



Kenton Koszdin
LAW OFFICE



Se habla español

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Can My Workers' Compensation Claim Be Denied?

It can happen – you have applied for Workers' Compensation due to a workplace injury or illness, but your employer's insurance company has denied your claim or doesn't award full benefits. What should you do?

In California, you have the right to appeal if you don't receive the benefits to which you are entitled. Here are two reasons why your claim may have been denied:

- You did not report your injury to your employer within 30 days. The injury date, in general, is when the accident occurred or when you were exposed to a hazardous substance on the job. You must report it in writing within 30 days. If your medical condition has taken some time to develop, the 30-day deadline begins on the date you knew or should have known that it was work-related.
- Your injury or illness isn't work-related. In order to qualify for WC, your injury or disease must have arisen out of the course of your employment. In other words, your medical condition must have occurred while you were performing services for your employer **and** that the work activities or conditions were responsible for your injury or illness.



Appeal Your Workers' Compensation Claim If It Is Denied

If your WC claim has been denied or if you did not receive full benefits, you have the right to appeal that decision. Here are the necessary steps:

- Open your case with the Appeals Board by completing an Application for Adjudication of Claim and submitting it with required documents to an Appeals Board office.
- File a Declaration of Readiness to Proceed when you are ready to request a hearing with a judge. Before the hearing, you will participate in a settlement conference where you and the insurance company will try to reach an agreement with a judge.
- At the WC hearing, you will be able to present evidence and have witnesses testify.
- If you don't agree with the judge's written decision, you can file a petition for reconsideration. A WC Appeals Board panel will decide whether to accept the reconsideration and will then affirm, reverse or alter the judge's decision.
- If necessary, the next steps would be to file a petition with the California Court of Appeal or, if again denied, with the California Supreme Court.

All of these appeal steps have tight deadlines in which to take action. A California Workers' Compensation appeal is complex, and it is in your best interest to seek counsel from an attorney experienced in these claims.

From My Blog

The CalABLE Program: ABLE Accounts Now Available in California

As of December 18th, 2018, the CalABLE program is live and accepting new enrollees. The California Achieving a Better Life Experience (CalABLE) Program, signed into law by Governor Brown in 2015, allows qualified people with disabilities and their families to save more money without the fear of losing government assistance.



[Click here to read more](#)

What's That California Tune? Test Yourself

Has any state had more songs written about it than California? Doubtful!

From Broadway musicals to homage for famous landmarks to surf tunes, California music runs the full range and reflects our state's diversity.

How many of these do you know? You'll find the answers at the end of this article. (Hint – the list is in chronological order).



1. Our official state song, written in 1913 and put to music by Frankenstein.
2. Our unofficial state song that appeared in the Broadway musical Bombo starring Al Jolson.
3. Tony Bennett's signature song, recorded in 1962, mentions a famous mode of transportation.
4. This song, originally recorded in 1961 by rhythm and blues singer Joe Jones, has been covered by the Riveras, Annette Funicello and the Ramones.
5. These songs both topped the charts in 1965: emblematic of the 1960's California sound, the first one is the Beach Boy's comparison of girls across the U.S.; the second has the Mamas & the Papas longing for warm, Los Angeles weather.
6. This funk-soul tune, written by Ashford and Simpson, had its biggest success in 1969 by Marlene Shaw.
7. In 1977, the Eagles interpreted the high life of Los Angeles with this song from an album of the same name.
8. Jimmy Buffet of island fame couldn't resist singing about California in this 1974 hit.
9. 2Pac celebrates the California scene with this 1995 rap song.
10. Ryan Gosling and Emma Stone performed this Oscar-winning song in the 2016 blockbuster musical La La Land.

Answers

1. "I Love You, California"
2. "California, Here I Come"
3. "I Left My Heart in San Francisco"
4. "California Sun"
5. "California Girls" and "California Dreaming"
6. "California Soul"
7. "Hotel California"
8. "Come Monday"
9. "California Love"
10. "City of Stars"

If you or a loved one has been denied [Worker's Compensation](#) or [Social Security Disability \(SSDI\)](#) benefits, it's important to get an attorney experienced in these types of cases involved immediately. Call **800.438.7734** for your initial free consultation, either in our office or in the comfort of your own home. The [Kenton Koszdin Law Office](#), [Social Security attorney in Van Nuys](#), can help you navigate the application process for the best possible outcome for you and your family.

Recipe of the Month

Chicken and Broccoli Twice-Baked Spaghetti Squash

This recipe proves spaghetti squash is made for the twice-baked treatment - it's not just for potatoes! The squash gets roasted, blanketed in a creamy sauce with chicken and broccoli, and topped with cheese before taking a turn under the broiler for a golden brown crust.

Ingredients

- 1 medium spaghetti squash (2 1/2 to 3 pounds)
- 1 cup broccoli florets
- 2 cups 2% milk
- 1 clove garlic, smashed
- 4 ounces Neufchatel cheese (or 1/3 less fat cream cheese)
- 1/4 cup grated Parmesan
- 1 1/2 cups shredded mozzarella
- 1/4 cup Greek yogurt
- Kosher salt and freshly ground black pepper
- 2 cooked chicken breasts, diced (use rotisserie chicken for a shortcut)



Directions

1. Preheat the oven to 400 degrees F.
2. With a sharp knife, carefully cut about four 1/2-inch slits in the squash to allow steam to escape while it cooks. Put the squash on a baking sheet and roast for about 1 1/2 hours. Let the squash cool for about 20 minutes on the baking sheet.
3. Meanwhile, bring a pot of water to a boil and prepare an ice water bath. Blanch the broccoli briefly in the boiling water then transfer to the ice bath to cool. Drain and set aside.
4. Cut the squash in half lengthwise and use a spoon to scoop out the seeds. With a large fork, pull the squash fibers away from the outer peel (use a towel to hold the squash in place if necessary). Reserve the squash and the outer peel.
5. Preheat the broiler.
6. Put the milk and garlic in a saucepan over medium-high heat and heat until it just begins to simmer, about 3 minutes. Reduce the heat to medium, add the Neufchatel cheese, Parmesan and 1 cup of the mozzarella and stir until melted. Turn off the heat, stir in the yogurt and season with salt and pepper. Remove the garlic. Add the squash, chicken and broccoli and toss to coat. Divide the mixture between the reserved squash peels. Top with the remaining 1/2 cup mozzarella.
7. Place the stuffed squash onto a baking sheet and broil until the cheese is melted and bubbly, a few minutes.

Recipe courtesy of Katie Lee



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**Can My Workers' Compensation
Claim Be Denied?**



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What's Happening In & Around Van Nuys & Southern California

Feb 16
KISS
LA Forum
Inglewood, CA

Feb 23
Jefferson Starship
The Rose
Pasadena, CA

Feb 23
Sweet Lou's 4th Annual BBQ Winter
Blues Spotlight
Long Beach POA Park
Long Beach, CA

Feb 28
Frankie Valli & The Four Seasons
Saban Theatre
Beverly Hills, CA

Mar 2
Wilson Phillips
Saban Theatre
Beverly Hills, CA

Mar 2
Awesome 80s Run
Rose Bowl Stadium
Pasadena, CA

Mar 3 – 4
Dana Point Festival of Whales
Parks and Recreation Department
Downey, CA

Mar 8
The Spinners
The Rose
Pasadena, CA

Mar 9
Gordon Lightfoot
Saban Theatre
Beverly Hills, CA

Mar 10
Justin Timberlake
Staples Center
Los Angeles, CA

