

MARZZACCO
NIVEN & ASSOCIATES
INJURY LAW

Turn to Us

Winter 2022



Pennsylvania's Top Rated Disability & Injury Lawyers



Our clients, colleagues, referring counsel, and business partners are the foundation of our success. It is my pleasure during this holiday season to say "thank you" on behalf of me and the entire family here at Marzzacco Niven & Associates. We wish all of you happiness, success and good fortune.

Happy Holidays!

Chris Marzzacco
Owner



It has been said that life has treated me harshly; and sometimes I have complained in my heart because many pleasures of human experience have been withheld from me...if much has been denied me, much, very much, has been given me...

Helen Keller

Did You Know?

Social Security and Supplemental Security Income **benefits for approximately 70 million Americans will increase by 8.7% in 2023**



TOP 10: COMMON MYTHS ABOUT SOCIAL SECURITY

1. Social Security is just for the retired and disabled.
2. There's a Social Security account with your name on it.
3. Young people won't see a dime from Social Security.
4. Stay-at-home parents won't see a dime from Social Security.
5. Divorced spouses won't see any of their ex-spouse's benefits.
6. Your benefits are based on your most recent salary years.
7. The value of your benefits will be worth less because of inflation.
8. You should collect Social Security as soon as you're eligible at 62.
9. You can't collect Social Security until you stop working.
10. Social Security benefits are fully taxable or tax-free.

A Vocational Expert & Your Hearing:

Understanding the Impact on Your Case

If your case is not resolved in your favor during the pre-hearing case reviews, the Administrative Law Judge (ALJ) will notify you or your representative of the date, time, and place of your hearing. The ALJ will have a vocational expert (VE) attend your hearing to testify about your work abilities.

What are Vocational Experts (VE)?

VEs are people with vocational expertise who evaluate your residual functional capacity rating, meaning what the Social Security Administration (SSA) thinks you are physically or mentally capable of doing despite the limitations from your impairments and related symptoms.

VEs conduct these evaluations to determine if there are jobs you can do, including past relevant jobs and jobs in the national economy. The ALJ will ask the VE about the types of jobs you could do, given your impairments. An example of the types of questions an ALJ might ask is: *"Assume that I find that the claimant can sit for up to three hours at a time, stand or walk for no more than three hours, and lift up to ten pounds. Can they engage in their past work? If not, can they transfer any skills to perform other skilled or semiskilled work?"*

In their responses, VEs refer to the federal government's Dictionary of Occupational Titles (DOT), which describes the physical and mental requirements of various kinds of work.

The Impact on Your Case

Because a VE reviews your file and offers an opinion about your job capabilities, the VE is subject to cross-examination. This means you or your authorized representative will have the chance to question the VE as well. To respond in your cross examination, "but I can't do any of those jobs," is not an appropriate way to address the VE's responses. Cross-examining the VE must be done strategically to ensure that a VE responds with a finding that there are no jobs that you could do because of your limitations.

What You Can Do To Ensure Success

Hiring an experienced Social Security attorney is critical to navigating the hearing process, including preparing for the Judge's questions and cross-examining a VE. An experienced Harrisburg Social Security disability lawyer at Marzzacco Niven & Associates can help you fight for the fair disability benefits you deserve.

Feel free to call us and schedule a free consultation to address any questions you may have at (717) 923-5146.



MAKE SURE YOU'LL BE HOME SAFE FOR THE HOLIDAYS... TIPS FOR SAFE DRIVING IN WINTER WEATHER

Traveling during the holiday season? Driving in the winter can be dangerous with its unpredictable weather. Marzzacco Injury Law wants to keep you and your family safe on your journey.

Use these tips for safe driving in winter weather to avoid a crash during the holiday season.

Remove All Snow and Ice from Your Car. Taking this step will protect you. Make sure you always have an unobstructed view of the roadway in all directions. It will also protect other drivers from flying snow or ice that could cause a crash.

Slow Down! Give yourself plenty of distance between the vehicles in front of you to allow yourself room to stop.

Minimize Distractions. Put down your phone and resist the urge to change the radio station. Always be aware of your surroundings and protect yourself from those who might not be practicing the same safe driving principles.

Don't Use Cruise Control. Winter weather conditions can cause you to lose control of your vehicle when driving in cruise control because the system may not be able to react as quickly as you can if you feel a loss in traction.

Invest in New Wiper Blades. You'll want to make sure you can see through the windshield clearly and without any streaks.

Check Tire Pressure and Tread. Replace your tires before winter if the tread looks low and always be sure that each tire is properly inflated.

Plan Your Route. Check your local weather before heading out. Familiarize yourself with directions and maps and give yourself plenty of time to get to your destination.

Pump the Brakes! Don't slam on the brakes -- this will only cause you to slide. Instead, begin pumping your brakes. If you start losing traction, this will help you to regain traction and avoid your brakes from locking.

Fishtailing? Counter Steer. If you begin to feel the back of your vehicle losing traction and swaying back and forth, remember to take your foot off the brake and steer in the same direction the back of your car is going.

Stay Home. When in doubt, it's best to stay home and only go out if necessary.

We wish you the safest holiday season. If the unexpected happens this winter, we'll be here to help. Contact our law firm for a free legal consultation.

Happy Holidays and safe travels!

MORE THAN A MATTER OF TIME

Time is of the essence when it comes to workers' compensation matters in Pennsylvania. Did you know if you sustain a work injury in Pennsylvania or become aware that a medical condition is work-related, then you have 120 days to report your injury to your employer and their workers' compensation insurance carrier? The workers' compensation insurance carrier has 21 days from the initial report to accept or deny the reported injury. Here's a few ways you may miss out on entitled benefits:

If your injury is not reported within 120 days of when you know your injury occurred, then you may be barred from entitled benefits.

If denied, you have 3 years from the date of injury to file a Claim Petition otherwise, the claim will be time-barred under the statute of limitations.

If your claim is accepted by your employer's workers' compensation insurance carrier, the carrier can accept the claim temporarily for 90 days. At the end of the 90 days the carrier can still potentially issue a denial, at which point the injured worker again only has 3-years from their date of injury to file a claim petition.

The workers' compensation claim process can be intricate and nuanced to navigate on your own. This process comes with higher risk of error when filing, which may also delay your benefits. That's why it is always crucial to consult with a skilled workers' compensation attorney to ensure you are not sleeping on your potential rights. Here are more intricacies to consider that may affect your potential entitled benefits:

If your claim is accepted by the workers' compensation insurance carrier, you are required to treat with the carrier's physicians, called panel providers, for the first 90 days of your claim, unless you are permitted to treat elsewhere. At

the end of the 90 days, you are free to treat with a doctor of your own choice, but must still notify the carrier of where and with whom you are seeking treatment.

Assuming that your claim is denied, or if your claim is ignored in the allotted time, and you file a Claim Petition then the workers' compensation insurance carrier has 20 days to file an Answer as to why your claim was denied or no action was taken. If the workers' compensation insurance carrier fails to file an Answer within 20 days of the date of the filing of your Claim Petition, then you are free to make a motion to have their Claim granted. However, the workers' compensation judge to whom your claim has been assigned has the final say to grant or deny. It is possible that even if the Judge grants your motion that your injury is work-related, you are only entitled to wage loss benefits from the date of injury up until the carrier has filed or will file their late Answer. The workers' compensation carrier is then free to challenge any potential ongoing wage loss, although they would still be responsible for on-going medical benefits.

It can feel like an overwhelming fight for your entitled benefits. That's why having an attorney with results is crucial, because time isn't just a matter of the essence -- time is a matter of securing workers' compensation benefits that you need to live. Our team is here to fight for you, [learn more about our worker's compensation success.](#)



Fresh Sufganiyot Recipe

Brought to you by our very own Jesse Rhodeside, Workers' Comp Attorney *This is a traditional Chanukah dessert that is a lot like a fancy jelly donut.* [SOURCE](#)



INGREDIENTS

YIELDS 12 DOUGHNUTS

- ¼ cup lukewarm milk or water
- 1 teaspoon dry yeast
- 3 tablespoons sugar
- 2 eggs - 1 whole egg plus 1 egg yolk
- 3 tablespoons sour cream or vegetable oil
- ¼ teaspoon salt
- ¼ teaspoon vanilla extract
- Freshly grated zest of ½ orange
- 1 cups flour, *more as needed*
- ½ cup thick raspberry or strawberry jam
- Vegetable oil for deep-frying
- Confectioners' sugar for dusting

INSTRUCTIONS

Place milk or water in a small bowl. Sprinkle yeast and 1 teaspoon of sugar over the milk. Set aside until frothy or about 10 minutes.

In a mixer, preferably with paddle attachment, beat remaining sugar with egg and egg yolk. Add sour cream, salt, vanilla extract, orange zest and yeast mixture, and mix well.

With the mixer running, gradually add flour. Mix until dough is soft, smooth and elastic, adding flour if dough seems very sticky, 3 to 5 minutes. Do not add more than an additional 3 tablespoons of flour (dough will be somewhat sticky, but will firm up in the refrigerator).

Place dough in an oiled bowl, cover, and refrigerate at least 4 hours or overnight.

On a floured surface, roll out dough to ½ inch thickness.

Use a biscuit or a cookie cutter to cut out 2-inch rounds, placing them on a parchment-lined baking sheet. Reroll the scraps and repeat. Let rise in a warm place for 30 minutes.

In a heavy pot, heat 3 inches of oil to 365 degrees.

Working in small batches at a time, fry doughnuts until golden brown, turning over only once. Let oil come back to 365 degrees between batches.

Drain on paper towels and dust with sugar while still warm.

Fill a pastry bag, fit with a small round tip, with jam into the bag.

When doughnuts are cool enough to handle, use the tip of the pastry bag (or the pointed tip of a serrated knife) to make a hole in the bottom of the doughnut.

Squeeze or use a small spoon to nudge ½ teaspoon jam into hole. Repeat with remaining doughnuts.

Dust again with powdered sugar. And serve!

EMPLOYEE SPOTLIGHT | GET TO KNOW KATIE HEIKES

WHAT DO YOU LIKE MOST ABOUT THE FIRM?

I really like the environment. We have a great group of attorneys and support staff who all get along and enjoy each other's company.

WHAT IS YOUR POSITION?

I am a Social Security Disability Paralegal

HOW LONG HAVE YOU WORKED HERE?

Six years and counting!

WHAT TV SHOW/MOVIE ARE YOU ASHAMED TO ADMIT YOU LOVE?

Dude, Where's My Car?

WHAT IS YOUR FAVORITE SPORT/SPORTS TEAM?

Baltimore Ravens!

WHAT IS THE ONE THING YOU CAN'T LIVE WITHOUT?

Music, definitely.

WHAT IS THE LAST JOKE YOU RECALL?

My dad likes to tell "dad jokes" almost every day in our family group text. The last one was: *Where do you go for a peekaboo injury?* ...the ICU

WHAT IS THE WORST THING YOU DID AS A KID?

When my sister and I were probably 5 and 6, we were home with my dad who was sleeping. We called 911 over and over again on our house phone and hung up every time we dialed. The police showed up at our house and we had to wake my dad and tell him what we did. He was not a happy camper and we were in big trouble!





KEEP SANTA HEALTHY THIS HOLIDAY SEASON.... AND MAKE SURE YOUR HEALTH IS ON THE NICE LIST!

SLEEP

Naughty: Working long hours and sleeping less can turn jolly St. Nick grouchy and even lead to heart disease.

Nice: Sneaking in a nap, even 20-30 minutes, or getting a full night's sleep can improve mood alertness, and performance.

STRESS

Naughty: Checking a list twice is stressful work when you add North Pole decorating and gift building. That stress puts Santa at risk for things like asthma and digestive problems.

Nice: Take 15-20 minutes to quietly reflect daily with meditation. Avoid alcohol and be sure to exercise regularly.

WEIGHT GAIN

Naughty: A diet of cookies, milk, and hot cocoa is bound to take a toll. Santa has battled pre-diabetes for years and has gained about 1-2 pounds each holiday season (same as the average person).

Nice: Focus on portion control and pack healthful snacks when traveling to avoid hunger cravings.

INACTIVITY

Naughty: Santa sits a ton, whether at his workshop, in a mall, or on his sleigh. Sitting too much can lead to obesity and diabetes.

Nice: Sneak in time on your feet. Take a daily 30-minute walk and 10-minute breaks to stand and stretch every hour.