

SAMPLE TREATING DOCTOR REPORT*

I. Injury/Illness in Question

A lateral malleolus fracture is a fracture of the distal fibula, also referred to synonymously in the medical records as _____.

II. Accident/Injury (Mechanism of Injury)

As stated in the E.R. records, the injured employee stepped off a curb while at work in the Metro Center Parking Lot on March 15, 2013. According to the injured employee's account, which was given shortly after the accident and further explained to me during the exam, he "missed the ground" and twisted his ankle, falling on his right side.

III. Clinical Findings, Timeline, and Literature in Support of Causation Analysis

There is no reference in the medical records, and the injured employee specifically denies ever having had any injury or any treatment to the right ankle prior to the accident on March 15, 2013.

X-rays on March 15, 2013, clearly documented an acute fracture of the right lateral malleolus. Subsequent x-rays dated December 17, 2013, demonstrate a healed fracture of the right lateral malleolus. Although an unhealed fracture is not present upon my exam, both my exam and the medical records indicate a prior unhealed fracture of the right lateral malleolus was present immediately after the fall on March 15, 2013. That fracture resolved/healed prior to my exam of the injured employee.

Based on the E.R. records, the injured employee was seen at the emergency room shortly after his fall and diagnosed with a fracture of his right hip. The right hip fracture is not the injury in question. The injured employee also complained at the emergency room of sudden and severe pain in his right ankle upon falling. Within an hour of the injury, the injured employee had significant swelling and bruising of his right ankle, and the ankle was tender to the touch. It is unknown if the employee was able to bear weight on the ankle, as his hip fracture prevented him from walking. The symptoms of the fracture of the right lateral malleolus appeared immediately following the injury, which is when you would expect to see such symptoms appear if a sprain or fracture did exist as a result of the fall. X-rays taken within two hours of the injury revealed a fracture on the lower part of the right lateral malleolus.

IV. Analysis of Clinical Findings and Timeline

Based on the findings that the injured employee had significant swelling and bruising of his right ankle, the symptoms of the fracture of the right lateral malleolus appeared immediately following the injury, and x-rays taken within two hours of the injury revealed a fracture on the lower part of the right lateral malleolus, I conclude that the timing of the fracture of the right lateral malleolus is consistent with the fall on March 15, 2013. The proximity in time of the symptom onset and positive films indicating a fracture to the right lateral malleolus indicate that the fall on March 13, 2013 caused the fracture of the right lateral malleolus.

As previously stated, the lack of any medical documentation, and the specific denial by the injured employee support that there was no fracture to the right lateral malleolus prior to the fall on March 15, 2013. This lends further support to my opinion that the fall was the cause of the injury in question, because had the injury in question been present prior to the fall on March 15, 2013, it is reasonable that there would be medical records evidencing a fracture of the right lateral malleolus and treatment for same that pre-date March 15, 2013.

Further, the mechanism of injury—falling off a curb and twisting his ankle—is consistent with the fracture of the right lateral malleolus. Twisting the ankle while falling and putting weight on the joint from the height of a curb caused torquing forces to the injured employee’s right ankle joint, which stressed and exceeded the strength of the joint structures of his right ankle and produced the fracture of the right lateral malleolus.

V. Medical/Legal Causation Opinion Statement

For the above referenced reasons; the relevant clinical and exam findings, the relevant medical history, the symptom timeline, and the mechanism of injury as described above, it is my medical opinion, based upon my education, training, and experience, and within reasonable medical probability that stepping off the curb and twisting the right ankle caused the fracture of the right lateral malleolus. I find that the mechanism of injury of March 15, 2013 was a substantial factor in bringing about the fracture of the right lateral malleolus, and without it, the fracture of the right lateral malleolus would not have occurred. Specifically, the compensable injury extends to and includes the fracture of the right lateral malleolus.

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