended rating served May 22, 2007, to which no objection was received. The factors of disability, as well as the finding as to future medical treatment, are based upon the range of the evidence. The record support a finding there is need for psychiatric care which will include the need to treat applicant's resulting physical condition and symptoms deriving from the psychological injury.

TEMPORARY DISABILITY

The parties stipulated applicant was temporary total disability for the period commencing January 14, 2001 to and including June 14, 2002.

SELF-PROCURED MEDICAL TREATMENT

All issues regarding self-procured medical expenses will be deferred for informal adjustment between the parties with jurisdiction reserved if they are unable to adjust it.

EDD LIENS

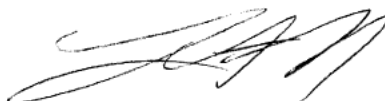
The Employment Development Department paid benefits from August 7, 2001 through August 5, 2002 during a period for which temporary and permanent disability benefits were payable therefore they are entitled to recover on their lien in an exact amount to be informally adjusted between the parties with jurisdiction reserved if they are unable to make the adjustment.

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OTHER LIENS

The lien claim of Dr. [REDACTED] [REDACTED] [REDACTED] [REDACTED] is deferred for informal adjustment between the parties with jurisdiction reserved if they are unable to make the adjustment.

The attorney fee lien claim of Carlo & Bondelie is deferred for information adjustment between the applicant and the lien claimant with jurisdiction reserved if they are unable to make the adjustment. The insurance carrier will be ordered to with hold an amount equivalent to twelve percent of the permanent partial disability awarded herein pending applicant resolving the lien claim.



LAWRENCE F. NEWMAN  
Workers' Compensation Administrative Law Judge

LFN: