

**COMPROMISE AND RELEASE CONTINUATION SHEET
CHARACTERIZATION OF SETTLEMENT PROCEEDS**

APPLICANT: _____
DEFENDANT: _____
CASE NO.: _____

The parties agree that the total amount of the this Compromise and Release was based upon the following allocation.

- A. Total amount of Compromise and Release is \$ _____
- B. Included in the total amount of the Compromise and Release is an amount owed to Applicant for unpaid temporary disability, penalties, vocational rehabilitation maintenance allowance and vocational rehabilitation benefits presently due in the amount of \$ _____
- C. Included in the Compromise and Release is a sum that is the value of future medical care as recommended for only those body parts indicated in Compromise and Release as follows:
 - 1. Hospital care (A) _____
 - 2. Skilled Nursing Facility (A) _____
 - 3 Home Health Care (A)(B) _____
 - 4. Doctors & surgical (B) _____
 - 5. Durable medical equipment (A)(B) _____
 - 6. Outpatient Services (B) _____
 - 7. Physical & other therapies _____
 - 8. Medication _____
 - 9. Attendant care _____
 - 10. Home modifications _____
 - 11. Pain management _____
 - 12. Transportation _____
- D. Included in the total amount of the Compromise and Release is an attorney fee of \$ _____
- E. Included in the total amount of the Compromise and Release is the present value of payments for Permanent Disability in the amount of : \$ _____ after considering apportionment to nonindustrial factors. This sum is being paid to Applicant due to a life long permanent disability that will interfere with Applicant's ability to engaged in gainful employment for the remains of his/her life.
This sum is being paid to Applicant in a lump sum based upon a life expectancy of: _____ years and payments at the rate of \$ _____ per week beginning _____ (starting date)

Applicant understands that the Social Security Administration (SSA) is not bound by the provisions set forth in this Compromise and Release regarding allocation of funds. SSA may withhold payment of medical claims under Medicare until the Applicant has paid the equivalent of the sum allocated for future medical care as set forth above. Additionally, SSA may apply credit against funds allocated to permanent disability per their own formula, or consider those sums in the calculation of assets. Further, Applicant understands that there is no combination of words that has proven universally acceptable to SSA in reducing their claim for credit, but varies from office to office of the Social Security Administration.

Applicant acknowledges the possible consequences of this Compromise and Release upon social security, Medicare and Medical benefits and has fully discussed this with applicant's attorney. Applicant is advised to seek or has sought the advice of a social security attorney or of the Social Security Administration.

The specific characterization of the settlement proceeds in this matter, as set forth above, are an essential element of the Compromise and Release. It is specifically requested that the Workers' Compensation Judge approving this Compromise and Release make a specific finding in the Order Approving as to the characterization of the benefits set forth in this Compromise and Release Continuation.

Date: _____
Applicant

Date: _____
Attorney for Applicant

Date: _____
Defendant

WORKERS' COMPENSATION APPEALS BOARD
STATE OF CALIFORNIA

<p><i>Applicant,</i></p> <p>vs.</p> <p><i>Defendants.</i></p>

Case No. _____

**FURTHER ORDER APPROVING
COMPROMISE AND RELEASE**

IT IS ORDERED THAT the terms of the Compromise and Release agreement are incorporated into the Order Approving the Compromise and Release.

IT IS FURTHER ORDERED THAT that the following findings are made:

A. Total amount of Compromise and Release is \$ _____

B. Included in the total amount of the Compromise and Release is an amount owed to Applicant for unpaid temporary disability, penalties, vocational rehabilitation maintenance allowance and vocational rehabilitation benefits presently due in the amount of \$ _____

C. Included in the Compromise and Release is a sum that is the value of future medical care as recommended for only those body parts indicated in Compromise and Release as follows:

- | | |
|---|-------------------------------------|
| 1. Hospital care (A) _____ | 7. Physical & other therapies _____ |
| 2. Skilled Nursing Facility (A) _____ | 8. Medication _____ |
| 3. Home Health Care (A) (B) _____ | 9. Attendant care _____ |
| 4. Doctors & surgical (B) _____ | 10. Home modifications _____ |
| 5. Durable medical equipment (A)(B) _____ | 11. Pain management _____ |
| 6. Outpatient Services (B) _____ | 12. Transportation _____ |

D. Included in the total amount of the Compromise and Release is an attorney fee of \$ _____

E. Included in the total amount of the Compromise and Release is the present value of payments for Permanent Disability in the amount of : \$ _____ after considering apportionment to nonindustrial factors. This sum is being paid to Applicant due to a life long permanent disability that will interfere with Applicant's ability to engaged in gainful employment for the remains of his/her life.

This sum is being paid to Applicant in a lump sum based upon a life expectancy of: _____ years and payments at the rate of \$ _____ per week beginning _____ (starting date)

Dated: _____

Workers Compensation Judge