

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 2008-23

No. 186

AN ORDINANCE RELATING TO ARTICLE IV, CHAPTER 17, SECTION 17-189(5) OF THE CODE OF ORDINANCES.

Approved APRIL 25, 2008

Be it ordained by the City of Providence:

SECTION 1. Notwithstanding the language of Section 17-189(5) of the Code of Ordinances which provides that the application to accomplish such [accidental disability] retirement must be filed within eighteen (18) months of the date of the accident," the Retirement Board of the City of Providence, may consider and act upon the accidental disability retirement application of John Mastroianni, even though more than eighteen (18) months have passed since the date of the accident which is the averred proximate cause of the above-named applicant for a disability retirement allowance.

SECTION 2. Said application shall be subject to and considered in accordance with all other applicable ordinances, regulations, standards and practices relating to accidental disability retirement applications.

SECTION 3. This Ordinance shall take effect upon its passage..

IN CITY COUNCIL
APR 3 2008
FIRST READING
READ AND PASSED

Ann M. Steln CLERK

IN CITY
COUNCIL
APR 17 2008
FINAL READING
READ AND PASSED

Richard J. Mancini PRESIDENT
Ann M. Steln CLERK

APPROVED

[Signature]

MAYOR

4/25/08

THE COMPTROLLER
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March 27, 2008

Dear Chairman Iglizzi and members of the Finance Committee:

I am writing to you relative to my request for a waiver of the 18-month Disability Rule, and why I wasn't able to apply for it in a timely manner.

I was first injured on May 10, 2005, when I stepped off the back of my trailer and severely injured my right knee. I was taken to Rhode Island Hospital by ambulance where I was told that I probably had just had a sprain or some pulled ligaments, but was told it would be in my best interest to see my orthopedic physician. So, I went to see Dr. Robert Buonanno, who sent me for an MRI of my knee on May 11, 2005, which revealed extensive damage. It was determined that I had a complete tear of my ACL, a slight tear of my MCL and chipped bone. This sort of injury not being Dr. Buonanno's specialty, he referred me to his partner Dr. David Moss, who then said I would need surgery to repair the knee but that there was a problem. My knee was so badly injured that I needed to go to therapy before I was able to get the surgery because if he had performed the surgery on my knee, as bad as it was, there would be a chance that I wouldn't be able to walk normally. So, I was in therapy for about six or seven months and it was determined in January of 2006 that I would be able to receive the surgery, which was then scheduled for June 6, 2006. The surgery was performed on said date thirteen months after the date of injury. I was then sent back to therapy, which I had for the next several months to rehabilitate my knee.

One of the main reasons that I didn't apply for disability in a timely manner was partly because I always thought that I would be able to return to my job as a Heavy Equipment Operator for the Parks Department but because of the extensive damage to my knee that even with the surgery it has been determined by my physician that I would be unable to perform the duties of my job. Also, I was not aware at the time of my injury of the 18-month Rule contained in the Retirement Ordinance.

If there is any additional information that this Committee needs please feel free to contact me at 474-6125 and I will be happy to provide you with anything you may need to know.

Sincerely,


John Mastroianni