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THE LEGAL CHECKUP

A publication provided for the friends and clients of QR



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JOYCE NOVOTNY-PRETTIMAN TO ARGUE BEFORE THE PENNSYLVANIA SUPREME COURT



Did you know that a very small percentage of legal cases go the whole way to the top of the Pennsylvania appellate court system? We are proud to announce that the Pennsylvania Supreme Court has agreed to hear argument by Joyce Novotny-Prettiman of the QR Personal Injury Department. The issue - stacking of underinsured motorist coverage - is a very significant legal principle involving motor vehicle insurance.

Underinsured motorist coverage (UIM) is needed when the at-fault driver does not carry enough coverage to protect you. If you have \$100,000.00 of UIM coverage on each auto, you can elect to “stack” that coverage. This means that if you have two vehicles, you would have \$200,000.00 of UIM coverage. This stacking principle gets complicated when applied to vehicles insured under different policies. A case involving a motorcycle policy and separate household vehicle policy was decided by the Superior Court in 2008 in favor of the insurance company. When that case reached the Supreme Court in 2011,

the six Justices on the Court voted 3 to 3, a “tie vote.” That tie vote meant that the 2008 Superior Court decision would remain law. Joyce has taken on this same “stacking” issue and now stands poised to argue that the Supreme Court should overturn the 2008 decision. Good luck, Joyce!

QR OPENS NEW OFFICE IN ALTOONA, PA

We are pleased to announce the opening of our newest office in the Executive House at 615 Howard Avenue in Altoona, PA. The office, located in Suite 210, formally opened on March 1st, 2018.

The expansion of QuatriniRafferty into Altoona, Pennsylvania will allow the firm to more efficiently serve new and existing clients in Blair and surrounding counties of central Pennsylvania. The office, conveniently located across the hall from the Workers’ Compensation Adjudication hearing rooms, offers accessibility for the injured and disabled.

The office will be open Monday through Friday from 8:00 A.M. until 4:30 P.M. To make an appointment with any of our attorneys in our new Altoona office, please call 814-656-0065.



PA BAR WORKERS’ COMPENSATION SECTION PRESIDENT ATTORNEY MICHAEL P. ROUTCH JOINS QR



We are pleased to introduce the newest member of our family of QuatriniRafferty attorneys, Michael P. Rouch!

Michael was born and raised in Blair County. After moving away to attend college and law school, Attorney Rouch returned to his roots to be mentored by his father in Workers’ Compensation defense law. Over 20+ years he became a skilled Workers’ Compensation defense attorney - he often opposed QR attorneys like Vince Quatrini, Ronald Fonner, Peter Gough, Michael Quatrini and Adam Quatrini! After years of defending against Workers’ Compensation claims, Attorney Rouch is ready to turn his focus entirely towards protecting and defending injured workers. He comes equipped with firsthand knowledge of what the defense looks like...all in order to better protect your rights and get you the most compensation for your injuries!

Michael will concentrate his efforts on Workers’ Compensation, but also practices Employment Law, Civil Litigation, Business Law, and Estate Planning/Administration.



Tune in to “The Legal Checkup” podcast on www.qrlegal.com
Your complete resource for all QR Radio shows in one convenient location!





Dennis B. Rafferty, Esq.

“What is the most important thing I should know about buying auto insurance?”

Uninsured/Underinsured motorist coverage is the most valuable part of your auto insurance policy. Without this coverage you are in danger of becoming a victim of a “coverage tragedy.” This coverage provides protection to you and your family from drivers who have little or no liability insurance. **Get as much uninsured/underinsured motorist coverage as you can afford!** If you would like your auto policy reviewed, give us a call. We will review your policy with you for free.



Ronald J. Fonner, Esq.

“If I become injured at work, when should I seek out the help of an attorney?”

If you sustain a work injury, you should contact a lawyer immediately. **Do not wait four months as you may have been led to believe by television advertisements.** The longer you wait to contact a lawyer, the more difficult it may be to win your case. If you sustain an injury and the insurance company voluntarily begins to pay you benefits, we will monitor your case to make sure that the insurance company does not do anything that it is not permitted to do, and which could ultimately jeopardize your benefits. Typically, there is no fee for monitoring your case, and you will not be required to pay a fee until either we need to file a petition to protect your benefits or the insurance company files a petition to stop or reduce your benefits. And, you decide if you want your employer or the insurance company to know that we are monitoring your case.



A. Tereasa Rerko, Esq.

“Am I allowed to work while receiving Social Security Disability Benefits?”

If you are receiving Social Security Disability (SSD) or SSI benefits, SSA will not say that you can not work. However, if you do work while receiving these disability benefits, **any wages that you earn will most definitely have an effect on those benefits.** If you are receiving SSD benefits, then how much you earn in each month has the potential to reduce and/or eliminate the future benefits that you might otherwise be entitled to receive. SSD will allow a certain period of time for you to try to return to work. This is called a Trial Work Period, and during it you still get your monthly SSD benefits. Once it is used up, your benefits may stop for any month that your earnings are too high. There is much more to this program, and if you would like to know more, please contact one of our Social Security attorneys for details.



Brian Patrick Bronson, Esq.

“Do I have Short/Long-Term Disability Coverage?”

In the state of Pennsylvania, **Short-Term and Long-Term Disability insurance coverages are not mandatory insurance coverages**, such as Workers’ Compensation. Therefore, it is dependent on your employer to carry such coverage, or for you to purchase an individual policy on your own from an insurance carrier. Usually, you can find out whether your employer offers Short or Long-Term Disability coverage by contacting your Human Resources Department and/or reviewing your employee manual.



Christine Boyd, paralegal at QuatriniRafferty, received the honor of Paralegal of the Year (2017) by the Pittsburgh Paralegal Association! Christine

has served as both President and Vice-President of the Pittsburgh Paralegal Association, and was recently re-elected to serve as “Vice President” for the 2018 term.

Our Personal Injury Team -- **Dennis Rafferty, Joyce Novotny-Prettiman, and Jessica Rafferty** -- made a presentation to approximately thirty Westmoreland County attorneys about optimizing their clients’ uninsured and underinsured motorist claims. In the continuing legal education presentation, “Untangling UM/UIM Auto Coverage,” the QR legal team discussed verifying coverage, making a timely claim, and recognizing complicated policy exclusions.



Matthew Herron, bankruptcy attorney for The Debt Doctors at QuatriniRafferty, presented at the Allegheny County Bar Association’s Sole Practitioners Division Meeting. Matt spoke about his past experiences in branding and marketing The Debt Doctors in Pittsburgh, and was happy to provide tips and strategies to his peer attendees.

Attorney Jessica Rafferty was named to The National Trial Lawyers “Top 40 Under 40 Civil Plaintiff Trial Lawyers” in Pennsylvania. This distinction is only given to a select group of lawyers for their superior skills and qualifications in the field.

Attorney Joyce Novotny-Prettiman was elected to serve as Vice-President of the Westmoreland Bar Association. Joyce previously held a director’s position on the WBA Board of Directors. After being elected Vice-President, she is now in line to become President of the Westmoreland Bar Association!

Alexis Zawelensky, Marketing Coordinator, was named to serve on the Executive Board of the Professional Services Marketing Association of Western Pennsylvania.

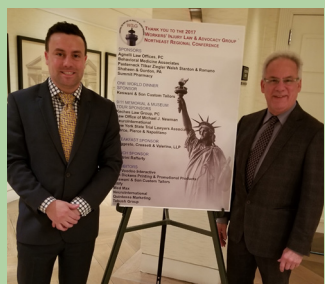
Attorney Michael Quatrini attended the National Organization of Veterans’ Advocates (NOVA) Spring Conference, held in San Diego, California.

The Workers’ Injury Law & Advocacy Group (“WILG”) is a national non-profit membership group comprised of injured worker representatives from all 50 states. The group provides continuing education programs and shares resources to best assist injured workers.

The Northeast Regional Conference, held December 17th and 18th in New York, NY, boasted not one...not two...but all three Quatrini attorneys as presenters! QR was also proud to help sponsor the event.

Attorney Michael Quatrini presented a primer on representing disabled Veterans. Michael included examples of cases involving PTSD and Agent Orange, and explained how the presumption of disability applies to many Veterans. Michael was joined by special guest, Dr. Yeshvant Navalgund, a pain management specialist.

Attorneys Vince Quatrini and Adam Quatrini co-presented “Brain Injury in the Workplace.” Vince and Adam explained the unique challenges of proving a mild to moderate concussion (brain injury) and the critical importance of having the right medical experts.





The Kids' Chance of PA 2018 scholarship application process is now open!

Kids' Chance provides scholarships to children of Pennsylvania workers who have been seriously or fatally injured in a work-related accident. Paying for college isn't easy, especially for families affected by loss. Their goal is "More Money for More Kids" and they want to help as many students as possible.

QR actively supports Kids' Chance, especially **Attorney Peter Gough**, who sits on the Board. Each year, QuatriniRafferty makes a large sponsorship donation to this scholarship program.

To find out if your student qualifies, please visit www.kidschanceofpa.org. Act quickly! The deadline to enter is April 15th, 2018.

THE VET'S VOICE

By Attorney Michael Quatrini

It appears the Veteran's Administration is finally answering the call to add additional conditions to the list of presumptive diseases associated with Agent Orange and service in Vietnam.

The current head of the Veterans Administration - Dr. David J. Shulkin - has decided to move forward, at the behest of the National Academy of Medicine, with reviewing additional conditions to add to the current presumptive list.

Ailments under review for inclusion on the list include: (1) Bladder Cancer; (2) Hypothyroidism; and (3) Parkinson-like syndrome/symptoms without a diagnosis of Parkinson's Disease.

If you, or someone you know, are a veteran and suffer from one or more of the above conditions, call our office. Accredited Veterans' Disability **Attorney Michael Quatrini** is ready to help you pursue the benefits you are rightly entitled.

HEALTHCARE: THE MOST HAZARDOUS JOBS IN THE U.S.

By Attorney Peter Gough



The healthcare industry is not only the fastest-growing sector of the U.S. economy, employing 18 million workers, but also one of the most dangerous. Healthcare workers are at the highest risk for work-related injuries, surpassing workers in the construction and mining industries. Nurses and assistants/aides have the highest injury rates of all occupations according to the Centers for Disease Control and Prevention. Healthcare workers experienced seven times the national rate of musculoskeletal disorders compared with all other private sector workers.

Studies have found that these high rates of injuries are due to several factors including but not limited to:

- Increased pressure by employers to work faster
- Decreased staff-to-patient ratio
- Lack of safety programs in most medical facilities and hospitals
- Strenuous obligations and duties such as lifting disabled patients
- Workplace violence and attacks
- Needle sticks
- Conditions conducive to slip, trip, and fall injuries
- Long shifts
- Current efforts to mobilize patients after medical interventions
- Biological hazards
- Potential chemical and drug exposures

See the results for yourself...

\$160,000
QR Workers' Compensation
Settlement
for a
Registered Nurse

As the population of Western Pennsylvania continues to age (and thus healthcare needs continue to rise), it can be expected that these injuries will become even more alarming. Workers have a right to a safe workplace and the right to workers' compensation benefits if they do get injured on the job. The law requires employers to provide their employees with safe and healthful workplaces. The OSHA law also prohibits employers from retaliating against employees for exercising their rights under the law.

The attorneys at QuatriniRafferty are uniquely qualified to assist injured healthcare workers because we literally "wrote the book" on Workers' Compensation in Pennsylvania. We have helped thousands of injured workers and could help you too! If you are a healthcare worker and have suffered a work-related injury, we urge you to give us a call at (888) 288-9748 to schedule a free consultation.

STEPS TO SUCCESSFUL ESTATE PLANNING

By Attorneys David DeRose and James Horchak



Step one: Get organized. Gather up your bank and investment account statements, savings bonds, annuity and retirement account statement, deeds to real estate, etc. Make a list of these assets and their current value along with how they are owned. Some assets, like life insurance policies, retirement accounts and annuity contracts, give you an opportunity to select your beneficiaries using a beneficiary designation form. We strongly suggest that the beneficiaries you select on these forms be reviewed yearly. If you haven't already selected beneficiaries on these accounts, do so immediately.

Step two: Name your heirs. Determine who you want your estate to be paid out to upon your death. We have found that it is usually easier to think about paying out your estate to loved ones or charities in percentages rather than dollar amounts. Make a list of the names and relationships of your beneficiaries and double check that the percentages add up to 100%.

Step three: Name your executor. Your executor will be the person in charge of your estate. Often times, your spouse will be your executor, which is an easy choice. But who will be the back-up executor in case your spouse is not able to do it? Carefully select the person who would actually do the job and who you trust will do a fair job.

If you have young children (under 18 years of age) you need to also determine who you will select to be their guardian (the person in charge of your children) and who will be their trustee (the person in charge of your children's financial affairs). The guardian and the trustee don't have to be the same person, but they can be if that is what you want.

Finished Steps 1-3? Now you are ready to give Quatrini Rafferty a call to finish up your estate plan by putting your plan to paper! Give us a call at 724-837-0080 to schedule a free consultation with either **David DeRose** or **Jim Horchak**, our estate planning attorneys.

PERSONAL NOTES



Congratulations to **Attorney Jessica Rafferty** for qualifying for the Boston Marathon! Jessica ran the Glass City Marathon in Toledo, Ohio and qualified with a time of 3:29:46. She will compete in the esteemed Boston Marathon on April 16th.

Congrats to secretaries C.J. Madden (L) and Sydney Miller (R) for their conquests this hunting season! These girls outperformed two of our male QR attorney hunters... can you guess who?



Patrick Grundy (son of **Attorney A. Tereasa Rerko**) was named to the Dean's List of the B. Thomas Golisano College of Computing and Information Sciences at Rochester Institute of Technology for the Fall 2017 semester.

“LET ME COUNT THE WAYS THAT THE ATTORNEYS OF QR HELP OUR INJURED AND DISABLED CLIENTS!”

By Attorney Vincent J. Quatrini



When a client walks through our door, his/her life has been unexpectedly turned upside down.

It is the corrections officer injured by an unruly prisoner, or, a registered nurse involved in an auto accident with his/her family. It can be a doctor diagnosed with a serious illness, or, a military veteran struggling with an onset of Parkinson’s Disease due to Agent Orange exposure.

The life “change” arrives without warning and creates chaos in what was a routine existence: a full schedule of medical appointments, loss of independence, reliance on family and friends, enduring surgery as well as hours of rehabilitation, loss of self-esteem, and missing out on family functions from birthday parties and holiday dinners to school activities with children. And, on top of all of these life changing moments is the financial pressure of a reduced or total loss of income.

We are very sensitive to all the worries heaped on our clients. Consequently, we have developed a unique approach to helping our clients soldier through an injury or disability. Our attorneys at QuatriniRafferty first focus on identifying and pursuing the primary source of compensation - the automobile insurance policies covering an at-fault driver, the workers’ compensation carrier, or the Social Security Disability claim.

The QR difference is that we have a wide range of legal specialties to identify other potential sources of income and rehabilitation sources:

- Should the injured corrections officer file for unemployment compensation if the **Workers’ Compensation** claim is denied? Or, should the worker utilize the Office of Vocational Rehabilitation to retrain for a less-physical job after settling the WC case?
- Should the registered nurse consider filing a **Social Security Disability** claim in addition to pursuing a **Personal Injury** claim against the at-fault driver’s automobile insurance company? Did we consider working with a financial adviser to determine whether a structured settlement would provide more long-term security?
- Did the doctor make sure to file an application for Short-Term or **Long-Term Disability** benefits through the employer at the time our client went off of work? Or, is **Bankruptcy** necessary to repair credit and ward off bill collectors after our client’s financial life got turned upside down?
- Should the **Veteran** struggling with Parkinson’s Disease file claims with the VA for Individual Unemployability benefits because he or she cannot work, or, for Aid and Attendance benefits to compensate their loved one who is caring for them?



The QR multi-sources of income approach produces two important results: First, it minimizes the immediate impact of an injury or illness. Secondly, it maximizes the financial recovery for our clients and puts them in a stronger economic position for the long term. Here are two examples. Jim is a Veteran. He could no longer hold down a job. We coordinated his Short-Term and Long-Term Disability benefits which carried him through the five-year odyssey of a VA disability appeal. Sally was a nurse. We obtained a Social Security Disability award – at the Judge’s hearing – for Sally, providing her with a steady, monthly income, for life, which helped Sally conserve the lump sum Workers’ Compensation settlement we obtained for her.

At QR, this is what we do. Every day, all day. When life happens, call one of our 15 attorneys for a free consultation (at 888-534-6016) in Greensburg, Pittsburgh, Latrobe, and Altoona.

NURSING HOME NEGLIGENCE/ELDER ABUSE

By Attorney Jessica L. Rafferty



Abuse in nursing homes, assisted living and personal care homes is far more prevalent than most people realize or care to admit. It is estimated that about 1-2 million U.S. Citizens 65 years of age or older have been mistreated, exploited or injured by a caregiver. This is an estimate because according to the National Center for Elder Abuse (NCEA), 84 percent of abusive situations involving older adults go unreported or unrecognized. These numbers are expected to rise as the Baby Boomers age.

When you select a nursing home for your loved one, you don’t expect to have to worry about their safety. In fact, it is likely that you made the decision to have your loved one enter a nursing home to ensure their safety. Unfortunately, according to the Nursing Home Abuse Center, one-third (1/3) of government regulated nursing homes across the country have been cited for some form of abuse or neglect. This citation could be due to an occasional and isolated incident or it could be an underlying and dangerous situation at a nursing home where systemic abuse frequently takes place.

Injuries frequently occur due to understaffing and inadequately trained employees. When nursing homes and assisted living facilities try to cut corners, they fail to hire enough qualified staff members. Without enough staff to monitor residents, some of which require constant care and supervision, the facility’s desire to save money can lead to serious injury and death.

Nursing home and elder abuse cases can stem from improper care being received at a nursing home, assisted living facility, hospital, personal care home, or some other type of medical care facility. Common examples of nursing home or elder abuse are:

- | | |
|--------------------------------------|-------------------------------------|
| • Bedsores and Pressure Sores | • Medication errors |
| • Wandering off and Falling injuries | • Sepsis |
| • Malnutrition/Dehydration | • Physical, Sexual and Verbal Abuse |

84%
of Elder Abuse incidents go
unreported or unrecognized...

Learning that your loved one has suffered at the hands of their caretaker is an unimaginably difficult situation. We will do everything we can to pursue justice on their behalf and obtain the compensation they deserve.

If you have any questions, please contact our office. We can sit down together and review your situation. These consultations are free and we work on a contingent fee basis – which means that you do not have to pay us anything unless we obtain compensation for you.

QR IN THE COMMUNITY



Congratulations to **Attorney Michael Quatrini** for being named to The Incline’s “Who’s Next: Philanthropy” list! Michael was recognized for his numerous philanthropic initiatives, particularly for his involvement with The Community Foundation of Westmoreland County and CASA of Westmoreland.

Legal Tip Tuesdays

Join us on Facebook every Tuesday for a fun, new campaign called “Legal Tip Tuesdays.” Each week, one QR attorney will share free legal tips in all of our practice areas. Be sure to “Like” and follow the QR Facebook page to take advantage of this FREE advice!