

+ May 20, 2016

FROM: JAMES E HALL 96 BALL PARK RD. SAINT HELENA ISLAND SC. 29920

TO: OFFICE OF THE GOVERNOR, 1205 PENDELTON STREET COLUMBIA, SC 29201

SUBJECT: COMPENSATION FOR PAIN AND SUFFERING THAT I AND MY WIFE HAVE BEEN THROUGH

DATE OF ACCIDENT: 02/05/2010

CASE #: 062249171

To The Honorable, Nikki R. Haley

The reason I am writing is that I feel I have been treated unfairly by an agency of the government. I reside on Saint Helena Island, South Carolina and I am a constituent in your region. I have endured an insurmountable amount of hardship mentally, physically and financially that I have still not or may never recover. Over the course of six years, I have endured countless hours of pain, frustration with the handling of my case by Workman's Compensation, the insensitivity of the command to my personal and financial needs, lack of empathy: I feel this matter should be brought to your attention.

The lack of immediate competent medical care, a timely and proper accident investigation, the inattention of appointed workman's compensation doctors have resulted in the amputation of my right leg from the bottom of the knee. I currently wear a prosthetic device and undergo physical therapy. This event has caused undue stress on me, my spouse, and I endure the constant mental anguish of my injuries and the physical limitations I have due to no fault of my own.

On the morning of, 02/05/2010 I was employed as a High Voltage Electrician at Parris Island Recruit Depot. There was an emergency situation involving a live high voltage line on the ground. Danny McAlhany and I responded to make repairs. I had assessed the situation and began to enter the rear compartments of the truck obtaining tools and materials to make repairs. In order to accomplish this task the door of the tool compartment on the side of the truck had to be opened blocking the view of the operator—Danny McAlhany from seeing me clearly. **Danny McAlhany was solely responsible for the safe operation and at the time had the sole responsibility of deploying the outriggers making sure all areas in the vicinity of the outriggers were clear.** During the deployment process Danny McAlhany failed to operate the controls safely. His inattention to detail and situational awareness caused the outrigger stabilization pad to be hydraulically placed directly on my right foot and inflicted a severe crushing injury forcing my foot into the asphalt. My screaming finally caught his attention so he could reverse the process and free my foot.

I had previously made verbal mention to my supervisors that Danny McAlhany was hired without being fully qualified for the position and had only worked in the high voltage field for a short period. I have worked in the high voltage, industrial and commercial electrical field for 37 years and recognized his professional shortfalls immediately. I informed the command at Facilities Maintenance Division (FMD)

that Mr. McAlhany was unsafe, and he would hurt himself or someone else if he didn't slow down and take safety seriously.

One of the contributing factors in Mr. McAlhany's hiring for the position is nepotism. A problem in the government that can run rampant if not kept in check. Danny's father works in the Planning and Estimating Department (P&E), his brother works in the contract surveillance department and his other brother works as a mechanic all within FMD.

I am now employed by the Department of Defense as an Engineering Technician GS-10 for the Marine Corps at Parris Island, South Carolina in a different department. I would like for you to read a brief summary of the hardships I have had and still endure because of the incident.

Physical Pain and Emotional Stress

- **I was on crutches for 5 ½ years.**
Because of this excessive time on crutches, I am having pain in my back, shoulders, hips and knees due to this excessive amount of time and weakened the state of my body.
- **I have endured countless hours of pain** undergoing physical therapy trying to build my strength back while learning to walk again one step at a time with a prosthetic.
- **I received and endured two painful surgeries and infections prior to amputation.**
Workman's Compensation dictated to doctors about my health care and threatened not to pay anything if I deviated any from their direction of care. **My leg turned black** due to lack of circulation and failed surgical attempts. I asked to have my foot removed early on because I knew it was dying and I was forced to watch myself fall apart while my leg made me sicker and more dependent on pain medication.
- **Periodic vomiting** from the drugs and toxic infections in my body. This made travel anywhere inconvenient and embarrassing. This affected my quality of life severely.
- **I had an unexpected seizure** on October 3, 2014 while driving to lunch from work. This resulted in losing control of my truck, hitting a concrete bridge guardrail and **waking up in the hospital after being in a coma.** I was treated like an addict and outcast because of all the pain medicine I was on due to my condition. No compassion from the hospital staff –nothing but embarrassment. Doctor's notes stated it was a result of the tremendous amount of pain and anxiety I was going through due to the upcoming amputation and hospital bills workman's compensation would not pay. My Blue Cross and Blue Shield insurance picked up \$57,000.00 while the co-pay left me financially crippled. The automobile insurance wouldn't total my truck but tried to fix it. Now I have a truck with a bent frame that will never be the same. I received stress not only from my deteriorating condition, but from my employer's lack of empathy, impending financial ruin, and now my marriage tested to the fullest extent possible. My world was falling apart and I felt very isolated, depressed and alone.

- **My wife and I have not slept in the same bed** since the accident due to the extensive pain I endure and her inability to sleep next to me while I toss, turn and get out of bed—not to mention the stress induced into the marriage over this ordeal.

Financial Hardships

- Due to my incapacitation and inability to work, **I missed out on many hours of overtime.**
- **My electrical side business suffered.** I lost clients because I was unable to work or generate any new work.
- **I lost retirement money** from the government while on workman's compensation. I couldn't contribute to my retirement fund or receive matching money from the government while in a workman's compensation pay status.
- My employer and OWCP instructed me to **use my leave for doctors' appointments and physical therapy visits—over 500 hours.** I have spoken with workman's compensation about receiving my leave back that I feel was wrongly taken from me and still no resolve to this date.
- **I felt like I was being punished** for something out of my control. I completed all the required paperwork for workman's compensation but the agency took their sweet old time while I worried about where my next meal was coming from. Lots of broken promises from them and most of the time it was professional incompetence on their part to help me resulting in **delays of pay and lack of necessary prescription coverage due to improperly filed paperwork.**
- **I had to apply for two loans** over a six year period to keep from losing my home adding another \$23,000.00 to my mounting debts with no relief in sight.
- There are several bills workman's compensation have not paid which now **affects my credit rating and my tax returns are now forfeit.**
- I resorted to hire a lawyer in Savannah, GA named Paul Felser said he would help me try to get compensation, **charged me \$7,000.00 and did nothing to help me.** Another rip off.

The Handling of this Incident

- **I have never seen or signed an accident/incident report.**
- Danny Mcalwany—, who crushed my foot, **did not receive any disciplinary action or reprimand whatsoever. He has actually been promoted in status and pay to a GS-10 Engineering Technician working alongside his father since this accident.**

- Col. Steve Kirkpatrick who investigated the accident made incorrect statements without interviewing me and at the time was a Marine Corp Officer. He is now the Deputy Director of Facilities Maintenance here at Parris Island. Steve Kirkpatrick stated the accident was my fault. How could someone make such a statement without conducting a proper investigation without talking to me directly?

Quality of Life

- My wife could not work because she was taking care of me full time not to mention all the chores around the house fell on her also because of my condition. We have chickens, a large garden and over an acre of land to maintain. This added more stress to my marriage.
- I relied on a friend to take me to my grandmother's funeral in Virginia because I could not drive. I also depended on others to take me to and from the hospital and many doctors' visits.
- I attended my daughter's wedding in Cocoa Beach, Florida on crutches. I couldn't dance with her and had to leave early because of extensive pain and vomiting—very embarrassing. This incident robbed me of something I had looked forward to all my life. Now a painful memory instead of a happy one. My amputation surgery was scheduled the following Monday after the wedding but was cancelled due to workman's compensation not filing the proper paperwork.
- I have lived near the beach all my life and have been very active in sports, gardening, swimming, fishing and cooking. This incident has robbed me of the things I enjoy most and has changed my life forever.

In summary, I feel that my wife and I should be compensated for all the pain and suffering we have endured together. I feel like I have been victimized due to no fault of my own. I could go on and tell you about all the poking and prodding with pick lines for the administration of antibiotics and pain medicines, infected wounds and their complications, changing my own dressings because of workman's compensation nurses failing to show up at my home to do it for me. One horror story after another and an ordeal I wouldn't wish on anyone. Please look into this for me and help fix a broken system so the next unfortunate person won't have to deal with issues like this one. My main focus should have been spent on getting healthy, not stressing out over money, worrying about my next meal, losing my home or my marriage and the eventual loss of my limb. All I received pain, mental anguish, being treated with kid gloves by the command because they know they did not do right by me, and lack of empathy.

SINCERELY, JAMES E HALL