

February 17, 2026

Larry Trimble, Attorney at Law

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RE: Workers' Compensation Claim — Steve Kaminczak

DWC Claim #:	25218944
Carrier Claim #:	25F30M590202
Carrier:	CCMSI (HISD self-insured)
Date of Injury:	January 30, 2025
BRG Hearing:	February 26, 2026 — 10:45 AM CT
Employee ID:	00139923

Dear Mr. Trimble,

Thank you for agreeing to represent me in this workers' compensation claim. This packet contains the organized evidence supporting my case for the continued BRC hearing scheduled February 26, 2026. I have assembled this material to make your review as efficient as possible.

Summary of Claim

On January 30, 2025, I fell during a fire drill at Westbury High School after tripping on a bunched-up floor mat near exit doors. The school nurse examined me but HISD filed no incident report, no DWC-1, and never informed me of my workers' compensation rights. I continued teaching for approximately five weeks with an untreated compression fracture until I collapsed at work on March 2, 2025 and was admitted to Memorial Hermann TMC.

Core Legal Theory: Aggravation of Pre-Existing Condition

I had a stable, pre-existing L5 compression fracture documented on a December 23, 2024 MRI (ordered by Dr. Khouri for routine osteomyelitis monitoring, not back injury evaluation). That baseline scan showed 20% vertebral height loss, maintained lordosis, and critically: **no retrolisthesis and no bone marrow edema**.

The March 3, 2025 MRI — taken 32 days after the fall — shows **new bone marrow edema at L5** (an acute injury marker), **new retrolisthesis at L3-L4**, and fracture progression to 30% height loss. Memorial Hermann coded this as M48.56XA — the 'initial encounter' modifier indicating a new injury event. These acute findings appeared within a 38-day window bracketed by the two MRI scans, with the workplace fall as the only intervening trauma. Under Texas's 'eggshell skull' rule, the carrier is responsible for the worsening caused by the work incident regardless of pre-existing conditions.

Carrier's Defense and Its Weakness

CCMSI's denial relies on a December 2020 CT scan to argue all findings are pre-existing. They have not addressed the December 2024 baseline MRI — which is four years newer and directly contradicts their position. They cannot explain how acute bone marrow edema, absent 38 days before the fall, appeared 32 days after it without an intervening traumatic event.

Key Evidence in This Packet

- **Section 03 — MRI Comparison (Critical):** Side-by-side analysis of the Dec 2024 baseline vs. March 2025 post-fall MRI, demonstrating the 38-day window of acute changes.
- **Section 08 — Rodriguez Causation Letter (Signed 2/13/26):** Dr. Julio Rodriguez's signed medical opinion connecting the January 30 fall to the acute MRI findings, with focus on bone marrow edema as proof of acute injury.
- **Section 06 — Dewart Witness Statement:** Third-party email to HISD administration confirming the fall, fire drill, date, cause (bunched floor mat), and HISD's failure to respond.
- **Section 02 — Timeline + 5-Week Gap:** Documented employer failures including no DWC-1 filing, no incident report, and no WC rights notification despite nurse examination on day of fall.
- **Section 09 — BRC Rebuttal Prep:** Eleven anticipated carrier arguments with documented counter-responses and evidence citations.
- **Feb 2026 MRI Analysis:** New imaging confirms structural damage persists at 13 months. Absence of acute findings at this stage is expected and does not undermine the March 2025 acute findings.

Important Note: Medical Records Error

Section 10 documents an error in the Memorial Hermann records by Dr. Shah, who misheard a statement and documented 'OxyContin from the street.' This is false — my drug screens from January 24 and August 26, 2025 are both negative for illicit opiates. The only opiates in my system during the March hospitalization were hospital-administered. I want you to be aware of this before it surfaces, as the carrier may attempt to use it to attack credibility.

What I Need From You

Your representation at the continued BRC hearing on February 26, 2026. The evidence package is organized for quick reference during the hearing — Section 09 contains ready-to-use rebuttals for the most likely carrier arguments. The online evidence portal (password: claim number) provides searchable access to all materials.

I am available at 979-436-5969 or kaminczak@gmail.com for any questions.

Respectfully,

Steve Kaminczak

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