

Decision Paper

Robert Fullerton

Request for Extension of LOD Leave

Issue

Robert Fullerton, Fire Engineer, assigned to Truck 9-C, seeks an extension of Line of Duty leave from June 8, 2011 to July 22, 2012 and from August 20, 2012 to October 27, 2012 for injuries suffered while on duty on June 8, 2010. This extension will restore 1002 hours, or 41.75 shifts 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 – June 8, 2010.
- Fire Engineer Fullerton injured his lower back while transferring a large patient from a stretcher to a bed.
- He was diagnosed with lumbosacral disk herniation at L5-S1 with S1 radiculopathy.
- Fire Engineer Fullerton initially underwent extensive physical therapy and a MRI on June 18, 2010 revealed multi-level disc bulges and disc herniations with bilateral compression of both exiting nerve roots at L2-L3 to L5-S1.
- He continued with physical therapy and epidural steroid injections and a myelogram/discogram was conducted on December 8, 2010.
- Fire Engineer Fullerton then had a 360 fusion at L3-4 and L4-5 on May 25, 2011.
- He then participated in post-surgical rehab and physical therapy including aquatic therapy with little improvement.
- After extensive therapy and an epidural steroid injection bilateral hardware block, it was determined that Engineer Fullerton would need hardware removal.
- On June 4, 2012, a request for surgery was denied as a result of no justification being submitted to explain the medical necessity of hardware removal. The requesting physician then requested an Independent Review with the State of Texas Department of Insurance which resulted in the request for surgery being overturned in favor of Engineer Fullerton.
- The hardware removal procedure was performed on August 22, 2012.
- Fire Engineer Fullerton again participated in post-surgical rehab and physical therapy before returning to full duty on October 28, 2012.
- On Line of Duty leave from June 8, 2010 until June 7, 2011. He began using his own leave on June 8, 2011 to July 22, 2012 and from August 20, 2012 to October 27, 2012.
- Fire Engineer Robert Fullerton returned to full duty on October 28, 2012.

Considerations

On June 4, 2012, a request for surgery was denied as a result of no justification being submitted to explain the medical necessity of hardware removal. The requesting physician then requested an Independent Review with the State of Texas Department of Insurance which resulted in the request for surgery being overturned in favor of Engineer Fullerton.

Recommendation

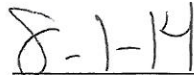
Fire Department staff recommends approval.

Approved

Disapproved



Charles N. Hood, Fire Chief



Date