Presented by Hand to Shoulder Center of Wisconsin 2323 N. Casaloma Drive, Appleton Satellite Offices: Green Bay & Marinette (920) 730-8833



Shawn Hennigan, MD Shoulder & Elbow Surgeon



Boyd Lumsden, MD Hand Surgeon



Scott Olvey, MD Hand Surgeon



Tom Landowski Judge

Navigating the Changing Landscape of Care for the Injured Worker





Megan Milloy Physician Assistant



Occupational Therapist



Ann Porretto-Loerhke Physical Therapist



February 25, 2022 8 a.m. - 3 p.m. Fox Club at Timber Rattlers' Stadium, Appleton

www.handtoshoulderwisconsin.com

"Navigating the Changing Landscape of Care for the Injured Worker"

February 25th, 2022

Time	Presenter/Topic
7:30 - 8:00	Registration
8:00 - 8:05	Welcome
8:05 - 9:00	Shawn Hennigan, MD
	Common Workplace Shoulder and Elbow Injuries
	Hand to Shoulder Center of Wisconsin
9:00 - 9:30	Steph Knapp, PA-C, MPAS & Megan Milloy, PA-C, MPAS
	Diagnostic Ultrasound
	Hand to Shoulder Center of Wisconsin
9:30 - 9:45	Connie Simon OTR, CHT, CMTPT
	Chair Yoga
	Hand to Shoulder Center of Wisconsin
9:45 - 10:10	Break / Expo Tables
10:10 - 10:55	Scott Olvey, MD
	Emerging Role of WALANT in Hand Surgery
	Hand to Shoulder Center of Wisconsin
10:55 - 11:30	Theresa Parry OTR, CHT, COMT
	Evolution of Flexor Tendon Rehabilitation
	Hand to Shoulder Center of Wisconsin
11:30 - 12:00	Shawn Hennigan, MD; Megan Milloy, PA-C, MPAS;
	Scott Olvey, MD; Theresa Parry, OTR, CHT, COMT
	Morning Panel
12:00 - 12:40	Lunch / Expo Tables
12:40 - 12:50	Connie Simon OTR, CHT, COMT
	Chair Yoga
	Hand to Shoulder Center of Wisconsin
12:50 - 1:35	Boyd Lumsden, MD
	The Opioid Epidemic: How We got Here and How to Navigate our Way Forward
	Hand to Shoulder Center of Wisconsin
1:35 - 2:35	Judge Tom Landowski
	Hot Topics: Covid-19, Malingering Behavior and Injuries Working Remotely from
	Home
	Wisconsin Department of Workforce Development / Vets Services Office
2:35 - 3:00	Boyd Lumsden, MD; Judge Tom Landowski
	Afternoon Panel
3:00	Dismissal



Navigating the Changing Landscape of Care for the Injured Worker Presented by Hand to Shoulder Center of Wisconsin Fox Club at Timber Rattlers' Stadium, Appleton WI 54913 Friday, February 25th, 2022

Learning Objectives

Dr. Shawn Hennigan: Common Workplace Shoulder and Elbow Injuries

Demonstrate rotator cuff function, as well as options for treating rotator cuff disease. Discuss diagnosis and treatment of common elbow disorders.

Megan Milloy, PA-C, MPAS and Stephanie Knapp PA-C, MPAS: Diagnostic Ultrasound

Describe the role of ultrasound in the upper extremity practice and how it can improve efficiency and accuracy by having this point of care imaging modality readily available.

Dr. Scott Olvey: Emerging Role of WALANT in Hand Surgery

Ever changing dynamics of medicine leading to more surgical techniques completed Wide Awake under Local Anesthesia with No Tourniquet in the office. How this new form of surgery is cost effective with a shorter recovery time.

Theresa Parry, OTR, CHT, COMT: Evolution of Flexor Tendon Rehabilitation

Develop a discussion of the shifting trends of flexor tendon rehabilitation – how it impacts the recovery timeline and return to work

Dr. Boyd Lumsden: The Opioid Epidemic: How We Got Here and How to Navigate Our Way Forward

Develop understanding of recent trends in medication prescription with alternative methods for pain management vs. narcotics.

Judge Tom Landowski: COVID-19, Malingering Behavior and Injuries Working Remotely from Home

Impact of Covid-19 to the employee returning to work. Discuss how malingering behavior can be cost worthy to healthcare and the employer. Case scenarios deciding if a work injury from a remote worker is work related.

Course Evaluation

Please evaluate each speaker and the relevance and value of their topic with 1 being least valuable and 5 being most valuable.

	<u>Least</u>			<u>Mos</u>	<u>st Valuable</u>
Common Workplace Shoulder and Elbow Injuries (Shawn He	nnigan,	<u>MD)</u>			
How would you rate the usefulness of the information?	1	2	3	4	5
Overall, how would you rate the presentation?	1	2	3	4	5
Diagnostic Ultrasound (Stephanie Knapp, PA-C, MPAS & Meg	an Milla	у, РА-С,	<u>MPAS)</u>		
How would you rate the usefulness of the information?	1	2	3	4	5
Overall, how would you rate the presentation?	1	2	3	4	5
Emerging Role of WALANT in Hand Surgery (Scott Olvey, MD	<u>)</u>				
How would you rate the usefulness of the information?	1	2	3	4	5
Overall, how would you rate the presentation?	1	2	3	4	5
Evolution of Flexor Tendon Rehabilitation (Theresa Parry, O	TR, CHT,	<u>COMT)</u>			
How would you rate the usefulness of the information?	1	2	3	4	5
Overall, how would you rate the presentation?	1	2	3	4	5
The Opioid Epidemic: How We Got Here and How to Naviga	te Our V	Vay Forv	ward (Bo	oyd Lum:	sden, MD)
How would you rate the usefulness of the information?	1	2	3	4	5
Overall, how would you rate the presentation?	1	2	3	4	5
Hot Topics: Covid-19, Malingering Behavior and Injuries Working F	Remotely	rom Ho	ome (Jud	ge Tom L	andowski)
How would you rate the usefulness of the information?	1	2	3	4	5
Overall, how would you rate the presentation?	1	2	3	4	5
Overall Event Information					
Was the material at or above entry level knowledge?	1	2	3	4	5
To what extent did the program meet the stated objectives?	1	2	3	4	5
To what extent did you learn new information that you					
could apply in your practice setting?	1	2	3	4	5
Please evaluate the food and facility.	1	2	3	4	5

Continue to backside of form

We welcome your comments on today's event, presenters, future symposium topics and potential speakers:

When finished please tear out and turn in at the attendance certificate table at the end of the day.

From the physicians and staff at Hand to Shoulder Center of Wisconsin, "Thank you for your attendance in today's event. We appreciate all you do and the dedicated care you provide to your clients/patients on navigating the changing landscape of care for the injured worker"





Jon J. Cherney, MD Boyd C. Lumsden, MD Scott P. Olvey, MD Joseph P. Cullen, MD Nathan L. Van Zeeland, MD Matthew A. Butler, MD Blake W. Hildahl, MD, ATC Shawn P. Hennigan, MD Tina Sauer, CAPPM (Administrator)

TRIVIA QUESTIONS

(Turn this form completed *over by the registration table* before the end of lunch for a door prize opportunity)

Hennigan (Shoulder/Elbow)

- 1. *True or False* Scapular positioning and stability is essential for shoulder/arm motion.
- 2. *True or False* A subscapularis tear is an indication for rotator cuff surgery.
- 3. *True or False* Guided US radial nerve injection can be used as a diagnostic tool.

Steph/Megan (US)

- 1. *True or False* Ultrasound machine uses sound waves to reflect off body structures and create an image.
- 2. *True or False* Patients are exposed to a mild amount of radiation through the US unit.
- 3. *True or False* US is more cost effective to diagnose carpal tunnel syndrome.

Olvey (WALANT)

- 1. Who is a candidate for WALANT?
 - a. CTR
 - b. tenolysis
 - c. trigger finger release
 - d. all of the above
- 2. What Dr. helped develop WALANT technique?
- 3. *True or False* Repairing a flexor tendon under WALANT there's less chance of gapping or adhesion to catch in the pulley system.

Parry (Flexor Tendon Rehab)

- 1. *True or False* New flexor tendon protocols utilize rubber bands with their splints.
- 2. *True or False* Controlled stress and load is important for tendon healing after a repair.
- 3. *True or False* The research is clear that the modified Duran protocol is superior to others and results in better outcomes



February 25th, 2022

1





30,000 Foot View

management of spectrum of Rotator Cuff Disorders

• Current trends in



Rotator Cuff Deficient Shoulder

- Rotator cuff cannot overcome deltoid
- Humeral head is driven up
- · "superior instability"
- Deltoid poorly tensioned
- Loss of forward elevation
- Weakness, pain, instability • CTA

7



Scapular muscles

- Essential to stabilize the scapula, and position the bony socket to perform the shoulder task
- Thorough evaluation must incorporate scapula motion Scapular disorders commonly manifest with findings easily confused with rotator cuff dysfunction and pain



8



Shoulder pain history Subdeltoid pain • Pain at night

- Presence of associated symptoms-numbness, tingling, etc
- Subjective functional assessment (modified ASES score)







Shoulder Pain Radiographic Eval

- •Xrays-high quality, 4V • Ultrasound
- MRI

13

15







Shoulder painmanagement

- Avoid painful activities
- NSAID's
- Cold therapy
- Cortisone injection
- PT-restoration of normal shoulder motion and strength

Sp of С D

	• Tendonitis
pectrum f Rotator uff isease	 Tendinosus/Partial tear Full thickness tear Small Medium Large Massive Massive, not repairable, no arthritis Massive, not repairable with arthritis

Indications for Rotator Cuff Repair Surgery

- Acute tear in young patient with weakness
- Subscapularis tear
- Persistent pain despite conservative management
 - Minimize painful activities
 - Rehab focused
 - Limited role for cortisone injection
 - NOC
 - · Unable to participate in active PT because of pain
 - Recent look back studies correlate post-op risks (infection, healing) with increasing # of injections

16









Full	Small (<1cm)
Thickness	Medium (1-3cm)
Detator	Large (3-5cm)
	Massive (>5cm)
Cutt lear-	Massive, not repairable, no GH arthritis
Spectrum	Massive, not repairable, GH arthritis







Non-repairable anterior cuff (subscapularis)-no arthritis Generally repairable, but Consider latissimus dorsi transfer to lesser tuberosity if tissue poor quality Subscapularis tendon is one of a kind. It's role in shoulder function is critical. Generally, takes longer to regain motion and function. Larger tears best repaired open (proximity of axillary nerve) Full recovery 7-9 mos







Reverse Total Shoulder Arthroplasty



32





























	Non-op successful in >90%		
	Treatment aimed at symptom reduction using combinations of all modalities		
Lateral Epicondylosis	I offer 1 cortisone only		
	Will offer PRP if temporary response to cortisone		
	Surgery generally 6-9 mos of active non-op treatment, but may exceed 1+ years		

Navigating the Changing Landscape of Care for the Injured Worker

Use of Ultrasound in the Upper Extremity

February 25th, 2022

Learning Objectives

- · Understand what ultrasound is and its capabilities
- Understand the use of ultrasound in the upper extremity practice
- Diagnostic and therapeutic roles
- How ultrasound improves efficiency and accuracy in treating upper extremity conditions

2

- Evaluate for "Jersey Finger" or flexor tendon laceration
- Evaluate for integrity of tendon status post surgical repair

https://radiopaedia.org/cases/flexor-digitorum-profundus-tendon-tear-little-finger

10

Ultrasound of the Shoulder

- Guided Injections
 - Glenohumeral
 - Subacromial
 - AC JointBiceps tendon sheath
 - · biceps teridori s
- Diagnostic
 - Rotator cuff tear
- Biceps tendon tear/tendonitis

Ultrasound Guided Glenohumeral Injection

14

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16

Future Goals

- Diagnostic for Shoulder Conditions
 Rotator Cuff Tears
 - Biceps Pathology
- Barbatage for Calcific Tendonitis

Navigating the Changing Landscape of Care for the Injured Worker

1

February 25th, 2022

Emerging Role of WALANT in Hand Surgery

Don Lalonde MD and WALANT

The Myth of Epinephrine and finger Necrosis

• In the days of antiquity (pre 1950) it became dogma that epinephrine should never be injected into "fingers, nose, penis ,and toes"

The Myth of Epinephrine and finger necrosis

- Source of Myth likely from use of Procaine (Novocaine) developed in 1903. Only safe injectable local anesthetic until Lidocaine introduced in 1948
- As Procaine sits on the shelf, its PH becomes more acidic than its starting point of 3.6

8

Debunking The myth

- FDA Warning in 1948 regarding Procaine expiration (injectable expirations not mandatory until 1979) Bottles with ph of 1! were discovered headed for use
- Uri and Adler report on Procaine disintegration in 1950
- \bullet Denkler (2001) Review of 120 years of literature with no cases of epinephrine induced necrosis of the finger
- Fitzcharles-Bowe et. al. (2007) reported over 100 cases of 1:1000 epinephrine injection into fingers without any cases of necrosis (100 times usual concentration)

SO it's safe......But..... Accidental high dose (1:1000) epinephrine may cause neuropraxia and reperfusion pain One reported case (Ruiter et.al. 2014 Eplasty) where epinephrine <u>may</u> have had a <u>partia</u>/ role in finger loss Always have Phentolamine available for rescue if needed

10

7

Why surgeons love it

- Better intraoperative adjustments (tendon repair, transfer, tenolysis)
- Intraoperative education for patients
- Many surgeries can be done under field sterility out of OR
- Some patients can become disinhibited with sedation (Bier block rigor-mortis)
- Less overall time in medical facility (prep-recovery) improves efficiency

13

Nursing/Anesthesia/Administrative Barriers

- Most stem from fear of unknown, change from the norm
- Concern for loss of income (anesthesiology)
- Culture changes of using an OR without an anesthesiologist, per policy monitoring/H&P still required (unnecessary)
- Concerns for patient satisfaction,

14

pain control

- Ultimately frees them up for larger hospital based cases (less coverage of ASC)
- In our system, after some initial hesitancy now welcomed (and maybe preferred) by pre-postopintra-op nursing and Anesthesia

15

- Tumescent Anesthesia
 - Painless Injection
 - No Tourniquet

under skin until numb (up to a minute)

20

LAST IMPORTANT 5

• 7. BLOW SLOW BEFORE YOU GO NEVER PASS YOUR NEEDLE BEYOND YOUR LOCAL

22

Adverse Reactions

- Lidocaine induced seizure, systemic toxicity
 - Exceedingly rare to non-existent with doses used in hand surgery 6 cases of lidocaine anaphylaxis reported of billions of doses in past 7 years
- Epinephrine rush

Jitter, nervousness, shakiness for up to 20-30 minutes, education is key

 Fainting · Inject with patient laying down

"Selling" patients on Walant

No fasting, preoperative testing or changes in medication

- No IV, "painless" injection (if done well) Reminder that IV sedation still requires needle stick with larger bore needle (potentially two with prop testing)
- No risk for nausea
- No tourniquet, no need to get undressed (*policies may vary)
- · Can drive yourself
- For tendon or bone reconstruction can get better result by testing the work in real time

Flexor/extensor tendon

• Intraoperative testing of repair can

• Can "vent pulleys as needed to

improve glide, decrease risk of

allow modifications, can help guide aggressiveness of postoperative

Repair

• A game changer

therapy

adhesions

Specific Procedures

- Finger amputation Carpal tunnel
- Cubital tunnel • Trigger release
- De Quervain release
- Small masses/ skin lesions

26

- -Flexor tendon repair -Extensor tendon repair -Flexor tendon tenolysis -Extensor tendon tenolysis -Tendon transfer -Tendon centralization -Digital nerve repair -Finger fractures -Dupuytrens contracture -PIP/ MP arthroplasty
- -CMC arthroplasty -Distal radius fracture -Wrist arthroscopy -Open TFCC repair -Thumb MP fusion, UCL repair

-really almost anything

25

Flexor/ Extensor tenolysis, Capsulotomy

- Essential
- Can assess exactly where tendon is stuck
- Patient can help release adhesions, test integrity of tendon
- Patient can watch themselves move finger, helps with expectations and therapy goals
- Can assess need for pulley reconstruction

31

32

Pushing the envelope

- Complex reconstructions
- Distal Radius/ forearm fractures • CMC arthroplasty
- Wrist Arthroscopy
- *Probably best reserved for medical
- concerns with anesthesia

34

Navigating the Changing Landscape of Care for the Injured Worker

Objectives

tendon rehab

2

• Explore the history of flexor tendon rehab

the need for subsequent procedures

• Identify changes in tendon rehab in recent years

focused on improving outcomes and reducing

• Explore the current literature available on flexor

Evolution of Flexor Tendon Rehabilitation

February 25th, 2022

1

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Flexor Tendon Injuries

- Result in significant functional deficit
- Prevalence-based cost of illness model
- Flexor tendon lacerations incur an estimated cost of up to 409.1 million annually
- Total direct costs per injury \$13,725 and indirect costs up to \$112,888

Mehrzad, 2019

7

Flexor Tendon Injuries

- Recovery is 'slow'
- Requires surgical intervention and significant rehabilitation to follow
- Requires protective orthosis following repair
- No use of the injured hand for minimum of 6 weeks
- Need for frequent exercise, every 1-2 waking hours

8

History – 1960's

Immobilization

- Primary repair immobilized for 3-6 weeks as they believed in extrinsic healing prior to movement
- Significant stiffness and poor function

9

History – 1970's

KLEINERT protocol0-3 weeks Postop

- Orthosis in 45 degrees wrist flexion and MPs in 10-20 degrees of flexion
 Rubber band tension on the fingers
- Exercise every hour: active extension then allowing the rubber bands to pull into flexion

10

History – 1970's

KLEINERT protocol

- Predictable outcomes with low rupture rate
- PIP flexion contractures
- Challenging for patients to wear orthosis

History - 1980's

- Washington Chow, 1987; Dovelle, 1989
- Allen/Loma Linda -Allen, 1987
- Modified Kleinert Slattery & McGrouther, 1984; Wertz, 1989
- CPM Use Gelberman et al., 1989

13

Synergistic Wrist Splint Cooney et al.,1989

- Belfast Early Active Motion - Small et
- Controlled Active Motion Modification of Small - Cullen et
- al.,1989
- al.,1989

History – 1990's

Early Active Motion Protocols

•

•

Bainbridge et al., 1994

Silfverskoild and May,

Elliott, 1994

Sandow and

McMahon, 1996

Kitsis et al., 1998

Steelman, 1999

1994

- Allen, Fryman, et al., 1987
- Cullen et al., 1989
- Small, Brennan et al., 1989
- Cannon, 1993
- Evans and Thompson, 1993
- Gratton, 1993

14

Overview of protocols

- Dorsal blocking Splint for a total of 6 weeks
- Initial exercise varies from passive place and hold active
- Initiation of very light resistance at 8 weeks
- Full use at 12 weeks

15

Change in focus

- Management continues to evolve
- Biological and biomechanical studies
- How do we restore motion and function while minimizing risk of complication and rupture?
- Promote intrinsic tendon healing, minimize extrinsic scar

16

Controlled Stress • Reported rupture rates following repair vary from 3-18% (Koehler, 2021) • Enough force to induce excursion of the tendon without gap formation

Higgins & LaLonde 2016

Timing

PHASES OF HEALING

- 0-5 DAYS Cell proliferation
 - Little intrinsic strength as very little healing in the tendon has occurred, dependent on suture strength during motion so it is safe to start gentle motion
- 5-28 days Fibroblastic proliferation with disorganized collagen
 - Strength is variable, tendon is 21 days old 15% of strength is back. Need to be cautious
- 28+ days, collagen starts to organize

19

Timing - Tensile Strength

- Decreases during the first week depending on suture
- Progressive increase in strength after the two to three weeks
- Increase in strength is proportional to the stress applied
- Immediate controlled stress has been shown to reduce in the initial weakening process
- Maximum collagen synthesis occurs at 3 weeks, ~15% of normal strength

20

Controlled Stress – Physiological importance

- Improves tensile strength
- Improves nutrition from synovial fluid
- Reorganization, elongation, and reorientation of extrinsic scar
- Promote intrinsic healing of the tendon
 Decrease the need for extrinsic formation
- Encourage longitudinal formation of the scar

Evans 2012

21

- Measured in newtons (N)
- Applied with both PROM and AROM
- Minimal force to provide excursion to prevent adhesion
- 5 N of force produces 2mm of glide which may be enough to prevent adhesion

Controlled Stress - Force

- Higher forces noted when the wrist is at 30 degrees flexion (6 N) compared to neutral (5 N)
- Wrist position impacts the work of flexion

Edsfeldt 2015

25

27

Controlled Stress

• Importance in considering the surgical technique

26

Systematic Review 2018

- Purpose of review: to determine whether there is evidence to support one type of exercise regimen as superior for producing safe and maximal range of motion of the digits following flexor tendon repair – Early passive – Place and hold – True active
- Early active motion and combined Kleinert and Duran protocols result in low rates of tendon rupture and acceptable ROM

Neiduski & Powell (2018)

31

Cochrane Review 2021

Authors' conclusions: There is a lack of evidence from RCTs on most of the rehabilitation interventions used following surgery for flexor tendon injuries of the hand.

Peters et al. 2021

33

Progression of Rehab

- No consensus on gold standard protocol
- Guided heavily by a skilled therapist within the protocol
- Fluid based on clinical evidence of adherence
- Progression to higher load exercise if lag is increasing
- Lower load exercise if active motion is excellent

Systematic Review 2018

- No RCTs
- No recommendations on one protocol over the other

Neiduski & Powell (2018)

32

34

Progression of Rehab - Trends

- Trend continues to move toward early active motion
- Wrist in extension or neutral to reduce work of flexion
- Decrease external work of flexion by addressing edema and dressing size

Progression of Rehab -Considerations

- Concomitant injuries associated with the repair
- Strength/tension of repair
- Multiple tendon repairs
- Other hand trauma
- Quality of the tendon

37

39

- Wellness of injured worker
- Nutrition, diabetes
- Compliance
- Work Tasks

38

Takeaways

- Trending away from PROM protocols that place the wrist in flexion and towards active protocols that place the wrist in extension
- Advancements with surgical technique and biomechanical knowledge have coincided with protocol and exercise changes
- Important to understand the load that each exercise applies to a tendon
- Presentation trumps protocol in the hands of a skilled therapist and surgeon
- Literature does not resoundingly support any specific protocol
- Consider patient, tendon quality, and surgical technique when choosing a protocol ٠

43

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 profundustendon repair in a canine model in vivo. Journal of Bone and Joint Surgery (Am), 86, 320-327

Navigating the The Problem **Changing Landscape** of Care for the • The US in midst of epidemic of opioid use, Injured Worker misuse, and abuse Boyd Lumsden, MD Hand Surgeon • US consumes 80% of global opioid supply • In US from 2008 to 2011 opioid prescriptions increased 100% The Opioid Epidemic: How We Got Here and How to Navigate Our Way Forward February 25th, 2022 2 2 1

3

Drug Overdose & Motor Vehicle Accident Deaths 50,000 DRUGS 41,250 32,500 MOTOR 23,750 15,000 '00 '02 '04 '06 '08 '10 '12 '14 Data<mark>:</mark> CDC

What is pain?

- · Nociception vs pain
- · Cultural differences
- Large differences in pain perceptions, misconceptions, expectations.
 - Psychosocial differences account for differences in symptoms not pathophysiology
 CMC arthritis
 - Hurt vs harm
- Don't undermine resilience

13

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16

Porter and Jick Inappropriately cited as though it was a study The study referenced in the letter had nothing to do with outpatient narcotic prescriptions

· Conclusions drawn and myth perpetuated

18

• Message: Narcotics are safe and addiction is rare

21

Patients want to have little postop pain

- International Association for the Study of Pain (IASP)
- Veterans Administration 1999 "fifth vital sign"
- JCAHO 2001– rigorous pain standards
- Physicians responded by prescribing opioids

Hydrocodone (Vicodin) most widely prescribed drug in the US

• 100 million prescriptions per year 2007

Legal prescription opioids kill more Americans than heroin or cocaine (CDC data)

22

JACHO (Now the Joint Commission)

- 2000 release standards on pain management - Do not mention opioids
- Released pain CME booklet sponsored by Purdue that said:

"Some clinicians have inaccurate and exaggerated concerns" about addiction, tolerance and risk of death, the guide said. "This attitude prevails despite the fact there is no evidence that addiction is a significant issue when persons are given opioids for pain control."

latrogenic & Advocatogenic

- · You undertreat pain
- You over-worry addiction
- Media made worse - 60 minutes
- Patient satisfaction scores tied to physician reimbursement
- Perfect storm

Where Have We Been?
No training in pain
Our mentors never had any training in pain

26

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Postsurgical Patients	do worse if on opioids preoperatively
	Format Abshad - Send to
Lower satisfaction	Innovantion of the second
scores	Len D', Armaghani S', Archer XB', Bhin J', Shan D', Kay H', Zhang C', McGint MF, Dean C', @ Anthrer information
	Abstract BACKGROUND: Opicids are commonly used for preoperative pain management in patients undergoing spine surgery. The objective of this investigation was to assess whether preoperative opicid use predicts worse self-reported outcomes in patients undergoing spine surgery.
Higher postop narcotic	METHODS: Five handhed and eight-these patients undergoing kimelar, thoracolambar, er cenical spine surgery to theat a structural leasion were included in this prospective cohort shully. Self-respective programmarie copiol communition data were downled in the composition gala include explaints and and were converted to hororesponding gala, modarie equivalent amonth. Platert-respecte downere measures were ansisted at there and them nonthis postposentaries value to 2-bitm tober of memory and the Survice of O questionnees, as well as, when appropriate, the Oversety Duality lines and the Next-Diability lines. Segure the University of the performed.
requirements	REXULTS of the presentation extension, of the SED patters, MN-CO2D pattership respective demonstration and any contribution of party acceleration and acceleration acceleration of the presentation for the presentation acceleration control presentation. Zong Comparison Distances and the baseline acceleration of the presentation acceleration control presentation. Zong Comparison Distances acceleration acceleration of the presentation acceleration accelerationa
Higher complication rates	The Columbial function and an entrementation of the Columbia strength and a strengthange and a strength and a strengthange and
	LEVEL OF ENDENCE: Prognostic Level II. See Instructions for Authors for a complete description of levels of evidence. Copyright 8 2014 by The Journal of Bone and Joint Surgery, Incorporated.
Poorer outcomes	PND 240740 00 32209.06.0000
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How Did He Get Them From Us? We were taught to control surgical pain with narcotics Started our careers with what we were taught In clinical practice, when we found that this was not enough, we increased the quantity or strength of med Giving enough narcotics so that no one asked for more We were giving all patients more than any patient needed

49

50

Why do surgeons prescribe too much?

Who Prescribes for New Persistent Users? 100% --Surgery Specialty --- Physical Medicine & Rehabilitation, Pain Medicine 80% ---- Emergency Medicine ----Cardiology, Gastroenterology, Oncology, Neurology, & Other ۶ 60% iptions Prescri 40% % of Opioid 20% 0% -12 -3 0 3 17 Months from Surgery Preoperative Postoperative Kleuh MP et al? JGIN

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64

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Pain Relief

- Depersonalize it: stick to the strategy – Reasonable maximum amount of opioids
- Mindset:
 - Compassion, trust
 - Stress, distress, effective coping strategies

Peri-Op Pain Management in Orthopedic Surgery

How Can I Start?

- First step: Accept that we have a problem
- Second step: Decide how much to Rx
- Third step: Change your Rx habits
- Fourth step: Start asking your patients how much they actually use
- Fifth step: Learn about pain management

Psychology: Inpatients after Orthopedic Surgery

Greater pain intensity / lower satisfaction:

• More opioids (oral morphine equivalents)

Lower pain intensity / higher satisfaction:

- Fewer symptoms of depression
- · Greater self-efficacy

68

Orthopedic Pain Relief Strategy

- Coordination
 - Single provider
 - Suboxone, methadone, daily opioids
 - Check prescription monitoring program
 - Maximum amount of opioids for a given problem
- No
 - Opioids for new patients
 - Opioids for chronic pain
 - Extended release opioids

69

Orthopedic Pain Relief Strategy

- Coordination
 - Single provider
 - Suboxone, methadone, daily opioids
 - Check prescription monitoring program
 - Maximum amount of opioids for a given problem
- No
 - Opioids for new patients
 - Opioids for chronic pain
 - Extended release opioids

70

Future

- Pain education part of every training program
- Multimodal pain management
- Each surgeon will develop their own
- Know how many our patients take
- Continuous improvement
- Goal is not "no opioids"

The goal is optimum pain relief with a minimum of opioids

	YES	NO	
Special equipment			
Timing issues			
Bone graft, etc.			
Specific tests of information needed			
PLAN:			
		N	
PAIN MANAGEMENT DISCUSSED	Yes	NO	
PROMIS pain interference:			
PROMIS depression:			
Opioid risk tool			
Daily opioid use Metha	done	Suboxone	
Buily opioid use metha			

HOT TOPICS IN WORKER'S COMPENSATION LAW: WORK-RELATED COVID-19 CASES, MALINGERING, AND WORKING REMOTELY FROM HOME.

By: Thomas M. Landowski Administrative Law Judge Office of Worker's Compensation Hearings Wisconsin Division of Hearings and Appeals February 25, 2022

١.

A COVID-19 ILLNESS: ESTABLISHING WORK-RELATEDNESS.

 A. Statutory Rebuttable Presumption for First Responders: Sec. 102.02(6) and 102.565(6) Wis. Stats.

Sec. 102.02(6).

- (a) In this subsection, "first responder" means an employee of or volunteer for an employer that provides firefighting, law enforcement, or medical treatment of COVID-19, and who has regular, direct contact with, or is regularly in close proximity to, patients or other members of the public requiring emergency services, within the scope of the individual's work for the employer.
- (b) For the purpose of benefits under this chapter, where an injury to a first responder is found to be caused by COVID-19 during the public health emergency declared by the governor under s. 323.10 on March 12, 2020, by executive order 72, and ending 30 days after the termination of the order, and where the employee has been exposed to persons with confirmed cases of COVID-19 in the course of employment, the injury is presumed to be caused by the individual's employment.
- (c) An injury claimed under par. (b) must be accompanied by a specific diagnosis by a physician or by a positive COVID-19 test.

(d) An injury claimed under par. (b) may be rebutted by specific evidence that the injury was caused by exposure to COVID-19 outside of the first responder's work for the employer. [Effective March 12, 2020]

Sec. 102.656(6).

This section does not apply to an employee whose claim of injury is presumed to be caused by employment under s. 102.03 (6).

- B. In All Other Cases, Work-Relatedness is Proven by a Combination of Medical and Circumstantial Evidence.
 - A medical opinion is required, but it is "often impossible to find the source from which a germ causing disease has come". *Pfister & Vogel L. Co. v. Industrial Commission*, 194 Wis. 131 (1927).
 - 2. The *Pfister* court addressed this dilemma by creating the rule of "preponderance of probabilities". A preponderance of probabilities is met when the medical evidence along with the other evidence would lead a person to believe that it is more likely that the applicant contracted the virus from exposure at work than from another source.
 - 3. The medical opinion will be based upon circumstantial and medical evidence.

II.

A TEMPLATE FOR THE TREATING DOCTOR'S MEDICAL OPINION IN A COVID-19 CASE.

See Appendix A.

III.

USING CIRCUMSTANTIAL EVIDENCE TO PROVE THAT A DEATH

CAUSED BY COVID-19 WAS WORK-RELATED

Maria hires Attorney Hamilton, a worker's compensation attorney, in November 2021. She informs him that her husband, Jose, died from Covid-19 on Sunday, October 3, 2021.

Jose worked at a meat packing plant in Green Bay. Maria believes that Jose contracted the disease at the plant. As his dependent, Maria wants to file a worker's compensation claim for death benefits.

Information from Maria, the surviving spouse.

- Jose worked with his friend Sam.
- Jose did not have hobbies, did not travel, and was pretty much a homebody.

- Jose was a family man, and he spent his evenings and weekends with Maria and their 4 kids.
- Jose was sick on Thursday, September 30, 2021, and did not go to work. He was hospitalized later that same day.
- Jose died 3 days later on Sunday, October 3, 2021.
- No one else in the immediate family had Covid-19.

Information from Attorney Hamilton.

- Hamilton is aware from local news reports that Covid-19 swept through the meat packing plant, in September 2021, and he saves articles from the local newspaper on the subject.
- Hamilton obtains all of Jose's medical records for the last five years.
- Hamilton obtains a copy of Jose's personnel file from the meat packing plant.
- Hamilton obtains medical research and treatises on Covid-19
- Hamilton interviews Sam.

Information from Sam, Jose's Friend and Co-worker.

- Jose worked on the trim line at workstation #16.
- Sam worked to his immediate right at station #17.
- Even before Jose got sick, there were other workers in the plant who had contracted Covid-19.
- Tim, who also worked on the same trim line at station #20, contracted Covid-19 and left work sick on Monday, September 27, 2021, just three days before Jose got sick.
- The week before Tim and Jose got sick, there had been a lot of coughing in the break room where Jose and Sam sometimes ate lunch.
- Most of the plant workers wore masks, including Jose.
- Hamilton provides all the above information to Jose's family doctor.

Information from Jose's Family Doctor, Dr. Sanders.

- Dr. Sanders reviews all the information received from attorney Hamilton and concludes that Jose contracted Covid-19 as the result of a substantial exposure to the virus at the meat packing plant.
- He completes a WKC-16-B form in support of Maria's worker's compensation claim.

Information from the WC Carrier.

- The carrier is served with the hearing application and a copy of the WKC-16-B.
- The carrier assigns the file to Clyde, an adjuster.
- Clyde starts his investigation by calling Mark, the safety director at the meat packing plant. He asks Mark to send over all the information that he can obtain about occurrences of Covid-19 in the plant, Jose's job duties, Jose's payroll records, Jose's personnel file and any other pertinent information.
- Through authorizations signed by Jose's personal representative, Clyde also obtains a complete set of Jose's medical records.
- Clyde hires Nancy, a nurse case manager, to review Jose's medical records and to talk to Jose's family doctor.

Information from Nancy, the Case Manager.

- Nancy reviews Jose's medical records.
- According to the history and physical taken upon Jose's admission to the hospital on Thursday, September 30, 2021, Jose started feeling ill the day before, on Wednesday, September 29, 2021.
- Among the hospital's admission documents, Nancy also finds a note taken by the intake nurse that Jose had been to a wedding the previous Saturday. Nancy immediately provides this information to Clyde and Mark.
- After talking to Dr. Sanders, Nancy learns that Dr. Sanders was not aware that Jose had attended a wedding just five days before he was hospitalized.

Information from Mark, the Safety Director.

- Mark reports back to Clyde that in the two weeks before Jose left work, there were 10 other plant employees who called in sick with Covid-19, and in the two weeks after Jose left the plant, there were 6 more employees who called in sick with Covid-19.
- Of these 16 employees who contracted Covid-19, Tim worked the closest to Jose's workstation, about 22 feet away.
- Mark talks to some of Jose's co-workers to learn if they knew anything about the wedding, and he discovers that Sam and Tim also attended the wedding.
- Sam informs Mark that the three of them sat at the same table during the reception dinner.

Information from the Independent Medical Examiner.

- Clyde hires an independent medical examiner and sends him all the information he has gathered.
- The IME doctor opines that it is doubtful that Jose contracted Covid-19 at work. He further opines that it is more likely than not that Jose contracted the virus at the wedding.

Information from the Hearing Testimony.

- The case is hotly contested and goes to hearing.
- Sam testifies on Maria's behalf that the reception tables at the wedding were long and narrow, that Tim sat at one end of the table more than 8 feet away from Jose, and that most people at the wedding wore masks.
- Mark, the safety director, testified that at Clyde's request, he did some investigating on social media and found a wedding photo showing Sam, Tim and Jose posing should-to-shoulder, with wide smiles and beer glasses in their hands.
- On rebuttal, Maria testified that she and Jose left immediately after the reception dinner and did not stick around for the dance because Jose was not feeling well.

MALINGERING AND SYMPTOM MAGNIFICATION

- A. Beware of the Independent Medical Examiner Who Frequently Finds that the Injured Worker Is Malingering or Engaged in Symptom Magnification.
 - 1. Malingering is <u>not</u> an easy thing to prove.
 - a. It is based largely on subjective factors and observations.
 - b. It is more reliable if made by someone familiar with the patient.
 - c. It involves the patient's state of mind.
 - 2. If the independent medical examiner frequently finds that injured workers are malingering, it may diminish the independent medical examiner's credibility.
- B. Factors the ALJ Considers When Deciding Whether the Injured Worker is Malingering.
 - 1. Do any of the treating healthcare providers also opine that the injured worker is malingering or is the independent medical examiner the only one?
 - 2. If a person believes the injured worker is malingering, how familiar is that person with the injured worker?
 - 3. What is the basis for the opinion of malingering?
 - Observations?
 - Test results?
 - Surveillance videos?
 - Physical examination?
 - Other corroborating evidence?

v.

EMPLOYEES WORKING REMOTELY FROM HOME: A SAFETY MANAGER'S NIGHTMARE

- A. How Does the Employer Make the Home Environment Safe and Thus Control Risk?
 - 1. Ergonomic workstations.
 - 2. Floors and stairs.
 - 3. Periodic Inspections by video.
- B. How Does the Employer Investigate Accidents?
 - 1. Greater use of photos.
 - 2. More detailed accident reports.
 - 3. More thorough recorded statements.

4. Dealing with the Personal Comfort Doctrine.

APPENDIX A.

A SAMPLE LETTER FROM THE TREATING PHYSICIAN IN A COVID-19 CASE.

(This letter was developed by doctors, for doctors and was used at IAIABC conventions. In Wisconsin, it must be attached to a standard WKC-16-B form)

"Health Evaluation of (Name and DOB)

<u>Context:</u> This report is submitted as requested to the offices of (law firm name), in the context of a workers' compensation claim filed for (client name) in relationship to her/his employment at (employer name) and the development of COVIC-19 illness.

I. Work History

A. Past Work History

In this section, list jobs held chronologically over recent years. Be specific about job titles and job duties.

B. Recent Work History

This section is designed to focus on 2-3 months prior to onset of COVIC-19 illness. The key issues are a description of the workplace and the nature of regular job duties of the client.

• Include any information about the occurrence of COVID-9 cases at the workplace.

- List Any inspections by state or federal agencies.
- Provide information from employer illness reports in the OSHA 300 log of workplace cases of COVID-19 if available.

C. Specific Work History during 2 weeks prior to disease onset (as in medical history below)

This section is very important in that the incubation period for COVID-19 ranges from 4-14 days. Therefore, a very detailed work history for that period is essential.

- Provide as much detail as possible about contact with other potentially infected persons during the normal performance of job duties.
- Focus primarily on person-to-person contact occurring withing 6 feet of a potentially infected person. If possible, estimate the number of times such contact would have occurred during a typical workday (i.e., contact episodes).
- Provide information on the use of masks and other forms of personal protective equipment (PPE).

II. Other Possible Exposure Sources

This section is designed to provide comparable information about potential contact with individuals outside the workplace who could have been sources of COVID exposure. Focus specifically on the 2 weeks immediately prior to onset of illness.

• Family members

- Participation in public gatherings (particularly indoors or in confined spaces).
- As in Section III above, attempt to estimate the number of contact episodes during the 2 weeks prior to disease onset.

III. Medical History

A. Past medical history

• List medical diagnoses here.

B. Recent medical history

- List detailed medical history including basis of COVIC-19 diagnosis including test results. Describe dates of symptom onset including dates when client was unable to work due to illness or quarantine.
- Provide any information on long term health problems (i.e., "Long COVID syndrome"):

Persistent pulmonary dysfunction.

Hypercoagulability.

Cognitive impairment.

Fatigue and exercise intolerance.

Other symptoms – including current review of systems.

IV. <u>Related Medical Literature – References No.1 – No. 7.</u>

A. Transmission of the COVIC-19 virus occurs by 3 routes (CED 2020 [Referenced No.1]): contact, droplet and airborne:

- **"Contact transmission** is infection spread through direct contact with an infectious person (e.g., touching during a handshake) or with an article or surface that has become contaminated. The latter is sometimes referred to as 'fomite transmission.'
- Droplet transmission is infection spread through exposure to virus-containing respiratory droplets (i.e., larger and smaller droplets and particles) exhaled by an infectious person. Transmission is most likely to occur when someone is close to the infectious person, generally within about 6 feet.
- **Airborne transmission** is infection spread through exposure to those virus-containing respiratory droplets comprised of small droplets and articles that can remain suspended in the air over long distances (usually greater than 6 feet) and time (typically hours)."

B. Nursing homes and extended care facilities (optional)

Nursing homes and extended care facilities are sites in which these modes of transmission have been noted and related to outbreaks of COVID-19 illness since the first outbreak was reported in March 2020 (see Reference No. 2 below). Residents and staff in these long-term care facilities have developed COVID-19 illness during the pandemic at alarmingly high rates across the nation. Deaths due to COVID-19 have impacted residents of these facilities disproportionately. As a result, CDC and state agencies have issued detailed guidance to nursing homes and extended care facilities to reduce disease transmission to residents and staff (CDC, 2020 [Reference No. 3])

C. Clinical feature of COVID-19 disease [References No. 1 – No. 7]

1. Individuals who are asymptomatic can transmit COVID-19 to others with whom they are in contact; those who ultimately become symptomatic may also transmit the infection during their presymptomatic stage.

- 2. Infected individuals can transmit the virus about 4 to 10 days after becoming infected.
- 3. The incubation period (time from exposure to disease onset) is up to 14 days with a median of 4-5 days from exposure to symptom onset.
- 4. Viral load and level of infectivity are highest at symptom onset or in the first week of infection.
- 5. Presenting symptoms typically include cough, fever, chills, shortness of breath, fatigue, muscle aches, headache, loss of taste or smell and other symptoms.
- Although many of those who are infected have mild illness some have more severe illness – risk factors for more severe illness (and death) include age over 65 and pre-existing illness. Illness may range in severity from mild to severe.
- 7. Severe disease is associated with kidney injury, pneumonia, cardiac arrhythmia, cardiomyopathy, and neuropathy (see Reference No.5 and figure).
- Hypercoagulability has been seen in COVID-19 patients resulting in increased risk of arterial and venous thrombosis (CDC – Nov. 2020). Guidelines to manage hypercoagulability in COVID-19 has been developed by the National Institutes of Health and the American Society of Hematology.
- Persistent symptoms and health-related quality of life reduction have been noted to occur more than 100 days after hospital admission in a study of 120 COVID-19 hospitalized cases (see Reference No. 6 below). Persistent symptoms included fatigue (55%), shortness of breath (42%), loss of memory (34%), concentration difficulty (28%), and sleep disorders (31%). Another study (Reference No.7) showed similar results.
- 10. Studies of long term sequalae of COVID-19 disease have shown that, in one study, only 13% were symptom free after 60 days (mean) after disease onset (Up to Date, 2020 [Reference No. 8]). Most common persistent symptoms were fatigue (53%), shortness of breath (43%), joint pain and chest pain. Individuals with mild initial infections also were found to have persistent symptoms of cough and fatigue weeks after the infection occurred.

V. Sources of information

- A. Medical records list records reviewed
- B. Interviews with (client name) list date
- C. Medical literature review
- D. State and federal agency reports and documents
- E. OSHA 300 COVID report log
- F. Other sources (e.g., news reports)

VI. Conclusions

(This section is a redacted set of conclusions taken from a real case. It is provided with details as an example. Obviously, each case is unique. The key issue here is to make a comparison between workplace and nonworkplace contact with potentially infected persons to establish the most likely source of Covid-19 infection)

- A. (Client name) developed COVID-19 disease in late June 2020; she manifested typical initial symptoms of COVID-19 disease including cough, chills, chest tightness, anosmia, facial pain, and mild difficulty breathing. She has also developed longer term sequelae of COVID-19 illness including:
 - Hypercoagulability which caused a thrombosis of the anterior division of the left renal artery leading to an infarct of the anterior portion of her left kidney.
 - Severe hypertension which is currently being managed.
 - Cognitive impairment manifest as difficulty with concentrating; processing information and maintaining focus.
 - Cardiac arrhythmia.
 - Pulmonary impairment.

- Dermatologic manifestations (livedo reticularis). And
- Fatigue and general physical deconditioning.

She also has experienced dental problems which may be attributable to work stress experienced over recent months.

B. I conclude that, to a reasonable degree of medical certainty, that (client name) contracted COVID-19 disease as a direct result of her personal contact with infected residents in the (employer). She probably contracted the disease as a direct result of **droplet transmission**, which is infection spread through exposure to virus-containing respiratory droplets (i.e., larger and small droplets and particles) exhaled by an infectious person. Transmission is most likely to occur when someone is close to the infectious person, generally within about 6 feet. She also probably was exposed as a result of **airborne transmission**, which is infection spread through exposure to those virus-containing respiratory droplets compromised of smaller droplets and particles that can remain suspended in the air over long distances (usually greater than 6 feet) and time (typically hours). Airborne transmission would have occurred as a result of her work in resident rooms and other areas in which residents were present. She also was probably exposed to the COVID-19 virus as a result of **contact transmission** with contaminated surfaces.

Her exposure to infected individuals probably occurred during the period June 15-26, 2020. During this period, she experienced numerous episodes of exposure to potentially infected residents as a result of her working in resident rooms, actively being involved in resident relocation, delivering meals into resident rooms, participating in resident testing programs, and other activities which placed her in direct personal contact with residents leading to droplet transmission of the virus. She was also exposed during this period to airborne and contact transmission of COVID-19virus.

C. She has experienced numerous medical conditions as a result of her COVID-19 infection. As noted above, these include, but are not limited to, renal infarct due to thrombosis of anterior portion of left renal artery due to hypercoagulable state, hypertension, cardiac arrhythmia, a dermatologic disorder, pulmonary dysfunction and cognitive impairment. She will require ongoing medical follow-up for these conditions to include hematology, nephrology, dermatology, physical therapy and general medical care for her cognitive difficulties, hypertension, anxiety and depression. She will probably continue to experience these conditions which are attributable to her COVID- 19 illness for some time to come. Her symptoms are likely to persist for months as has been reported in the medical literature for other hospitalized persons who are recovering from COVID-19 (see references 6 and 7 below).

D. She is currently unable to perform work duties in her job at the (employer) due to fatigue and inability to accurately process information. Further she is experiencing both mental and physical fatigue which impair her ability to perform her regular work activities.

I offer these opinions to a reasonable degree of medical certainty. I reserve the right to revise this report as more information is made available to me.

Signed and Dated

References:

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