#### IN THE SUPREME COURT OF THE STATE OF NEVADA

Case No.: 72737

Electronically Filed
Jul 25 2018 12:03 p.m.
LAURA DEMARANVILLE, surviving spouse Elizabeth A. Brown
DANIEL DEMARANVILLE (DECEASED) Clerk of Supreme Court

Appellant/Cross-Respondent,

v.

EMPLOYERS INSURANCE COMPANY OF NEVADA; and CANNON COCHRAN MANAGEMENT SERVICES, INC.,

Respondents,

and

### CITY OF RENO,

Respondent/Cross-Appellant.

Appeal and Cross-Appeal From Order Granting In Part and Denying In Part Consolidated Petitions For Judicial Review

First Judicial District Court, Case No.: 15 0C 00092 1B

## RESPONDENT/CROSS-APPELLANT CITY OF RENO'S SUPPLEMENTAL APPENDIX – VOLUME V

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Attorneys for Respondent/Cross-Appellant City of Reno and Respondent Cannon Cochran Management Services, Inc.

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### **CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of McDonald Carano LLP, and on the 25th day of July, 2018, a true and correct copy of the foregoing document was efiled and e-served on all registered parties to the Supreme Court's electronic filing system as listed below:

Evan B. Beavers Samantha L. Peiffer Nevada Attorney for Injured Workers 1000 E. William Street, Suite 208 Carson City, Nevada 89701

Mark S. Sertic Sertic Law, Ltd. 5975 Home Gardens Drive Reno, NV 89502

/s/ Carole Davis







## **CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I hereby certify that I am	an employee of McDONALD
Pursuant to NRCP 5(b), I hereby certify that I am CARANO WILSON LLP, and that on the 3 day of Fe	bruary, 2014, I served the within
INCHIDED'S CIDST SHIDH EMENTAL DOCHMENTAR	V EVIDENCE via Reno Carsor

Messenger Service in sealed envelopes addressed to the following:

Nevada Department of Administration Appeals Office 1050 E. William St., Suite 450 Carson City, NV 89701

Evan Beavers, Esq. Deputy Nevada Attorney for Injured Workers 1000 E. William St., #208 Carson City, NV 89701

Mark Sertic, Esq.\
Sertic Law Ltd.
5975 Home Gardens Dr.
Reno, NV 89502

Sandra Pelham





NEVADA DEPARTMENT OF ADMINISTRATION

STATE OF MEYAD DEPT OF ADMINISTRATE HEARINGS DIVISION APPEALS OFFICE

BEFORE THE APPEALS OFFICER

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RECEIVED AND FILED

In the matter of the Industrial Insurance Claim

Claim No.:

1990204572

Hearing No.:

45822-KD

Daniel Demaranville, Deceased,

Claimant.

Appeal No.:

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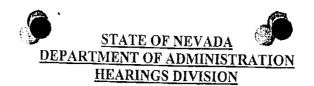
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In the matter of the Contested Industrial Insurance Claim of:

Hearing Number: Claim Number:

45822-KD 1990204572

DANIEL DEMARANVILLE, DECEASED C/O LAURA DEMARANVILLE PO BOX 261 **VERDI, NV 89439** 

CITY OF RENO ATTN CARA BOWLING PO BOX 1900 RENO, NV 89505

## BEFORE THE HEARING OFFICER

The Claimant's request for Hearing was filed on October 2, 2013 and a Hearing was scheduled for October 22, 2013. The Hearing was held on October 22, 2013, in accordance with Chapters 616 and 617 of the Nevada Revised Statutes.

The Claimant's widow, Laura and her representative, Leslie Bell, were present. The Employer and Insurer were represented by Mark Sertic, Esquire.

#### **ISSUE**

The Claimant appealed from the Insurer's determination dated September 19, 2013. The issue before the Hearing Officer is claim denial.

## **DECISION AND ORDER**

The determination of the Insurer is hereby REVERSED.

The Claimant worked for 5 plus years in continuous employment with the City of Reno Police Department and retired in 1990. On August 5, 2012, the Claimant went into the hospital for gall bladder surgery, but while in the recovery room, he developed complications and died. The death certificate notes cardiac arrest secondary to atherosclerotic heart disease. The Claimant's widow filed a claim for death benefits under the Heart/Lung Bill which the Insurer denied, the instant appeal. However, as the Claimant is afforded the benefits of the presumption under NRS 617.457, the Hearing Officer finds the determination of the Insurer is not proper. The submitted medical reporting supports the Claimant died from heart disease. There is also a question whether the claim was timely filed as provided by NRS 617.344. The Claimant attempted to timely file a claim, but was directed to the wrong Insurer and a second C-4 form was completed. Therefore, the excuse provisions of NRS 617.346 are applicable as the Claimant relied on a mistake of fact when she originally filed the claim.

NRS 617.457(1) explains, notwithstanding any other provision of this Chapter, diseases of the heart of a person who, for 5 years or more, has been employed in a full-time continuous, uninterrupted and salaried occupation as a fireman or police officer in this state before the date of disablement are conclusively presumed to have arisen out of and in the course of the employment.

NRS 617.344(2). In the event of the death of the employee resulting from the occupational disease, a dependent of the employee, or a person acting on his or her behalf, shall file a claim for compensation with the insurer within 1 year after the death of the employee. 361

In the Matter of the Consided Industrial Insurance Claim of Hearing Number: Page two



NRS 617.346(2) provides an insurer may excuse the failure to file a notice of an occupational disease or claim for compensation pursuant to the provisions of this section if: (a) The employee's disease or another cause beyond his or her control prevented him or her from providing the notice or the claim; (b) The failure was caused by the employee's or dependent's mistake or ignorance of fact or of law; (c) The failure was caused by the physical or mental inability of the employee or the dependent; or (d) The failure was caused by fraud, misrepresentation or deceit.

## APPEAL RIGHTS

Pursuant to NRS 616C.345(1), should any party desire to appeal this final Decision and Order of the Hearing Officer, a request for appeal must be filed with the Appeals Officer within thirty (30) days of the date of the decision by the Hearing Officer.

IT IS SO ORDERED this 28th day of October, 2013.

Katherine Diamond, Hearing Officer



The undersigned, an employee of the State of Nevada, Department of Administration, Hearings Division, does hereby certify that on the date shown below, a true and correct copy of the foregoing <u>DECISION AND ORDER</u> was deposited into the State of Nevada Interdepartmental mail system, OR with the State of Nevada mail system for mailing via United States Postal Service, OR placed in the appropriate addressee runner file at the Department of Administration, Hearings Division, 1050 E. Williams Street, Suite 400, Carson City, Nevada, to the following:

DANIEL DEMARANVILLE, DECEASED C/O LAURA DEMARANVILLE PO BOX 261 VERDI, NV 89439

CITY OF RENO ATTN CARA BOWLING PO BOX 1900 RENO, NV 89505

LESLIE BELL WASHOE COUNTY SHERIFFS DEPUTIES ASSOC PO BOX 359 RENO NV 89504

EMPLOYERS INSURANCE PO BOX 539004 HENDERSON, NV 89053

MARK SERTIC, ESQ 5975 HOME GARDENS DRIVE RENO NV 89502

Dated this 28th day of October, 2013.

Susan Smock

Employee of the State of Nevada





## EMPLOYEE'S CLAIM FOR COMPENSATION/REPORT OF INITIAL TREATMENT FORM C-4 PI FASE TYPE OR BRINT

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ORIGINAL - TREATING PHYSICIAN OR CHIROPRAGTOR PAGE 2 - INSURER/TPA PAGE 3 - EMPLOYER PAGE 4 - EMPLOYEE

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Form C-4 (rev.10/07)



EMPLOYERS 08-22-2013 H

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	(if experiments) SUR	GERY							LA	URA ( WII	E), ;		_	accident? (If applicable)
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PAGE 2/7 \* RCVD AT 9/11/2013 12:56:34 PM [Pacific Daylight Time] \* SVR:HND-RFAX-PR01/5 \* DNIS:3080 \* CSID:775 334 3890 \* DURATION (mm-ss) 34866

WASHOE COUNTY HEALTH DISTRICT

VITAL STATISTICS - RENO, NEVADA

CERTIFICATE OF DEATH

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36. CITY, TOWN, OR LOCATION OF DEATH 36.		of either, give street [3e.	It Hosp, or hist, indicate DOA.	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
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name country) lowa		RCED (Specify) Married	maiden na	me) Laura K MOSC
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16. FATHER/PARENT - NAME (First Middle Las Earl Brunson DEN	# · / [ ] · /	MOTHER/PARENT - NA	E (First Middle Last Suffix Waunita REILLY	
188: INFORMANT- NAME (Type of Print) Laura DEMARANVILLE		(Street or R.F.D. No, City P.O.Box 261 \	/erdi, Nevada 89439	
19a. BURIAC CREMATION, REMOVAL, OTHER:	Specify) 186. CEMETERY OR CREMATORY - NA Sierra Crei	ME matory	19c LOCATION (	City or Town State Nevada 89503
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를 하는 21k, DATE SIGNED (Mo(Day/Yr) 용물 August 07, 2012	21c HOUR OF DEATH	225 DATE SIGNED (MK		UR OF DEATH
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This is a stue and exact reproduction of the document officially registered and placed on file in the office of the State Registrar and Vital Records.

08/10/2012



PO Box 539004, Henderson, NV 89053-9004

September 19, 2013

Laura DeMaranville PO BOX 261 Verdi, NV 89439-0261

RE:

Employee:

DANIEL E DEMARANVILLE

Employer:

RENO CITY OF

Date of Injury:

01/31/1990

Claim No.

1990204572

Insurer:

Employers Insurance Company of Nevada

#### Dear Ms. DeMaranville:

It is the determination of the Employers Insurance Company of Nevada to deny liability of the above claim, as the doctor who completed the C4 form indicated that he could not directly connect this injury or occupational disease as job incurred.

NRS 616C.150 Compensation prohibited unless preponderance of evidence establishes that injury arose out of and in course of employment; rebuttable presumption if notice of injury is filed after termination of employment.

- 1. An injured employee or the dependents of the injured employee are not entitled to receive compensation pursuant to the provisions of chapters 616A to 616D, inclusive, of NRS unless the employee or the dependents establish by a preponderance of the evidence that the employee's injury arose out of and in the course of his or her employment.
- 2. For the purposes of chapters 616A to 616D, inclusive, of NRS, if the employee files a notice of an injury pursuant to NRS 616C.015 after his or her employment has been terminated for any reason, there is a rebuttable presumption that the injury did not arise out of and in the course of his or her employment.

NRS 617.358 Compensation prohibited unless preponderance of evidence establishes that disease arose out of and in course of employment; rebuttable presumption if notice of disease is filed after termination of employment; exceptions.

- 1. An employee or the dependents of the employee are not entitled to receive compensation pursuant to the provisions of this chapter unless the employee or the dependents of the employee establish by a preponderance of the evidence that the employee's occupational disease arose out of and in the course of his or her employment.
- 2. If the employee files a notice of an occupational disease pursuant to NRS 617.342 after his or her employment has been terminated for any reason, there is a rebuttable presumption that the occupational disease did not arise out of and in the course of his or her employment.
- 3. The provisions of this section do not apply to any claim filed for an occupational disease described in NRS 617.453, 617.455, 617.457, 617.485 or 617,487.



Additionally, there is no objective medical reporting to support the diagnoses listed on the C4 form of atherosclerotic heart disease and myocardial infarction. The medical reporting submitted was referred to our managed care organization and a review was completed by Yasmine S. Ali, M.D., M.S.C.I., F.A.C.C., F.A.C.P., who is board certified in Internal Medicine and Cardiovascular Disease. Dr. Ali's review report indicates there was no documentation in the records that would support a diagnosis of atherosclerotic heart disease, and there is no evidence of myocardial infarction, particularly since cardiac enzymes were not drawn, a 12-lead ECG showing evidence of myocardial infarction is absent, and an autopsy was not performed. Thus, it appears most likely that the cardiac arrest was a post-operative complication. Dr. Ali's report also noted there was no evidence in the records of coronary artery disease, coronary heart disease or ischemic heart disease.

We have also been unable to obtain the physicals performed during the course of your employment as a police officer for the City of Reno. This is pursuant to Nevada Revised Statute (NRS) 617C.457, which states:

NRS 617.457 Heart diseases as occupational diseases of firefighters, arson investigators and police officers.

- 1. Notwithstanding any other provision of this chapter, diseases of the heart of a person who, for 5 years or more, has been employed in a full-time continuous, uninterrupted and salaried occupation as a firefighter, arson investigator or police officer in this State before the date of disablement are conclusively presumed to have arisen out of and in the course of the employment.
- 2. Notwithstanding any other provision of this chapter, diseases of the heart, resulting in either temporary or permanent disability or death, are occupational diseases and compensable as such under the provisions of this chapter if caused by extreme overexertion in times of stress or danger and a causal relationship can be shown by competent evidence that the disability or death arose out of and was caused by the performance of duties as a volunteer firefighter by a person entitled to the benefits of chapters 616A to 616D, inclusive, of NRS pursuant to the provisions of NRS 616A.145 and who, for 5 years or more, has served continuously as a volunteer firefighter in this State by continuously maintaining an active status on the roster of a volunteer fire department.
- 3. Except as otherwise provided in subsection 4, each employee who is to be covered for diseases of the heart pursuant to the provisions of this section shall submit to a physical examination, including an examination of the heart, upon employment, upon commencement of coverage and thereafter on an annual basis during his or her employment.
- 10. Failure to correct predisposing conditions which lead to heart disease when so ordered in writing by the examining physician subsequent to a physical examination required pursuant to subsection 3 or 4 excludes the employee from the benefits of this section if the correction is within the ability of the employee.

If you or your employer disagrees with this decision, you have the right to file an appeal and mail it directly to the Hearing Officer, Department of Administration, 1050 E. Williams St., Ste 400, Carson City, Nevada 89701. If your request does not reach

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the Hearings Division within seventy (70) days from the date of this letter, you may lose your right to appeal the decision.

If you have any questions, please contact our customer service center at 1-888-682-6671.

Sincerely,

Amy Caldera

Sr Claims Adjuster

Enclosure: C4

Request for Hearing

cc: RENO CITY OF

DIR

SA 412



## **Notepad Detail**



#### DEMARANVILLE, DANIEL E - 1990204572

9/11/13 9:52

Add User: ACALDERA

Notepad Type: ER Contact

Edit 9/11/13 9:52

Edit User: ACALDERA

Overview: 1/c to Patricia Medina (with the Reno Po

Body: 1/c to Patricia Medina (with the Reno Police Dept. 775-334-2568) & she is going to fax us the C3 & anything else that they already filed w/ CCMSI

she said she doesn't have any old employment physicals as whomever had her job before did not keep those

she should be able to provide me with the actual retired date and the wage rate as of his last day of employment

diary closed & new diary set to review again next week to make sure these documents have been received

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Page 1 of 1

Run Date: 10/15/2013 11:13:13

Run By: MSERTIC



Fax Server

RE: DEMARANVILLE, DANIEL

Page 1





20 Sos 130

- Duketh, 6A 30096

Phones (\$32) 583-4964 Fax: (770) 932-5696

09/16/2013

#### Informal Review

Debble Benter

**Employers** 

Patient Name:

Jurisdiction: Date of Injury:

Claim/Policy #:

Treating Provider:

PRIUM File #:

PreAuth #:

PC Number:

DEMARANVILLE, DANIEL

NV

01/31/1990

1990204572

NO PROVIDER CONTACT - INFORMAL

REVIEW, -

EMPLOYERS-294476

307427

20130828182470

#### File Contents:

- 1. Referral Form.
- 2. Certificate of Death dated 08/05/12.
- 3. Employee's Claim for Compensation/Report of Initial Treatment form dated 08/20/13.
- 4. Anesthesia Note dated 08/05/12.
- 5. Visit Notes and History and Physical Examinations dated 09/08/06, 01/25/07, 08/14/07, 01/09/08, 04/15/08, 07/16/08, 08/07/08, 11/20/08, 01/27/09, 02/20/09, 05/13/09, 06/10/09, 10/13/09, 01/26/10, 05/26/10, 08/30/10, 01/31/11, 04/25/11, 06/15/11, 06/21/11, 08/02/11, 10/26/11, 11/23/11, 12/20/11, 02/14/12, and 04/19/12 and 05/29/12 by providers at Acadia Medical Group.
- 6. Letter with Progress Note dated 03/30/11 by Richard Ganchan, MD of Reno Heart Physicians.
- 7. Stress Echocardiogram dated 03/26/11.
- 8. Consult dated 01/14/11 by Karen Clark, MD of Reno Heart Physicians.
- 9. Consultation dated 11/12/08 by David Hald, MD, Neurologist.
- 10. Consultation by David Mathis, MD of Nevada ENT & Hearing Associates, date unclear.
- 11. Flexible Cystoscopy Report dated 11/19/06 by David Hald, MD.

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Page 2

- 12. Progress Note dated 01/31/08 by Fred Fricke, MD of Nevada Gastroenterology.
- 13. Laboratory reports dated 10/09/09, 10/21/09, 09/30/10, 05/11/12, and 06/06/12.
- 14.EKG reports.
- 15. Upper GI series dated 06/01/12.
- 16. Renal Ultrasound dated 11/11/08.
- 17. Ultrasound dated 08/14/07.
- 18. Right hand x-ray dated 01/15/07.

#### Discussion:

No contact was requested for this review.

The patient was involved in an industrial-related injury on 01/31/90. management indicates the patient underwent gallbladder surgery and suffered cardiac arrest in the recovery room and expired on 08/05/12. The documentation indicates that the patient was seen for urological consultation on 11/12/08, at which time it was noted the patient was a retired police officer. He was referred for microscopic hematuria with mention he had been evaluated with a cystoscopy in the past and that he had microscopic blood in his urine. The patient denied pain, dysuria, or incontinence. There was mention that over the years there had reportedly been some decreased force of the stream with urgency and frequency, which had responded to Flomax. There was mention of mild erectile dysfunction with indication that Viagra had been prescribed and had worked very well. Also per the 11/12/08 urological consultation, past medical history was noted for an ECG showing right bundle branch block., prior appendectomy, herniorrhaphy with loss of the left testicle, back surgery, and cataract surgery. Medications had included Zantac, Lexapro, and Flomax. It was noted the patient had been a smoker for many years of one pack per day. There was also mention of a urinalysis which was positive for blood with 5 to 7 red blood cells per high-power field. A nuclear matrix protein-22 test for abnormal cells was also positive, which was noted to suggest potential risk for transitional cell carcinoma of the bladder, with mention an ultrasound had been performed which was essentially normal with the exception of some simple renal cysts. It was recommended that given the presence of hematuria and his smoking a complete work-up including urine cytology was to be completed along with a cystourethroscopy to be scheduled the following week, with potential CT scan based on the findings. According to a flexible cystoscopy report dated 11/19/08, it was noted that after this evaluation, the provider was pleased with the cystoscopy and a CT scan was not going to be obtained. It was mentioned that if his cytology was atypical, or positive by FISH analysis, then he would need a CT scan. It was noted that he was to be seen in six months for repeat urinalysis and in the interim, if he should develop gross hematuria, he would need to be seen sooner. Also according to the documentation, in a colonoscopy report dated 01/31/08, there was mention of excellent quality screening examination for colon cancer, and no neoplastic tissue was identified.

The consultation by Dr. Karen Clark of Reno Heart Physicians dated 01/14/11 indicated the patient was seen at the request of Concentra in consultation for an abnormal EKG. The 01/14/11 note indicated that upon routine physical, the patient

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had an ECG that showed a RBBB and RAD. It was noted the patient was told he had this previously in 2004, with mention that he had a stress test and echocardiogram at that time and was told it was all normal except for mild LVH on the echocardiogram. The patient denied any symptoms or limitations. There was mention the patient reportedly quit smoking a few years prior. Also per the 01/14/11 report, there was mention of an absence of the following cardiac risk factors: no diabetes mellitus; no peripheral vascular disease; no family history of coronary artery disease; no hypertension; no sedentary lifestyle; and no sleep apnea. The assessment per the 01/14/11 note was abnormal electrocardiogram. The Letter with Progress Note dated 03/30/11 indicates the patient was cleared for security work without restriction, with impression of right bundle branch block, no evidence of organic heart disease. Also according to the documentation, in a note dated 12/20/11, the patient had hip pain and needed a shot. However, there were no objective physical examination findings. A note dated 02/14/12 indicated the patient was seen for a physical. There were no objective physical examination findings. There was mention the patient had ceased tobacco use in 2009. A note dated 04/19/12 indicated the patient was seen for Kenalog injection for diffuse body aches from his polymyalgia rheumatica. There was mention of physical examination noting the heart had a regular rate and rhythm without murmurs or gallops; lungs were clear to auscultation bilaterally; no rhonchi, wheezing, or crackles; abdomen soft, nontender, and non-distended; positive bowel sounds; no hepatosplenomegaly; no rebound or guarding; no tenderness; no costovertebral angle tenderness; diffuse swollen, mildly tender joints of the shoulders bilaterally, elbows bilaterally, hands bilaterally, low back, hips, and knees; good range of motion of all of his extremities; significant tremor; no skin rashes or lesions. Also per the 04/19/12 note, the diagnoses were: essentially and other specified forms of tremors polymyalgia rheumatica, osteoarthrosis unspecified whether generalized or localized, and benign essential hypertension. A note dated 05/29/12 indicated the patient reported abdominal pain, mid and epigastric, that radiated around the back and up in between the shoulder blades, and that this had occurred over the past 4 to 5 weeks. There was mention of a previous peptic ulcer; that the patient reportedly drank one martini per day and up to 4 to 5 martinis on the weekends; with mention he acknowledged an alcohol problem in the past. On physical examination per the 05/29/12 report, there was mention was mention of a normal cardiac exam: no gallop; no murmur; normal heart sounds; normal pulses; regular rate and rhythm; respiratory rate and breath sounds normal; no respiratory distress; abdomen obese, soft, with mild epigastric tenderness to palpation; no positive Murphy sign; and no masses. Also per the 05/29/12 report, the diagnoses included alcohol abuse unspecified, vomiting alone, abdominal tenderness, epigastric, osteoarthrosis unspecified whether generalized or localized, and essential hypertension benign. The treatment plan included referral to gastroenterology.

#### SUMMARY OF TREATMENT PLAN:

1. Was there any evidence of heart disease prior to 08/05/12? Is so, when?

There was evidence of cardiovascular disease in the following forms prior to 08/05/12: Hypertension (noted on document of 05/29/12), right bundle branch block on EC (noted in 2004), and mild left ventricular hypertrophy on echocardiogram (noted in the 01/14/11 report). However, there is no evidence in the records provided of coronary artery disease, coronary heart disease, or

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Page 4

ischemic heart disease. There is documentation of atherosclerotic heart disease prior to 08/05/12.

2. Was there any basis for the diagnosis of atherosclerotic heart disease as noted on the death certificate?

This reviewer was unable to find any documentation in the records provided that would support a diagnosis of atherosclerotic heart disease as noted on the death certificate.

3. Was the myocardial infarction due to atherosclerotic heart disease or was this most likely a post-op complication?

From the records provided, there is no evidence of a myocardial infarction, particularly since cardiac enzymes were not drawn, a 12-lead ECG showing evidence of myocardial infarction is absent, and an autopsy was not performed. Thus, it appears most likely that the cardiac arrest was a post-operative complication.

This evaluation has been conducted on the basis of the medical documentation, as provided, and information provided by the treating provider(s) or authorized representative(s) with the assumption that that information is true and correct. PRIUM believes that it has made a reasonable attempt to obtain all medical records pertinent to this review and has afforded the treating provider(s) an opportunity to provide additional information in a timely manner. The opinions and conclusions are those of the reviewing physician and are derived from a synthesis and analysis of the available information and based on reasonable medical probability and generally accepted references.

If we can assist further, please let us know.

Yasmine & ali, mo

Sincerely,

Yasmine S.Ali, M.D., M.S.C.I, F.A.C.C., F.A.C.P.

Board Certified in Internal Medicine and Cardiovascular Disease

Diplomate, American Board of Clinical Lipidology

Board Certified in Nuclear Cardiology

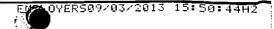
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Page 1





PO Box 190

Duluth, GA 30096

Phone: (888) 588-4964 Fax: (770) 932-5696

09/03/2013

#### Informal Review

**Debbie Benter Employers** 

Patient Name: Jurisdiction: Date of Injury:

Claim/Policy #: Treating Provider:

PRIUM File #: PreAuth #: PC Number:

DEMARANVILLE, DANIEL

01/31/1990 1990204572

NO PROVIDER CONTACT - INFORMAL

REVIEW. -

EMPLOYERS-292454

307427

29130828182470

#### File Contents:

- 1. Referral Form.
- 2. Certificate of Death dated 08/05/12.
- 3. Employee's Claim for Compensation/Report of Initial Treatment form dated
- 4. Anesthesia Note dated 08/05/12.
- 5. Visit Notes and History and Physical Examinations dated 09/08/06, 01/25/07, 08/14/07, 01/09/08, 04/15/08, 07/16/08, 08/07/08, 11/20/08, 01/27/09, 02/20/09, 05/13/09, 06/10/09, 10/13/09, 01/26/10, 05/26/10, 08/30/10, 01/31/11, 04/25/11, 06/15/11, 06/21/11, 08/02/11, 10/26/11, 11/23/11, 12/20/11, 02/14/12, and 04/19/12 and 05/29/12 by providers at Acadia Medical Group.
- 6. Letter with Progress Note dated 03/30/11 by Richard Ganchan, MD of Reno Heart Physicians.
- 7. Stress Echocardiogram dated 03/26/11.
- 8. Consult dated 01/14/11 by Karen Clark, MD of Reno Heart Physicians.
- 9. Consultation dated 11/12/08 by David Hald, MD, Neurologist.
- 10. Consultation by David Mathis, MD of Nevada ENT & Hearing Associates, date unclear.
- 11. Flexible Cystoscopy Report dated 11/19/06 by David Hald, MD.

PAGE 2/6 \* RCVD AT 9/3/2013 12:56:20 PM [Pacific Daylight Time] \* SVR:HND-RFAX-PRO1/7 \* DNIS;7658 \* CSID; \* DURATION (mm-ss):02-20

- 12. Progress Note dated 01/31/08 by Fred Fricke, MD of Nevada Gastroenterology.
- 13. Laboratory reports dated 10/09/09, 10/21/09, 09/30/10, 05/11/12, and 06/06/12.
- 14. EKG print outs.
- 15. Upper GI series dated 06/01/12.
- 16. Renal Ultrasound dated 11/11/08.
- 17. Ultrasound dated 08/14/07.
- 18. Right hand x-ray dated 01/15/07.

#### Discussion:

No provider contact was requested for this informal review.

The patient is a 78-year-old male with a date of industrial injury 01/31/90. Case management indicates the patient underwent gallbladder surgery and suffered cardiac arrest in the recovery room and expired on 08/05/12.

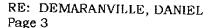
According to a urological consultation note on 11/12/08, there was mention of the patient being a retired police officer at that point and was being referred for microscopic hematuria and that he had been evaluated with a cystoscopy many years ago and that he has had microscopic blood in his urine but denied any pain, dysuria, or incontinence and that he had noted over the years some decreased force of the stream with urgency and frequency, which had responded nicely to Flomax and that there was mild erectile dysfunction and Viagra that was prescribed had worked very well. Also per 11/12/08 note, there was mention of the patient's past medical history that was noteworthy for an irregular EKG, prior appendectomy, herniorrhaphy with loss of the left testicle, and back surgery, as well as cataract surgery and on medications that included Zantac, Lexapro, and Flomax and that he had been a onepack-a-day smoker and had been for many years. Also per 11/12/08 note, there was mention of a urinalysis that was positive for blood with 5 to 7 red blood cells per per high-power field. A nuclear matrix protein-22 test looking for abnormal cells was also positive, and this suggested a potential risk for transitional cell carcinoma of the bladder and that he had undergone an ultrasound, which was essentially normal with the exception of some simple renal cysts, and it was recommended at that point that given the presence of hematuria and his smoking that a complete work-up including urine cytology was to be submitted, along with doing a cystourethroscopy to be scheduled next week and potentially a CT scan based on the findings.

According to a flexible cystoscopy report on 11/19/08, there was mention that after completing this evaluation the provider was pleased with the cystoscopy and a CT scan was not going to be obtained at that point but that his cytology was atypical or positive by FISH analysis then he would need a CT scan and consideration for retrograde pyelography and he would be contacted with the results once available and for follow-up he was to be seen in 6 months for a repeat urinalysis and in the interim if he should develop gross hematuria he would need to be seen sooner due to the importance of a work-up.

PAGE 3/5 \* RCVD AT 9/3/2013 12:56:20 PM [Pacific Day/Ight Time] \* SVR:HND-RFAX-PR01/7 \* DNIS:7658 \* CSID: \* DURATION (mm-ss):02-20

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According to a colonoscopy report on 01/31/08, there was mention of excellent quality screening examination for colon cancer and no neoplastic tissue was identified and a repeat screening examination should be considered in 10 years per report.

The consult dated 01/14/11 by Dr. Karen Clark of Reno Heart Physicians indicates the patient was seen at the request of Concentra in consultation for abnormal EKG. The 01/14/11 note indicates on the patient's routine physical he had an ECG that showed a RBBB and RAD. It was noted the patient was told he had this previously in 2004 and he had a stress test and echocardiogram at that time and was told it was all normal except for mild LVH on the echocardiogram. The patient denied any symptoms or limitations. It was noted the patient quit smoking a few years ago. There was mention of cardiac risk factors: no diabetes mellitus, no peripheral vascular disease, no family history of coronary artery disease, no hypertension, no sedentary lifestyle and no sleep apnea. There was also mention the patient presented with complaints of abnormal cardiovascular test, starting 6 years ago. The assessment per the 01/14/11 note was abnormal electrocardiogram. The Letter with Progress Note dated 03/30/11 indicates the patient was cleared for security work without restriction with impression of right bundle branch block, no evidence of organic heart disease.

According to a clinic note on 12/20/11, there was mention of the patient having hip pain and needed a shot and no clearly detailed objective physical examination findings were listed. According to a clinic note on 02/14/12, there was mention of the patient being seen for a physical, but again no detailed objective physical examination findings were listed with mention that the patient did quit tobacco use in 2009. According to a clinic note on 04/19/12, there was mention of the patient being seen for a Kenalog injection for diffuse body aches from his polymyalgia rheumatica and physical examination included a heart that had a regular rate and rhythm without murmurs, gallops, or rubs. Lungs were clear to auscultation bilaterally. No rhonchi, wheezing, or crackles. Abdomen was soft, nontender, and nondistended and positive bowel No hepatosplenomegaly. No rebound or guarding. No tenderness. sounds. costovertebral angle tenderness. There was diffuse swollen mildly tender joints of the shoulders bilaterally, elbows bilaterally, hands bilaterally, low back, hips, and knees, along with good range of motion of all of his extremities but that there was significant tremor and no skin rashes or lesions were noted. His diagnoses were listed as essentially and other specified forms of tremors polymyalgia rheumatica, osteoarthrosis unspecified, whether generalized or localized, and benign essential hypertension. According to a clinic note on 05/29/12, there was mention of the patient having abdominal pain, mid and epigastric that radiated around the back and up in between the shoulder blades and that this had occurred over the past 4 to 5 weeks and years ago he had peptic ulcer, along with mention that the patient had been drinking one martini per day and up to 4 to 5 martinis on the weekends and that he did acknowledge that he had an alcohol problem in the past and that he no longer smoked and quit 3 years ago. On physical examination, there was mention of the patient having cardiovascular disease, no fraction rub. No gallop. No murmur. Normal heart sounds. Pulses normal. Regular rate and rhythm. Respiratory rate, breath sounds were normal. No respiratory distress. Abdomen was obese, soft, with mild epigastric tenderness to palpation. There was no positive Murphy sign. There were no masses, and the listed diagnosis included alcohol abuse unspecified, vomiting alone, abdominal tenderness, epigastric, osteoarthrosis, unspecified whether

PAGE 4/6 \* RCVD AT 9/3/2013 12:56:20 PM (Pacific Daylight Time) \* SVR:HND-RFAX-PR01/7 \* DNIS:7658 \* CSID: \* DURATION (mm-ss):02-20

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generalized or localized, and essential hypertension benign. The treatment plan included referring the patient to gastroenterology, along with obtaining some radiologic films.

#### Recommendations:

1. I have been asked to determine whether there was any evidence of heart disease prior to 08/05/12 and if so, when.

There was no indication from the available documentation/information of any specific heart disease problem occurring prior to 08/05/12 based on the available documentation/information. There was mention that as far back as 11/12/08 that the patient had a reported irregular EKG but no mention as to how this would have equated into a specific heart problem or cardiac disease issue that was occurring.

2. Was there any basis for the diagnosis of atherosclerotic heart disease as noted on the death certificate?

It appears that the patient had some risk factors prior to the 08/05/12 surgery that could have led to the atherosclerotic heart disease as he had a long history of smoking as well as a history of alcohol abuse. While there was no mention of any specific heart problems that occurred prior to 08/05/12, these risk factors could have predisposed the patient to an atherosclerotic condition and put him at higher risk for any particular type of surgical intervention.

3. Was the myocardial infarction due to atherosclerotic heart disease or was this most likely a post-op complication?

As mentioned in question #2, it appears that the patient had some risk factors that would have led to the atherosclerotic heart disease and would most likely not have been due to a postoperative complication of a gallbladder surgery resulting in the cardiac arrest.

This evaluation has been conducted on the basis of the medical documentation, as provided, and information provided by the treating provider(s) or authorized representative(s) with the assumption that that information is true and correct. PRIUM believes that it has made a reasonable attempt to obtain all medical records pertinent to this review and has afforded the treating provider(s) an opportunity to provide additional information in a timely manner. The opinions and conclusions are those of the reviewing physician and are derived from a synthesis and analysis of the available information and based on reasonable medical probability and generally accepted references.

If we can assist further, please let us know.

Sincerely,

Page 5

Sankar Pemmaraju, D.O.

American Board of Physical Medicine and Rehabilitation TX-K8811

CA-20A11667

SP/mm

Certified Mail: 7010 3090 0000 6289 4593

July 8, 2013

Claims Department Employers Insurance Group P.O. Box 539004 Henderson, Nevada 89053

Re:

Daniel DeMaranville

DOI: 8/5/12

To Whom It May Concern:

Attached you will find a C-4 completed 9/5/12, accompanied by a Certificate of Death with the stated cause of(a) Cardiac arrest (b) Atherosclerotic heart disease.

My husband worked for the City of Reno Police Department retiring in January of 1990. The claim was originally filed with the City of Reno's current TPA CCMSI. I have recently been advised that based on the date of retirement the proper insurer may be the State Industrial Insurance System, and the claim should be filed with your agency.

Please also consider this a request for Death Benefits. At the time of death my husband was employed as a Court Security Officer for the Federal Court thru the contract employer AKAL. AKAL maintained a Nevada workers' compensation policy with coverage verification attached.

Construction (State Control of the Con

411

Do not hesitate to contact me if additional information is required.

Sincerely

Laura DeMaranville

P.O. Box 261

Verdi, Nevada 89439

(775) 345-6530

Cc:

City of Reno C/O Tim Rowe, Esq.

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Progress Note-Brief

Patient: Daniel E. Demaranville

Age 76, Gender M DOB 10/04/1934 MRN: 795450 Date: Mar 30 2011 Provider: Richard P. Ganchan MD, FACC, FSCAI

#### Subjective

This 76-year-old man with right bundle branch block returns for clearance for working in security for the Federal Government.

He remains asymptomatic.

Review of stress echo reveals it to be normal.

Impression: Right bundle branch block. No evidence of organic heart disease. Disposition: Clear for security work without restriction.

## Active Problems

#### Problems

Abnormal Electrocardiogram 794.31

#### **Current Meds**

#### Medications

- Aspirin Low Dose 81 MG Oral Tablet; TAKE 1 TABLET DAILY; Status: ACTIVE
- Citalopram Hydrobromide 20 MG Oral Tablet; TAKE 1 TABLET DAILY; Status: ACTIVE
- Doxazosin Mesylate 4 MG Oral Tablet; TAKE 1 TABLET DAILY; Status: ACTIVE
- Ranitidine HCl 300 MG Oral Tablet; TAKE 1 TABLET DAILY AS DIRECTED; Status: ACTIVE
- Tamsulosin HCI 0.4 MG Oral Capsule; TAKE 1 CAPSULE Daily; Status: ACTIVE

#### Allergies

#### Medication

· Penicillins : Swelling;

#### Vitals

Vital Signs [Data Includes: Current Encounter]

	THE RESERVE OF THE P.
	30Mar2011
	08:19AM
Systolic	122, RUE, Sitting
Diastolic	68, RUE, Sitting

ON PORTO

APR 0 7 2011

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## **Progress Note-Brief**

Patient: Daniel E. Demaranville

MD,FACC,FSCAI Age 76, Gender M DOB 10/04/1934 MRN: 795450 Date: Mar 30 2011

Provider:	Richard	P	Ganchan
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Heart Rate	94
O2 Saturation	91, RA
Smoking Status	Non-Smoker
Height	5 ft 1 in
Weight	219 lb
BMI	41.38 kg/m2
BSA	1.96 m2

#### **Signatures**

Electronically signed by : Richard Ganchan, MDJFACCJFSCAI; Mar 30 2011 4:20PM

Donald Van Dyken, M.D. Reno Heart Physicians Signature Form: Richard Ganchan, MD, FACC, FSCAI

. Copy for:

**41**3



#### Consult

Patient: Daniel E. Demaranville Age 76, Gender M

DOB 10/04/1934 MRN: 795450 Date: Jan 14 2011 Provider: Karen Clark MD

**Chief Complaint** 

Abnormal Cardiovascular Test I am seeing Daniel Demaranville at the request of Concentra in consultation for: Abnormal EKG,

#### History of Present Illness

Patient has no previous cardiac history. Patient has not been having any symptoms.

[ Mr. Demaranville is a 76 year old man w/ PMH of BPH who was sent for evaluation of an abnormal ECG. He works for a company that is contracted with the US Marshall's office. At his routine PE he had an ECG tihat showed a RBBB and RAD. He was told he had this previously in 2004. He had a stress test and echocardiogram at that time. He was told it was all normal except for mild LVH on the echocardiogram. He denies any symptoms or limitations. He previously smoked but quit a few years ago. He states he cuts his own wood and walks without problems.

Cardiac Risk Factors: no diabetes mellitus, no peripheral vascular disease, no family history of coronary artery disease, no hypertension, no hyperlipidemia, no sedentary lifestyle and no sleep apnea. Diet:. He consumes a diverse and healthy diet.

Weight Issues:. He does not have any weight concerns.

Exercise: He exercises regularly. Smoking: He does not use tobacco.

Alcohol: He consumes alcohol.

Daniel Dernaranville presents with complaints of abnormal cardiovascular test, starting 6 years ago. Previous Evaluation: stress test and echocardiogram.

Risk Factors: alcohol use and no smoking.

Family History: no COPD, no coronary disease, no diabetes, no hypertension, no peripheral vascular disease and no hyperlipidemia. (ECG)

#### Review of Systems

Constitutional: no fever, no chills, not feeling poorly (malaise), not feeling tired (fatigue), no reweight gain and no recent weight loss.

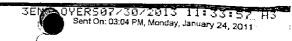
Eyes: no eyesight problems, no glaucoma and no cataracts.

ENT: no sinus problems.

Respiratory: no shortness of breath, no cough, no shortness of breath during exertion, no

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#### Consult

Patient: Daniel E. Demaranville

Age 76, Gender M DOB 10/04/1934 MRN: 795450 Date: Jan 14 2011

Provider: Karen Clark MD

orthopnea and no PND.

The patient presents with complaints of wheezing. (in past which resolved with tobaCCO CESSATION).

Cardiovascular: see History of Present Illness

Gastrointestinal; heartburn, but no abdominal pain, no constipation, no diarrhea and no nausea.

Genitourinary: urinary hesitancy, but no dysuria. Musculoskeletal: no arthralgías and no joint pain.

Integumentary: no skin lesions.

Neurological: no dizziness and no fainting.

Extremities: no edema.

Psychiatric: no sleep disturbances, no anxiety and no depression.

Hernatologic: no tendency for easy bleeding.

Endocrine: no diabetes.

Other Systems: all other systems are negative.

#### **Active Problems**

Abnormal Electrocardiogram 794.31

#### Past Medical History

- History of Benign Prostatic Hypertrophy 600.00
- History of Esophageal Reflux 530.81

#### Surgical History

- History of Back Surgery
- History of Hernia Repair

#### Family History

No Relevance / Noncontributory

Family history of No Relevance / Noncontributory

#### Social History

#### Problems

- Alcohol Use
- Former Smoker V15.82

#### **Current Meds**

- Aspirin Low Dose 81 MG Oral Tablet; TAKE 1 TABLET DAILY; Status: ACTIVE
- Citalopram Hydrobromide 20 MG Oral Tablet; TAKE 1 TABLET DAILY; Status: ACTIVE
- Doxazosin Mesylate 4 MG Oral Tablet; TAKE 1 TABLET DAILY; Status: ACTIVE
- Ranitidine HCl 300 MG Oral Tablet; TAKE 1 TABLET DAILY AS DIRECTED; Status: ACTIVE
- Tamsulosin HCI 0.4 MG Oral Capsule; TAKE 1 CAPSULE Daily; Status: ACTIVE

#### Allergies

Penicillins : Swelling;

Vitals

Vital Signs [Data Includes: Current Encounter]

14Jan2011

14Jan201

#### Consult

Patient : Daniel E. Demaranville

Age 76, Gender M DOB 10/04/1934 MRN: 795450 Date: Jan 14 2011

Provider: Karen Clark MD

	10:22AM	10:16AM
Systolic	170	10.10/41/1
Diastolic	90	<del> </del>
Heart Rate	94	<del>                                     </del>
Smoking Status	Non-Smoker	Non-Smoker
Height	5 ft 11 in	5 ft 11 in
<i>Neight</i>	214 lb	214 lb
3MI	29.85 kg/m2	29.85 kg/m2
BSA	2.17 m2	2.17 m2

#### Physical Exam

General Appearance: The patient was alert, fully oriented, in no acute distress, well developed and well nourished. Race/Ethnicity: Caucasian.

HEENT: Eyes:. Pupils were equal in size, round, reactive to light, with normal accommodation. The extraocular movements were intact. The sclera and conjunctiva were normal. Head.. The head was normal in appearance. Voice: normal voice quality. Oral Pharynx: no abnormalities.

Neck: Examination of the neck was normal, the neck was not tender and no thyroid enlargement. Jugular Veins: JVP normal. Carotid Upstroke Normal.

Chest: The chest was normal in appearance and there was no tenderness on palpation. Pulmonary: Normal respiratory rhythm and effort, clear bilateral breath sounds and clear to

Cardiovascular: The PMI was palpated at the 5th LICS in the middlavicular line The apical impulse was normal. Rate: normal rate. Rhythm: regular. Heart sounds: normal S1, normal S2, no S3 heard, no S4 heard. No pericardial rub heard. Murmurs; no murmurs heard.

Abdomen: Normal bowel sounds, soft and not tender. No masses. No hepatosplenomegaly: Shape:

Vascular: Arterial pulses were normal on the right. Arterial pulses were normal on the left. Carotid: right 2+, left 2+, no bruit heard over the right carotid, no bruit heard over the left carotid. Dorsalis pedis; right 2+, left 2+.

Radial: right 2+, left 2+. Abdominal Aorta The abdominal aorta was nonpalpable. Bruit not heard over the abdominal aorta.

Edema Detail: No pitting edema present.

Musculoskeletal: Normal movements of all extremities. Normal gait. Fingers: No clubbing of the

Neuro: Oriented to person, place, and time. The motor exam was normal.

Psych: Affect is normal and mood is normal.

#### Tests

EKG:

I have ordered and interpreted this 12 lead EKG, and it reveals the following: Rate: ventricular rate is 85 beats per minute.

#### Consult

Patient : Daniel E. Demaranville

Age 76, Gender M DOB 10/04/1934 MRN: 795450 Date: Jan 14 2011 Provider: Karen Clark MD

Rhythm: sinus rhythm.
Bundle Branch Blocks: right bundle branch block.
QT Interval: normal.
Axis: right.
Blocks: none.

#### **Assessment**

Abnormal Electrocardiogram 794.31

## Discussion/Summary

The patient presents with an abnormal EKG. In terms of my plan: We will continue with current treatment. To further evaluate hisabnormal EKG, I have recommended the following: a stress echocardiogram. Risks, benefits and alternatives to this treatment plan were discussed with with the patient.

The above assessed problems are stable. The following chronic conditions are stable: Patient is to continue with the same medication regimen. Patient is to undergo the following testing: Stress echocardiogram. Patient is to follow-up sooner if clinical condition changes.

Thank you very much for allowing me to participate in the care of this patient. Thank you for requesting our opinion. If you have any questions, please do not hesitate to contact our office.

#### Signatures

Electronically signed by : Karen Clark, MD; Jan 14 2011 11:06AM (Author) Reno Physician Signature Form: Karen Clark, MD

Copy for:

cc: VanDyken, Donald VanDyken, Donald

DUST

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November 12, 2008



Donald D. VanDyken, M.D. 900 Ryland Street B9 Reno, NV 89502

RE: DEMARANVILLE, DANIEL E.

Dear Dr. VanDyken:

I had the pleasure today of meeting Mr. Daniel Demaranville, the pleasant, 74-year-old, retired police officer, whom you referred due to microscopic hematuria.

As you are aware, he had previously been a patient of Dr. Brady's and he had been evaluated with cystoscopy many years ago. He has had microscopic blood in his urine but denies any pain, dysuria or incontinence. He has noted over the years some decreased force of the stream with urgency and frequency, which has responded nicely to Flomax. He also has mild erectile dysfunction and the Viagra you have prescribed has worked very well.

His past medical history is noteworthy for an irregular EKG, prior appendectomy, hemiorrhaphy with loss of the left testicle, and back surgery. He has also had cataract surgery and currently takes Zantac, Lexapro and Flomax. He has a penicillin allergy. He is a one-pack-a-day smoker and has been for many years.

In the office today we did a urinalysis. The urinalysis was dipstick positive for blood with 5-7 red cells per high-power field. A Nuclear Matrix Protein-22 test looking for abnormal cells was also positive. This is suggestive of a potential risk for transitional cell carcinoma of the bladder.

He has also undergone an ultrasound which is essentially normal with the exception of some simple, renal cysts.

At this point in time I have explained to the patient that given the presence of hematuria and his smoking, he needs a complete workup including a urine cytology which we will submit, cystourethroscopy which we will schedule next week, and potentially a CAT scan based on the findings. I explained to the patient my preference for CAT scan in this setting, particularly now with the positive NMP-22. However, I will wait to order it to see what the cytology shows, as the cytology, if abnormal, sometimes will be more predictive of potential upper tract lesion.

At the end of the consultation he is well apprised as to the importance of followup and we will have him return in one week for the above-mentioned tests.

NOV 2 0 2008 OF 16 35

November 12, 2008

Page 2

As always I appreciate your kind referral. I will continue to keep you apprised of the patient's course and progress throughout his workup.

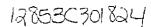
Warmest personal regards,

AVIDE HALD, M.D.

NOV 2 0 2008

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## Jay E. Betz, MD, CIME, CHCQM, FABQAURP

Occupational Medicine & Injury Care Consulting
Diplomat American Board of Independent Medical Examiners
Certified Healthcare Quality Manager
Fellow of the American Board of Quality Assurance & Utilization Review Physicians

May 13, 2013

Timothy Rowe McDonald, Carano, Wilson P.O. Box 2670 Reno, NV 89505

Re:

Daniel DeMaranville

DOI:

08/5/12

#### **CHART REVIEW**

Dear Mr. Rowe,

At your request I reviewed the partial medical record of Daniel DeMaranville to help clarify his cause of death.

The opinions expressed in this report are stated to a reasonable degree of medical probability based on the medical records provided and may be altered by additional information.

#### HISTORY

As you know, Mr. DeMaranville was a 77 year old retired Reno Police Officer. On August 5, 2012, he was admitted to Renown Regional Medical Center for a laparoscopic cholecystectomy which was performed by Dr. Gomez without apparent intraoperative complications.

In the recovery room Mr. DeMaranville became hypotensive, hypoxemic an experienced progressive bradycardia followed by pulseless electrical activity. CPR was initiated but resuscitation was not successful.

A note from Dr. Frank Carrea, cardiologist, indicates he was called to respond to the patient's progressive decompensation. When he arrived the patient was being intubated and was receiving CPR. He noted the patient had no known history of cardiac disease other than a haseline right bundle branch block. ECG at the time of his arrival showed a rate of 60 with a wide complex escape rhythm. The patient was given epinephrine, atropine and sodium bicarbonate. Several attempts were made to defibrillate. Echocardiogram showed no left ventricular wall motion. Resuscitation was stopped and the patient was declared deceased.

10580 N. McCarran Blvd. #115-345, Reno, NV 89503

Phone (530) 277-7485 Fax (530) 268-8495 Email <u>layebetzmd@ins.bet</u> 0 2013

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An autopsy was declined by the patient's wife.

The death certificate signed by Dr. Gomez states that the patient died of a cardiac arrest due to atherosclerotic heart disease.

An occupational claim was then filed at the request of the patient's wife seeking compensation under the heart/lung statue (NRS 617.457).

No preoperative medical records are presented for review. It is not known if the patient had a preop cardiac clearance.

#### DISCUSSION:

I will now answer the 6 questions you present in your cover letter.

1. Based on the limited medical records enclosed with this letter, are you able to determine the actual cause of Mr. DeMaranville's death?

Answer: No.

2. What is the probability Mr. DeMaranville's death was caused by heart disease?

Answer: Heart disease is the most common cause of death in the elderly. Without another easily identifiable cause, the probability is high that Mr. DeMaranville died of heart disease.

3. What is the probability his death was caused by something other than heart disease?

Answer: In the immediate postoperative period, the differential diagnosis also includes pulmonary embolism and anesthesia related complications. These, however, are much less likely than heart disease.

4. Because Mr. DeMaranville had no history of atherosclerotic heart disease and no autopsy was performed, is there any medical evidence that supports the conclusion that his death was caused by atherosclerotic heart disease? If so, please state what medical evidence supports this conclusion?

Answer: Nearly everyone develops atherosclerotic heart disease to one degree or another as we age. Often the first sign of significant atherosclerotic heart disease is a myocardial infarction. Sometimes this infarction is massive and fatal. In the case of Mr. DeMaranville, considering his age and the sudden onset of cardiac insufficiency it is most likely he suffered a significant myocardial infarction making a large portion of his myocardium nonfunctional.

5. Would an opinion from a cardiologist be helpful in this case? If so who would you recommend as an expert? Receivert

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10580 N. McCarran Blvd. #115-345, Reno, NV 89503 Email jayebetzmd@jps.netl-Reno Phone (530) 277-7485 Fax (530) 268-8495

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Answer: Perhaps. I would start with Dr. Frank Carrea who was present at the time of Mr. DeMaranville's attempted resuscitation. If an independent review is sought, I would recommend a cardiologist from the medical school.

6. With the limited information available here, are you able to determine if the cardiac arrest was caused by some form of heart disease?

Answer: Not with certainty. Absent an autopsy, a definitive conclusion regarding Mr. DeMaranville's cause of death may not be possible. However review of the entire medical record revolving around the patient's preoperative evaluation and course during the surgical procedure may be helpful in clarifying his cause of death.

I hope this review has been of assistance. If you have further questions or concerns, do not hesitate to contact me.

Sincerely.

CIME, CHCQM

Received

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Fax (530) 268-8495

Émail javebetzmd@ips.net

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SERTIC LAW LTD. ATRIOUSES AT LAW 9975 HOME SURCEINS DRIVE Reno, NV 89502 775 327,6300

## CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the law firm of Sertic Law Ltd., Attorneys at Law, over the age of eighteen years, not a party to the within matter, and that on the day of November, 2013, I deposited for mailing at Reno, Nevada, with postage fully prepaid, a true copy of the foregoing or attached document, addressed to:

Leslie Bell RPPA P.O. Box 359 Reno, NV 89504

Laura Demaranville P.O. Box 261 Verdi, NV 89439

City of Reno Attn. Cara Bowling P.O. Box 1900 Reno, NV 89505

Sina E. Walsh

# AFFIRMATION (Pursuant to NRS 239B.030)

The undersigned does hereby affirm to the best of his knowledge that the attached document does not contain the social security number of any person.

-2-

Dated on this  $\mathcal{J}^{(V)}$  day of November, 2013.

Mark S. Sertic

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DOWN WALL



NEVADA DEPARTMENT OF ADMINISTRATION

BEFORE THE APPEALS OFFICER

AAD FILED

In the matter of the Industrial Claim No.: 1990204572
Insurance Claim 12853C301824

of

Daniel Demaranville, Deceased,

Hearing No.: 45822-KD
45538-SA
44686-SA

Claimant.

Appeal No.: 44957-LLW

46479-LLW 46812-LLW

INSURER SUPPLEMENTAL EVIDENCE PACKET

<u>Documents</u> <u>Page</u>

Heart/Lung Physical Examinations 1-12

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Evidence as exhibit \_

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Robert J. Barnet, M.D., F.A.C.C. DIPLOMATE OF AMERICAN BOARD OF INTERNAL MEDICINE AND : SUBSPECIALTY BOARD OF CARDIOVASCULAR DISEASES 850 Mill Street, Suite 101 Reno, Nevada 89502 (702) 788-2022 October 21, Teau Dear for Don Deforanville: At the time of your recent Peace Officers or Fire Fighters annual Heart-Lung examination on 10-12-83 (Pinel 111) The following pertinent findings were present: 1. Weight: 191 2. Blood Pressure. R'Arm 5397 33 L Arm 120 / 35 3. Chest x-ray [] Normal ☐ Other\_\_\_ 4. EKG □ Normal □ Other. 5. Treadmill C) Normal ☐ Other. 6. Pulmonary Function (1) Normal ☐ Other\_ 7. Cholesterol (Normal 150 to 250 mgs.). (Normal 60 to 120 mgs.). 9. Blood Sugar \_\_\_ 10. T.B. Skin Test D Negative □ Positive □ Not done Did not return for reading The following item or items were abnormal; Smoking 14 Dacks of esparatles daily. It is recommended that you discontinue smidling for this places you as a filiper risk for developing heart and long. disense. Sincerely. Received ROBERT J. BARNET, M.D. JUL 18 2014 D: If it recommended that you contact your private physician for advice. **CCMSHReno** ☐ Report sent to Doctor\_ kř.i \_\_as requested. Copy will be forwarded to Personnel Department : \*Note: Treadmill every two years from age 35. Chemistry panel every two years.

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432 402 CITY 00173

Cardiology Consultants December 8, 1981 Dear Daniel DeMaranville At the time of your recent Peace Officers or Fire Fighters annual cardiac exam.on December 2, 1981 The following pertinent findings were present; 1. Weight: 193 2. Blood Pressure R Arm118. / L Arm<sub>140</sub> / 13. Chest x-ray 🛛 Normal ☐ Other 4. EKG Other 5. Treadmill ☐ Other ☑ Normal 16. Cholesterol 205 (Normal 150 to 250 mgs.), '7. Triglycerides 81 (Normal 60 to 150 mgs.). '8. Blood Sugar 97 (Normal 60 to 120 mgs.). The following item or items were abnormal: 1. Normal pulmonary Function 2. Smoking- It is recommended you discontinue smoking at puts you at greater risk for heart & lung disease. CARDIOLOGY CONSULTANTS

is recommended that you contact your private physician for advice.

Copy will be forwarded to Personnel Department,

Lab and chest x-ray every two years. (alternate)

Note: Treadmill every two years from age 35.

\_\_\_\_ as requested.

Report to Doctor .\_\_\_

CCMSPRENO

JUL 16 2014

**CITY 00165** 

433 403

ROBERT J. BARNET, M.D.

THEODORE W. DER	NOT NO.	rdiology Gon	sultants	RENO, NEVADA 89 TELEPHONE: [702] 132	502
AMBRICAN CO. AMBRI	GENERAL	October 9, 1930			
The Dear of the Control of the Contr	Daniel E. Deseran	/1110:			1 1 1 1 1
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434 404 CITY 00158

(0

October 18. 1979 Dear In United & Commany (11 a: Al the time of your recent Peace Officers or Fire Fighters annual cardiac exam on 30.31.79. The following pertinent findings were present: 1: Weight: 184 1/8 2. Blood Pressure R Arm 110 / 60 L Arm 110 / 68 \*3. Chest x-ray · · · Normal [ ] Other 4. EKG Ist Normal 11 Other \*5. Treadmill 'bl Normal Li Other \*6. Cholesterol 197 (Normal 150 to 250 mgs.). 17. Triglycerides 73 (Normal 60 to 150 mgs.). \*8. Blood Sugar\_\_\_\_(Normal 60 to 120 mgs.). The following item or items were abnormal: 1). Smoking i pack of cigaresses a day. Itals: recommended that you discontinus passing as it places you at an increased risk for heart and lung disease. Sincerely CARDIOLOGY CONSULTANTS Classific recommended that you contact your private physician for advice. Report to Doctor\_\_\_\_ Received \_as requested... Copy will be forwarded to Personnel Department. JUL 16 2014 Note: Treadmill every two years from age 35. Lab and chest x-ray every two years, (alternate) **CCMStReno** 

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CARDIOLOGY CONSULTANTS		
ROBERTIDAD	ाके हो है जिल्हा है। इ.स.	
RICHARDE CANALANIA		RENO, HEVADA 89502
JERRY NOZEBRACK, M.D. F.A.C.C. October 14	1.35%	TELEPHONE (702) 123-2741
势速骤 control Total Control Con	·	
Dear Mr. Pantel O. Lettarenvillo		
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☐ It is recommended that you contact your private	physician for advic	ce.
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Copy will be forwarded to Personnel Department.	2000 CARS	JUL 16 2014
*Note: Treadmill every two years from age 35. Lab and chest x-ray every two years. (alter		·
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SERTIC LAW LTD. ATTORNEYS AT LAW 5875 HONE DATORNED DRIVE Rend, NV 59502 775 377 8300

#### CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the law firm of Sertic Law Ltd., Attorneys at Law, over the age of eighteen years, not a party to the within matter, and that on the day of August, 2014, I deposited for mailing at Reno, Nevada, with postage fully prepaid, a true copy of the foregoing or attached document, addressed to:

NAIW 1000 E William Street #208 Carson City, Nevada 89701

Timothy Rowe, Esq. P.O. Box 2670 Reno, NV 89505

Ama h. Wubh Gina L. Walsh

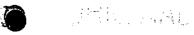
## AFFIRMATION (Pursuant to NRS 239B.030)

The undersigned does hereby affirm to the best of his knowledge that the attached document does not contain the social security number of any person.

Dated on this  $\underline{\cancel{19}}^{7}$  day of August, 2014.

Mark S. Sertic

-2- **437 407** 



## NEVADA DEPARTMENT OF ADMINISTRATION

BEFORE THE APPEALS OFFICER

In the matter of the Industrial Claim No.: 1990204572 Insurance Claim 12853C301824

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Daniel Demaranville, Deceased, Hearing No.: 45822-KD 45538-SA 44686-SA

Claimant.

Appeal No.: 44957-LLW

46479-LLW 46812-LLW

INSURER SECOND SUPPLEMENTAL EVIDENCE PACKET

# Page 7/7/14 IME Record Review Request 1-2 8/31/14 Dr. Lagstein 3-8 Nevada Board of Medical Examiners License Information 9-10

THERED INTO

EVIDENCE AS EXHIBIT #

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SERTIC LAW LTD. ATTORNEYS AT LAW 5975 HOME DARDERS ORIVE Rand, NV 50502 775 327-6300





# General Referral Form

		Service Type	L	
☐ FCE ☑ IME ☐	Mini Peer 🔃 Review	Peer Review	Radiology Review	☐ LTD/STD ⊠ Record Re
		Referral Typ	e	
Workers Comp		Auto	Пс	eneral Liability
REFERRALDATE 7/7/14	RRAL DATE WCB# (New York W/C ONLY)			
CLAIMANT			PAYOR/ADJUSTER NAME	and E- MAIL
DANIEL DEMARANVILLE	(deceased)		AMY CALDERA	
ADDRESS PO BOX 261			COMPANY EMPLOYERS	
CITY & STATE			ADDRESS	
VER DI, NV 89439			P.O. BOX 539003	
PHONE (775)345-6530	FAX		CITY & STATE HENDERSON, NV 89	9053
о.о.в <b>.</b> 1 <b>0/0<i>4</i>/1934</b>	S.S. #		PHONE 702-671-7340	Fax 702-671-7691
CLAIMANT OCCUPATION	1		702-071-73-40 CLAIM#	INSURED
n/a (deceased)			1990204572	CITY OF RENO
TYPE OFINJURY Heart attack	DATE OF INJURY 8/5/12	JURISDICTION  Nevada	LIABILITY AUTO	NO FAULT LID/STD OTHER
CLAIMANT ATTORNEY			RUSH EXAM?	NEEDED BY?
NAIW - EVAN BEAVERS	PHONE	<del></del>	yes 🛭 no	8/7/14
			RE-EXAM?	Date
1000 E. WILLIAM STREET  City State CARSON CITY, NV		· <del></del>	☐ yes ☑ no  HCP Re-exam Name:	
89701	1		HOP NO-OXAM Name.	
reating Physician			TRANSPORTATION NEEDED	
N/A	· · · · · · · · · · · · · · · · · · ·	<u> </u>	☐ yes ⊠ no	☐ yes ⊠ no
			X-RAY AUTHORIZATION?	
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Orthopedist Neurologist Neurosurgeon Chiropractor Psychiatrist Other		Physical Medi X Cardiologist Surgeon Internist Psychologist Dentist	cine & Rehab(PMR).	
5. Present disability and 6. Further treatment needs 7. Need for surgery	re-existing conditions conditions conditions.  degree of disability		8. Can claimant return to work at 9. Permanency rating 10. Has claimant returned to pre 11. Has claimant reached maxim 12. Schedula Loss of Use (NY of 13. M&S 15/8:	-accident status? num medical improvement?





## SPECIAL INSTRUCTIONS

This request is for an IME by record review only as the claimant is deceased.

Please have the reviewing physician address the following questions:

- 1) Was there any evidence of heart disease prior to 8/5/12? If so, when and what?
- 2) Is there any evidence to support the diagnosis of atherosclerotic heart disease as noted on the death certificate? Please explain.
- 3) Is there any evidence to support the diagnosis of coronary artery disease as noted in the report by Dr. Ruggeroli? Please explain.
- 4) Was Mr. Demaranville's myocardial infarction caused by atherosclerotic heart disease, coronary artery disease or was it a post-operative complication?

Cc: Defense Counsel (please include specific atty name, firm and complete address, tel/fax#)		cc: Nurse Case Manager (please include name, address, tel/fax#)		
I.M.E. PHYSICIAN	LOCATION	EXAM DATE	EXAM TIME	

• Please email, fax or send referral form/ all medical records, per instructions below, based on Jurisdiction; And/or contact your local Coventry ASM to arrange record pick-up.

Jurisdiction: CT, MA, ME, NH, RI, VT	Coventry Workers Comp Services
Phone: 800-392-6462	77 South Bedford Street
Fax: 781-906-6038	Suite 300
Burlington_cme@CVTY.com	Burlington, MA 01803
Jurisdiction: AL, DE, FL, GA, IA, IL, IN, KS, KY, MD, MI, MN, MO, NC, ND,	Coventry Workers Comp Services
NE, NJ, OH, PA, SC, SD, TN, VA, Washington DC, WI, WV	100 Willowbrook Road
Phone: 800-662-2393 / Fax: 800-997-2209	Suite 300
Freehold meds@cvty.com - for medicals	Building One
	Freehold, NJ 07728
	Freehold CME@cvty.com - for referrals
Jurisdiction: AK, AR, AZ, CA, CO, HI, ID, LA, MS, MT, NM, NV, OK, OR, TX,	Coventry Workers Comp Services
UT, WA, WY	2800 N Dallas Parkway
Phone: 800-676-3480 / Fax: 800-797-8760	Suite 300
Dallas cine@cvtv.com	Piano, TX 75093
Jurisdiction: - NY only	Coventry Workers Comp Services
Phone: 800-257-1463	100 Willowbrook Read
Fax: 877-675-4465	Building One
NYWCmeds@cvty.com	Freehold, NJ 07728

#### Trude B. Johnson

Account Sales Manager.Nevada Coventry Workers' Comp Services Solutions to Restore Health and Productivity

Cell: (702)726-0260 Fax: (702)750-1346

Email: TBJohnson1@cvty.com





# ZEV LAGSTEIN, M.D.

F.A.C.C. F.A.S.N.C., LTD.

Diplomate American Board of Cardiovascular Disease Diplomate American Board of Internal Medicine



August 31, 2014

Coventry SR #6585410 Claim #1990204572

Injured Person: Daniel Demaranville

Requester: Amy Caldera

Requested Company: Employers Insurance Company of Nevada

Date of incident: 08/05/2012, insured

City of Reno

Dear Mrs. Caldera:

I reviewed at length all the records submitted. This includes all correspondence between all parties involved, certificate of death dated 08/05/2012.

I reviewed all records submitted including the following:

- 1. Referral form.
- 2. All correspondence between involved parties.
- 3. Surgical anesthesia report dated 08/05/2012.
- 4. Office visits and notes by providers at Acadia Medical Group dated 09/08/2006, 01/25/2007, 08/14/2007, 01/09/2008, 04/15/2008, 07/16/2008, 08/07/2008, 11/20/2008, 01/27/2009, 02/20/2009, 05/13/2009, 06/10/2009, 10/13/2009, 01/26/2010, 05/26/2010, 08/30/2010, 01/31/2011, 04/25/2011, 06/15/2011, 06/21/2011, 08/02/2011, 10/26/2011, 11/23/2011, 12/20/2011, 02/04/2012, 04/19/2012, and 05/29/2012.
- 5. Notes from Dr. Richard Ganchan, Reno Heart Physicians.
- 6. Stress echocardiogram report of 03/26/2011.
- 7. 01/14/2011 consultation by Dr. Karen Clark, Rono Heart Physicians.
- 8. Consultation by Dr. David Hald, urologist.
- 9. Consultation by Dr. David Mathis, Nevada ENT and Hearing Associates.
- 10. Flexible cystoscopy report by Dr. David Hald of 11/19/2006.
- 11. Progress notes and laboratory testings from Dr. Fred Fricke of Nevada Gastroenterology.
- 12. Multiple EKG reports.
- 13. Upper GI series, 06/01/2012.
- 14. Renal ultrasound, 11/11/2008.
- 15. Hand x-rays of 01/15/2007.
- 16. Abdominal MRI.





In reviewing the records, it appears that Mr. Daniel Demaranville, date of birth 10/04/1934, underwent laparoscopic cholecystectomy on 08/05/2012 by Dr. Gomez. He was diagnosed with gallbladder disease, underwent surgery, the intraoperative anesthesia report indicates uneventful surgery with normal vital signs, heart rate of 106, normal temperature at 97.5, blood pressure of 105/71, and oxygen saturation of 95%. Anesthesia note of 08/05/2012 at 18:30, signature unclear, indicates that shortly after returning to the PACU postoperatively, it was reported the patient became hypotensive and tachycardic. His blood pressure dropped to the 80s and eventually to the 60s. He was given intravenous fluid challenge with some temporary improvement, but at 18:10, the patient became more hypotensive and bradycardic, leading to full rest. Full CPR was initiated at no avail. It appears that the patient had an echocardiogram, EKG, and a chest x-ray during that period of time; however, the actual reports were not available for my review. Notes in the records indicate that once CPR was initiated, the EKG revealed wide complex bradycardia, chest x-ray revealed pulmonary edema, and an echocardiogram done just before the patient was pronounced dead, revealed no left ventricular activity. The death certificate indicates that the patient was diagnosed with massive heart attack after surgery and the nature of the injury was a cardiac arrest with underlying arteriosclerotic heart disease.

Dr. Frank Carrea, cardiologist examined the patient in the recovery room, but I could not identify any notes by Dr. Carrea. As already discussed above, there was an only anesthesia note, timed 18:30 dated 08/05/2012.

In reviewing the records, a questionnaire filled up by the patient on 01/31/2011 given to him at the Acadia Medical Group indicates that he complained of some difficulty breathing with exertion and had no calf pain. His cardiovascular examination was normal.

On 03/28/2011, Reno/Carson Heart Physicians indicate that an EKG revealed a right bundle branch block (RBBB). Blood pressure was 140/84. The patient underwent a Bruce stress test, achieving a max heart rate of 143 and seven METS of energy expenditure. This was a stress echocardiogram interpreted by Dr. Jerry Zebrack. The ejection fraction was normal and the test was felt to be within the normal limits. On 03/30/2011, namely two days later, Dr. Richard Ganchan, cardiologist of the same group reports to the referring physician that this stress test was within normal limits.

Multiple phone calls from Laura, widow to the group are noted. The information in the notes indicates that she had multiple questions regarding medical regimen, but no specific symptoms were reported.

Dr. David Mathis, ENT specialist saw the patient on 06/20/2011. The information in the notes is irrelevant to this review.

On 02/14/2012, the patient was seen by Kathleen Lydon, APN. He did not report any symptoms on the questionnaire and her cardiovascular and pulmonary examinations were normal.





The patient was seen by Dr. Hastings of same group on 04/19/2012 and the total evaluation was unremarkable.

On 05/16/2012, the laboratory panel performed at LabCorp is noted. The CBC was normal. Cholesterol was 182. HDL was 61, triglycerides 86, and LDL was minimally clevated at 104.

On 05/29/2012, the patient was seen again by Kathleen Lydon. He complained of abdominal, epigastric, and back pains with some episodes of vomiting. A complete GI workup was ordered.

On 06/01/2012, an upper Gl and barium swallow were performed at Kathleen Lydon's request. This showed marked spontaneous reflux disease.

On 06/05/2012, laboratory testing was performed and this revealed normal liver function tests and amylase and lipase were normal. This was ordered in order to rule out panercatitis.

On 06/07/2012, the patient underwent EGD (upper endoscopy) by Dr. John Gray and this revealed mild gastritis. A CEA (carcinoembryonic antigen) level was normal.

On 07/23/2012, an MRI of the abdomen with and without contrast was noted, revealing hepatic cysts.

On 07/26/2012, namely three days later, a HIDA scan was performed. This test was abnormal, revealing diminished gallbladder ejection fraction at 22% with poor contraction. The patient was diagnosed with biliary dyskinesia.

On 08/02/2012, an EKG was performed, most likely a preoperative EKG. This EKG as all other EKGs was personally reviewed by me, revealing sinus bradycardia at 53 per minute with a right bundle branch block and right axis deviation.

The medication the patient was on for the most part included the following:

- 1. Aspirin 81 mg a day.
- 2. Citalopram 20 mg a day.
- Doxazosin 4 mg a day.
- 4. Ranitidine 300 mg a day.
- 5. Tamsulosin 0.4 mg a day.

Of note is the fact that the only medication which may reduce blood pressure was doxazosin, which is an alpha-blocker, usually prescribed for benign prostatic hypertrophy, but may also lower blood pressure.





The operative anesthesia report indicates that the patient at the time of surgery was on Zantac, Celexa, Cardura (generic doxazosin), metoprolol (this most likely was prescribed for hypertension and accounts for the sinus bradycardia at 53 as noted on the preoperative EKG), Levsin most likely prescribed by the gastroenterologist, and Prilosee (the patient was also on Zantac; one is an H2 blocker and the other one is proton pump inhibitor, but for the same symptom control).

Consultation by Dr. Karen Clark, cardiologist is noted on 01/14/2011. She mentions a prior stress echocardiogram of 2004, which was unremarkable except for mild left ventricular hypertrophy and an abnormal EKG of 2004 also revealing a right bundle branch block.

Past surgical history is somewhat sketchy, but seems to include herniorrhaphy, back surgery, and orchiectomy.

The patient was seen by Dr. David Hald, urologist and underwent cystoscopy on 11/12/2008. He was found to have microscopic hematuria.

A note by Dr. Jay Betz of 05/13/2013 is noted.

It appears that a stress echocardiogram dated 03/29/199 ordered by the Acadia Medical Group was normal.

Lab work performed at LabCorp of 10/09/2006 reveals fasting blood glucose of 92 with normal lipids.

Pulmonary function test of 10/12/2006 revealed moderate obstruction with mild restrictive lung disease.

An EKG of 10/13/2006 revealed normal sinus rhythm, right bundle branch block, and right axis deviation.

X-ray of the hands of 01/15/2007 was unremarkable.

Right upper extremity ultrasound on 08/14/2007 was negative without evidence of deep vein thrombophlebitis of the right arm.

Lab work of 10/10/2007 revealed normal fasting blood glucose and normal lipids.

EKGs of 10/15/2007 and 10/15/2009 reviewed, revealing normal sinus rhythm and an RBBB.

Lab work of 10/21/2009 reveals glucose of 118, which is slightly elevated (no documentation whether this was fusting or random specimen).





On 01/26/2010, the patient reports on a questionnaire that he had some difficulty breathing with exertion and calf pain white walking (such symptoms were not reported on subsequent questionnaires).

On 05/24/2010, chest skin biopsy revealed schorrheic keratitis.

On 09/03/2010, glucose was 96 and lipids were within normal limits.

From the aforementioned record review, it appears that the patient had a chronic right bundle branch block with right axis deviation. This by itself does not necessarily indicate underlying organic heart disease and does not support the underlying diagnosis of arteriosclerotic cardiovascular disease. As far as the patient's hypertension, it appears that his blood pressure was well controlled and he was prescribed doxazosin for benign prostatic hypertrophy (BPH), which may also lower blood pressure. It is only on the operative anesthesia note that metoprolol is mentioned. It would appear that the patient suffered perhaps from very mild hypertension, which was well controlled. The stress test report of 03/28/2011 indicates normal blood pressure response to exertion. There is also mention of moderate EtOH consumption, whereby the patient used to drink some martinis more so on the weekends, but there is no indication of EtOH abuse. The patient quit smoking in 2009. Therefore, an extensive review of the records does not indicate that the patient was diagnosed with underlying coronary artery disease. He had mild hypertension and one stress echo indicated mild or borderline left ventricular hypertrophy. This was not reported on the subsequent test. There was no evidence of dyslipidemia, there was no family history of coronary artery disease, and most recently, the patient denied any cardiovascular or pulmonary symptomatology.

Letters by Dr. Charles Ruggeroli and Dr. Yasmine, both cardiologists were reviewed. Letter by Sankar Pemmaraju, D.O. of 09/03/2013 was also reviewed.

In response to the questions posed to me, all the services provided seemed to be necessary and appropriate.

- 1. As far as the special instructions, my response to question #1 is as follows: There was no clear evidence of heart disease prior to 08/05/2012. The EKG revealed a right bundle branch block and right axis deviation, but this by itself is insufficient to document underlying coronary artery disease. There was borderline left ventricular hypertrophy on the echocardiogram reported on one stress test, but not on the other and this also is insufficient to diagnose this patient with underlying coronary artery disease and may merely reflect the fact that he suffered from hypertension, which as indicated above was mild and well controlled with normal blood pressure response to exertion.
- 2. In response to question #2, there is not enough evidence to support diagnosis of arteriosclerotic heart disease as noted on death certificate. There is no postoperative EKG to indicate ischemia and/or myocardial infarction. The patient did not have an autopsy and cardiac enzymes were apparently not drawn.





Therefore, I feel that there is not enough information and evidence to support diagnosis of arteriosclerotic heart disease. Therefore, I feel there is no evidence to support the diagnosis as noted on the death certificate.

- 3. In response to question #3, I do not feel that there is enough evidence to support Dr. Ruggeroli's assertion that the patient had occult occlusive arteriosclerotic heart disease leading to pulse/electrical activity.
- 4. In response to question #4, there is no evidence to support diagnosis of myocardial infarction in the absence of abnormal postoperative EKG and postoperative cardiac enzymes, especially troponin-I level. There was no evidence of underlying arteriosclerotic heart disease. Therefore, the death is due to a postoperative complication of unclear etiology. Clearly, the aforementioned diagnostic test with or without autopsy would have clarified this issue beyond any doubts.

If additional records are noted such as postoperative EKG and notes by Dr. Frank Carrea, who participated in the resuscitation, please forward them to my review and I will dictate an addendum.

Thank you for the apportunity to review the records.

Sincerely,

Zev Lagstein, M.D., F.A.C.C., F.A.S.N.C. Clinical Associate Professor of Medicine

Diplomate, American Board of Internal Medicine

Diplomate, American Board of Cardiovascular Disease

Diplomate, American Board of Nuclear Cardiology

Diplomate and Senior Disability Analyst





# **NEVADA STATE BOARD OF MEDICAL EXAMINERS**

Search

Licensee Details

Person Information

Name: Zev LAGSTEIN

3017 W

Address: Charleston Blvd

Ste 80

Las Vegas NV

89102

Phone: 7028701026 License Information

License

Medical Doctor

Type:

License

3656

Active Status:

Number:

Expiration

6/30/2015

Issue Date: 9/9/1978

Scope of Practice

Scope of Practice: Cardiovascular Diseases

Scope of Practice: Internal Medicine

Scope of Practice: Cardiology, Nuclear

Education & Training

School:

Hebrew University / Jerusalem, Israel

Medical

Degree\Certificate: Doctor

Degree

Date Enrolled:

Date Graduated:

9/24/1972

Scope of Practice:

School:

Internal Medicine

Degree\Certificate:

American

Board

Date Enrolled:

Date Graduated:

1/1/1980

Scope of Practice: Internal Medicine

School:

University of Arizona / Tucson, AZ

Degree\Certificate: Fellowship

Date Enrolled

7/1/1977

447

417

http://medboard.nv.gov/Verification/Details.aspx?agency\_id=1&license\_id=1013&

SA 459

Details

Date Graduated: 6/30/1980

Scope of Practice: Cardiovasc Diseases

School:

Cardiovascular Diseases

Degree\Certificate: Am Bd

Subboard

Date Enrolled:

Date Graduated:

1/1/1981

Scope of Practice: Internal Medicine

CURRENT EMPLOYMENT STATUS / CONDITIONS/RESTRICTIONS ON LICENSE AND MALPRACTICE INFORMATION NONE

**Board Actions NONE** 

Please note that the settlement of a medical malpractice action may occur for a variety of reasons that do not necessarily reflect negatively on the professional competence or conduct of the provider. Therefore, there may be no disciplinary action appearing for a licensee even though there is a closed malpractice claim on file. A payment in the settlement of medical malpractice does not create a presumption that medical malpractice occurred. Sometimes insurance companies settle a case without the knowledge and/or agreement of the physician. This database represents information from insurers to date. Please note: All insurers may not have submitted claim information to the Board.

Close Window

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SERTIC LAW LTD. ATTORNEYS AT LAW 975 HOME GARCENS ORICE RAND, NV 69502 775 327.6300

## CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the law firm of Sertic Law Ltd., Attorneys at Law, over the age of eighteen years, not a party to the within matter, and that on the day of September, 2014, I served by fax, a true copy of the foregoing or attached document, addressed to:

FAX: 775-684-7575 NAIW Evan Beavers 1000 E William Street #208 Carson City, Nevada 89701

FAX: 775-788-2020 Timothy Rowe, Esq. P.O. Box 2670 Reno, NV 89505

Gina L. Walsh

## AFFIRMATION (Pursuant to NRS 239B.030)

The undersigned does hereby affirm to the best of his knowledge that the attached document does not contain the social security number of any person.

Dated on this  $5^{7}$  day of September, 2014.

Mark S. Sertic

	1		NEVADA DEPARTM	ENT OF ADMINISTRAT	ION
	2		BEFORE THE	APPEALS OFFICER	
	3			Ortonia	
	4			Value Constraint	
	5				
	6	II.	atter of the	Claim No.:	12853C301824
	7	Industria	al Insurance Claim  of	Hearing No.:	46538-SA 45822-KD
	8		OL		44686-SA
	9	DANIEL DE	EMARANVILLE	Appeal No.:	46812-LLW
	10		/		46479-LLW 44957-LLW
	11		CLAIMANT'	S FIRST EXHIBIT	
	12	Page #			
	13	1	EKG from Acadia Medi	cal Group	03/29/1999
	14	2	Cardiologist report		01/28/2004
	15	3	EKG		10/13/2005
	16	4	Progress Notes from	Acadia Medical Gro	oup 09/08/2006
	17	5-6	Lab report from LabC	Corp	10/09/2006
*	18	7	Test results from Ac	adia Medical Group	10/12/2006
	19	8-10	EKG		10/13/2006
30	20	11	Progress Notes from	Acadia Medical Gro	oup 01/12/2007
RKEKS (775) 684-7555 (702) 486-2830	21	12	Xray of left hand fr	om Reno Diagnostic	01/15/2007
<b>ORKES</b> (775) (702)	22	13	Xray of right hand f	rom Reno Diagnosti	ic 01/15/2007
œр <b>Ж</b> ч 3 0	23	14	Lab report from LabC	orp	01/15/2007
t <b>INJUK</b> uite 206 Suite 23	24	15	Progress Notes from	Acadia Medical Gro	oup <u>01/25/2</u> 007
EY FOR treet, S. 701 Drive, S	25	16	Progress Notes from	Acadia Medical Gro	oup 95/17/2007
VITTORNI Villiam S V, NV 897 Rancho I NV 8910	26	17-18	Exam of veins-unilat Diagnostic	erial right from R	Remo C 08/14/2007
NEVADA ATTORNEY FOR INJURED WORKERS 1000 East William Street, Suite 208 (2000 City, NV 89701 2200 South Rancho Drive, Suite 230 Las Vegas, NV 89102 (702) 4	27 28	19 //	Progress Notes from ENTERED INTO	Acadia Medical Gro	mp 0 08/1422007
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				450	

	1	20	Progress Notes from Acadia Medical Group	08/16/2007
	2	21-22	Lab report from LabCorp	10/09/2007
	3	23-27	EKG	10/15/2007
	4	28	Lab report from LabCorp	10/21/2009
	5	29	Progress Notes from Acadia Medical Group	10/26/2009
	6	30	Progress Notes from Acadia Medical Group	11/17/2009
	7	31	Progress Notes from Acadia Medical Group	11/24/2009
	8	32	History and Physical Examination form from Acadia Medical Group	01/26/2010
	10	33	Physical Exam Form from Acadia Medical Group	01/26/2010
	11	34	Progress Notes from Acadia Medical Group	04/27/2010
	12	35	Common Skin Procedure Form from Western Pathology Consultants	05/19/2010
	13	36	Pathology Consultation from Western Pathology Consultants	05/19/2010
	14	37	Progress Notes from Acadia Medical Group	05/26/2010
	15	38	Progress Notes from Acadia Medical Group	08/24/2010
	16 17	39	Progress Notes from Acadia Medical Group	08/30/2010
	18	40	Lab report from LabCorp	09/30/2010
	19	41	Progress Notes from Acadia Medical Group	10/06/2010
	20	42	Progress Notes from Acadia Medical Group	11/15/2010
RKERS (775) 684-7555 (702) 486-2830	21	43	Common Skin Procedure Form from Western Pathology Consultants	12/14/2010
<b>WORKER</b> (775)+ (702)+	22	44	Pathology Consultation from Western Pathology Consultants	12/14/2010
208 208 230	23	45	Progress Notes from Acadia Medical Group	12/23/2010
OR IN. , Suite ;	24	46-4.9	Medical reporting from Reno Heart Physicians	01/14/2011
NEVADA ATTORNEY FOR INJURED WORKERS 1000 East William Street, Suite 208 Carson City, NV 89701 2200 South Rancho Drive, Suite 230 Las Vegas, NV 89102 (702) 41	25 26	50	History and Physical Examination from Acadia Medical Group	01/31/2011
DA ATT ast Will City. N outh Ra gas, NV	27	51	Physical Exam Form from Acadia Medical Group	01/31/2011
NEVAI 1000 E Carson 2200 Sc Las Vej	28	//		
	į		451 42	21

		1	52-53	Progress Notes from Acadia Medical Group	01/31/2011
		2	54	Stress Echocardiogram from Reno Heart Physicians	03/28/2011
		4	55-56	Medical reporting from Reno Heath Physicians	03/30/2011
		5	57	Lab report from LabCorp	04/15/2011
		6	58	Progress Notes from Acadia Medical Group	04/25/2011
		7	59	Progress Notes from Acadia Medical Group	05/04/2011
		8	60-61	Progress Notes from Acadia Medical Group	05/16/2011
		9.	62-63	Progress Notes from Acadia Medical Group	06/15/2011
		10	64	Medical reporting from Nevada ENT & Hearing Associates	06/17/2011
		11	65	Progress Notes from Acadia Medical Group	06/21/2011
		12	66	Progress Notes from Acadia Medical Group	07/19/2011
		13	67	Progress Notes from Acadia Medical Group	08/02/2011
		14	68	Progress Notes from Acadia Medical Group	08/16/2011
		15	69	Progress Notes from Acadia Medical Group	10/26/2011
		16	70	Progress Notes from Acadia Medical Group	11/03/2011
		17	71	Progress Notes from Acadia Medical Group	11/23/2011
		18	72	Progress Notes from Acadia Medical Group	12/20/2011
		19	73-74	Medical reporting from Acadia Medical Group	12/20/2011
-7555	-2830	20	75	History and Physical Examination from Acadia Medical Group	02/14/2012
ORKERS (775) 684-7555	(702) 486-2830	22	76	Physical Exam Forms from Acadia Medical Group	02/14/2012
ED WC	0	23	77-78	Medical reporting from Acadia Medical Group	02/14/2012
INJUR	uite 23	24	79-80	Medical reporting from Acadia Medical Group	04/19/2012
NEY FOR Street, Si 9701	o Drive, S 102	25 <sup>-</sup>	81-82	Acadia Medical Gruop referral to Neurology Physicians	04/19/2012
ATTOR William y, NV 8	Ranch NV 89	26	83-85	Lab report from LabCorp	05/11/2012
NEVADA ATTORNEY FOR ÎNJURED WORKERS 1000 East William Street, Suite 208 Carson City, NV 89701	2200 South Rancho Drive, Suite 230 Las Vegas, NV 89102	27	86-87 //	Medical reporting from Acadia Medical Group	05/29/2012
2=0	L 2			452	22

		1	88-89	Acadia Medical Group referral to Gastroenterology Consultants	05/30/2012
		2	90	Medical reporting from Reno Diagnostic	06/01/2012
		3 4	91-92	Lab report from LabCorp	06/05/2012
		5	93	Medical reporting from Gastroentorology Consultants	06/07/2012
		6 7	94-95	Upper Endoscopy Report from Gastroenterology Consultants	06/07/2012
		8	96	Medical reporting from Gastroentorology Consultants	06/07/2012
		9	97-103	Medical reporting from Gastroentorology Consultants	07/06/2012
		10	104-105	MRI of abdomen from Reno Diagnostic	07/20/2012
		11	106	HIDA Ductal Img from Reno Diagnostic	07/26/2012
		12 13	107-109	Medical reporting from Gastroentorology Consultants	08/01/2012
		14	110-112	Renown Consent for Surgical Procedure	08/02/2012
			113	Renown Acknowledgement of Receipt of Notice of Privacy Practices	08/02/2012
		16	<b>114</b> -115	Renown Admitting Form	08/02/2012
		17 18	116-119	History and Physical from Western Surgical	08/02/2012
		19	120-121	Renown Informed Consent and Consent for Anesthesia Services	08/05/2012
S	30	20	122	Renown Admission form	08/05/2012
RKERS (775) 684-7555	(702) 486-2830	21	123	Code Blue Report	08/05/2012
<b>ORKE</b> (775)	(702)	22	124	Renown Anesthesia Record	08/05/2012
S 8	2	23	125	Anesthesia Post-Op Orders	08/05/2012
z INJUE uite 208	smite 23	24	126	Renown Immediate Post-Operative Note	08/05/2012
EY FOI Street, S 701	72 72	25	127	Renown Anesthesia Note	08/05/2012
ITORN illiam S NV 89'	Carrictio 1V 891(	26	128	Washoe County Certificate of Death	08/10/2012
NEVADA ATTORNEY FOR INJURED WORKERS 1000 East William Street, Suite 208 Carson City, NV 89701 2000 South Port 15 10 10 10 10 10 10 10 10 10 10 10 10 10	2200 Souin Kancho Dive, Suite 230 Las Vegas, NV 89102	27	129	Form C-4	08/20/2013
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DA AT Past Will I City, P	gas, N	27
NEVA 1000 E Carson	Las Ve	28

## **AFFIRMATION**

Pursuant to NAC 616C.303, I affirm that no personal information appears in this exhibit.

DATED this start day of April, 2014

NEVADA APBORNEY FOR INJURED WORKERS

Evan Beavers, Esq. Attorney for Claimant

Janial Lemananvilla

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CSO: This form is for your connience to ensure information is comine, as required by USMS.

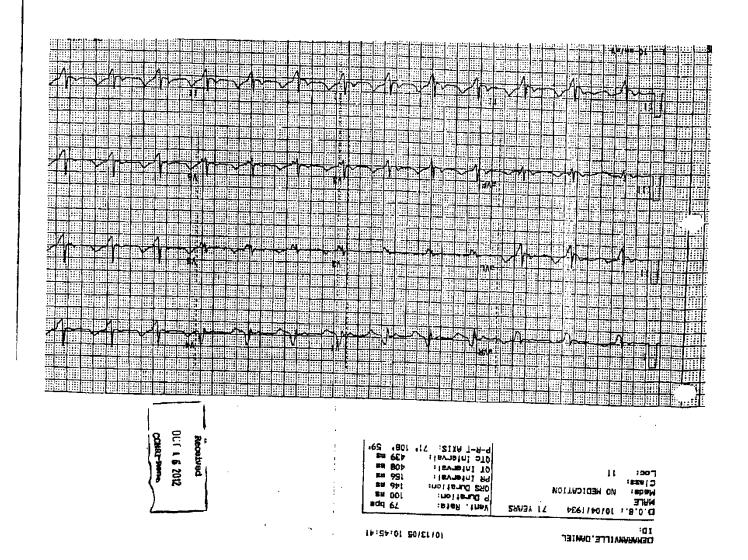
See attached JSD Medical Review Form.

• Take a copy of the EKG taken at your exam to the appointment with you. (If you do not have a copy please call to obtain one.)

· Take a copy of this form and a copy of the JSD Medical Review Form to your appointment.

To Be Completed by Cardiologist:	
a. Current cardiac condition	
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o. Interpretation of EKG (This is an interpretation	on of the EKG from the exact)
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LabCorp Reno

ディアン	<i></i>			IOW Street IV 89502	F	Thome: 775-334-3400		
Specimen Number 282-4-86-0268-	0 282380	)	Control Number 64001373551	Account Number 27625491	Account Those Number 775-322-5757	Account Delivery Routs 0.0		
DEMARANVILLE	Patient Last Warr	•		CONCENTRA MED SERV MILL LAB				
Patient Frat Name DANTEL		('ation) à	at Middle Name					
Falest (52 ###_# #_'	Paienthe 775-345-		Total Volume	1530 BAST 6TH STREET				
	Date of Birth 0/04/34	Sex M	Fairing YCS	RENO NV 89512				
PO BOX 261 VERDI NV 89	Palent Address		·		Additional information	PIN: C96419		
10/09/06:07:16	Date Enured 10/09/06		and Time Reported	Physician Nama PANICARI, M	NF	Physician ID		

BC/D/Plt+UA; Venipuncture; Reno, NV TESTS UHITS REFERENCE INTERVAL CDCP14+LP+CBC/D/P1t+UA Chemistries Glucose, Serum 92 65 - 99 mg/dL mg/dL 5 - 26

19 Creatinine, Serum 1.4 BUN/Creatinine Ratio 14 Sodium, Serum 144 Potassium, Serum 4.7 Chloride, Serum 106 Carbon Dioxide, Total 23 Calcium, Serum 9.5 Protein, Total, Serum 6.5 Albumin, Serum 4.1 Globulin, Total 2.4 A/G Ratio 1.7 - Bilirubin, Total 0.6 Alkaline Phosphatase, S 5**2** 

IU/L AST (SGOT) 21 IU/L ALT (SGPT) 16 IU/L Lipids Cholesterol, Total 165 mg/d∐∟ Triglycerides 100 mg/d∏L HDL Cholesterol 50 mq/dL VLDL Cholesterol Cal 20

95

T. Chol/HDL Katlo	3.3	ratio units	0.0 - 5.0	
				ИA
CBC, Platelet Ct, and Di	EE			NΛ
WBC	7.9	x10E3/uL	4.0 - 10.5	VV
RBC	4.60	x10E6/uL	4.20 - 6.00	ИA
He <b>mo</b> globin	15.7	a/dī.	13.0 - 18.0	MA
Hemalocril	45.9	*	37.0 - 55.0	ИΔ
MCV	100	fL	80 - 100	NV

DEMARANVILLE, DANIEL

LDL Cholesterol Calc

282380

282-486-026B-0 Seq#1797

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DUPLICATE FINAL REPORT

Page 1 of 2

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mg/đL

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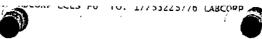
g/dL

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LabCorp

LabCorp Reno
888 Willow Street

مساد له حکامیت وسیست		Reno, NV 89502		Phone: 775-334-	-3400
DEMARANVILLE, DANIKL	Patient )			Specimen Number	3100
Account Number   Patient ID				282-486-0268-	-0
27525491 282380	Control Number	Date and Time Collected	Date Repursed Sc	Age(Y/M/D) Date of Bi	reta
TRSTS	64001373551	10/09/06 07:16	10/10/06 }	1 72/00/05 10/04/	34
MCB	EKSUL:	T VIAG	Derrs	KELEBRACK IMLERAT.	LAR
MCEC	34.1	High	pg	27.0 - 33.U	NV
RDW	34.2		g/dL	32.0 <b>-</b> 36.0	MA
Platelets	14.3		_ <b>&amp;</b>	12.0 - 16.2	NV
	250		ж1.0В3/ш.	140 - 440	ŊV
Neutrophils 1 BAND	6 <b>6</b>			48 - 73	NV
1 MYELO					
Lymphs	23		ł	18 - 48	NV
Monocytes	8		Ł	0 - 13	NV
Ros	3		Ł	0 - 6	NV
Basos	0		Ł	0 - 3	NV
Neutrophils (Absolute	) 5.2		x10B3/uL	1.8 - 7.8	NV
Lymphs (Absolute)	1.8		×10В3/ш	0.7 - 4.5	NV
Monocytes (Absolute)	0.6		x10B3/山	0.1 - 1.0	NV
Ros (Absolute)	0.2		x10B3/uL	0.0 - 0.4	NV
Baso (Absolute)	0.0		x1.0E3/uL	0.0 - 0.2	NV
Hematology Comments:	Note:			3,0 - 4.2	NV
Manual differentia	l was perform	ed.			***
Urinalysis Gross Exam	•				WV
Specific Gravity	_				NV
pH Specific Gravity	1.018			1.005 - 1.030	МA
Urinc-Color	7.0			<b>5.0 - 7.</b> 5	ИA
Appearance	Actrom			Actrom	MA
WBC Esterase	Clear			Clear	NV
Protein	Negativ			Negative	NV
Glucose	Negativ		,	Negative/Trace	NV
Retones	Negative	1-1	A.	Negative	NV
Occult Blood	Negative		γ	Negative	NV
Bilirubin	Negative		•	Negative	NV
	Negative	<i>→</i> / /		Negative	NV
Urobilinogen,Semi-Qn Nitrite, Urine	0.0		mg/dIL	0.0 - 1.9	NV
	Negative	2	-	Negative	NV
Microscopic Examination	n.			<del></del>	
Microscopic follows	ir indicated	i.			NΔ

NV: LabCorp Reno Dir: Amy Llewellyn, MD

848 Willow Street, Reno, NV 89502

For inquiries, the physician may contact: Branch: 775-334-3400 Lab: 775-334-3400

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DEMARANVILLE, DANIEL	282380	202 405 0050 0	0 // 10-20
	1 202.300	282-486-0268-0	Seq#1797

DUPLICATE FINAL REPORT

Page 2 of 2

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FEF25-75(L/s)



Patient Name ID Age Height	Information  DANIEL DOMARANVILLE 134430 72	Test Information Test Date/Time Post Time Test Mode	10/12/06 17:21 : DIAGNOSTIC
Weight Gender Ethnic Smoker Asthma	5 ft 9 in 199 lbs, BMI 29.5 MALE CAUCASIAN YES NO	Interpretation Predicted Ref Value Select Tech ID Automated QC BTPS (IN/EX)	NLHEP Knudson76 BEST VALUE IKB ON / 1.02

Your FEV1 is 48% Predicted. Your Lung Age is 12% Test Results Baseline Best <u>Triall</u> <u>Trial2 Trial3#</u> 2.82\* 2.79\* 3.09 Parameter Pred %Pred FVC(L) 3.83 FEV1(L) 1.40\* 1.40\* 1.30\* 1.52\* 2.95 FEV1/FVC 0.50\* 0.50\* 0.47\* 0.49\* 0.78 PEF(L/s) 3.79\* 3.79\* 4.02\* 5.35\* 7.94

0:36\*

FET(s) 9.99 9.99 9.97 11.25 -. \* Indicates Below LLN or Significant Post Change

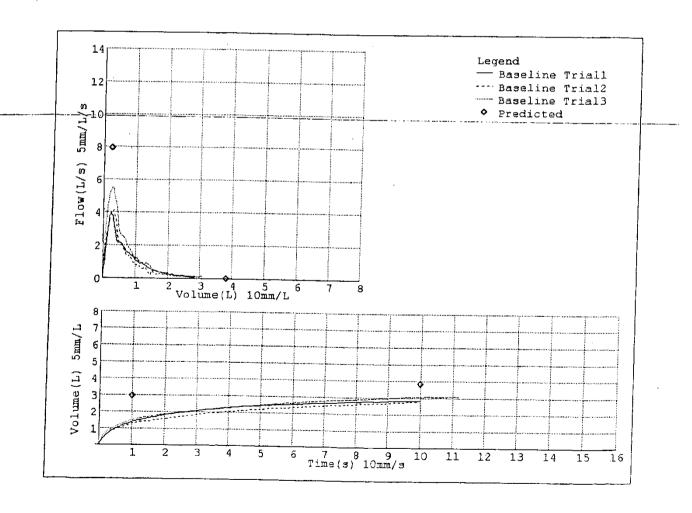
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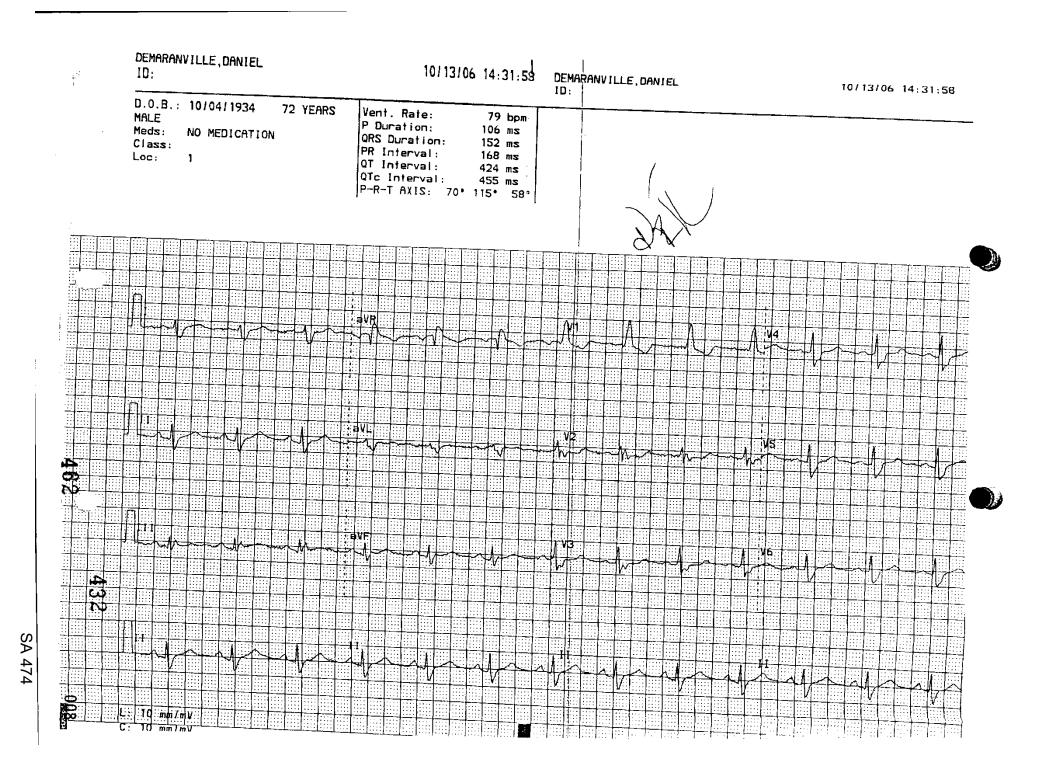
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Baseline FEV1 Var=0.10L 7.2%; FVC Var=0.03L 1.2%; Session Quality C Moderate Obstruction and Low vital Capacity possibly due to restriction

3.78

0.40\*





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Neuro		<del>│</del> ₽	<del>                                     </del>		302,	12	I'	05	U/	1.
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## **Reno Diagnostic Centers**

590 Eureka Avenue • Reno, Nevada 89512 Phone (775) 323-5083 Fax (775) 323-2193

PATIENT NAME: Demaranville, Daniel E

DOB: 10/04/1934

REFERRING PHYSICIAN: VANDYKEN, DONALD MD (775)786-3555

MRN: 160912

AGE/SEX: 72/M

EXAM DATE: 01/15/2007
ACCESSION: 400210
EXAM: XRAY- Hand 3V plus
EXAM LOCATION: RDC

CLINICAL INDICATION: Hand pain. No trauma.

TECHNIQUE: Three views of the left hand performed 1/15/2007.

COMPARISON: None.

#### FINDINGS:

Bone mineralization is within normal limits. No definite periosteal reaction is noted. There may be slight cortical thickening of the proximal phalanges of the left hand along with a mild spade-like appearance of the terminal tufts. This may be seen in acromegaly and clinical correlation is recommended. No erosions are identified. There is no soft tissue calcification. No fracture is identified. There are mild degenerative changes at the base of the thumb.

#### IMPRESSION:

- Subtle spade-like appearance of the distal tufts which may be seen
  in acromegaly.
- 2. Mild degenerative changes at base of the left thumb.

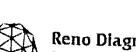
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Read and Electronically Signed by: Eric J Kraemer MD Reviewed By: Ross H Golding MD

Date/Time Dictated: 01/15/2007 15:21:51 PM

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## Reno Diagnostic Centers

590 Eureka Avenue • Reno, Nevada 89512 Phone (775) 323-5083 Fax (775) 323-2193

PATIENT NAME: Demaranville, Daniel E

DOB: 10/04/1934

REFERRING PHYSICIAN: VANDYKEN, DONALD MD (775)786-3555

MRN: 160912

AGE/SEX: 72/M

EXAM DATE: 01/15/2007 ACCESSION: 400211 EXAM: XRAY- Hand 3V plus EXAM LOCATION: RDC

CLINICAL INDICATION: Right hand pain. No trauma.

TECHNIQUE: Three views right hand performed 1/15/07.

COMPARISON: None.

#### FINDINGS:

Bone mineralization is within normal limits. There are moderate degenerative changes at the base of the right thumb. No marginal erosions are identified. There is no periosteal reaction. There is mild cortical thickening of the proximal phalanges of the right hand. There is subtle spade-like appearance of the distal tufts. This finding may be seen acromegaly and clinical correlation is recommended.

#### IMPRESSION:

1. Moderate degenerative change of the base of the right thumb.
2. Mild spade-like widening of the distal phalanges. This finding may be seen in acromegaly and clinical correlation is recommended.

#### CC:

Read and Electronically Signed by: Eric J Kraemer MD Reviewed By: Ross H Golding MD

Date/Time Dictated: 01/15/2007 15:22:08 PM

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Specimen # Control/Re/ LabCorp' v 1.29 015-486-0697-0 64001 Pg Fasting Total Urine Volum Report Status Clinical Information ΝO / Final Time Collected Date Collected Date Entered Date Reported  $\mathbb{M}_{\mathbf{x},\mathbf{y}}$ 01/15/07 | 12:26 01/15/07 01/17/07 Patient ID Number Patient 55N' 282380 775-345-6530 27896221 stient Name Date of Birth Acadia Medical Group DEMARANVILLE, DANIEL
adent Address PO BOX 261 10/04/34 00 900 Ryland St Verdi NV 89439 Reno NV 89502 775-786-3555 PATN AGE: 072/03/11 UPIN: B43018 PHY NAME: VANDYKEN

Tests Requested Antinuclear Antibodies Direct; Rheumatoid Arthritis Factor; Sedimentation Rate-Westergren; Venipuncture; Reno,NV

TESTS RESULT Antinuclear Antibodies Direct 0 - 99 <100 U/mL The state of the s Negative ' Equivocal 100 - 120 Positive >120 Rheumatoid Arthritis Factor RA Latex Turbid. IU/mL 0.0 - 13.9 la y y saesta y **j**ivil Sedimentation Rate-Westergren mm/hr 01 NV LabCorp Reno Dir Amy Llewellyn, MD 888 Willow Street, Reno, NV 89502
For inquiries, the physician may contact Branch: 775-334-3400 Lab: 775-334-3400 LAST PAGE OF REPORT OF A CONTROL OF THE PAGE OF THE PA

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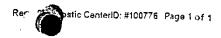
### PROGRESS NOTES

Donald D. VanDyken, M.D. Dulynn Hastings, M.D.

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## Reno Diagnostic Centers

590 Eureka Avenue • Reno, Nevada 89512 Phone (775) 323-5083 Fax (775) 323-2193

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\* Reprinted from Electronic Medical Record - Created on 08/14/07 17:03:09 Patient: DEMARANVILLE, DANIEL MR No.: 160912 DOB: 10/04/1934

PATIENT NAME: Demaranville, Daniel E

DOB: 10/04/1934

REFERRING PHYSICIAN: VANDYKEN, DONALD MD (775)786-3555

MRN: 160912 AGE/SEX: 72/M

EXAM DATE: 08/14/2007 ACCESSION: 449194

EXAM: US- US1\_EU-US - Veins Unilateral-Right

EXAM LOCATION: RDC

CLINICAL INDICATION: Right hand swelling. Evaluate for upper extremity

thrombosis.

COMPARISON: None.

TECHNIQUE: The deep and superficial venous system of the right upper extremity was evaluated with B-mode, duplex and color ultrasound with a high frequency vascular (12 mHz) probe.

Both the deep and superficial venous system is patent. The examination is unremarkable.

IMPRESSION:

No evidence of the right upper extremity venous thrombosis.

These results were called as requested.

CC:

Read and Electronically Signed by: Eric J Kraemer MD Reviewed By: Ross H Golding MD Date/Time Dictated: 08/14/2007 17:03:06 PM

Electronically signed by Eric J Kraemer MD 8/14/2007 17:8:6

Page 1 of 1

Create Date: 2007-8-14

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## Reno Diagnostic Centers

590 Eureka Avenue • Reno, Nevada 89512 Phone (775) 323-5083 Fax (775) 323-2193

PATIENT NAME: Demaranville, Daniel E

DOB: 10/04/1934

REFERRING PHYSICIAN: VANDYKEN, DONALD MD (775)786-3555

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Date/Time Dictated: 08/14/2007 17:03:06 PM

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veloped by the editors of FPM. Copyright © 1995, 1999 \*merican Academy of Family Physicians. Physicians may photocopy for use in their own practices; all other rights reserved.

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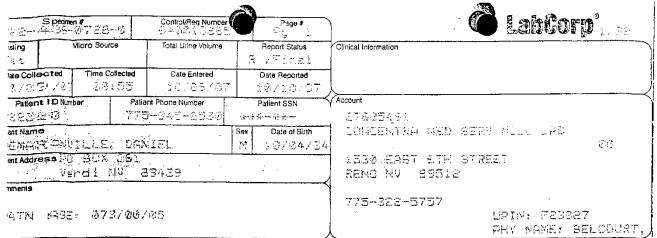
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ACADIA MEDICAL PROGRESS NOTES  GROUP  Name: David Denwanville  Date: 8-140  Charl # 13430  DOB: T: P. 64 BP. 12/68 R. 16	. VanDyken, M in Hastings, M.I
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Specimen# Control/Req Number PAGG, 281 Micro Source Total Urine Volume sting Report Status Clinical Information 1 T 1 1 mg 1 ate Collected Time Collected Date Entered Date Reported 87명등 <u>원칙 1931년</u> 19735.77 10712787 Patient Phone Number Patient ID Number Patient SSN 7711-345-255 278454 PL int Name CINDENTRA MED ARRA MILL LAD Date of Birth MARKAGNILLES DONIE 18,000,004 Int Address 20 20 20 ASSE ESSY STH STREET \_\_\_\_ Parkid NV Beader RENG NV 89512 775-338-6757 CTN CASTE: 075/88/75 UMIN: MESSET 과씨도 성취범위의 <u>화원인인(신원)</u>. (Requested CAPIA+LP+C2C/D/DIt+4(P) Venicumplane; Middle tets 产的等。 x10E3/dL 140 - 440 i20subraphile . 51 7. 48 - 73 endins 33 18 - AS 村**9**年发展中央。 1947年 - 1948年 -Ξ 2 - 12 3 2 Ç1 → A (3.2% 771 200 114 2: -- 3: Autroprising (Absolute) 4,3 KIGEB/GL 3.9 i t.9 apha (Abenlute)  $\mathcal{Z}_{+} \in$  $\mathfrak{S}_{+} \mathbb{T} \to -\mathfrak{S}_{+} \mathbb{T}$ KIBEB/UL . . . Today as (Absolute) ે. ક FIBER/UL 3. 2 - 2. 2. 3.1 s (Alusalyte) (i) . (j N1CEB/UL Burg - Ou S 3.1 as (of Dapidute) ું. ુ 2.3 - 2.9 x10E2/0L nalysis Surse Exam 2.2 adiffic Gravity 1.0里的 1. COD - 1. COS ្នះថ THE HELD SHALL OF Yellow Yelliw peana vice Digitaria Clash C(1+z) =-34 Négardika ាទាល់ស្នាស់ ខែមាន ១៦៩៤១ ១៩៩៩ ៩ ១ Negative Repative/Thace 27 Wegabiye ... Negativs Negative

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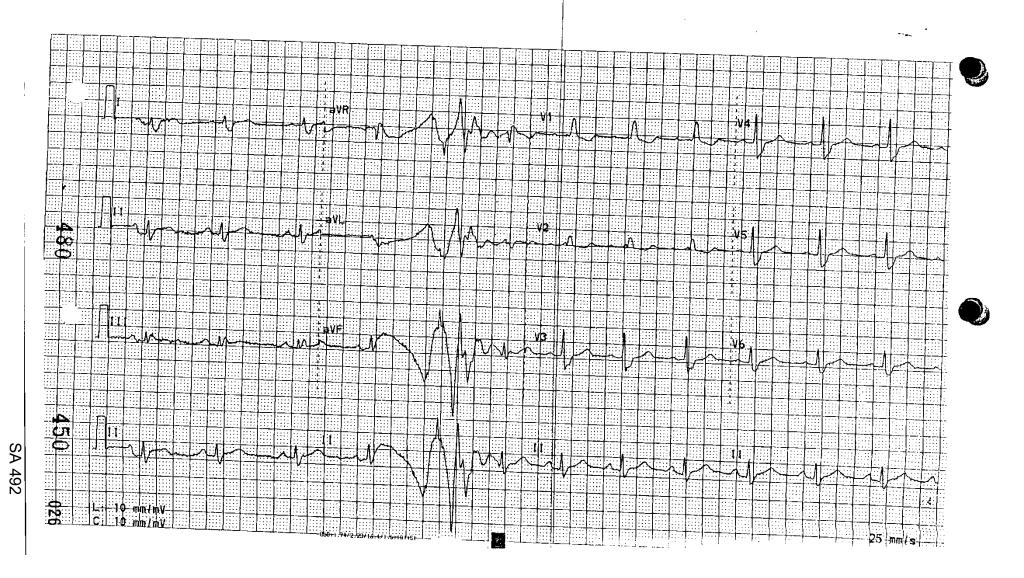
SA 489

IU: - - ---ID: D.O.B.: 10/04/1934 75 YEARS Vent. Rate: MALE 75 bpm P Duration: Meds: 102 ms QRS Duration: Class: 152 ms PR Interval: Loc: 12 166 ms OT Interval: 408 ms QTc Interval: 434 ms P-R-T AXIS: 75° 104° 63° SA 491 C: 10 mm/mV

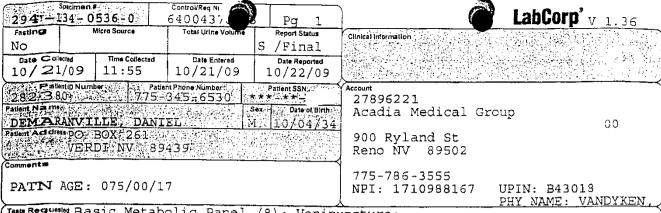
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Vent. Rate: 75 bpm
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Tests Requested Basic Metabolic Panel (8); Venipuncture;

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Basic Metabolic Panel (8) Glucose, Serum	118	High	mg/dL	65 - 9	9 01
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Www.kdoqi.org					
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-Carbon Dioxide, Total Calcium; Serum	25		mmol-/I	- 20 3	201
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01 PD LabCorp Phoenix 3930 E Watkins Suit	e 300, Phoe	nix, AZ 8	nk kyan, Ph 5034-7251		
For inquiries, the physician	may contact	Branch:	800- <b>7</b> 65-275	5 Lab: 602-4	154-8000
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FINAL REPORT

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	GR	OUP	PROGRESS NOTES	Donald D. VanDyken, M.E Dulynn Hastings, M.E
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ACADIA MEDICAL PROGRESS NOTES GROUP Donald D. VanDyken, M.D. Dulynn Hastings, M.D. Katie Lydon, APN HOL CC: HPI: Location, quality, severity, dura-MEDICATIONS tion, timing, context, modifying INGROWN factors, associated signs and ZAPRO SYNT Ploms. TOS! WNL Const Eyes O О ENT/mouth CV Resp o GI Muse O Skin/breasts □ О Neuro Psych ٥ Endo Ham/lymph Allerg/immun σ PFSH O Family  $\Box$  $\Box$ Social σ ø Exam Const Ø ø Eyes  $\Box$ ┚ ENT/mouth σ Neck O J Resp Ø CV σ hest (breasts) Ø 0 Gl (abdomen) σ Lymph  $\sigma$ O GU ┚ o Musc О Skin 0 Neuro  $\Box$ 0 Psych : no review/exam Couns/coord>50% loped by the editors of FPM, Copyright © 1995, 1998 American Academy of Family Physicians. Physicians may photomy for use in their own practices; all other rights reserved.

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Musc

Skin Neuro

Psych

no review/exam

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Review of systems: EENT: Have you had any problems with your: eyes, ears, nose or throat? Pulm: Have you had any problems with: breathing, coughing or phlegm? Do you ever: cough up blood? Cardio: Have you had any: ehest pains, palpitations (unusual heart beats), or difficulty breathing (with exercise or when lying down?) Have you had any calf pain when you walk? Gl. Have you had any problems with: your stomach or digestion, nausea or vomiting, or with your bowels such as: diarrhea, constipation, hemorrhoids or blood in your stool? If you are over 50, when was your last flexible sigmoidoscopy or colonoscopy? GU: Are you having any problems with urination? Men: do you have trouble starting your stream or emptying your bladder fully? Women: do you leak urine when you cough, sneeze, laugh or strain? GYN: (for women only): Do you do monthly breast self-exams? Found any lumps? Are you having any problems with your menstrual period? When was your last normal menstrual period?\_ What do you use for Contraception?\_ For both sexes: Do you have any sexual problems or concerns? Do you need any information about sexually transmitted diseases? Y (N Musculoskeletai: Do you have any problems with your: muscles, bones, or joints? Exercise: How much aerobic exercise do you get each week? Neuro: Do you have any unusual headaches? Do you have any: numbness, weakness tingling, seizures, passing out, or vision changes? NO Endo: Do you have: a feeling that you are warmer (or colder) than most other people? 10 Do you feel unusually tired? SomeTimE5 Do you have any problems with your: skin, hair, or nails? NO Sleep: Do you have any problems sleeping? NO Psych: Do you have any problems with feeling depressed, "blue", anxious or panicked? NO Do you feel: helpless, hopeless, or suicidal? No Do you have problems with: concentrating or with having fun? NO UPDATES: (for the physician to do): (check if done) Past medical and past surgical history: Social history:

Family history:

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Physical Exam Form

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