



## C32 BODILY INJURY CLAIMS

### IMPORTANT

The time allowed for this exam is 3 hours.

Total marks: 200

**You must hand in this paper** and any paper used for rough work to the supervisor when you leave the examination room. Failure to do so may result in disqualification.

---

### Section A: Multiple-Choice Questions

Question 1. For the following multiple-choice questions, fill in the circle of the letter that identifies the most correct answer.

Example: (A) (B) ● (D)

<p>DO <b>NOT</b> MARK THE ANSWERS ON THESE PAGES. USE THE <b>FIRST PAGE</b> OF YOUR ANSWER BOOK.</p>
----------------------------------------------------------------------------------------------------------

1. What does the term "judgment-proof" describe?
  - (A) A claimant upon whom the onus of proof lies
  - (B) An insurer who must pay 100% of a judgment
  - (C) A party to an action who cannot satisfy a judgment for money
  - (D) Parties who are jointly and severally liable

2. In a claims investigation there may be circumstances where further investigation is warranted but the issue of coverage cannot be resolved. When an insured is facing a pending lawsuit and action must be taken immediately, the interest of both the insurer and the insured can be protected by a
  - (A) special agreement tailored to the circumstances.
  - (B) reservation of rights letter.
  - (C) collateral source arrangement.
  - (D) cost-containment agreement.
  
3. Hypertrophy refers to
  - (A) a sudden involuntary movement or convulsive muscular contraction.
  - (B) an increase in blood cell production in the spleen combined with a reduction in the destruction of worn out blood cells.
  - (C) scarring caused by excessive amounts of collagen forming in the corium during healing.
  - (D) the enlargement of an organ or a structure.
  
4. A laceration may be more prone to infection than a clean incision because
  - (A) it is a deeper wound than a clean incision or cut.
  - (B) of the difficulty in cleansing such a wound.
  - (C) of severe contusions around the wound.
  - (D) of rapid clotting of such a wound.
  
5. Severe localized pain about the involved joint and over the point where the tearing and stretching has occurred, usually accompanies
  - (A) a tendon strain.
  - (B) a sprain.
  - (C) myalgia.
  - (D) a muscle strain.
  
6. If a haematoma does not disappear or continues to increase in size it may necessary to incise the wound. Incise means to
  - (A) make a surgical cut to drain the blood.
  - (B) tie off the blood vessels.
  - (C) treat with anti-inflammatory medication.
  - (D) bond the blood vessels with sutures.
  
7. The lower main layer of skin is called
  - (A) epidermis.
  - (B) dermis.
  - (C) sensory corpuscle.
  - (D) subcutaneous tissue.

8. Shock
- (A) is brought about by a collapse of the circulatory system.
  - (B) may cause increased urine production.
  - (C) symptoms may include high fever.
  - (D) is a psychological reaction to severe injury.
9. A secondary effect of a burn is
- (A) dermabrading.
  - (B) shock.
  - (C) debridement.
  - (D) fascia.
10. Which organ of the body is involved in conserving electrolytes, manufacturing Vitamin D, preventing dehydration, and regulating body temperature?
- (A) Liver
  - (B) Spleen
  - (C) Skin
  - (D) Thyroid
11. Arterial haemorrhaging is best described as
- (A) free bleeding designed to wash contamination out of a wound.
  - (B) excessive discharge of blood either internally or externally.
  - (C) a flow of blood in waves or spurts.
  - (D) limited bleeding, which occurs when vessels clot rapidly.
12. A skeletal muscle
- (A) is striated and involuntary.
  - (B) has a great capacity for healing.
  - (C) is a striated, voluntary muscle with a single nucleus.
  - (D) functions through mechanical stimulation.
13. Bedsores are a type of
- (A) decubitus ulcer.
  - (B) cutaneous contusion.
  - (C) corium abrasion.
  - (D) decompression ulcer.
14. The quadriceps muscle group controls
- (A) leg straightening at the knee.
  - (B) bending of the toes upward.
  - (C) movement of the head and upper back area.
  - (D) movement of the wrist and fingers.

15. The muscle that is attached to the clavicle and involved in the movement of the head is the
- (A) trapezius.
  - (B) sternomastoid.
  - (C) gastrocnemius.
  - (D) pectoral minor.
16. The overstretching of muscle or tendon fibres is called
- (A) a sprain.
  - (B) a strain.
  - (C) myalgia.
  - (D) atrophy.
17. When ligaments are damaged by a force that is so severe the ligament is pulled away from the bone taking a small piece of the bone with it, the injury is called a/an
- (A) flexion-extension strain.
  - (B) synovitis.
  - (C) sprain fracture.
  - (D) ectopic bone.
18. If great care is not taken in treating a fracture to the radius, a serious consequence may be
- (A) rigidity and bony prominences in the joints of the fingers or thumb.
  - (B) the removal of the patella.
  - (C) the inability to rotate the hand resulting in serious disability.
  - (D) a misalignment that can lead to some trouble in walking.
19. A Pott's fracture is caused by
- (A) the dropping of heavy weights on the foot.
  - (B) a sudden turn of the ankle.
  - (C) falling from a height and landing on the feet or heels.
  - (D) severe crushing that involves lacerations of the soft tissue.
20. Whiplash is a flexion-extension strain to the
- (A) cervical and in some cases, lumbar spine.
  - (B) cervical and sacral spine.
  - (C) cervical and thoracic spine.
  - (D) cervical spine and coccyx.
21. Fully developed bones are composed of three main parts – the
- (A) periosteum, articular cartilage, and osteoblasts.
  - (B) sheath, outer shell, and inner part.
  - (C) cortex, cartilage, and nonvascular tissue.
  - (D) medulla, cancellous bone, and spongy bone.

22. Kyphosis is
- (A) an abnormality caused by a curvature of the spine.
  - (B) a disease that results in the decline of bone mass.
  - (C) a condition characterized by brittle bones.
  - (D) a syndrome in which bones contain less bone tissue than normal bones.
23. The ankle is made up of seven
- (A) trochanter bones.
  - (B) carpal bones.
  - (C) bursae bones.
  - (D) tarsal bones.
24. A greenstick bone fracture
- (A) results when a bone is forced into itself.
  - (B) is an incomplete break THAT splits in either direction from the break.
  - (C) is a complete break into three or more fragments.
  - (D) involves piercing of the skin by the fractured bone ends.
25. An adhesion is
- (A) a fibrous band or structure abnormally uniting parts of the body.
  - (B) a bone that has died due to a restricted blood flow.
  - (C) an abnormality of the bones in a joint.
  - (D) a partial dislocation of a bone.
26. What is the purpose of the myoplastic procedure?
- (A) To amputate a limb
  - (B) To surgically relieve septicemia
  - (C) To achieve better muscle control
  - (D) To implant a prosthetic device
27. With this type of fracture, the bone forced into itself splintering its midsection.
- (A) Longitudinal fracture
  - (B) Greenstick fracture
  - (C) Impacted fracture
  - (D) Oblique fracture
28. Scoliosis of the spine refers to
- (A) an exaggerated curve of the thoracic curve.
  - (B) an increased forward curve in the lumbar area.
  - (C) partial displacement of a vertebra.
  - (D) a lateral curvature of the spine.

29. An upper arm fracture of the humerus, close to the shoulder area, would be most appropriately identified as a
- (A) distal fracture of the humerus.
  - (B) dorsal fracture of the humerus.
  - (C) posterior fracture of the humerus.
  - (D) proximal fracture of the humerus.
30. Of the 33 bones which make up the spinal column, the seven vertebrae in the neck are called the
- (A) thoracic vertebrae.
  - (B) lumbar vertebrae.
  - (C) cervical vertebrae.
  - (D) sacral vertebrae.
31. A contrecoup injury causing sudden vomiting, dizziness, and temporary loss of sensation is otherwise known as
- (A) cerebral contusion.
  - (B) amnesia.
  - (C) concussion.
  - (D) delirium.
32. A patient that has suffered a loss of consciousness due to head trauma is usually monitored overnight
- (A) in fear of further unconsciousness.
  - (B) in fear of subdural haematoma.
  - (C) to check for amnesia.
  - (D) in fear of hydrocephalus.
33. The **ciliary muscle** in the eye
- (A) regulates the exposure of the eyeball to light.
  - (B) controls the mobility of the eyeball in the orbital cavity.
  - (C) allows the lacrimal gland to open to lubricate the surface of the eye.
  - (D) allows the eye to focus.
34. The limbic system, one of the four main parts of the forebrain, is responsible for
- (A) memory and emotions.
  - (B) logic and creativity.
  - (C) sensory information.
  - (D) coordination of movement.
35. Which two groups of vertebrae are fused in adults?
- (A) thoracic and lumbar
  - (B) coccygeal and lumbar
  - (C) coccygeal and sacral
  - (D) sacral and lumbar

36. In order to detect inappropriate pain responses to injury, what psychological test may be administered?
- (A) Myers Briggs Test
  - (B) MMPI
  - (C) Waddell Test
  - (D) Weschler Test
37. What type of injury is likely to produce tinnitus?
- (A) rupture of the antrum
  - (B) periodontitis
  - (C) jaw fracture
  - (D) none of the above
38. Brain injury, characterized by delusions, hallucinations and noisy, sometimes violent behavior, is known as
- (A) traumatic psychosis.
  - (B) cerebral confuscation.
  - (C) cerebral concussion.
  - (D) traumatic stress disorder.
39. The function of the atrium within the heart is to
- (A) act as a valve between chambers.
  - (B) squeeze blood through its parts.
  - (C) separate the left and right ventricles.
  - (D) provide a reservoir for blood.
40. Plaintiffs who earn interest on lump-sum settlements for future costs, must pay income tax on the interest earned. To relieve the plaintiff of the income tax burden, the court will
- (A) gross-up the award for future costs.
  - (B) award the present value of the future costs.
  - (C) discount the future costs awarded.
  - (D) inflate each award by 10%.

(2 marks each = 80 marks)

## Section B: Narrative Questions

- Question 2. (a) Define the following terms:
- (i) Myocardium (2 marks)
  - (ii) DSM-IV (3 marks)
  - (iii) Fascia (3 marks)
  - (iv) Traumatic hernia (2 marks)
  - (v) Compensatory damages (4 marks)
- (b) Anne is a healthy 26 year-old nurse who works in the surgical unit of a large, teaching hospital. She suffers a serious whiplash injury in a motor vehicle accident, which results in two months of disability from work. After she returns to work, Anne experiences symptoms of muscle weakness. Her doctor conducts extensive tests and ultimately diagnoses Anne with multiple sclerosis. Anne's doctor provides a medical opinion that the disease was triggered by Anne's whiplash injuries.
- Discuss whether Anne, as a plaintiff in tort seeking damages against the defendant, will be entitled to compensation for multiple sclerosis. (6 marks)
- Question 3. What factors should be considered and what documentation should be collected by an adjuster who is attempting to settle a fatality claim? (20 marks)
- Question 4 (a) What are **collateral benefits** and how should an adjuster deal with a settlement involving a claimant who is entitled to collateral benefits? (10 marks)
- (b) What is a **structured settlement**? What are the advantages of a structured settlement to an insurer and to a claimant? (10 marks)
- Question 5. (a) What is **temporomandibular joint dysfunction**? Describe its symptoms. (8 marks)
- (b) Describe the following types of hip fractures, how they are treated and the anticipated disability of each.
- (i) Transcervical (2 marks)
  - (ii) Intertrochanteric (6 marks)
  - (iii) Subtrochanteric (4 marks)

- Question 6. Explain fully the implications of spinal cord injuries at various levels including possible treatment and rehabilitation that are provided for such injuries. (20 marks)

### Section C: Application Question

- Question 7. Elaine and her friends are planning on spending the entire day at the local fair. Most of their time will be spent on the rides. Elaine's favourite activity at the fair is the Motor City Raceway. Each participant drives a small car that is propelled on a metal track. The driver cannot control the direction of the car but does regulate the speed and braking functions. At one point, Elaine's car is struck violently from behind. Elaine experiences immediate pain in her neck, followed by a severe headache. In the weeks to follow, Elaine was unable to work because of a whiplash type injury to her neck. Her doctor advises that she has suffered a 2% permanent impairment.

You are a claims adjuster who has been assigned Elaine's claim. Initially, Elaine is unrepresented but two months after the incident she retains legal counsel who files a lawsuit against your insured, the owner and operator of the local fair.

Outline the steps that you would take in the investigation of Elaine's injury claim. Detail the signs and symptoms that you would look for in assessing the validity of Elaine's whiplash claim.

(20 marks)

