

A Ghost on the Day of Remembrance

By Kristin Noreen

Today we remember bicyclists and pedestrians who lost their lives to drivers of cars. Today is a hard day for me, because I lost my life to a driver, but I'm still alive to tell about it. I was made a ghost, and today I feel like painting my skin white and standing on the side of Hannegan Road where 23-year-old "Jack" took my life.

At first it didn't seem like I'd become a ghost; I felt more alive than I ever had, hyper-aware of the donated blood running through my veins and the air in my reinflated lungs. According the ABC rule of first aid, I should have been taken out by all 3 of the big causes of death. Airway—my lungs collapsed on impact; all my ribs broke from the force as I flew off my bike and into the car. Bleeding—my radial artery was severed when my hand was torn nearly free of my body. People commit suicide that way. Circulation—my carotid artery collapsed on impact and triggered a stroke 23 minutes later, just as I arrived in the ER. I was lucky that the trauma surgeon team agreed to push TPA (the Clotbuster) even though there were no relatives available to give consent. Thanks to that judgment call, I had enough brain left over to recover.

Like any American would, I assumed I was going to be financially set for life after I left the hospital. After all, spilling hot coffee in your crotch is worth \$8 million here, what do you get for a permanently maimed hand, a shattered arm, and a brain injury?

You won't understand this lesson in insurance law; I still don't fully understand it 7 years later. It doesn't make sense and it isn't right. It turns out that when you buy the state minimum car insurance, like Progressive and Geico are forever urging us to do, there are limits to how much the policy pays out. My medical bills were over \$1 million, and Jack's policy paid a good portion of it before my real-grownup policy kicked in. That was also quickly exhausted, and my health insurance took over. I was on the last month of COBRA coverage after being downsized from my job in 2009, and a local insurance broker was kind enough to come to the hospital and get me transitioned onto a Group Health policy. When I left the hospital to begin outpatient rehab, I owed \$60,000 and got all but \$9,000 covered by a charity. As for compensation for pain and suffering, disability, and loss of income, I was limited to \$50,000 from each policy, and the attorney took a third of that. That is it--\$66,000, and the hospital took \$9,000 off the top. That was just enough to level out my income for the following year working very part-time, and pay approximately \$500 a month in ongoing medical bills (after insurance), then I was broke again.

If I had been hit by a rich person in a Jaguar, I'd have had a different outcome. It's not about what you deserve; it's about how much the person who hit you has. If you are poor and you do more damage than you're insured to cover, you walk away free. I urged my attorney to seize the guy's family business, but neither he nor the insurance company would have anything to do with that. They can get jobs and move on. I'm the one who has to face a lifetime of limited earning potential. I'm the one who has to be on painkillers, probably for the rest of my life. I'm stuck paying for the spinal surgery I'm told I will probably need within 5 years. I get to live with spinal and shoulder pain, and permanent numbness in my right hand. Washington is one of only two states without a fund to compensate victims of underinsured drivers.

The problem with the insurance limitation is, I don't believe for a second that I'd have walked free if the tables were turned. I don't believe I could lay waste to another person's life like that, however accidentally, and not have to pay for my mistakes. Somehow they would nail me to the wall. Jack got a new truck to replace the car he wrecked in the crash. I say if he didn't have enough insurance to

compensate me, they should have taken all the benefits he had coming and given them to me. Not very Progressive at all.

I left the hospital with loads of painkillers. I was able to resume work from home on a project I'd been in the middle of when I was hit, typing with one hand. For about 8 months I did all right, attending meetings and working 2 half-days on, 1 off, until my doctor got serious about ramping down my pain meds. Every time I tried a new part-time job, I wasn't able to do it without greatly increasing my pain medication and that was a deal breaker. Basically, the only way I can work is by submitting to addiction.

This doesn't cut any ice with the Social Security Administration. They have denied me disability benefits twice now, and I'm in appeals yet again. When you don't get SSDI (disability income), you also can't receive food aid without attending a one-size-fits-all job training program or going to Department of Vocational Rehabilitation, which surprisingly has no home-based job connections, and is not prepared to help professional-level people at all unless they are willing to become cashiers at the Dollar Store.

Also, when you don't receive SSDI, you can't declare any withdrawal you make on your retirement as personal support for disability, it's taxed and penalized in full. You can't get early Medicare or state subsidized health insurance. The decision of one agency can relegate you to the margins everywhere.

In 2015 I filed bankruptcy because my ongoing care bills had once again reached \$45,000 and the charity that helped me out the first time wouldn't do it again. Why, you ask, didn't I work out a payment plan with each provider? In the credit card age, providers don't do that anymore. With most of them, charging is your only option. While awaiting my court hearing, I needed follow-up care for my bionic arm—the one with the metal rod and 8 screws that are never coming out. I was told I couldn't have an appointment; I was banned from my surgeon's practice for nonpayment of a \$125 bill. I sent them a check and was told I was still banned. I found the surgeon's home address and wrote to him there. He was furious to find this out and had me re-admitted to the practice, but now I can only make an appointment if I pay up front. So much for my status as Recovery Rock Star.

It's not a total downer; I am insanely grateful to be alive at all. I've gotten back on my bike and resumed the long-distance bike touring I love so much. It's different from before; there's no camping out, I have to have a proper bed every night. Many bike tourists would derisively call me a "credit card camper." I used to ride up to 100 miles in a day, now my maximum is 45 and I try to schedule less than 40 per day. It means spending a lot more time at my night stops than I used to, and I fill the time by socializing with the locals and actually seeing the towns I'm passing through. I like it better this way. I would just like to think I had a choice.

After my crash and initial recovery, I wrote a book, On Silver Wings: A Life Reconstructed. I released it at just the right time, when I was starting to establish a new normal and hadn't realized yet how expensive it was going to be. The opening quote is telling, though, from Nurse Jackie—*"Take it easy with the new lease on life. That shit's hard to maintain."* Fans of my book might be disappointed to read this follow-up story today, and I'm disappointed too. Disappointed in my state for having a stupidly low minimum car insurance requirement without a fund to compensate victims of underinsured drivers. Disappointed in the current administration for tightening disability rules to the point where someone with a severe degloving injury could be rejected for SSDI. Disappointed in the lack of a single point of contact to find out what help is available to me. Disappointed in "Jack" for hiding behind his lawyers and never manning up.

The Japanese concept of the hungry ghost is very real to me now. On this Day of Remembrance, please don't forget those who survived, only to find themselves invisible and wandering a changed world.