

SAFE HARBOR

A monthly newsletter for the Maritime worker
from

The Law Offices of Lyle C. Cavin, Jr.

May 2020



Thank you for your maritime service and taking the time to review our Newsletter. We at the Law Offices of Lyle C. Cavin, Jr. hope you find the following information helpful. If you have any questions regarding your rights or remedies please contact us at any time. We are here to serve you.



ARE YOU REPORTING YOUR INJURY TO YOUR DOCTOR?



We have addressed this topic before, but it remains constantly relevant. When an injured or ill worker first reports to his physician, it is amazing in reading medical records how often causation of that injury or illness is missing in the history provided by the worker! This becomes fertile ground for the employer to deny claims or delay benefits. It is imperative that some type of information be provided to the doctor on the very first visit as to the cause of the medical problem. The absence of this information or the belated reporting of same can more often than not lead to a claim being denied or delayed indefinitely. Be sure and report the facts that gave rise to your medical problem on your very first visit!

QUESTION FROM THE BRIDGE

I was injured while sailing on a containership 3 months ago and went to a hospital and came under the care of one of their doctors. When I made a claim for maintenance after being declared Not Fit For Duty the



shipowner has denied the claim stating that there is no evidence that my injury occurred while employed. I thought maintenance and cure was owed regardless of fault. What can I do?

Jerome D, Jacksonville, FL.

Answer:

Jerome,

If the injury was documented aboard ship that information should suffice. If not, what you reported to the doctor must provide information as to how your injury was caused as it relates to your service on the ship. I am surmising that there was probably not an injury reported on the ship and/or that you did not mention it to the doctor you saw. This is critical to your claim. The best guarantee for maintenance and cure is the shipboard report, and second to that is the report you made to the doctor on your first visit.

About Our Law Firm

For more than four decades, merchant mariners, longshoremen, fishermen and harbor workers plying their trades at sea, on the docks, on our U.S. coastal waters and inland waterways have turned to the maritime law firm of Lyle C. Cavin, Jr. & Associates in Oakland. Today, we are proud to be recognized as one of the preeminent maritime law firms serving injured marine workers nationwide, as well as one of the most successful personal injury litigation firms serving victims of negligence in the San Francisco Bay Area and throughout the West Coast.

Team Approach to Every Personal Injury and Jones Act Claim

When you retain Lyle C. Cavin, Jr. & Associates for a Jones Act injury claim, or personal injury claim, you don't get just one attorney, you get our entire team of dedicated professionals. Our attorneys offer many years of courtroom and negotiated claims settlement experience. We will represent your interests with unwavering dedication, speed and expertise.

Law Offices of Lyle C. Cavin, Jr.

510-444-2501 Fax: 510-444-4209

428 Alice St., Suite 128, Oakland, CA 94607

www.sealawyer.com