

Numbers Don't Lie (Do They?)

Presented by:

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PERSONAL INJURY LAWYERS

WHERE DO THE NUMBERS COME FROM?

- Life Care Planners
 - Cost and life cycles of various goods and services
- Accountants
 - Present value of the cost of goods and services
 - Discount rates
 - Age of retirement

FUTURE CARE: THE LEGAL PRINCIPALS

- Level of Compensation is *Full Compensation*
- Professional v. Non-Professional Attendant Care Providers
- Availability of Public and Charitable Programs and Services

CREATE A DETAILED CHART OF FUTURE CARE GOODS AND SERVICES

ATTENDANT CARE REQUIREMENTS AFTER SURGERIES								
DESCRIPTION	YEAR INITIATED	THROUGH AGE	COST	FREQUENCY	PURPOSE	RECOMMENDED BY	ONE TIME COST	ANNUAL COST
Attendant Care after 1 st Plastic Surgery	2009	Once only	\$24.76 per hour; stat rate: \$37.13 per hour	14 days, 24 hours per day	24 hour care following first surgery as she would not be able to exit the home in case of an emergency, nor will she be able to wear her knee brace and therefore she will not be able to bear weight on her left leg. She will not be able to use the stairs to access her bedroom or bathroom. She may require bed baths. Client would require direct care for personal care, bathing, hygiene issues, assistance with getting out of bed, etc.	Ms. Stoch, O.T. Dr. Berbrayer, Physiatrist	\$8,319.36	
Attendant Care Following 5 Subsequent Plastic Surgeries	Unknown		\$24.76 per hour; stat rate: \$37.13 per hour	18 hours per day for 14 days x 5 surgeries	24 hour care following surgeries as she would not be able to exit the home in case of an emergency. Client would require direct care for personal care, bathing, hygiene issues, assistance with getting out of bed.	Ms. Stoch, O.T. Dr. Berbrayer, Physiatrist	\$31,197.60	
Total Cost:							\$39,516.96	

DISCUSS THE RISING COSTS OF HEALTH CARE GOODS & SERVICES

COST OF CARE						
IMPACT OF RISING HEALTHCARE COSTS						
	Care Provider 1			Care Provider 2		
	Adjusted Rate	Rule 53.09	Impact	Adjusted Rate	Rule 53.09	Impact
Table 1 - Assessments	36,535	29,881	22%	15,511	14,436	7%
Table 2 - Occupational Therapy	36,205	31,603	15%	21,588	19,134	13%
Table 3 - Case Management	136,891	107,367	27%	68,422	55,131	24%
Table 4 - Speech Language Pathology	25,806	23,473	10%	17,378	15,768	10%
Table 5 - Rehabilitation Coach	1,752,635	1,752,635	0%	-	-	0%
Table 6 - Social Worker	8,386	6,418	31%	-	-	0%
Table 7 - Physiotherapy	9,549	8,573	11%	5,643	5,065	11%
Table 8 - Psychological Support	329,273	266,991	23%	178,367	146,559	22%
Table 9 - Pain Management	22,653	22,014	3%	22,653	22,014	3%
Table 10 - Independent Living	14,237,326	10,920,833	30%	6,146,919	4,657,654	32%
Table 11 - Recreation and Education	56,758	56,758	0%	-	-	0%
Table 7 - Material & Support	35,376	35,376	0%	8,945	8,945	0%
Total	16,687,393	13,261,922	26%	6,485,426	4,944,706	31%
			3,425,471			1,540,720

KEEP YOUR NUMBERS CREDIBLE

- Avoid the outdated report
 - Provide addendum reports
- Avoid errors of fact or mistaken assumptions
 - Get clarification when needed
- Avoid excessive costs
 - “The iPhone”
 - “The extended handle Swiffer”

INCOME LOSS AND RETIREMENT AGE

- **FREEDOM 55 OR 75?**
 - People are living longer
 - Females – 84 years old & Males – 80 years old
 - Cost of living is increasing and people are saving less
 - Work is becoming less physically demanding
 - Younger generation is starting work later

DEVELOPING THE INCOME LOSS THEORY

- A 50 year old female worker could expect to continue working for an average of 16 more years.
 - What was the Plaintiff's occupation pre-accident?
 - What was the Plaintiff's financial situation pre-accident?
 - What were the Plaintiff's financial future obligations?
 - Could the Plaintiff have stayed at his employment post 65?

THANK YOU

Please feel free to call or email with questions

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