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## Chapter 4

### Ligaments: The Other Soft Tissue

The insurance industry has made “Soft Tissue Injuries” a dirty word. They train their claim adjusters to believe that many or most claims are fraudulent because these soft tissue injuries are difficult to demonstrate. This makes them easy targets for the insurance company to say to jurors, “Look at him. He is sitting there and it doesn’t look like he is in pain. You saw him walk in here. There are no pictures of broken bones you can see. Is he *really* that injured?”

Claims that do not have photographs of broken bones or bloody cuts and bruises are a profit center for insurance companies. A great way to make profits is to collect billions of dollars of insurance premiums and pay as few claims as possible. The insurance companies have a motive to not pay your legitimate claim. The less they pay you, the more profit they make.

John Grisham’s fictional book, *The Rainmaker*, describes an insurance company that made a corporate decision to collect premiums for an entire year and deny every single claim that is presented to them. Their business practice was to initially deny the claim, delay settling as long as possible, and then defend the claim in court when the frustrated person finally hired a lawyer to file a lawsuit. I have a theory that a lot of insurance company executives read this book (or saw the movie) and, instead of being repulsed by the inhumane actions of the fictitious insurance company, they must have thought, “What a great idea. We should follow this so we can get richer than we already are.” In the book it was an extreme and outrageous example of corporate greed and inhumanity. In the 21<sup>st</sup> Century, it has become business as usual at many insurance companies in the United States. The rich get richer and the poor and middle class get screwed.

#### What Ligaments Do

Ligaments hold your bones together at each and every joint in your body. They are so strong that it is common for your bone to fracture (break) *before* the ligament will stretch or tear. It is so common for a bone to break before a ligament tears that doctors have a name for this which is called an *avulsion fracture*. Medical research is clear that a torn ligament is a far worse injury than a broken bone. A simple broken bone will heal in a few months and you will have little, if any, residual pain thereafter.

However, a torn ligament *never* heals. It leaves your joint permanently unstable and the only way to completely repair the torn neck ligament is to surgically fuse your neck bones so they never move again at all. If you do not have surgery, you will experience several years of chronic muscle spasms followed by progressively worsening degenerative arthritis in your joint for the rest of your life.

To put it simply, your ligaments are essentially as strong, or stronger than your bones. Unlike your bones, the ligaments are soft, not hard like bones are. That is why they fall into the category of “soft” tissues. Remember that even though ligaments are technically soft, tearing one is worse than breaking your arm.

A ligament attaches to the end of one bone, crosses the joint, and attaches to the other bone that forms the joint. For example, you have many ligaments in your knee that hold the bones together. Since ligaments are softer than bone, they allow your joints to move. You probably know somebody who played football in high school and who now has a “bum knee” from an injury many years ago. These bum knees are not from muscle injuries. They are from ligament injuries. To understand how tough ligaments are, the “gristle” in a chicken drumstick is the ligament in the chicken’s leg.

Unfortunately, when a ligament is injured, it does not simply stretch and heal in a few weeks. It takes a lot of force to injure an ligament and it causes partial or complete tearing of the ligament fibers. You may be familiar with the terms *torn meniscus* or *torn ACL*. The Anterior Cruciate Ligament (ACL) is a ligament in the knee that stabilizes the knee and prevents the bones of the knee from sliding around. If your knee bones slide on each other, your knee will not hold your weight when you walk. A partially torn ACL can either require surgery or will simply end the football player's season (or career.)

### **Joints Should Glide, Not Slide**

Most of your joints are designed to *glide, not slide* around when they move. Think of the door on your kitchen cabinet. The door *glides* open as it swings around on the hinges. The hinge is like your ligament. The hard wooden door is like your hard bone and the soft, pliable, moveable hinge is similar to the way your ligaments function. Although a ligament moves, it is supposed to move only in the proper direction so that your joint glides smoothly as your bones move.

However, if the hinge on the door becomes loose (usually because some of the screws have become loose), the door no longer glides smoothly when you open it. In addition to gliding in the proper direction, it also slides around because of the loose screw and the door jerks in various directions during the gliding process.

Joints with injured ligaments function very much like the cabinet door with a loose hinge. The joint catches, pops, or feels unstable (which it is.) The movement of the joint, just like a cabinet door, is jerky and unstable. The football player who injures a knee ligament is often out for the season, needs surgery, or it may even be a career ending injury. The knee will not support the player's weight to walk, let alone run and hit other players.

In short, ligaments *stabilize* your joints. Each joint has many ligaments just like a door has two or more hinges to stabilize it and make sure it swings only in the direction it is supposed to open. Injured ligaments cause instability. Instability leads to secondary muscle spasms and eventually degenerative arthritis. Both of these are your body’s methods of trying to stabilize the joint that is unstable.

Ligaments are injured by *tearing the ligament fibers*. Think of a pair of denim pants that are quite comfortable and move with your body movements for many years. You squat down slowly and the denim moves with you. Then, suddenly, you squat down *quickly* and the jeans tear open. They do not tear gradually and slowly from just a little force. They tear wide open

from a quick movement and too much force that is applied suddenly at one moment in time. The fabric rips.

So, too, your ligaments rip and tear open from the force that is suddenly applied to them as your head whips around during a whiplash. Your head weighs between ten and fourteen pounds. The heaviest bowling ball in use today weighs sixteen pounds and many of the bowling balls you see at the bowling alley weigh as little as eight pounds. Imagine a twelve pound bowling ball that is suddenly hit by a car at just 15 miles per hour. The twelve pound bowling ball would go flying a very long way when the 4,000 pound car hits it at 15 miles per hour.

When you are in a car that is hit by another car, your head goes flying around. Luckily for you, your head is attached to your body so it doesn't go flying off down the street. The word Whiplash comes from the principle that the end of a whip is where the motion is so fast that the end of the whip makes a sharp cracking sound. The crack of a whip comes from a loop traveling along the whip, gaining speed until it reaches the *end* of the whip which travels at the speed of sound and creates a small sonic boom.

The thick end of the whip (that you hold in your hand) never travels fast enough to make the snapping or cracking sound. Likewise, your body or torso is like the thick end of the whip. It is usually not as injured as much as your neck because it does not whip around like you neck during an accident. It is your head and neck that are at the end of the *whip*. Your twelve pound head is whipping around and your neck ligaments can be torn and ripped trying to keep this bowling ball you call your head from flying off your body and rolling down the street. Yes, your ligaments are very strong. They manage to hold your head onto your body while it is whipping around after being hit by a 4,000 pound car. Some of your 22 neck ligaments are torn trying to keep your head from flying off your body.

When extreme forces like this are applied to a football player's knee, he ends up with bad knee for the rest of his life. It is often a career-ending injury. Many former high school, college, and professional football players have severe arthritis in their knees by the time they are forty or fifty years old. This is due to the many torn ligament fibers (not complete tears that require immediate surgery) that occurred while playing the game followed by twenty or thirty years of their body trying to stabilize this "loose hinge" by forming painful muscle spasms and bone spurs that doctors simply call degenerative arthritis. Simply put, a joint with injured ligaments becomes arthritic.

Just like a knee, many accident victims have partially torn ligaments in their neck. Unless surgically fused to stop the excessive motion, they will develop the same arthritis found in a football player's knee.

### **Torn Ligaments Cause Loose Joints**

Any ligament injury causes the joint it was designed to stabilize to become unstable (loose.) There are different severities of ligament injury. Doctors sometimes call them "stretched", a "partial tear" or a "complete tear." Stretched really means the same thing as a partial tear, so we are really dealing with a ligament that is partially torn or completely torn.

A completely torn ligament is usually quite obvious on physical examination and the MRI films. It requires surgery almost 100% of the time. The orthopedic surgeon re-attaches the torn part of the ligament to the bone by putting a screw through the ligament and screwing it into the bone to hold it.

A partially torn ligament is not as obvious and is often missed by doctors who are not trained in reading trauma MRI films or x-rays. MRI studies almost always miss them because part of the ligament is still attached to the bone. The MRI study is not detailed enough to be able to see when only *some* of the ligament fibers are torn. Partially torn ligaments sometimes need surgery (but not always.) Surgery to fuse your neck vertebra is a major surgery that leaves scars on your body, stiffness in your neck, and has a risk that you might die during the surgery. Because of these risks, patients often choose to live with their pain (and use pain management like chiropractors and/or drugs) rather than have neck surgery. There are, after all, *some* ligament fibers still intact that are still partially holding your bones together. However, if you have a ligament injury that is visible on x-ray films and surgery is not done, you are almost certain to have pain in that joint the rest of your life. Numerous studies show that a joint with a ligament partial tear will become arthritic within just a few years. The arthritis is usually bad enough within seven years to be visible on a plain x-ray film.

### **What a Partial Ligament Tear Feels Like**

Ligament injuries in your neck often cause a *clunk* sound when you move your neck. This clunk is from the sliding of your joint (instead of the smooth glide it did before the ligament was torn.) Ligament partial tears cause two types of pain. The first is from the partially torn ligament fibers themselves. Ligaments have a lot of pain nerves in them so tearing ligament fibers is quite painful. It is a ligament that hold your tooth in place. Remember how painful it was when you were trying to "pull a baby tooth?" You were essentially tearing the ligament that was holding the bony tooth in place.

Tearing a ligament is very, very painful in the beginning and for several months after the accident. Even after the initial torn ligament pain subsides, the secondary type of pain is *referred ligament pain*. This type of pain pattern confuses many doctors and is still misunderstood even by some reasonably good doctors.

For example, injured neck ligaments *refer* pain to the shoulder on the side of the neck where the ligament is partially torn. You may feel the *referred ligament pain* in your shoulder (not your neck) so you may tell your doctor about your shoulder pain. The doctor examines your shoulder and finds nothing wrong with it and, naively, tells you there is nothing wrong with your shoulder. You are extremely frustrated because you know that your shoulder hurts and there is something is wrong. In this case, the doctor is wrong.

The doctor is incorrect to tell you "there is nothing wrong." The doctor would be correct to tell you, "I cannot find the problem." Most doctors will not admit to you that they do not know enough to find the problem, so they arrogantly tell you there is "nothing wrong with *you*." The doctor is actually correct that there is nothing wrong *with your shoulder*. The problem is that your shoulder aches all the time and the doctor did not figure out that it was referred ligament pain from your neck injury.

Referred ligament pain *aches*. It does not follow the traditional nerve dermatome patterns. It is generally there all the time (unless you take medicine to stop the pain or get some chiropractic or physical therapy treatment to the aching area.) Referred ligament pain feels like a vague, deep, dull pain. One of the most reliable signs that your pain is a referred ligament pain is that the area feels better *temporarily* after you have had some physical therapy or chiropractic treatment to that area. This temporary relief lasts only a few hours or as much as a day or two but *seldom longer than two days*. You are so happy just after the treatment because you feel a little (or a lot) better. Unfortunately, the pain always comes back within 48 hours.

Since the only relief you can get is by going to the chiropractor, you keep going for treatments to get the temporary relief for a day or two. The pattern is one of feeling some relief for a short time followed by a return to the pain at the same intensity as before. There is no gradual improvement that you would expect. For example, if the pain is eight on a scale of ten (8/10), your pain might go down to a 4/10 for several hours after the treatment. However, within 48 hours, your pain is 8/10 again. This cycle continues for months or years after the accident.

This pattern is common where the chiropractor has failed to initially make the correct diagnosis of ligament partial tear and thinks he or she can "fix" you. The correct course of action is for the doctor to accurately diagnose you in the beginning. That way, you at least know what this pain pattern will be and can be prepared for it since it is very frustrating. You can also begin to avail yourself of other possible tests (digital video fluoroscopy) and treatments (prolotherapy or surgery) after the first four months or so.

### **Ligament Referred Pain Patterns**

The most common areas for referred ligament pain are: (1) the back of your head; (2) the side of your neck; (3) the shoulder area where your neck attaches to your body; (4) the scapula (wing) area of your upper back; and (5) the middle back. The location of your referred pain depends on which of your neck ligaments is partially torn.

Referred pain does not *progressively* improve. If you have an actual injury to your shoulder and your doctor applies the proper conservative treatments, you should feel a little better the first month, even better the second month, and still better the third month (e.g. progressive improvement.) However, if you have referred pain from your neck to your shoulder from a ligament injury, all the treatment in the world to your shoulder will not give you progressive improvement. Your relief will only be temporary as discussed earlier. The truth is that your doctor misdiagnosed your injuries and is treating the wrong thing.

This type of pain pattern is an easy target for insurance claim adjuster when the doctor keeps treating your shoulder for months with passive treatments like massage, ultrasound, and muscle stimulation. The claim adjusters are taught to believe you are milking the system, getting *excessive* treatment, and they simply take a pencil and cross out many of the treatments you received after the first three months since your doctor never properly explained or documented that you have a ligament injury. The claim adjuster decides that much of your treatment is unreasonable and unnecessary and does not consider it when trying to settle the

claim. This scenario is actually your doctor's fault for not accurately, thoroughly, and honestly describing your injuries on paper.

You, on the other hand, are grateful for any relief from the deep aching pain in your shoulder, your neck, or the back of your head. Even though you didn't understand the mechanism until reading this book, you kept going back to the doctor because it helped get the horrible pain out of your shoulder for a little while. It was the only thing that seemed to help. You end up getting a lot of treatment (for the temporary relief) which is eventually crossed out by the claim adjuster as excessive and unnecessary. Most lawyers do not understand what is actually happening and have no way to fight back against the insurance adjuster who uses this tactic. Your claim is often settled for a fraction of what it is actually worth because your doctors were not accurate or thorough.

### **Why Arthritis Forms In The Joint With The Injured Ligament – Translation Instability**

Any joint with partially torn ligaments is loose, moves too much, and *translates*. Translation in a joint means that before the normal bending of the joint begins, the bones translate on each other, or *slides* back and forth before starting to bend. This is the *slide, not glide* mechanism I wrote about earlier.

When you cut your finger your body heals it. Scar tissue is automatically formed from the chemical reactions in your skin. Your body has many mechanisms to heal itself. When your ligament is partially torn and your body senses that your joint is loose, it tries to heal itself by tightening the joint. At first, your body causes your muscles to tighten up (spasm, guard) to stop the sliding motion. Then your joint forms degenerative arthritis in that joint which eventually stiffens up the joint and stops the excess motion. It is common knowledge that arthritis makes your joints stiff. Now you understand why your body is doing this to you. The joint is too loose and your body is forming arthritis to stiffen it up.

Arthritis takes two or three years to develop and about seven years before it gets so bad that it can be seen on a plain x-ray film. Your body tries to stabilize your injured joint for several years by causing your muscles to spasm until the arthritis can fully form the bone spurs and scar tissue that stiffens up your neck. Tight muscles will partially stabilize your joint. Unfortunately, muscle spasms themselves are painful. You get a treatment (massage, ultrasound, adjustment) which relieves your muscle pain and spasms for about two weeks. However, once the treatment loosens up your muscles, your vertebra begin to translate and slide excessively every time you move your neck. Your body senses this again and causes your muscles to tighten up again with spasms. This is the vicious cycle of translation and muscle spasms.

Eventually, degenerative arthritis gets bad enough in your joints that it stiffens up the joint so the muscle spasms are not needed as much. You feel somewhat better after a two or three years because the arthritis has stopped the vicious cycle of muscle spasms. Unfortunately, the arthritis makes your neck stiff all the time. You have to keep going to the chiropractor for adjustments to control your stiff neck.

Degenerative arthritis is your body's attempt to tighten up the loose joint. Scar tissue forms and the bones form spurs. This is called arthritis. Your joints eventually start to feel stiff several years after a ligament partial tear. The scar tissue and bone spurs make it feel stiff. The neck stiffness you feel for years after a whiplash is actually your body tightening up that joint by this process that doctors call degenerative arthritis. You then cannot turn, bend, or twist your neck as much as you could before the accident and before this degenerative arthritis formed in your neck joints.

Your body is trying to heal your joint and it is trying to make your joints stiffer. Unfortunately, this healing mechanism is imperfect and you go from having two to three years of aching pain from the muscle spasms that are caused by your joint being too loose to a lifetime of stiffness and pain in the joint from the arthritis that forms to stop the excessive looseness.

### **Injured Neck Ligaments**

There are 22 major ligaments in your neck. They work together to stabilize your joints (like having two or three hinges on a door.) If your kitchen cabinet door is ripped off one hinge, the *other* hinge was probably twisted and bent at the same time. Likewise, if one of your neck ligaments is injured in a car accident, it is likely that *several* of them are actually injured. You (and your doctor) need to know how many of your ligaments are partially torn so certain tests should be done.

The first test to be done for injured neck ligaments is stress x-ray films. They are cost-effective and, when read properly by someone who knows what to look for, can quickly and easily find up to 4 of the most commonly injured neck ligaments. Doctors are taught that a Davis Series of neck x-rays should be done after trauma. Two of the films from the Davis Series (lateral flexion and lateral extension) will assess two of the neck ligaments, the posterior longitudinal ligament (PLL) and the anterior longitudinal ligament (ALL).

The Davis Series includes a film called the Anterior-Posterior Open Mouth (APOM) view, in which you open your mouth and they take a film of your upper two vertebra. This film, however, is not a stress film and does not show injuries of the accessory and alar ligaments. I teach post-graduate seminars to doctors and I recommend to them to replace this one neutral APOM film with two stress APOM films in certain trauma cases.

When you have dizziness, lightheadedness, or a woozy feeling when you move your neck, I recommend the doctor take the *two APOM views*, one with your head tilted sideways to the left and one with your head tilted sideways to the right. The cause of your dizziness will sometimes be very obvious because the first and second vertebra *translate (slide)* way too much in relation to each other. The doctor will look for two things that indicate partially torn alar and/or accessory ligaments in your neck: (1) Asymmetrical lateral Atlanto-Dental Interspace (ADI); and (2) the body of the first neck vertebra (C1) will slide off the second neck vertebra (C2) in one direction or the other.

If none of these four ligaments are damaged on the plain film x-rays, you can breathe a sigh of relief. You are probably going to get well within two or three months and heal very well.

However, if your doctor finds *any* of these four ligaments injured in the plain x-ray films, the next test that should be done is a Digital Motion X-ray (DMX) study. This test is sometimes called Video Fluoroscopy, but that is an older term. DMX is the newer term and it can test all 22 ligaments in your neck. When your doctor looks at the plain x-ray films and finds *any* of the four ligaments partially torn, the DMX should be routinely ordered about six to twelve weeks after the accident to test your other 18 neck ligaments. This is the only way to know what is really wrong with you.

### **But The MRI Is "Negative"**

Typically, the MRI study is negative when you have injured ligaments. This is because MRI studies do not include stress views and even though we think MRI shows very clear pictures inside your body, it is not detailed enough to see *partially* torn ligament fibers. There is generally no movement in an MRI study. You must hold still during an MRI study. Since ligament injuries cause excessive *movement*, you need a test that stresses your joints and you can see what happens during movement. MRI tests do not show movement so a negative MRI has not actually tested any of your ligaments.

One of the greatest problems with the legal and insurance industries is that claim adjusters and lawyers are lay people and do not understand your injuries. Claim adjusters will jump on a “negative” MRI study and use it to deny your claim because they know they can convince other lay people on the jury that this expensive and well-respected test showed that “nothing” is wrong with you.

This argument is the same inaccurate argument as when your doctor fails to do the proper test, can't find out what is wrong with you, and tells you, “There is nothing wrong with you.” Once again, I strongly suggest you seek out and find a doctor experienced in diagnosing and treating neck ligament injuries. Generally, the specialists in this field are Doctors of Chiropractic, Doctors of Osteopathy, Orthopedic Surgeons, and Neurosurgeons. All four of these specialists have lengthy educations learning the complexities of neck joint movements. Not all, however, are up to date on the latest scientific studies that I have written about in this book. You, as a sophisticated consumer, need to ask your doctor if he or she knows how to take and read stress x-rays of your neck and treat partially torn ligaments.

If or when a chiropractor or osteopath finds that you have torn ligaments, I recommend a consultation with a neurosurgeon or orthopedic surgeon that specializes in neck surgery. Although most people think neurosurgeons only do brain surgery, they actually spend about half of their seven year residency doing spine surgery and are the most highly educated in this field. Orthopedic surgeons are trained to operate on all the joints of your body so you will need to find an orthopedic surgeon that has specialized in spine surgery only, not one that typically operates on knees or shoulders. You should ask your orthopedic surgeon if he or she has specialized in spine surgery or if they do hands, knees, shoulders, ankles, and all the other joints of the body, too. An orthopedic surgeon that only operates on the spine is a good specialist to evaluate your ligament partial tear. An orthopedic surgeon that often operates on other joints may not have the experience to handle your sophisticated spine ligament injury. The neurosurgeon or spine-specialized orthopedic surgeon can tell you whether surgery is needed to stabilize your injured neck or back.

### **Health Insurance Companies Make Things Worse**

The justice and insurance system can only compensate you properly when your doctors have accurately and thoroughly documented the true nature and extent of your injuries. Unfortunately, that is difficult to obtain these days because of health insurance company greed and excessive profits.

Health insurance companies are to blame for the fact that your doctor does not have the time or resources to properly diagnose and treat you. As I discussed earlier, health insurance companies have spent the last two decades cutting your doctor's paycheck to the point that your doctor cannot afford to spend enough time with you to be a good doctor. As of 2009, doctors of all specialties were being paid as little as one-half to one-sixth as much as they were paid in 1989 for the same examination or treatment. Doctors are not being paid well anymore and that works against you. If your doctor is making as much as 83% less than he or she earned in 1989 (while payroll and office expenses have doubled), the system cannot serve you properly.

Doctors cannot afford to spend enough time with you to listen to what is wrong with you, do not order the tests they know you need because they know the health insurance company will not pay for it, and you never find out what is really wrong with you. The system is truly broken. Many doctors I know personally are so frustrated that they are simply closing their practices and choosing another profession. It is very sad in the United States of America that doctors must go to college for eight to twelve years, pay as much as \$200,000-\$300,000 in tuition to get an education, and then earn about as much as a fireman or paramedic who is a high school graduate. Doctors used to be respected professionals who were treated with dignity by insurance companies. Insurance companies will now throw your doctor under a bus to make more corporate profits. It is bad public policy to allow insurance companies to take all the money that used to go to doctors and hospitals for taking care of you and give it to their stockholders. They treat your health as nothing more than a commodity that can be traded on the stock exchange.

### **Car Insurance Companies Piggyback On Bad Records**

After the health insurance industry takes your money and denies paying your doctor to take proper care of you, the auto insurance industry uses the abuses of the health insurance companies to deny your injury claim from the car accident. Since your doctor never properly examines you and finds your injury, the auto insurance company proclaims to the jury, "There is nothing wrong. Even her doctors said so."

The truth is that your doctor did not say so. Rather, your doctor simply did not do a good job. When I teach seminars these days to other doctors, I am constantly telling doctors to "do your job." I hear about their frustration of wanting to do a good job but knowing that they cannot see enough patients in a day to pay their overhead based on what the health insurance companies pay them to examine you. These well-intentioned, hard-working and dedicated people who take your problems onto themselves and care for you in the most selfless ways are being treated like dirt. It is just wrong that society has allowed corporations to do this to doctors and hospitals.

It is a vicious circle and the only winners are the insurance companies who are jointly responsible for causing this mess. The health insurance companies pay your doctor as much money as a high school graduate, the doctor cannot do their job properly, and then the automobile insurance companies use this situation to deny your legitimate claim for significant and life-changing injuries.

### **You May Need To Pay Your Doctor Yourself**

Your best chance at getting proper medical care is to go to a doctor who still cares enough to do a good job. Be prepared, however, to pay this type of doctor a good portion of the bill because your health insurance company probably will not. You get what you pay for. You can get HMO-type care for not much money, but if you have a significant injury such as those that occur in car accidents, you are not likely to receive the proper treatment you need from an inexpensive doctor. "But I have good health insurance" you might say. Most doctors agree that there is no *good* health insurance anymore that pays all your bills.

### **Permanent Impairments & Ligament Partial Tears**

The American Medical Association (AMA) publishes the most sophisticated and widely used book on the subject of permanent impairments. In it, they address how much *impairment* should be given (in percentages of your whole body) for injured ligaments.

Impairment is a close cousin of *disability* but there is a significant difference. Disability means you are unable to do *your* job. Impairment means you may be unable to do *all* jobs. Impairment rating is the preferred method of evaluating your residual pain and injuries after an accident. It is a more accurate comparison of injuries among people who work very different jobs.

For example, if you are a right handed math teacher and you accidentally cut off all the fingertips on your left hand, you are not disabled at all from being a math teacher. You can still teach math without fingertips on your left hand since you can write on the blackboard and grade papers with your right hand. However, if you are a right-handed *concert violinist* who loses your left fingertips, you are 100% disabled from that job. The concert violinist uses the fingers of the left hand to play the strings to make beautiful music. It would be nearly impossible to play to the level of a concert violinist if you are missing all four fingertips of your left hand. Both the math teacher and the violinist have the exact same injury and would have the exact same impairment rating. However, their disability is much different. Impairment ratings measure the severity of your injury without accounting for how it affects your particular job.

Ligament partial tears typically have high impairment ratings because doctors and other scientists know they are severe injuries. For example, if any two vertebra in your neck translate more than 3.5 millimeters or more than 20% back and forth when you move your neck, your impairment rating will be between 25% and 28%. Likewise, somebody who has

had neck surgery also will have an impairment rating of 25% to 28%. Ligament injuries are serious. Impairment ratings for partially torn neck ligaments are as high as if you had already had the surgery. The AMA knows that the likelihood of future surgery is high and the impairment ratings are identical for these two injuries.

Partial ligament tears that cause your vertebra to translate (slide) back and forth more than 3.5 millimeters or 20% may need surgery to fuse these bones. Fusion surgery is the only treatment that has a very high likelihood of permanently stopping the ligament pain as well as the referred pain into your shoulder, neck, or the back of your head (headache.)

If you choose to not have surgery, you will need some kind of pain management treatment for the rest of your life such as pain medication, chiropractic treatments, or physical therapy. Your joint will degenerate and become arthritic and stiff until, eventually, it may even fuse naturally on its own. Without surgery, unless you learn and do neck exercises on a very regular basis, your pain level will likely be intolerable at times and uncomfortable the rest of the time. Ask your doctor to teach you neck strengthening exercises to help control your pain. Ligament partial tear is a bad diagnosis. If you have such an injury, early and accurate detection help you choose the best treatments.

### **Ligaments Are Soft Tissue**

It is disingenuous at the minimum and probably dishonest to call ligament partial tears “just soft tissue injuries.” The reason that claim adjusters do it is because they lack any medical education and are indoctrinated by their employers in a way that maximizes corporate profits. They believe what they are told because they lack any education in anatomy or physiology. No scientifically educated person could possibly be a claim adjuster in my opinion unless he or she doesn't care that they are promulgating junk and phony science and hurting innocent people.

Real scientists have stated that a muscle “pull” or strain will heal in three weeks without treatment. No scientist or doctor has *ever* said that ligaments will heal in three weeks. The insurance industry expanded the rule for muscles to include tendons, ligaments and other soft tissues that are definitely not similar at all to a simple muscle strain or pull. They have successfully fought and won trials by telling the juries “These are just soft tissue injuries that should have healed in three weeks without going to the doctor at all.” The doctors have not been able to show the proper x-ray tests or Digital Motion X-ray tests to make the jury members understand the true nature of the injuries so the insurance companies make more profits by tricking the jury into not giving fair compensation to these injured people. Your doctor should be able to do the proper tests to determine whether your neck injury is only the muscles or whether it involves the other soft tissues (especially the ligaments.) If not, ask your doctor for the tests described in this book. Make your doctor be thorough and do a good job. It is your neck. Don't just accept it when a doctor says, “There is nothing wrong.”

In summary, ligaments are very important to the proper function of your joints. Ligaments allow your joints to glide smoothly. Torn ligaments cause your joints to slide first, they glide with a clunk. A clunk in your neck (when you move it) is a strong sign of ligament partial tear. Joints with torn ligaments are too loose and your body tries to stabilize the joint with

## Whiplash & Motor Vehicle Collisions

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chronic muscle spasms and eventually degenerative arthritis. Ligament partial tears generally cause three to six months of excruciating neck pain, then two to three years of chronic muscle spasms and finally degenerative arthritis that makes your neck progressively stiffer for the rest of your life.

### **Biography**

Steven C Eggleston is a California attorney who handles personal injury cases. He has an A.S. degree in Biology, B.S. degree in Human Biology, and Doctor of Chiropractic degree in addition to his law degree. He practiced twenty years as a treating chiropractor in Huntington Beach, California, before becoming a lawyer.

While there are many who hold dual medical and law degrees, Dr. Eggleston's unique niche is in having *practiced* as a doctor for twenty years treating the kinds of injuries he now represents people for as their attorney. If you would like a complimentary consultation either by telephone or in person, you may contact him at:

Steven C Eggleston, D.C., Esq.  
(877) 4-CHIROLAW  
(877) 424-4765  
Dr.Eggleston@yahoo.com

Information and resources for doctors can be found at:  
[www.HBTinstitute.com](http://www.HBTinstitute.com)