

Decision Paper
Rebecca Castilla
Request for Extension of LOD Leave

Issue

Rebecca Castilla, Firefighter, assigned to 21-C, seeks an extension of Line of Duty leave from December 7, 2012 to September 8, 2014 for injuries suffered while on duty on December 8, 2011. This extension will restore 3,611.50 hours of accrued leave. In accordance with Texas Local Government Code Chapter 143.073, this extension requires an approval by City Council. The department needs to submit a request for ordinance that will include the Fire Chief's recommendation.

Facts

- Date of injury – December 8, 2011.
- Firefighter Castilla injured her buttocks, right shoulder, lumber and cervical spine when she fell from a broken chair.
- She was diagnosed with lumbar sprain/strain, cervical sprain/strain, right shoulder strain and buttocks contusion.
- Diagnostic studies were performed which revealed a lumbar Herniated Nucleus Pulposus (HNP) and degenerative conditions to the cervical spine.
- Disputes were filed by the Third Party Administrator (TPA) contesting that the HNP and degenerative conditions of the cervical spine were compensable.
- Firefighter Castilla protested the dispute.
- Hearings were held and it was determined that the conditions in dispute were not part of the compensable injury.
- Firefighter Castilla proceeded through the appeals process to appeal the dispute.
- On July 7, 2014 the Appeals decision upheld the dispute that it was not compensable.
- Firefighter Castilla underwent extensive physical therapy and lumbar epidural steroid injections.
- She continued with work conditioning and work hardening program.
- Line of Duty leave began December 8, 2011 until December 6, 2012. She began using her own leave on December 7, 2012 to September 8, 2014.
- Firefighter Rebecca Castilla returned to full duty on September 9, 2014.

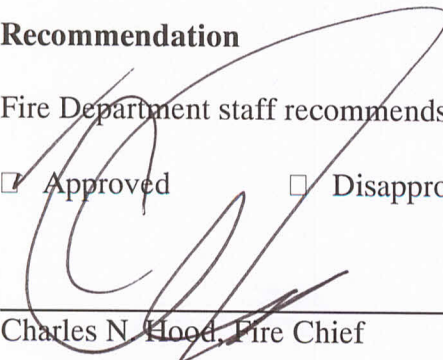
Considerations

The delay in Firefighter Castilla returning to work was due to her choosing to go through the Workers' Compensation Administrative hearing process for extent of injury and impairment rating disputes.

Recommendation

Fire Department staff recommends approval.

☒ Approved ☐ Disapproved



Charles N. Hood, Fire Chief

1/20/15

Date