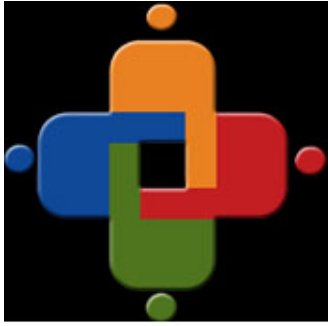


# Tango v. Tangled

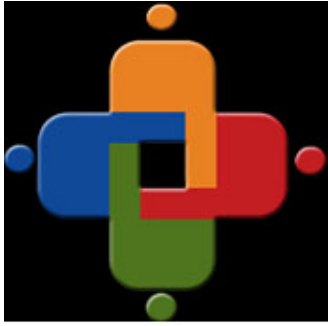
How case managers and lawyers can work together  
to improve rehabilitation outcomes for individuals  
with compensable personal injuries

Kim Doogan, BMT, MSW, RSW, C-CLCP  
Rehabilitation Case Manager  
Focus Rehabilitation Consulting Inc.

L. Craig Brown, BA, LLB, MES  
Partner, Certified Specialist (Civil Litigation)  
Thomson Rogers, Barristers and Solicitors



**IMAGINE...**



# Hazards of Living with a Disability



*Statistic Canada, 2007, 2008, 2010  
World Health Organization, 2013*



# Rehabilitation is...

“...a set of measures that assist individuals who experience, or are likely to experience, disability to achieve and maintain optimal functioning in interaction with their environments”



# Rehabilitation...

- can be a life-long need
- is cross-sectoral in implementation
- usually involves outcome measures
- is more effective if provided early and person/family are a partner in the process



# Rehabilitation and the Social Determinants of Health

Figure 1.1 A Model of the Determinants of Health

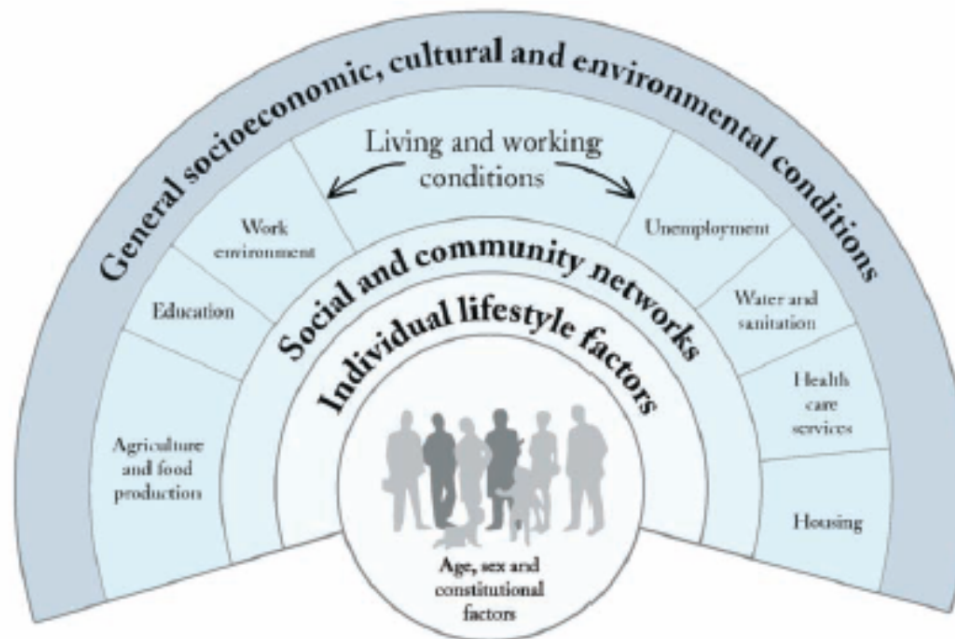
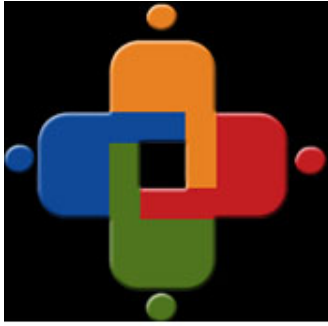
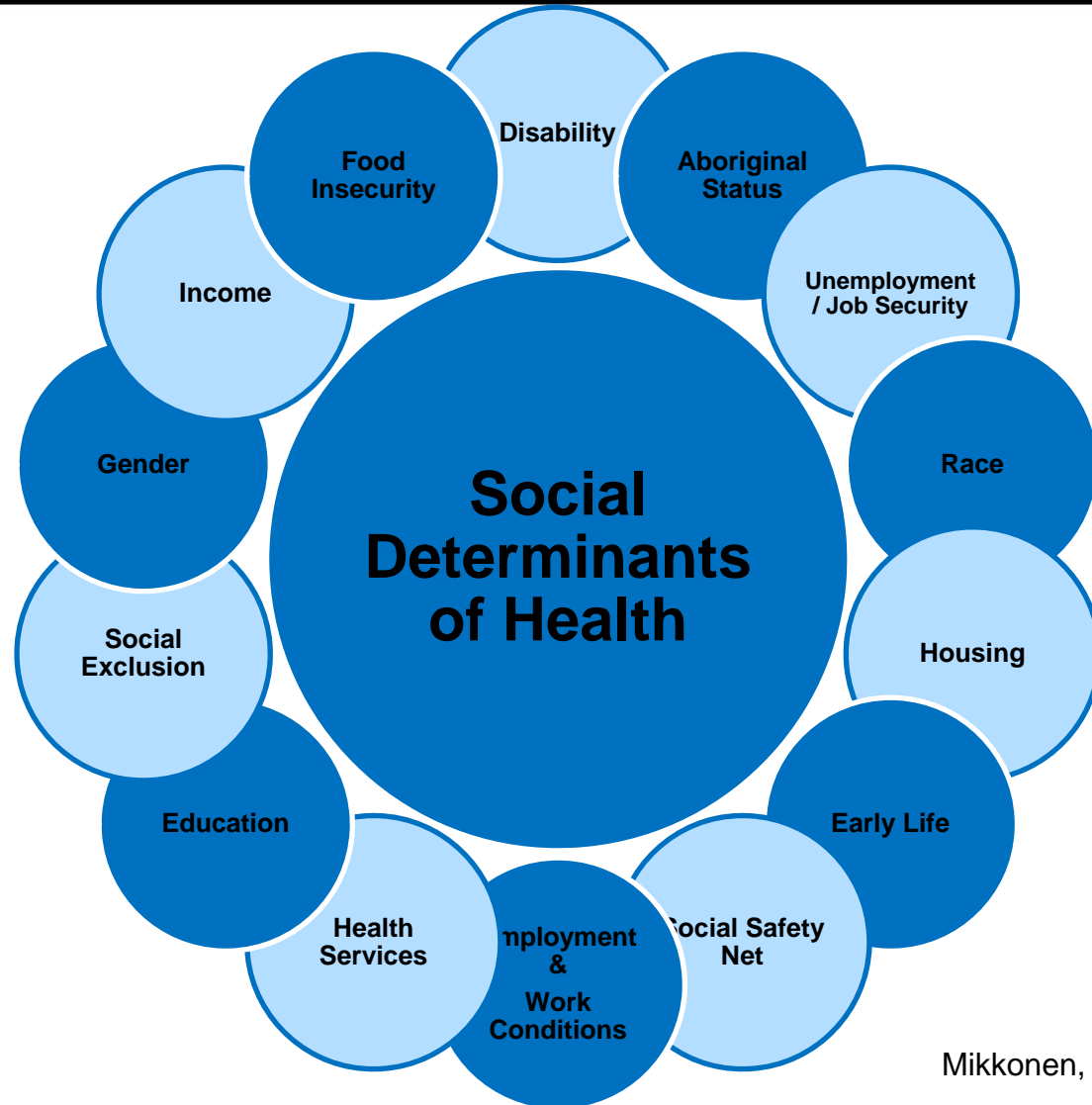


Figure shows one influential model of the determinants of health that illustrates how various health-influencing factors are embedded within broader aspects of society.

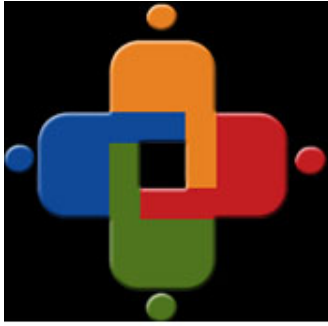
Source: Dahlgren, G. and Whitehead, M. (1991). Policies and Strategies to Promote Social Equity in Health. Stockholm: Institute for Futures Studies.



# Rehabilitation and the Social Determinants of Health

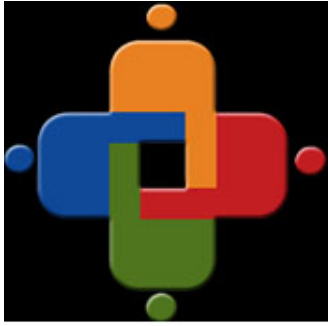


Mikkonen, J., & Raphael, D. (2010)



# Why do People Initiate Claims?





# Overview of Personal Injury Law

“...in settling the sum of money to be given for reparation of damages you should as nearly as possible get at that sum of money which will put the party who has been injured...in the same position as he would have been in had he not sustained the wrong.....”

(Lord Blackburn in Livingstone, 19<sup>th</sup> Century)



# Why Focus on MVA's?

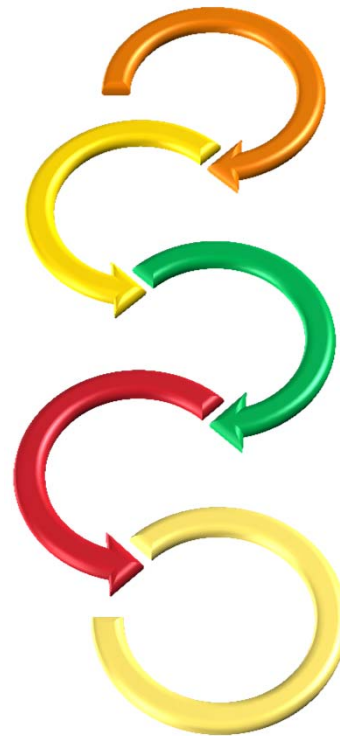






# The Importance of Claims for the Rehabilitation of Individuals who sustain CPI's

**CLAIMS**

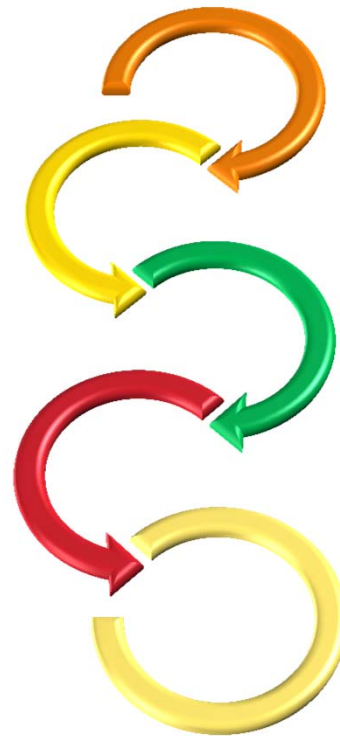


**REHABILITATION**



# The Importance of Rehabilitation to the Client and the Claims Process

**REHABILITATION**



**CLAIMS**



# The Lawyer's Role





# The Rehab Case Manager's Role



THE  
**CANMEDS**  
CASE MANAGEMENT  
ROLES FRAMEWORK

 **NCMN**<sup>+</sup>  
National Case Management Network  
Réseau National des gestionnaire de cas  
*— du/of Canada —*



# Where the Roles Intersect...



THE  
**CANMEDS**  
CASE MANAGEMENT  
ROLES FRAMEWORK





# The Tangles that affect Rehab Outcomes...

**Tangle #1:  
Funding and Resource Problems**



# **Tangle #1: Funding and Resource Problems**

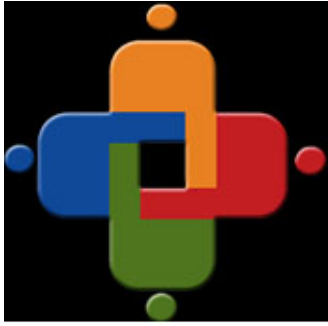
**Case example: Mr. Smith**



# Tangle #1: Funding and Resource Problems

What would you do?

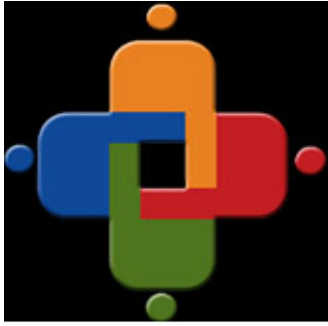
What options do you have?



# The Tangles that Affect Rehab Outcomes...

## **Tangle #2:**

**“Difficult” Clients, Difficult Lives  
& Difficult Circumstances**



## **Tangle #2: “Difficult” Clients, Difficult Lives & Difficult Circumstances**

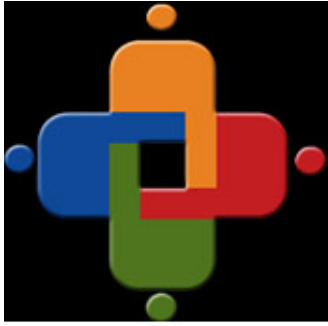
**Case example: Ms. Smith**



## **Tangle #2: “Difficult” Clients, Difficult Lives & Difficult Circumstances**

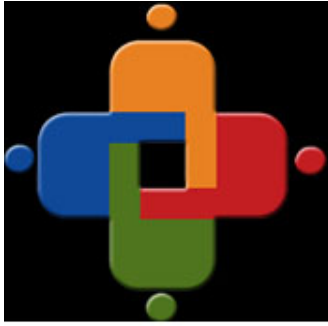
What would you do?

What options would you have?



# Top 10 Best “Tango” Practices

1. Remain client-focused, always.
2. Combine knowledge and expertise to help clients attain their rehabilitation goals.
3. Encourage, support, and facilitate client’s involvement in rehabilitation.
4. Establish over-arching rehabilitation goals as early as possible.



## Top 10 Best “Tango” Practices

5. Model a team approach – collaborate to provide the most effective legal, medical/rehabilitation and social services interventions for a particular client and their family.
6. Share information about client’s individual bio-psycho-social circumstances – pre and post accident - and how these relate to current rehabilitation needs and outcomes.



## Top 10 Best “Tango” Practices

7. Identify potential barriers to rehab process (including the SDH's) which may have a legal remedy as early as possible - work together to address these from respective roles.
8. Recognize and respect each other's scope of practice
9. Cooperate in rehab and litigation discharge planning at the end of the case



## Top 10 Best “Tango” Practices

10. Recognize the power & influence you have to help your client achieve and maintain good rehab outcomes over their lifetime - across all domains and within areas related to the social determinants of health - by working together.



Questions / Comments / Discussion



THANK YOU!!!

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