

# In *your* CORNER

The Disability Law Adviser

## **CASE CLOSED:** Laura's Story - Dreams Stolen & Rights Restored

Did you have a dream job – and lifestyle – in mind when you were growing up? Laura did.

Laura Thompson – not her real name but a very real client – did grow up and land her dream job when she became a project manager for a prominent Georgia college. She spent time in the office and out in the field training, researching, policy writing, traveling and giving public speeches. She also earned a generous salary that afforded Laura the personal lifestyle she always imagined.

According to Laura, “I had a very active life. I was exercising, multi-tasking like nobody’s business, serving on public boards, debating healthcare policies, traveling and enjoying an independent life. I dated and hoped to marry and start a family while moving up the career ladder . . . until . . .”

. . . until Lupus began attacking Laura’s body.

Lupus is short for Systemic Lupus Erythematosus or SLE. It is a chronic disease that causes Laura’s body’s immune system to attack its own organs and tissues resulting in mental and physical fatigue.

It also causes damage to kidneys, skin, joints, lungs, heart and even, the brain. It can be treatable depending upon its severity.

“After my diagnosis, it was hard to juggle my activities and concentrate on any project for more than fifteen minutes. My lack of energy made everything a struggle or impossible, forcing me to limit all my activities and at a young age, I was forced to accept my new limitations that isolated me from friends and associates. My world came crashing in when I lost my dream job, my home, my independence and moved back into my parent’s home. It was devastating,” said Laura.

Laura filed claims for Long-Term Disability (LTD) benefits with her employer-provided group insurance company and for

*(continued on page 2)*

## In Your CORNER

by Claudeth Henry, Esq.

I am *‘In Your Corner’* when it comes to fighting for the rights of your medical and legal referrals – patients and clients – who are battling an insurance company for disability benefits after they have been injured or sustained a life-altering medical condition.

*‘In Your Corner’* is my promise that each client receives the same commitment, compassion and medical knowledge (former Registered Nurse) that has led to our high success rate. We are fierce advocates for your clients through every stage of the disability and appeals insurance claims process. Employer sponsored disability insurance claims, private disability insurance claims, life insurance benefit claims or Social Security disability benefit claims are our specialties, but we welcome all disability cases.

Just as our newly revamped newsletter’s title, *‘In Your Corner’* signals to you – and to your patient and client referrals – I am here – along with my hardworking and experienced disability

legal staff – to challenge the behemoth insurance companies and fight for disability benefits for every person who walks through our door.

In our redesigned newsletter you’ll continue to read real life stories and cautionary tales from our clients – and others – whom I refer to as heroes. They are the fighters. They are the brave individuals who have suffered debilitating injuries or medical conditions and deserve their disability benefits so they can care for themselves and their families. Their fight is our fight.

We also aim to entertain you with our ‘hot’ travel spots, healthy easy-to-rustle-up recipes, Word Finds, monthly jokester comics and glimpses into my life through ‘Claudeth’s World.’

Thank you for your trust in the past and in the future with this most sacred duty of caring for and fighting the good fight for your patients and clients. We are also *‘In Your Corner.’* ■



*Claudeth Henry, Esq.*

# SPOTLIGHT United Way <sup>FREE</sup> Tax Service & <sup>MORE</sup>

April is tax season, a perfect time to feature United Way of Marion County's popular free tax preparation program, Volunteer Income Tax Assistance (VITA), and why it can become your way of giving just a little bit. We have all been through a lot of stress, loss, and pain in these last two years of a global pandemic and many of us are continuing to seek out ways to make a positive impact in our communities.



One way to do that is to lock hands and hearts with the United Way of Marion County, where you can give a little of your time and still make a big difference.

United Way of Marion County offers critical services like the 'Reading Pals' program that helps children become early readers

or the 'FamilyWise' discount prescription program, where all cardholders receive the lowest prescription prices. United Way

of Marion County also offers free tax preparation services and is on the hunt for their next team of tax preparer volunteers.

According to Doug MacPhail, program director for VITA, "for the past 14 years, an average of 2,500 Marion County residents have used our tax preparation services. The program has become so popular that we are fully booked by early March each year, including this year. There is no income limit for those served, but the average return has an income of \$20-\$25,000."

While VITA is booked-up this tax season, MacPhail is putting out the call for volunteer tax preparers, greeters and translators for next year. Best part? You don't need any experience or special skill sets because United Way of Marion County trains all volunteers starting in October through December.

All VITA volunteers receive training from a unique source of funding: the Internal Revenue Service or IRS. To volunteer for this coming fall's tax preparation training, sign-up at the United Way of Marion County's volunteer portal (<https://www.uwmc.org/volunteer>) or contact Doug MacPhail at 352/732-9696, or [dmacphail@uwmc.org](mailto:dmacphail@uwmc.org). ■

## CASE CLOSED:

(continued from cover)

Social Security Disability Insurance (SSDI) benefits. When both claims were denied, Laura said, "I felt dismissed, disregarded, useless, worthless, and left to die."

Laura didn't die. She did the next RIGHT thing. She sought legal help. When she was referred to me by the attorney appealing her SSDI claim I got busy and filed an administrative appeal on Laura's behalf carefully documenting her medical records and information on Lupus. When they denied our administrative appeal, we filed suit. Even before the judgment came in, the insurance company agreed to pay Laura's LTD back payments and provide for her future LTD payments along with her Pension Supplemental Benefits.

"I felt heard and understood by Claudeth and her staff. They gave me hope when I was in deep despair. I only wish I would have come to her sooner," said Laura. With her rights restored, Laura now lives a more financially independent life and remains a contributing member of our community. **CASE CLOSED.** ■

## Benefits Word Search

D	A	D	D	I	S	A	B	I	L	I	T	Y	A
E	S	E	N	T	N	E	D	I	C	C	A	A	N
C	D	B	I	D	E	N	T	A	L	T	E	L	I
N	E	I	A	N	C	R	T	U	I	T	I	O	N
A	E	T	T	P	R	E	M	I	U	M	O	E	A
R	R	C	C	O	P	A	Y	T	E	B	M	O	I
U	F	A	D	E	P	E	N	D	E	N	T	N	D
S	X	R	O	L	D	C	V	I	S	I	O	N	E
N	A	D	T	I	N	V	E	S	T	M	E	N	T
I	T	T	N	E	M	E	R	I	T	E	R	I	N
E	T	V	E	E	A	R	N	E	D	T	I	M	E
F	E	R	O	U	T	O	F	P	O	C	K	E	T
I	O	F	S	E	L	B	I	T	C	U	D	E	D
L	N	A	L	P	H	T	L	A	E	H	E	D	E

- |             |                |            |            |
|-------------|----------------|------------|------------|
| PREMIUM     | ACCIDENT       | DEDUCTIBLE | DEBIT CARD |
| HEALTH PLAN | DENTAL         | DISABILITY | DEPENDENT  |
| RETIREMENT  | LIFE INSURANCE | COPAY      |            |
| EARNED TIME | OUT OF POCKET  | TAX FREE   |            |
| TUITION     | INVESTMENT     | VISION     |            |

Play this puzzle online at: <https://the-wordsearch.com/puzzle/88161>



# JIM VS. **BIG** INSURANCE!



What happened to James (Jim) Newsom can happen to anyone. His story is a cautionary tale reminding working people like Jim – and you and me – how easy it is to get thrown under the bus by a big insurance company looking to deny benefits and increase their profits.

When Jim didn't understand or read the fine print buried in his employer's disability insurance policy – and let's face it, who does? – Jim used an incorrect disability onset date on his claim application and unknowingly entered...the disability *Danger Zone*.

How was Jim, software architect, expected to understand industry-specific phrases like 'onset of disability date' and how can he protect himself when an insurance company uses this ploy to confuse disability applicants like Jim, so they don't have to pay what they owe him?

In **Newsom v. Reliance Standard Life Ins. Co., No. 20-10994, \_\_\_ F.4th \_\_\_, 2022 WL 500403 (5th Cir. Feb. 18, 2022)**, for 32 years, Jim worked in a highly technical role as a software architect for LERETA, a leading real estate tax and flood service provider for mortgage services. LERETA relies on software architects like Jim to maintain government regulations and keep their technology products and services current.

## **Long-Term Disability Benefits = Only to Full-Timers**

Jim had a long history of health problems including chronic fatigue syndrome, fibromyalgia, depression, and attention deficit hyperactivity disorder. He continued working even as he began suffering more and more the debilitating effects of his numerous medical conditions.

The last few years of his employment at LERETA, Jim's health continued deteriorating. In order to keep working – as he was a decades-long loyal employee – Jim cut his work hours from 40-hours per week down to 32-hours per week, which is still considered full-time. But, in 2018, his health worsening, Jim was only working 30-hours per week, and this is when Jim finally applied for short- and long-term disability benefits with RELIANCE.

While Jim's short-term disability benefits were approved, RELIANCE denied his long-term disability claim because Jim selected the last date he worked as his disability onset date, when in fact, he was disabled when he was working 32-hours a week, which is the correct date of his disability onset. At 32-hours, Jim was still a full-time employee. At 30-hours a week, when Jim applied for disability benefits, he was a part-time employee.

Seriously?

How was Jim, a decades-long highly skilled professional software architect, to understand the tricky insurance company ploys to keep from paying what they owe him, and thousands like Jim?

The only answer to this question is: Call a disability lawyer who does know how to read and make sense of disability insurance policies...and then sue, which of course, Jim did.

He sued RELIANCE for his long-term disability benefits and won in district court. However, RELIANCE then appealed the case and was handed the case back to determine a second time, if Jim was disabled, which meant RELIANCE got a second shot at denying Jim his benefits.

If your patient or client, like Jim, is losing time from work due to their medical condition and is pushing themselves to continue working – they are operating in the *Danger Zone*. Before they apply for disability, refer them to me for a free case review. Why? Because it's what I do to protect their rights.

We're all in the same corner when it comes to keeping our clients and patients out of the *Danger Zone*. ■

## Havin' a LAUGH!!





# CJ HENRY LAW FIRM, PLLC

YOUR DISABILITY LAW PARTNER

2303 E Fort King Street  
Ocala, Florida 34471  
Phone 352.304.5300  
www.cjhenrylaw.com  
email: info@cjhenrylaw.com



(above) Claudeth and Cecil enjoying some beach time.

## Claudeth's WORLD

### Blue on Blue...Near & Far

When it comes to beaching it, I plead, "Guilty as charged!" Because no one loves blue skies and blue water more than me. Oh, except, my husband, Cecil...and our brood of adult children and grandchildren.



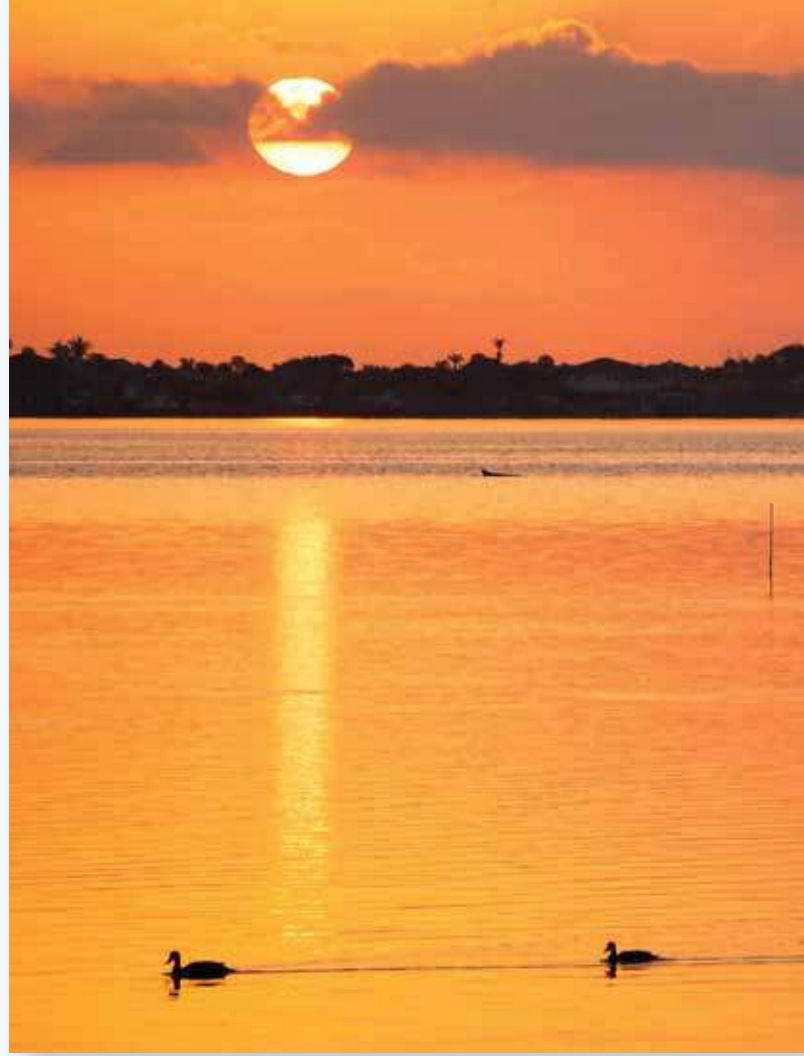
This year, Cecil and I scoped out a few awesome destinations that were often over-looked and that generally means, no long lines, no outrageous hotel and restaurant prices. Sign me up. Here are the two that caught our wanderlust eyes and budgets.

#### (Near) Jensen Beach, Florida

Only an hour north of West Palm Beach, Jensen Beach is one of my favorite small towns with a 'kick-back, flip flop, don't step on a pop-top' beach-y attitude where no one is a stranger, especially if you make the trek there during their annual Pineapple Festival. It's all about white sandy beaches, blue skies, blue water, live music every Thursday, historic homes and plenty of lip-smacking seafood. Major Plus: You don't need an airline ticket to get there. What's not to love about Jensen Beach? Hey, don't forget your flip flops.

#### (Far) UPPER Michigan (U.P.)

Ok, so it's not around the corner, but once you get there, it's going to be worth it because this piece of heaven is loaded with fresh lakes, spectacular coastlines and deep forests bordering



(above) Sunrise at Jensen Beach, Florida



(above) Arch Rock, Mackinac Island, Michigan

three of the Great Lakes. If you want to skip the mainland, head out to Mackinac Island for a car-free vacation destination where you'll see more folks, but fear not, there are other grand vistas blissfully absent of the vacationing hordes. Those include: Pictured Rocks National Lakeshore on Lake Superior with waterfalls, lighthouses, and fishing. While you're at it, don't skip hopping on a cruise for a closer view of Lake Superior's cliffs.

Whether your travel itch takes you near or far, familiar or new destinations, it's never too early to start planning your summer escape. Actually, planning a vacation is nearly as fun as being there. *Nearly.* ■