



Injury Symptom Magnification and Malingering

The topic of CASF's April Safety Committee meeting was orthopaedic injuries on the job and what employers should know was presented by Dr. Bruce Berkowitz, M.D. The following are his notes from the presentation:

Recognizing symptom magnification or malingering when evaluating a patient can be quite challenging to an orthopaedic surgeon. Over my many years in practice, I've come to rely on a number of tools to help me meet that challenge.

First off, it is important to realize that a malingerer is intentionally trying to deceive for secondary gain, in essence committing fraud. A symptom magnifier, on the other hand, may have exaggerated symptoms, but this exaggeration may not be willful. Other factors, including psychological ones, may play a role.

When taking a history, there often are signs that someone is magnifying. Examples of these "red flags" include the use of dramatic terminology to describe symptoms (pain is 15 out of 10), describing symptoms to a large area of

the body (the entire left side of my body is numb), suspicious timing of the onset of symptoms (symptoms begin months after an injury but right after being terminated), and the use of workers comp phraseology (PTD, TTD, MMI). Looking for inconsistencies between the history provided and any available medical records can also be helpful.

It is the physical exam, however, that I find to be the most useful in determining

symptom magnification. And the physical exam begins the minute the patient walks into my office. I'm going to be looking for inconsistencies between how the patient moves during the history

(for example, is able to turn their head comfortably) and their ability to perform the same movements during the exam (now unable to move without severe pain).

The Waddell's signs are also useful "red flags" to identify symptom magnification during a physical exam. These are a group of 8 exam findings which, when at least three are present, is a good indicator of subjective findings that exceed the

(continued on Page 3)



Member News

May 2011

Vol. 22, No. 05
Ft. Lauderdale,
Florida

Miller Construction

Company has promoted Kimberly P. Riehn, CPA, to the position of chief financial officer of the Florida construction services firm. Riehn, a veteran financial services executive, joined the Fort Lauderdale-based company as controller in 2010.

Prior to joining the firm, she served as manager of corporate accounting with Republic Services, Inc., in Ft. Lauderdale for 12 years.



Kimberly Riehn

James A. Cummings,

Inc. has been awarded three new projects: The University of Central Florida's new Academic Village Parking Garage in Orlando and the Dr. Phillips High School and Little River Elementary School Replacement in Orange County.

The parking garage will accommodate over 1,000 parking spaces; Dr. Phillips High School will be a phased renovation/remodeling and the Little River Elementary School Replacement will consist of a new 90,000 GSF building that will house an administration suite, media center, classrooms, art and music rooms, kitchen, multi-purpose and dining area.

Pirtle Construction

Company has been selected to build Orange County's new, \$35 million Sessions Elementary and Middle School project on Siplin Road in Winter Garden, Florida.



UCF Parking Garage



Sessions Elementary and Middle School

Inspire Trust by Being Trustworthy

Each month Construction FOCUS features a CASF member company, selected by drawing a business card from among those attending the monthly networking breakfast. The next breakfast, sponsored by Balfour Beatty Construction Company, will be held on Thursday, May 19, 7:30 a.m. at the Embassy Suites - Boca Raton off Yamato Road.

South Florida natives, Tom and Harley Miller, formed Miller Construction Company on March 29, 1973. Their main goal was to build non-adversarial relationships with clients and to distinguish themselves with steady, measured growth. Over the years, Miller Construction

developed several highly successful niche markets including on-time, on-budget delivery of design/build and construction management at-risk projects. Miller's clientele relationships exceed excellence with 76% of their work coming from repeat clients. With 42 employees, Miller has weathered the economic downturn by controlling costs, focusing on the tasks at hand, making smart decisions on a daily basis, and working together. Traci Miller, Director of Business Development, says "The best thing about working here is being empowered to make decisions we believe to be in the best interest of our clients."

Tom and Harley, joint owners of the company since it began 38 years ago, recently sold a small percentage of the company through a deferred compensation program to 12 extremely dedicated and hardworking employees this past March. Some of their key people include VP of Preconstruction Brian Sudduth, CFO Kim Riehn, and Project Executive Jeff Slade. The philosophy of the company is evident in its guiding principles to inspire trust by being trustworthy, acting professionally with absolute integrity, and providing opportunities for

employees to grow. They are continuously improving everything they do, always thinking long-term growth, and contributing to the communities in which they serve.

Miller Construction has successfully completed a diverse range of projects, including: Pembroke Pines Audi dealership; WPB Republic Services truck facility; Cleveland Clinic Florida Da Vinci operating room; Miami International University of Art & Design sound studio; Dos Caminos Restaurant in Ft. Lauderdale; and Orange Bowl Field in Miami. Miller plans to break ground on Florida National College and Fisher Island Fitness Center & Spa in the near future and recently started Nova Southeastern University's Oceanographic Center in a joint venture with Moss & Associates, Moss/Miller LLC.

MCC's loyalty to CASF since 1973 is apparent with both Tom and Harley having served as past presidents. According to Traci Miller, "We enjoy the many opportunities to meet and network with trade contractors and suppliers. We find the Craftsmanship Awards to be a valuable way to recognize the individual craftsmen working on our projects and have received more awards than any other general contractor."

Miller Construction Company is located at 614 S. Federal Hwy, Fort Lauderdale, FL 33301. For more information, call 954-764-6550, or visit their website at www.millerconstruction.com.

Miller Construction Company



relationships that build

CONSTRUCTION ASSOCIATION of South Florida

2929 North West 62nd Street, Ft. Lauderdale, FL., 33309
Phone: 954-974-6333; FAX: 954-974-6633
casf@mindspring.com

OFFICERS

Geoffrey Bunnell, James A. Cummings, Inc., President
Bill Bower, Southeast Mechanical Contractors, First Vice President
Doug Wallace, Stiles Construction Company, Second Vice President
Bob Baer, Central Florida Equipment, Secretary/Treasurer

BOARD OF DIRECTORS

♦**Russell Anderson**, Moss & Associates ♦**John Bennett, Sr.**, Coastal Construction Group
♦**Sidney Blaauw**, Steel Fabricators, LLC ♦**Michael W. Fee**, Lotspeich Co. of Florida, Inc.
♦**Donald Ferguson**, Cayman National Manufacturing ♦**Frank Frione**, GFA International
♦**Craig Heiser**, Whiting-Turner Contracting Co. ♦**Mindy Szarowicz**, Baker Concrete Construction
♦**Brad Meltzer**, KM-Plaza Construction Services ♦**Jeff Slade**, Miller Construction Company

IMMEDIATE PAST PRESIDENT

Richard W. Schuerger, John Moriarty & Assoc. of FL.

♦ASSOCIATION EXECUTIVE VICE PRESIDENT, **John C. Siegle**
♦FINANCIAL ADVISOR, **Robert Benson**, Crowe, Horwath, LLP
♦LEGAL ADVISOR, **Alexander Williams**, Ferencik, Libanoff, Brandt & Williams
♦CONTRIBUTING WRITER, **Genna Fisher**

Construction Focus is the official publication of the Construction Association of South Florida. Article suggestions and submissions for publication consideration should be forwarded to the Executive Vice President.

Multi-site Connectivity for Contractors

CASF's newly formed **IT Committee** met last month to discuss Multi-Site Connectivity and options available for linking the jobsite with the main office. While DSL and T1 lines are the traditional modes of connection, some contractors are now moving towards using wireless 4G for their connections. Several members are using Microsoft's Terminal Server with the Remote Desktop Protocol (RDP) client and some are moving towards Citrix's XenServer with their XenClient package. Using either platform they are able to successfully use such programs as Prolog, Outlook, Excel, Timberline, etc. over their virtual networks.

DSL

Currently the use of DSL high-speed broadband is the most economical, but with economy comes limitations. It provides the smallest bandwidth and several companies use dual DSL to handle communications between the office and jobsite. One line dedicated to voice and the other to data.

DSL, cable modem and other forms of high-speed broadband are typically used for smaller jobsites with limited staff and limited budgets.

T1 Lines

One of the members utilizes two T1 lines, one dedicated to jobsite communications and the other for redundancy and failover. This allows connections to be shared by two internet lines creating a higher system utilization and greater bandwidth usage. There is also the availability of Fractional T1 that, while it does not utilize the maximum T1 bandwidth of 1.54 megabits per second, it does allow VPN (virtual private network) over the internet. VPN allows extended services to the jobsite, such as: scan-to-email, fax-to-email, VOIP phones, etc. Along with cost, a notable drawback to the T1 line is that it takes 10-15 days to install.

Wireless Broadband Service

Some of the members have had success using 3G for jobsite connectivity and have found that it can be

enhanced with the use of directional antennae. But both 3G and 4G reliability is directly affected by the location of the jobsite. The success of connectivity depends on where the jobsite is located within the radius of the tower. Having a tall building or two between the tower and the jobsite doesn't help.

All of the big 4 mobile phone service providers (AT&T, Sprint, T-Mobile and Verizon) offer access to the internet. Representatives from Sprint were on hand to present the benefits of using their service to access a remote server. One or two in the group presently use Verizon's VZ Access.

Anyone involved in the technology side of their business is welcome to attend the monthly IT Committee meetings. The next meeting is scheduled for Friday, May 20, at the CASF office and the topic of discussion is "Crisis Management and Data Preservation." A timely subject considering the potential weather systems in the coming months.



Injury Symptom Magnification and Malingering

(continued from page 1)

objective data (the definition of symptom magnification). The Waddell's signs include excruciating pain to the very light touch of the examiner or a dramatic pain response to light axial pressure by the examiner to the top of the patient's head. Neither of these are physiologic. Absence of sensation over an entire extremity as opposed to an area that would match a specific nerve dysfunction or a jerk-

ing response to muscle strength testing are also non-physiologic. The straight leg raise test, used to look for irritation of the sciatic nerve, should elicit the same response from a patient if they are lying down as when they are sitting. If those do not match, I know the patient is not being truthful with me. If I identify these or the other Waddell's signs, I will indicate so in my report. If there are more

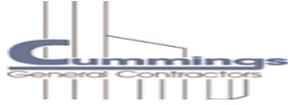
than three, this indicates evidence of symptom magnification.

Other tools available to the examiner include the FCE or Functional Capacity Exam and surveillance. A well done FCE can quantify the abilities of a patient and also can help identify signs of magnification. Surveillance is often the only way to truly determine evidence of fraudulent malingering.

2011 Membership Challenge

March thru June

Balfour Beatty
Construction



ROUTE TO:

3500 NW 9TH AVENUE
FORT LAUDERDALE, FL 33309

CONSTRUCTION ASSOCIATION OF SOUTH FLORIDA

