



## Jurisprudence Section - 2014

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### F38 Using Forensic Skills With Workers' Compensation and Personal Injury Cases

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After attending this presentation, attendees will understand the principles involved in using forensic skills with workers' compensation and personal injury cases.

This presentation will impact the forensic science community by providing ways to use investigation skills in a systematic format with workers' compensation and personal injury cases. These skills can also be useful in professional malpractice cases and in working with state boards.

The qualifications required for working in these areas include coursework and passing examinations. One should have a comprehensive, up-to-date *curriculum vitae*. Methods are reviewed for obtaining cases and joining panels. One should charge appropriate fees for services provided and for interpreters when required.

The most common contested complaints are reviewed, including temporomandibular joint dysfunction, dental trauma, periodontal disease, and xerostomia-induced dental decay. Standardized examinations and testing for the complaints are discussed. It is important to have background material regarding other dentists involved with cases, including their *curricula vitae* whenever possible.

One should have a standardized approach for preparing for interviews of applicants/plaintiffs and for reviewing records. This includes developing a questionnaire for applicants/plaintiffs that should be mailed prior to appointments. The questionnaire should state that tape recording of interviews may occur. One should calculate the amount of time required to review records provided. One should assess inconsistencies in the records and determine how they impact the credibility of applicants/plaintiffs. Techniques exist for interviewing and reviewing records with the applicant/plaintiff. The elements of a comprehensive dental examination are reviewed including a temporomandibular joint examination and periodontal examination. The oral hygiene techniques of the applicant/plaintiff and their impact on dental health are discussed. Factors responsible for xerostomia including hormone changes, alcohol use, smoking, medications, and recreational drugs are reviewed. Also reviewed are the effects of obesity on dental health and the effects of smoking, medications, and drug use on temporomandibular joint dysfunction and dental decay.

Thorough analysis is given of the elements expected in a comprehensive report including billing, review of documents, history of injury, history of treatment, history of prior injury and/or disability, work history and job description, off work/recreational activities, family/social history, examination, diagnosis, permanent and stationary status, causation including reasons for opinions, subjective factors of disability, objective factors of disability, work restrictions, apportionment, and future medical/dental care requirements. Intraoral photographs and medical/dental research can be useful.

Preparation for depositions and what to expect at them is discussed. For personal injury cases, information is required for educating attorneys, including preparation of questions to be asked opposing medical/dental professions. The preparation of documents and exhibits for trial is discussed as well as what to expect when providing expert testimony in a courtroom setting.

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#### **Investigation, Workers' Compensation, Personal Injury**