

TO: Members of House Business and Labor Committee
FR: Arthur Towers, Oregon Trial Lawyers Association
RE: House Bill 4138 Case Study
2-9-22

John Oljar

John Oljar is a 57-year-old Vice-President of a communications company. Part of his job was to entertain clients. He was severely injured by a golf cart on February 4, 2011 while on the job. He lost his right leg below the knee and suffered from neurocognitive disorder due to a severe head injury.

There was agreement from the employer, the insurer, the physician and the worker that the on-the-job event led to the need for medical treatment.

Mr. Oljar received ongoing treatment from the time of the injury through July, 2020 when the doctor told him he was medically stationary. Further treatment would not improve his condition.

At that point, he was due to receive a payment of \$179,000 for his permanent, life-changing disability. But when the insurer closed the claim, they notified Mr. Oljar that he was medically stationary in 2016 – 4 years prior. Mr. Oljar had been following doctors' orders, diligently attending appointments and receiving care for those four years. He had been making ends meet with those bi-weekly payments, knowing that the final payment would help him bridge the gap to retirement age. But despite authorizing the treatment from 2016 to 2020, the doctor capitulated and agreed that Mr. Oljar had actually stopped improving in 2016.

The final payment was reduced from \$179,000 to about \$30,000.

For more information, contact Arthur Towers, Oregon Trial Lawyers Association, arthur@oregontriallawyers.org 503-799-1017