

# 119<sup>th</sup> Annual Meeting *of the* West Virginia Bar Association



Stonewall Resort  
*Roanoke, West Virginia*



September 22 - 24, 2005

*Registration information enclosed!*

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BAR ASSOCIATION**

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BAR ASSOCIATION**

*Founded 1886*

# The Communiqué

The Official Newsletter of The West Virginia Bar Association

Volume XI No. 2

August 2005

WVBA 119th  
ANNUAL MEETING

September 22-24  
Stonewall Resort

Information  
enclosed!



The West Virginia  
Bar Association

*Founded 1886*

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President

Pryce M. Haynes II  
Executive Director

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## President's Corner

Charles M. Love III  
*President*



Something new and different for us! We are having our Annual Meeting at Stonewall Jackson Resort – on a West Virginia University football weekend. WVU is playing East Carolina and Marshall has an open date. We have outstanding CLE speakers, including Chief Justice Albright, and a ball game. We anticipate a large turnout of members and football fans.

The CLE program is scheduled to conclude on Saturday leaving ample time for you to travel the fifty miles to Morgantown for the East Carolina Game. For those who prefer, Saturday afternoon also offers time for golf, fishing, hiking and boating. I hope you will plan to attend and enjoy the social aspect as well as the CLE program.

One of the outstanding events at each Annual Meeting is the Banquet on Friday evening and the presentation of the Award of Merit. Each year the Bar Association recognizes a lawyer who has made a major contribution to the Administration of Justice in West Virginia. Last year our honoree was United States District Judge Robert E. Maxwell of Elkins, West Virginia. If you have suggestions for our honoree this year, please submit such to Pryce Haynes, our outstanding Executive Director not later than August 17, 2005.

### Strategic Planning

On April 22, 2005 your Executive Council and several members of our Association met in

Charleston for an all day session with Chicago ABA facilitator Elizabeth Derrico. The meeting was well attended and the discussion was intense and spirited. We developed a “draft” three year vision statement:

*“The West Virginia Bar Association is recognized for its leadership in preserving the profession and its continuing tradition of fostering collegiality”*

We then developed several goals to further the vision statement including leadership on issues germane the practice (i.e.) judicial selection, strengthening our traditions of promoting camaraderie (i.e.) social gatherings in conjunction with CLE and increasing membership by being relevant to member's practice.

The action plan to achieve these goals is being developed and will be discussed at meetings and in later editions of the Communiqué.

### History Project

There is a separate article about the Association's written history project in this issue of the Communiqué; however, I wanted to mention it because it is so important to the fabric of our organization. When the volume becomes available, I have no doubt you will enjoy reading about our history and the role we as an organization and our individual members, have played in the development of our State and profession!

Please join us at Stonewall Jackson on September 22 – 24 for our Annual Meeting, accompanying CLE, social events, sports and all your good friends. See you there! ■

**WVBA  
Executive Committee**

**Charles M. Love, III  
President**  
Bowles Rice McDavid Graff  
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**Pryce M. Haynes II  
Executive Director**  
Pryce Haynes Associates

## Bench & Bar CLE Seminar and Reception a Big Success

The Kanawha County Bar Association and The WVBA, again, co-hosted the annual Bench and Bar CLE Seminar and Reception at the Charleston Marriott in May. Hon. Joseph R. Goodwin presented a thought provoking talk pertaining to the decline in the incidence of jury trials and how this phenomena might impact our judicial system. As evidenced by the turnout, each year this event has grown and is becoming a respected tradition.

Reenie Keeley, President of the KCBA and law clerk for US Magistrate Judge Mary E. Stanley, worked diligently in arranging many of this function's logistics, and her efforts were reflected in its success.

Without the generous support of our sponsors, this fine event would not be possible.

We'd like to send a special thank you to the following sponsors:

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When you see any of our sponsors, give them a kind word of thanks for their support. ■



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Registration and Details  
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- 08/02/05 Employee Health Insurance: A Guide for Practitioners Advising Businesses
- 08/09/05 Expert Witnesses: From Hiring to Testimony
- 09/20/05 Land Use Law: Update on Federal Control of Local Use
- 09/28/05 Ethical Issues in ADR and Mediation
- 10/04/05 Employment Law: Developments in Preventing and Investigating Harrassment
- 10/11/05 Update on Health Care Litigation
- 10/18/05 Fundamentals of Licensing or Transferring Technology, Part 1
- 10/19/05 Fundamentals of Licensing or Transferring Technology, Part 2
- 11/02/05 Financing Real Estate Transactions: What Transactional Attorneys Should Know, Part 1
- 11/03/05 Financing Real Estate Transactions: What Transactional Attorneys Should Know, Part 2
- 11/08/05 Estate Planning for Qualified Plan & IRA Proceeds
- 11/15/05 Settlement Strategies in Employment Litigation
- 11/29/05 Update on Advising Non-Profit Organizations
- 12/02/05 Americans With Disabilities Act Update
- 12/06/05 Negotiating and Structuring the Sale of Private Businesses: Non-Tax Considerations
- 12/08/05 Taxing Planning Aspects of Mergers, Sales and Spinoffs
- 12/13/05 Fiduciary Litigation Update
- 12/15/05 Ethical Issues in Civil Litigation, Part 1
- 12/16/05 Ethical Issues in Civil Litigation, Part 2

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*For more information contact Tomi Lynn Herold, Coordinating Attorney, at 412-441-1153 or tomiherald@cs.com*

**SLD's History Project Well on its Way!**

Tom Battle  
*Chair, Senior Lawyer Division*

At this stage of the project, the SLD is in the process of accumulating pictures to be included in the book, along with anecdotes reflecting on days gone by. Should anyone have pictures, articles, stories and any other historical information pertaining to The WVBA, please let us know. Contact the Bar offices at 800-944-9822 or [director@wvbarassociation.org](mailto:director@wvbarassociation.org).

Dr. Kenneth Bailey has prepared the first draft of the history of The WVBA. The following is an excerpt from his draft:

**Chapter Eight: The Practice of Law**

The old French saying, "The more things change the more they stay the same" is applicable to the practice of law. Major changes in practice came more from technology and transportation than from changes in a lawyer's day to day work or before courts of law. The basic work of researching, writing briefs, deeds, wills, etc. has changed little since the 1880s except for changes in the laws governing such documents. However, it is interesting to note how the surroundings, physical and technological, in which West Virginia lawyers work have changed.

Several hundred attorneys were practicing law in West Virginia Courts at the end of the Civil War. Though West Virginia had separated from Virginia in 1863, its law governing the legal profession was still modeled after Virginia statutes. West Virginia's laws were first codified and published in 1871

All laws of Virginia in effect when the Restored Government of Virginia was formed in 1861 and, unless they conflicted with the Constitution of 1863 when West Virginia was formed from the Restored Government, were continued. The stat-

ute governing attorneys at law stated, in part, "Any two judges of the courts of this state may grant a license in writing to practice law in the courts thereof to any person who shall, on examination, be duly qualified and who shall produce the certificate of the board of supervisors (this would be changed to county court in the Constitution of 1872) of the county where he had resided for one year next preceding, that he is a person of honest demeanor, and is over twenty-one years of age." The aspiring attorney also had to pledge allegiance to the United States of America. The oath of allegiance was required of all civil employees, including school teachers, until after the middle of the 20th Century.

There was one important difference in the West Virginia law. In 1863, West Virginia enacted legislation requiring "civil officers", jurors, voters and school teachers to take an oath, called the "Test Oath," swearing that they had never taken up arms against the United States. The law effectively eliminated Confederates from holding office, voting or practicing law. In 1866, Charles J. Faulkner, a former Confederate officer and a noted attorney from Martinsburg, sued the state claiming that the Test Oath should not be applied to him since he was not a "civil officer." The Supreme Court of Appeals agreed with his position, angering the Legislature which quickly enacted a "Lawyer's Test Oath" which was used to refuse permission to practice to several other attorneys. After the election of Governor William E. Stephenson in 1868, he recommended that steps be taken to heal the wounds of the Civil War by eliminating restrictions on former Confederates and the "Test Oath" for attorneys was repealed in 1870. The Constitution of 1872 eliminated the "Test Oath" entirely. There was no other change in laws re-

*Continued on p. 4*

## YLD Hosts "Legal Ease" CLE and Reception in Martinsburg

For the past few years, it has become a tradition for the YLD of The WVBA to host "Legal Ease" CLE seminars and receptions throughout the state. This spring, they hosted a "Legal Ease" in Martinsburg at the beautiful Purple Iris, former estate of business magnate George W. F. Mulliss and now is owned by Daniel and Tiffany Harshbarger, who have established a dining and meeting venue on the premises with two rooms for overnight guests.

The speaker for this "Legal Ease" was Jamie L. Davis, CPA, who spoke on business management for the small practitioner. Ron Rossi, President of the YLD and Mindy Dugas, member of the YLD Executive Council, were instrumental in putting this event together. Ron is a

partner of Martin & Seibert, L.C. and Mindy is an associate with Steptoe & Johnson, PLLC, both practice in Martinsburg.

As with all of our events, the sponsors' support is what makes them happen. This function was generously supported by the Berkeley County Bar Association; Bowles Rice McDavid Graff & Love, LLP; Conrad & Petry, PLLC; Martin & Seibert, L.C.; and Pill & Pill, Attorneys at Law. The support from these firms and association is greatly appreciated

.If you would like for the YLD to host a "Legal Ease" in your area, please contact us at 800-944-9822 or [director@wvbarassociation.org](mailto:director@wvbarassociation.org) ■

*Battle, continued from p. 3*

garding the admittance of attorneys to practice until 1887 when a statement was added that a diploma from the "law school of West Virginia University" would admit a lawyer to practice in West Virginia courts.

In 1914, Colonel Robert White, a Wheeling attorney and President of the West Virginia Bar Association, reminisced on his experiences as a lawyer and veteran of the Civil War. He reflected on how the law was affected by the War. In 1861 he, and others, had been accused of treason and indicted in the District Court of the United States for the Western District of Virginia, after his enlistment in the Confederate Army. Fortunately, he pointed out, he was under the protection of the Confederate Army and thus avoided arrest and trial. Several of his acquaintances were not as lucky and were stripped of their freedom, property and possessions as a result of legal action. Though the indictments were continued each year during the War, most of them were dismissed at War's end.

White apparently was able to practice because he was included in the few Confederate lawyers who were readmitted to the Bar prior to the Legislature passing the "Lawyer's Test Oath." Some of his early cases dealt with defending, not always successfully, former Confederate soldiers who had been charged with a variety of offenses arising from their service in the War. The alleged offenses included taking food or supplies from civilians, trespass on property and lawsuits to force elected officials from office, prevent them sitting on juries or from teaching school if they failed to take the Test Oath, and other war related actions. White's experiences were repeated throughout the State, especially in those counties which contained many residents who had fought for the South. With the passage of time, the need to defend the former Confederates waned as conditions returned to normal, though personal animosities engendered, or excused, by the War continued to influence many social interactions until several decades had past. ■

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Jamie L. Davis, C.P.A. & Ron Rossi



Bridgett Cohee, Joe Cordell, Betsy Crewe

## Martinsburg Legal Ease Reception



Joe Cordell, Pryce Haynes, Bill Rice



Judge and Mrs. Christopher Wilkes, Walter Jones



## CLE Teleseminar Program goes 24-7

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This is unique to the CLE sector. No other bar association offers a more comparable service. This new *on-demand* programming takes the guesswork out of scheduling decisions – you can now listen to programs according to your schedule. It is no more complicated than making a telephone call.

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This member benefit is an excellent value – check it out for yourself on [www.wvbarassociation.org](http://www.wvbarassociation.org). Convenience + top quality + low cost = valuable member benefit!

## LNC Section News

Karen J. Huff, BSN, RN, LNCC  
*President, LNC Section*

It's been a busy spring and summer for the LNC Section! We held our first spring conference on May 20, 2005 at the Embassy Suites in Charleston. Overall the conference was a great success, and we received many compliments from attendees. I'd like to extend my thanks to all who were a part of this special event, including the conference planning taskforce, members who shared their expertise by presenting to the group, and all who made the extra effort to travel to Charleston.

Now that the spring conference is behind us, the Board is finalizing plans for the 2005 Annual Meeting at Stonewall resort. The main program has a total of 8 CLE lectures, with 7 of these lectures eligible for nursing CE credit. The LNC Section recruited the following speakers for the WVBA program:

- "Detecting Malingering" presented by Dr. Bobby Miller, forensic psychiatrist
- "Medical Malpractice Insurance in West Virginia" presented by David Rader, President of the West Virginia Physicians' Mutual Insurance Company

This year's LNC Section Meeting will be held Saturday afternoon, September 24, immediately following the WVBA Annual Meeting. We are planning a luncheon and business meeting, with introduction of incoming Board members, followed by a special CEU presentation. The theme for this year's presentation is "Trends in Legal Nurse Consulting." Many thanks to Kyle Smith who volunteered to discuss Disability Consulting (SSI). We'd like to have a panel presentation, and hope to recruit 1 or 2 more speakers with expertise in newly developing or nontraditional LNC practice areas.

In other news, elections are underway for the 2005-2007 Board of Directors. Congratulations to Michelle Winters who was elected by the Board to serve as our next President. The Nominating Committee, with members Pattie Patterson (Chair), Linda Hatcher, Lynda Kopishke, and Sally Montano, will be recruiting candidates for the remaining positions. The new Board will begin their duties at the conclusion of this year's meeting at Stonewall resort.

To sum up my thoughts, it's been an honor to serve as your leader since the creation of the LNC Section in the summer of 2002. Working with the WVBA and our members to establish the first LNC Section in the nation was a landmark accomplishment, and one in which I take great pride.

I was fortunate to serve with several talented people on our Board of Directors and would like to say a special thank you to Cathleen Latos, Pattie Patterson, Linda Wiater, and Michelle Winters. Your hard work and dedication as Board members made it possible for us to achieve many things together!

I am also grateful to the Executive Council for their support of the LNC Section. In particular I'd like to thank Pryce Haynes, WVBA Executive Director, whose excellent advice and words of encouragement allowed us to grow and really flourish. Looking back, it's amazing to realize how much we accomplished. Looking forward, the future remains bright and the opportunities are endless. ■

## LNC Section Conducts First Spring Conference

Our LNC Section, under the outstanding leadership of Karen Huff, BSN, RN, LNCC, hosted its first Spring Conference at the Embassy Suites in Charleston. This all day conference focused on “Emerging Issues in Litigation” and featured presentations by Scott S. Segal, Esq., B. Daniel Lucas, Jr., Pharm D; Debra A. Pritts, RN; Paul K. Reese, Esq.; and Anissa S. Dougherty, BSN, RN, LNCC. Matters concerning the Vioxx litigation and safety concerns for COX-2 inhibitors were broadly covered, along with current trends in medical malpractice and ethical and practice pitfalls relating to the Legal Nurse Consultant. This being the LNC’s first Spring Conference, which they plan to develop into an annual tradition, was very well attended by attorneys and legal nurse consultants from West Virginia, Virginia, Pennsylvania and Ohio.

The LNC Section is our newest Section. Established in 2003, it has grown significantly in membership and is exceptionally well organized

and industrious. Keep your eye on this group of associate members — they are highly motivated, enthusiastic and productive additions to The WVBA!

The sponsors for this outstanding event were Action Legal Copy Service, Inc.; Bailey & Wyant, PLLC; CaseSoft; Fish Reporting Services; Jackson Kelly PLLC; Seif & Associates, Inc.; and Steptoe & Johnson, PLLC. On behalf of the LNC Section and the entire WVBA, we thank these sponsors for their support in helping make this conference possible. ■



Karen Huff, Pryce Haynes and Anissa Dougherty



Dan Lucas and Karen Huff



Linda Waiter and Debbie Pritts



Kip Reese and Libby Bridgeman



Karen Huff and Scott Segal

## Bench & Bar Reception



Mindy & John Miesner



David Bungard, Carl Dascoli, Jim Roncaglione, Tyler Dinsmore



Mike Pleska, Becky Bryant, Troy Giatras



Tony Shepherd & Charlie Love



Jon Snyder, John Palmer, Joseph Beeson



Charlie Love, Judge Joseph Goodwin, Reenie Keeley



Timothy Miller, John Tinney, David Faber, Carte Goodwin



Harry Bell, Lora Arthur, Charles Hamilton



Melissa Tinney, Jack Tinney, Joanna Reed, Jonathan Deem



Michael Callaghan & Judge Tod Kaufman

## In the News . . .

### Montano Receives LNCC Certification

Congratulations to Sally Montano, BA, RN, CRRN, LNCC, who passed the Legal Nurse Consultant Certified exam this March in Anaheim California.

The LNCC program is the only certification in legal nurse consulting accredited by the American Board of Nursing Specialties and recognized by the American Association of Legal Nurse Consultants. Candidates must meet eligibility requirements, including experience in the field, and pass a rigorous exam that is given nationwide.

Ms. Montano is an active member of the LNC Section of the West Virginia Bar Association, and is currently serving on the Nominating Committee. She resides in New York and is employed as a liaison nurse for the Rehab Unit at Stamford Hospital in Connecticut.

### In Remembrance

D. Grove Moler  
D.O.D.: 05-19-05  
Mullens

John T. Keenan  
D.O.D.: 05-26-05  
St. Albans

Rudolph J. Murensky  
D.O.D.: 06-17-05  
Welch

### Berthold Inducted into Trial Group

Charleston lawyer Rob Berthold has been inducted into the American College of Trial Lawyers, one of the most exclusive organizations of trial lawyers.

Berthold is one of about 30 West Virginia lawyers in the College. Founded in 1950, it has 5,500 members in the United States and Canada. No more than 1% of lawyers in any one state or province may become members.

The College's major purpose is "to improve and elevate the standards of trial practice, the administration of justice and the ethics of the trial profession."

The group selects both lawyers who represent plaintiffs in civil cases and those who represent defendants. It also includes lawyers who represent criminal defendants, as well as those who prosecute criminal defendants.

Other Charleston lawyers who are College members include: Robert King, a judge with the U.S. 4th Circuit Court of Appeals; and lawyers Robert Elkins; Al Emch; Thomas Flaherty; Glenn Robinson; Scott Segal; Don Sensabaugh; and W.T. Shaffer.

Members must have at least 15 years of legal experience. Berthold, who graduated from the West Virginia University College of Law, has practiced in Charleston for 29 years.

## Medical Views

Informative articles on medical issues of interest provided by our Legal Nurse Consultant Section



### Triage: Heads or Tails, It's Still a Beast

Brenda Snyder Shaw, RN, PHRN

#### Part I - Heads

The word "triage" is French, meaning "to sort." Within the hospital Emergency Department (ED), it is both a skill set and a tool used to prioritize the order in which patients receive a medical evaluation, diagnostic workup, treatment and admission (if required). Although triage is literally performed minute to minute by all healthcare providers within the department and throughout the process, it's addressed here in its most common context, initial patient triage.

The steadfast goals of triage are: to avoid patient deaths (save life & limb), decrease disability, prevent complications and cost-effectively use resources. Given this, it's a sensible conclusion that effective triage therefore begins with EMS providers. This is *regardless* of its nature: Medical, Traumatic or Obstetrical.

#### EMS Component

"Self Presentation" commonly refers to a serious situation in which the patient is driven to the ED either by himself or another person, therefore bypassing the EMS system & eliminating its triage capability. It's not used in reference to non-critical patients who walk into the ED for care. Self-presentation sets into motion a chain of events that can positively or negatively affect outcomes. It can save a life or cost one.

**Legal Point:** Those outcomes can be argued from both sides. It's important to investigate and evaluate why self-presentation occurred. This

holds whether you are initiating or mitigating your case. Below are two scenarios, for illustration:

**Example #1:** A 52 year old male experiencing substernal chest pain radiating to his jaw, rapid breathing and sweating, refuses to let his wife call EMS (about 5 minutes away). He agrees to let her drive him to the close hospital (15 minutes away) since he doesn't like that "big hospital" twenty minutes down the road. While enroute he becomes short of breath (SOB) with increasing chest pain (CP). What's unknown is that he's in Ventricular Tachycardia (V-Tach). Upon ED arrival, he is unconscious, not breathing and in Fine Ventricular Fibrillation (V-Fib). He's coded and does not survive. *Time to Advanced Life Support (ALS) and Advanced Cardiac Life Support (ACLS): 15 minutes.*

**Alternative:** His wife calls EMS, who arrives within 5 minutes. The ALS crew recognizes then treats "Stable V-Tach progressing to Unstable V-Tach." Fine V-Fib is averted. EMS *bypasses* the nearest hospital and drives 20 minutes to the "big hospital," a Cardiac Referral Center. *Time to ALS and ACLS: 5 minutes.*

**Example #2:** A 25 year old male suffers a partial amputation of his Left Lower Extremity (LLE) when his chainsaw slipped upwards as he was cutting. The bleeding is rhythmic & profuse. A coworker applies direct pressure, places him in his private vehicle & drives to the

*Continued on p. 8*

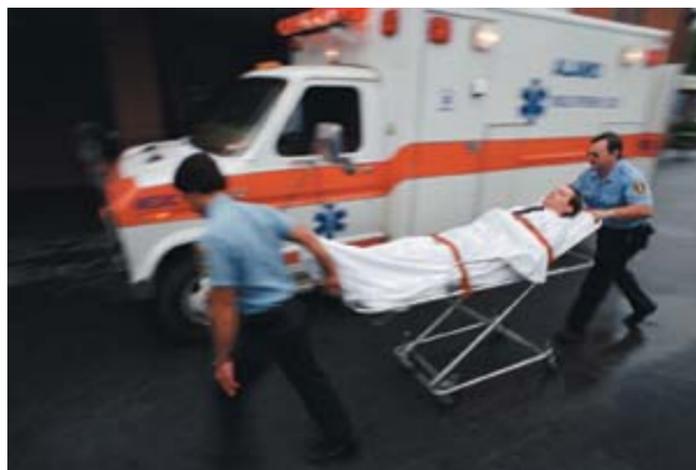
Brenda Shaw, a member of the WVBA LNC Section, is a legal nurse consultant & owner of Shaw Lawgistics, LLC, an independent medical-legal & life care planning practice in Leesburg, Virginia. She specializes in pre-hospital, emergency, trauma, pediatric/ burn cases & is an ACLS Instructor. She's taught in PALS/ TNCC/BTLS/EMS programs and has audited the Physician ATLS Course. She's a former Flight Nurse & was the Trauma Nurse Coordinator at George Washington University Hospital in Washington D.C. from 2000-2002.

Shaw, continued from p. 7

nearest hospital (10 minutes away). ED staff controls the bleeding, initiates fluid resuscitation, transfuses 2 units of Packed Red Blood Cells and stabilizes him for transport to the trauma center (15 minutes away by ground). The limb is saved by Vascular & Orthopedic surgeons, Hypovolemic Shock is reversed & Disseminated Intravascular Coagulation (DIC) is avoided. (Of course the attorney will now need a Life Care Planner [LCP] in addition to an LNC). *Time to ALS: 10 minutes.*

**Alternative:** Coworkers keep him at the scene and call EMS. The volunteer squad must first be paged and then at least one of them has to drive to the station to get the ambulance. They are a Basic Life Support (BLS) crew, consisting of EMT-Basics. They arrive within 15 minutes. BLS is begun, but no IVs are started since they are EMT-Basics. By now he's lost about 1000ml (1L) of blood. (This represents 15-20% of the total circulating blood volume of an average man, depending upon size/weight). Now in Hypovolemic Shock, he needs *immediate ALS care*, which is *still* 10 minutes away. The patient suffers hypovolemia, hypoxia, sepsis, DIC & Multiple Organ Failure. His LLE is amputated. Two weeks later he dies.

*Time to ALS: 25 minutes.*



**Legal Point:** Triage begins in the field, period. It exacerbates or mitigates, no matter who performs it. The above underscores the importance of understanding the intricacies and complexity of the Pre-hospital/EMS environment, in addition to the normal "triage." It also stresses the value of utilizing the LNC for case analysis from the outset, as often there are hidden factors that affect outcome. For cases involving EMS transport to the ED, the LNC can evaluate from a "systems" perspective, knowing what's acceptable/realistic. Up to 80% of hospital admissions come via the ED. Analyze these records.

### Trauma – Just the Stats Ma'am

- Trauma, the **#1 killer** of 1-44 year olds and **#3 killer** of persons of all ages
- Causes **3,600,000** hospitalizations/year
- Almost 9,000,000 disabilities/year (300,000 permanent)
- Acute, rehab & lifelong care cost the U.S. about **\$435,000,000,000/year**
- Accounts for 40% of U.S. Healthcare Dollars...
- BUT < **\$0.04** Federal Research dollars are spent on Trauma Research
- World Health Organization Report: Trauma accounts for 11% of the world's health costs
- EMS and Hospital Care integration reduce time-to-surgery, mortality & costs
- EMS must transport to the nearest *appropriate* facility, not just the closest

**Legal Point:** This requires expertise and triage protocols. LNCs can interpret protocols relative to specific cases.

*Continued on p. 9*

Shaw, continued from p. 8

### Trauma System Triage

Trauma System Triage considers four parameters: Physiological/Anatomical/Injury Mechanism/Co-Morbid Factors. Trauma Triage Protocols decide at Trauma Center. Either Physiologic/Anatomic alterations at Level 1 & MOI/Co-Morbid Factors at Level 2 or within an ED, the level of "Trauma Team Activation" splits as above. It's "system" dependant.

### Physiological Parameters

- Loss of Consciousness
- Altered Level of Consciousness
- SBP < 90 mmHg
- GCS < 14
- Breathing < 10 or > 29/min.
- Abnormal Airway, Breathing, Circulation

### Anatomical Parameters

- 2 or more long bone fractures
- Amputation above the wrist/ankle
- Penetrating trauma above the elbow/knee
- Burns > 15% body surface area (BSA)
- 10% BSA Burns with Concurrent Trauma
- Burns on Face/Chest/Inhalation injury
- Flail Chest
- Pelvic Fracture
- Paralysis

### Mechanism of Injury

- Head-on Collision/Rollover/T-Bone to patient side
- Compartment Intrusion > 8 inches on Driver/12 inches on Passenger side
- Ejection from vehicle
- Speed > 40mph
- Auto vs. Pedestrian > 5mph
- Motorcycle Crash/Velocity Change > 20mph
- Extrication > 20 min.

### Co-Morbid Factors

- Age < 5 years or > 55 years
- Pregnancy
- Pediatrics
- Death at scene
- Death within same vehicle
- Significant Past Medical History (Cardiac/Respiratory/Liver/Bleeding/Clotting/Cancer/Obesity/Diabetics on Insulin)



There exists Field, EMS, Trauma System, Inter-Facility and Emergency Department Triage Types...the "Beast" has a rather large head (Field/EMS Component)...and an even longer tail (tale)...which will be discussed next issue. ■

### Additional Websites:

[http://publications.paho.org/english/moreinfo.cfm?Product\\_ID=738](http://publications.paho.org/english/moreinfo.cfm?Product_ID=738)

<http://www.facs.org/>

<http://www.ena.org>

*Triage: Heads or Tails, It's Still a Beast, Part II will appear in the next issue of The Communiqué.*