

**Let Us Fight For Your Rights!**  
**1-800-518-4LAW**

**Introducing Our Updated Website and Workers' Compensation Lawyers Blog**

Today nearly every business has a presence on the internet. Web sites, e-commerce, and blogs have become a standard way of conducting business and communicating with customers — and law offices are no exception. Michael J. O'Connor & Associates has maintained a web site for over 10 years. You may have visited us at [oconnorlaw.com](http://oconnorlaw.com). But over the past month we've made some changes to our site and added a new workers' compensation blog to provide our clients with the most up-to-date information on legal news and changes in the law.

**Our Web Site**

We've made some changes to our web site to make it easier to access the information you need. With the click of a button you can get the addresses of our locations and find descriptions of our areas of practice. We provide contact forms so that if you think you have a case, you can send us your information electronically and receive an answer quickly.

**Our New Blog Page**

Blogs are online journals used to share news and information throughout the



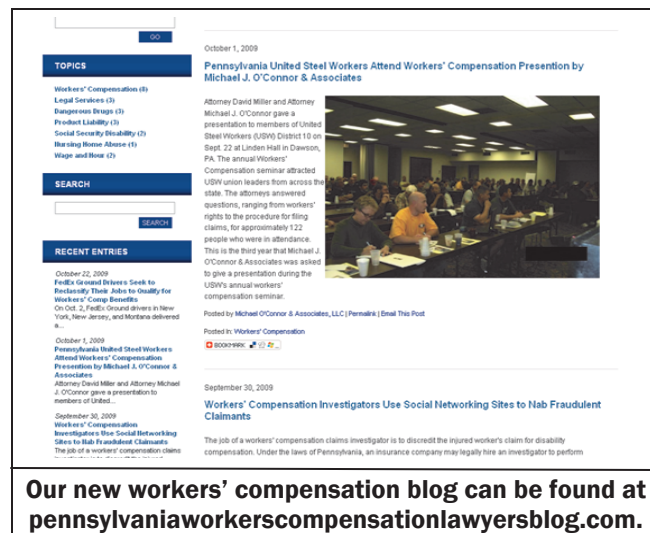
Visit our web site at [www.oconnorlaw.com](http://www.oconnorlaw.com).

**Our Practice Areas**

**Michael J. O'Connor & Associates is dedicated to providing clients with the best legal help possible.**

- Workers' Compensation
- Social Security Disability
- Automobile Accidents
- Motorcycle Accidents
- Birth Injuries
- Premises Liability/Slip & Fall
- Product Liability
- Nursing Home Negligence
- Wills, Estates, & Elder Law
- Mesothelioma
- Dangerous Drugs
- Wage & Hour Violations

**For additional information, please visit our website at [www.oconnorlaw.com](http://www.oconnorlaw.com) or call us toll free at 1-800-518-4LAW**



**Our new workers' compensation blog can be found at [pennsylvaniaworkerscompensationlawyersblog.com](http://pennsylvaniaworkerscompensationlawyersblog.com).**

world of the internet. We've started a new workers' compensation blog that can be found by clicking on the "Blog" link on our web site. Although its main focus is on issues surrounding the rights and benefits of injured workers, we're adding information on other areas of the law, as well. So visit our site and our blog...and happy surfing! ■

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## Did You Know?

Here are some interesting statistics on the nursing home industry.

- Today, about 1.5 million Americans live in our nation's 17,000 nursing homes.
- More than 90 percent of America's nursing home residents are over 65.
- Three out of four nursing home residents are women.
- On average, 8 out of 10 beds in certified nursing homes in America are occupied.
- More than half of American nursing homes (54 percent) are below the suggested minimum staffing levels for nurse's aides.
- Nearly one in every four nursing homes (23 percent) are below the suggested minimum staffing level for total licensed staff.
- Nearly one third of nursing homes (31 percent) are below the suggested minimum staffing levels for registered nurses. The minimum staffing level for registered nurses is only 12 minutes per day per patient.



Nursing homes are often a good solution to help aging loved ones who may not be able to take proper care of themselves due to various limitations or disabilities. In such instances, they may require residential assistance. The problem is that oftentimes these facilities are understaffed and that can be a factor in causing patient neglect and/or abuse.

If you have a loved one in a nursing home, you may have concerns about the quality of care they are receiving. It is the responsibility of the nursing home management to provide care for your loved one. Failure to implement proper care policies and regulations is simply not acceptable. At Michael J. O'Connor & Associates, we are ready to assist you in protecting the rights of your loved one. Call us at 1-800-518-4LAW for a free consultation.

## Pennsylvania Social Security Disability Applicants Feel the Effects of the Economy

No one expects to suffer a disability, but when they do it can be a comfort to know that benefits are available through the Social Security Administration. If an individual is unable to work because of a medical disability that is expected to last no less than 12 months, he or she, and sometimes certain family members, may qualify for disability income. However, applying for Social Security Disability benefits can be a lengthy, difficult, and sometimes frustrating process.

In order for an individual to receive disability benefits, he or she must complete the application process. Additionally, Social Security requires that applicants prove they cannot do any work of any kind. As a result of this requirement, many individuals are denied and must take the next step: a hearing in front of a judge. But according to a chart from the Social Security Administration, as an example of the timeframe for those filing in Pennsylvania, it can take approximately 437 days to schedule a hearing in the Wilkes-Barre office.

This extensive processing time is a result of the growing population, including the baby boomer generation who has become sick or disabled. As the Social Security Administration wrangles with the extensive list of individuals applying

*See SOCIAL SECURITY, p. 5*

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## Injured Workers Beware: Investigators Use Social Networking Sites to Nab Fraudulent Claimants

The job of a workers' compensation claims investigator is to discredit the injured worker's claim for disability compensation. Under the laws of Pennsylvania, an insurance company may legally hire an investigator to perform surveillance on an injured worker. The surveillance is conducted in an attempt to catch the injured worker engaging in any physical activity that may be outside of his or her work restrictions.

Although investigators may not commit trespass, such as taking pictures of the injured worker inside his or her home, they may follow the injured worker, speak with neighbors, and take videotapes of the injured worker conducting normal activities in public. More often than not, these methods of surveillance can cost the investigator and the insurance company a lot of time and money.

But with the emergence of social networking sites, like Facebook, MySpace, LinkedIn, and Twitter, the job of the claims investigator has now been made even easier.

"A lot of people post things they don't expect the insurance carrier is going to be looking at," said Frank Pinder, president of the fraud and special investigations unit of GlobalOptions Group, an Orlando, Florida-based insurance claims investigation service. In an article by Roberto Cenicerros on Workforce.com, Pinder added, "Their geology hobbies, reunions, bowling, the leagues they are involved in, fishing tournaments, hunting clubs...pastimes, organizations. Then you can further mine that for information [counter to] their claim."

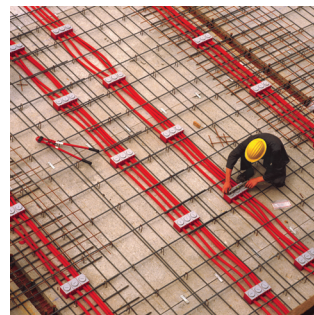
*“A lot of people post things they don't expect the insurance carrier is going to be looking at...”*

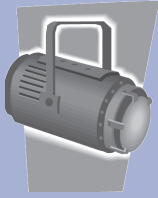
By searching for a claimant's profile on sites like Facebook or MySpace, investigators can uncover a myriad of self-incriminating information, such as dates of sporting events in which the claimant is participating. Social networking sites can also contain time-stamped photos and videos showing claimants involved in physical activities that could be outside the level of disability that the injured worker is claiming.

"It just amazes us how much information people provide," said Howard Schneider, president of Schneider Associates, a private investigative agency in Thousand Oaks, California.

Injured workers should be aware not only that their activities could be videotaped by an investigator, but also that any information they provide online can be easily accessible to the general public. It may not only be family and friends who are accessing their profiles, but insurance claims investigators, as well. This type of evidence may be used to challenge the injured worker's medical testimony or to try to convince a workers' compensation Judge that the injured worker is not as disabled as he or she is asking the Judge to believe.

It is a good idea to consult with a workers' compensation lawyer at Michael J. O'Connor & Associates as surveillance is often an event that triggers litigation. The Pennsylvania workers' compensation lawyer team at Michael J. O'Connor & Associates is ready to begin tackling your legal problem today. Call our toll free number at 1-800-518-4LAW for a free initial consultation and review of your case. ■





## SPOTLIGHT ON Attorney Valeen D. Hykes

In September, Michael J. O'Connor & Associates announced the appointment of the newest member of the law firm, Valeen D. Hykes.

Hykes earned her Juris Doctor Degree from the prestigious Thomas M. Cooley Law School, Lansing, MI, with a concentration in General, Small Firm and Solo Practices.



Hykes, whose undergraduate degree was obtained at King's College, Wilkes-Barre in Political Science, graduating Magna Cum Laude, is a member of the Pennsylvania Bar Association, Berks County Bar Association and the American Bar Association.

Hykes brings a diversified background to Michael J. O'Connor & Associates, which has 14 locations throughout the Commonwealth.

Hykes has a heavy emphasis on research law affecting health savings accounts and acted as a liaison between First HAS and insurance agents and brokers. She served as a legislative assistant in the Michigan House of Representatives. She also served as a law clerk at Maro & Maro P.C., Norristown.

In addition, Hykes worked directly with the Pennsylvania House of Representatives on Rural Education and helped to draft legislation to be presented before the House of Representatives.

Hykes has performed volunteer work at the Ronald McDonald House and St. Thomas Moore Society. She served as Vice Dean of Delta Theta Phi.

When she's not in the office, Hykes spends as much time as she can outdoors. She enjoys hiking in the fall and going to the beach in the summer. She also has 2 pugs that never miss a chance to take a walk with her any time of the year. ■

## RECIPE CORNER

*Our resident chef and receptionist, Patti D., has shared another of her quick and delicious recipes. Just in time for the holidays!*

### Cheese Ball Recipe

#### INGREDIENTS

8 oz. cream cheese  
8 oz. Velveeta cheese  
1 brick extra sharp cheddar cheese  
(Kraft red wrapper)  
1/2 cup mayonnaise  
3 drops soy sauce  
1/4 tsp. garlic salt  
Crackers (Wheat Thins, or any kind you like)

#### DIRECTIONS

Cube Velveeta and melt in microwave. Add cream cheese; mix. Shred cheddar cheese and add to mixture; mix. Add soy sauce, garlic salt, and mayonnaise; mix. Pour mixture onto plastic wrap. Use the plastic wrap to shape the cheese by wrapping it in a ball shape. Refrigerate until hardened. Finish shaping into a ball; can make 1-2 balls. Roll in crushed crackers or nuts (optional). Serve with crackers.

## HELPFUL TIPS

Fall is cold and flu season. Remember these everyday steps from [www.flu.gov](http://www.flu.gov) to protect your health:

- Cover your nose and mouth with a tissue when you cough or sneeze. Throw the tissue in the trash after you use it.
- Wash your hands often with soap and water. Alcohol-based hand cleaners are also effective.
- Avoid touching your eyes, nose, or mouth. Germs spread this way.

## PA Social Security Disability Applicants Feel the Effects of the Economy

*Continued from Page 2*

for benefits, requests for its services are further increased as a result of the economy. In an article on NPR.org, Social Security Deputy Commissioner David Foster commented on the increase in requests. “We expect those numbers to go up very much in the next few years because of the recession,” said Foster. He continued, “There’s usually a correlation between the unemployment rate and then the amount of disability claims that we have.”

As the economy struggles to recover, it is more important than ever for those applying for Social Security Disability or Social Security Income to consult an experienced lawyer as soon as a disability occurs. Social Security lawyers are well-versed and experienced in every aspect of the claim process. In addition, laws and regulations may have limits for action; an individual can lose his or her rights by waiting. A lawyer can help by preparing and filing the appropriate appeal paperwork and other required forms, as well as compiling all the medical evidence and presenting testimony at the appeal hearing.

If you have questions regarding a Social Security disability claim or appeal, please call 1-800-518-4LAW to speak with one of our experienced Pennsylvania Social Security lawyers at Michael J. O’Connor & Associates to schedule an initial consultation. ■



### SAFETY ALERT



**Consumers who use any of the following products or medications should be alerted to the following warnings, including some alerts issued by the Consumer Product Safety Commission and the Federal Drug Administration (FDA).**

**Denture Cream:** A simple and cost-effective cure for the problem of ill-fitting dentures can be the application of denture cream adhesive. What many denture wearers do not know is that denture cream adhesives contain zinc. And exposure to excessive amounts of zinc through the over-use of denture cream adhesives can lead to serious neurological conditions. Since denture cream manufacturers are not required to add a warning label on their packages, many consumers are unaware of the potential dangers. Some of the symptoms of zinc poisoning are numbness and tingling in the hands, feet, arms, or legs; unexplained pain in the extremities; reduction in strength or ability to move arms, hands, legs, and feet; and instability or lack of balance.

**Fosamax:** Fosamax was approved by the FDA and introduced in 1995 to prevent and treat osteoporosis. Since 2001 however, over 2,400 patients taking Fosamax have experienced a condition called osteonecrosis, or jaw death, that occurs when the bone tissue of the jaw becomes damaged. Symptoms include numbness and heaviness of the jaw; gum infections, pain, and swelling; loose teeth; and slow healing of the gums. Fosamax can also cause low-energy spiral femur fractures due to limited blood flow to bones.

**Transvaginal Mesh:** Pelvic Organ Prolapse (POP) and Stress Urinary Incontinence (SUI) are 2 common women’s health problems that are treated with the surgical implantation of a transvaginal mesh. However, the U.S. Food & Drug Administration has received a growing number of reports that the mesh device is causing complications, including urinary problems, erosion of vaginal tissue, pain, and infection. The transvaginal mesh has not been recalled and has continued to be used by health care practitioners, despite the warnings.

**Yaz:** Birth control pills are used by women in all walks of life, including mothers, daughters, and students of all ages. Although all prescription birth control pills carry a degree of health risk to women, Yaz and Yasmin, manufactured by Bayer Healthcare, contain a new hormone compound, called Drospirenone, which may further increase the risk of stroke, heart attack, blood clots, and deep vein thrombosis.

*If you or someone you know has used any of these products and has any of the symptoms mentioned above, you may have a case. Contact the attorney team at Michael J. O’Connor & Associates at 1-800-518-4LAW for a free initial consultation and a review of your case.*

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**Go Green:  
Tips for Weathering the Winter**



Doing little things around the house can go a long way to having a healthy winter. Here are some tips to help you and your family find ways to reduce pollution and learn more about the environment.

- ☑ Winterize your vehicle by checking your air filter and fluid levels, checking tires for tread and proper inflation, and checking the condition of your windshield wipers. Ensuring your vehicle is ready for the weather changes will reduce damage and waste and will keep you safe on the road.
- ☑ Use non-toxic de-icing substances such as sand, or fireplace/stove ash to prevent hazardous waste from chemicals. Chemical de-icers can be hazardous to your pets, your trees and shrubs, and the environment.
- ☑ Winter storms often cause power outages. Prevent waste by keeping rechargeable batteries rather than disposable ones stored throughout your house with your flashlights.
- ☑ To make sure your heating system (boiler, furnace, or heat pump) is operating at its most efficient, it is a good idea to have routine check-ups and necessary maintenance on the equipment before freezing weather drives up your energy bill.
- ☑ If you have a thermostat or no thermostat at all, one way to save energy and money this winter is to install an ENERGY STAR programmable thermostat. When installed and used, you can save about \$100 each year while staying comfortable! You can also buy outdoor and indoor lights with timers so that lights don't stay on all night.

**Call us toll free at 800-518-4LAW, or visit us online at [www.oconnorlaw.com](http://www.oconnorlaw.com)**