

# Mental Health and Worker's Compensation



Assurance Behavioral  
HealthCare

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# Elements of Worker's Compensation Claims



- Workplace incident of a covered employee in the performance of their job duties
- Incident resulted in accidental injuries

# Psychological Injuries



- Theoretically can be any mood or thought disturbance related to workplace incident
- Depression
- Anxiety
- Stress?

# Categories of mental illness



## Schizophrenia Spectrum & Psychotic Disorders

- Symptoms:
  - ✦ Odd or Delusional thinking (Paranoia, grandiosity, bizarre)
  - ✦ Confusing thought processes (rambling, incoherent, “word salad”)
  - ✦ Hallucinations (visual, auditory, tactile)
  - ✦ Social withdrawal
- What might this look like in the work setting?
  - ✦ Often first noted in 20s or early 30s
  - ✦ Disorganization of thought
  - ✦ Disheveled appearance
  - ✦ Changes in interpersonal interactions (i.e. suspicious)
  - ✦ Detachment or isolation from peers

# Categories of Mental Illness



## Depressive Disorders

- Symptoms
  - ✦ Sadness
  - ✦ Tearfulness
  - ✦ Hypersomnia or hyposomnia
  - ✦ Isolation
  - ✦ Irritability
  - ✦ Difficulty completing tasks
- What might this look like in the work setting?
  - ✦ Lateness
  - ✦ Inability to complete tasks on time
  - ✦ Irritability
  - ✦ Overwhelmed by even small demands
  - ✦ Deterioration of hygiene or appearance
  - ✦ Weight gain or loss

# Categories of Mental Illness



## Anxiety Disorders

- Symptoms
  - Fearfulness
    - ✦ Generalized
    - ✦ Specific object
    - ✦ Of separation from person/place
  - Fidgeting
  - Sleep disturbances (nightmares, inability to fall asleep or stay asleep)
  - Hypervigilant
  - Hyperventilating
  - Panic attacks
  - Avoidant
- What might this look like in the work setting?
  - Poor concentration
  - Difficulty completing tasks
  - Appears fatigued
  - Fidgety, inability to sit still
  - Jumpy
  - Avoidant of certain places/objects/topics
  - Reluctant to share in class/ raise hand

# Categories of Mental Illness



## Trauma & Stressor-Related Disorders

### ● Symptoms

- Recently experienced fear-inducing event or major life stressor
- Hypervigilance
- Difficulty sleeping
- Avoidance of topics/places
- Depressive symptoms
- Re-experiences traumatic event (“flashbacks”)
- Emotionally detached from others
- Emotional numbing

### ● What might this look like in the school setting?

- Jumpy
- Avoidant of certain topics/places
- Appears fatigued
- Seems disconnected from peers
- Socially withdrawn
- Irritable
- Tearful

# PTSD



- Can affect someone who:
- directly experiences the traumatic event
- witnesses the traumatic event in person;
- learns that the traumatic event occurred to a close family member or close friend (with the actual or threatened death being either violent or accidental)
- experiences first-hand repeated or extreme exposure to aversive details of the traumatic event (not through media, pictures, television or movies unless work-related).



# PTSD



- The disturbance, regardless of its trigger, causes clinically significant distress or impairment in the individual's social interactions, *capacity to work* or other important areas of functioning.

# PTSD



- Symptoms involve:
- Cognition
- Arousal
- Avoidance
- Symptoms must persist for at least one month
- 1-3 months = **acute**
- < 3 months = **chronic** (most common)

# Who's at risk?



- EMT's
- Firefighters
- Police Officers
- Bank tellers
- Nurses
- Construction workers

# Assessing PTSD



- Client self-report
- Objective measures
- Psychological Testing

# Psychological Testing



- Questions are standardized, generate scores, permit comparison's to normative samples
- Minimize examiner bias
- Basis of decisions is transparent
- Track progress
- Validity scales

# Trauma Symptom Inventory (TSI-2)



# Malingering



# Vincent Gigante





# Malingering



- *The intentional production of false or grossly exaggerated physical or psychological symptoms, motivated by external incentives... (APA, 2013)*
- 1. Fabrication of false symptoms
- 2. Suppression of true abilities
- 3. To avoid undesired consequences or obtain desired goals
- 4. Driven by external incentives

# Why malingering?



- Avoid negative consequences of returning to work (e.g. disciplinary process at work)
- Continue benefits of remaining out of work (e.g. rest, relaxation, Netflix)
- Financial gain
- Desire to return to work even if contraindicated

# How many people malingering?



- One study found that evaluators estimated that 30% of the individuals they evaluated in worker's compensation/ disability cases malingered symptoms (Mittenberg et al, 2002)

# Causality



- Pre-morbid symptoms and functioning
- Co-morbid conditions
- Contemporaneous stressors/ traumas

# Treatment



- Evidence based treatment
- Objective indications of treatment progress

# Maximum Medical Improvement (MMI)



# What is mental illness?



- **What is mental illness?**
  - A disease that causes mild to severe disturbance in mood, behavior and/or thought patterns.
- **What causes mental illness?**
  - Situational stress (trauma, loss, relationship stressors)
  - Biological causes (chemical imbalance, genetic predisposition, brain injury)
  - Combination of stress and biology

# Post Traumatic Stress Disorder (PTSD)







- *The VA Inspector General's 2005 review of state variances in disability compensation payments found that mental disorders...had the fourth highest variability in disability rating.*

# Diagnosis/ Prognosis



# Diagnosis/ Prognosis



# Challenges



- Self-report
- Subjective rating
- Relapse
- Malingering
- Co-morbidity

# Functional Impairment



- Must be tied to specific duties in the workplace
- Social: ability to work with others
- Concentration/ persistence: ability to sustain focused attention

# Early signs of mental illness or instability



- **Changes in mood and cognition**
  - Tearfulness
  - Irritability
  - Fatigue
  - Appears overwhelmed
  - Poor concentration
  - Forgetful
  - Fidgeting

# Maximum Medical Improvement (MMI)



- The point at which the injured worker's medical condition has stabilized and further functional improvement is unlikely, despite continued medical treatment or physical rehabilitation.
- No further healing or improvement is expected
- Defines the benefits and compensation an injured worker may receive from the employer and the workers' compensation carrier

# Factors Impacting MMI



- Symptom severity
- Symptom frequency
- Workplace impairment
- Treatment fit, intensity and responsiveness
- Complications



# Returning to Work



- Job specific duties
- Accommodations
- Each must be related to the specific injury

# Provide



- 1. Provide a job title and description to evaluator
- 2. If possible, provide evaluator with previous medical records
- 3. When possible, provide information regarding pre-incident workplace functioning

# Expect from providers



- 1. Objective data
- 2. Evidenced-based treatments
- 3. Measurable indices of treatment progress
- 4. Communications