

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NUMBER F407957

SHEILA HILL, EMPLOYEE

CLAIMANT

WHITE RIVER HEALTH SYSTEMS, INC., EMPLOYER

RESPONDENT

RISK MANAGEMENT RESOURCES, CARRIER/TPA

RESPONDENT

OPINION FILED OCTOBER 5, 2005

A hearing in this case was conducted on July 8, 2005, before ADMINISTRATIVE LAW JUDGE D. FRANKLIN AREY, III, at Batesville, Independence County, Arkansas.

Claimant was represented by Frederick Spencer, Attorney at Law, Mountain Home, Arkansas.

Respondents were represented by Bill H. Walmsley, Attorney at Law, Batesville, Arkansas.

STATEMENT OF THE CASE

_____A prehearing telephone conference was held in this claim on March 22, 2005; a Prehearing Order was filed on that same date. A copy of the Prehearing Order was admitted into the record as State's Exhibit #1.

The parties agreed to four stipulations. Three of these stipulations are found in the Prehearing Order, and were confirmed at the hearing; the fourth stipulation was agreed upon at the hearing. The following stipulations are hereby accepted.

1. The employee-employer relationship existed on April 29, 2004 and at all other relevant times.
2. Respondents controvert this claim in its entirety.
3. Claimant's alleged right knee and feet injuries are scheduled injuries.

4. Claimant's rate of pay was \$11.94 per hour.

At the July 8, 2005 hearing, the parties discussed the issues set forth in the Prehearing Order. The parties agreed that the issues to be litigated and resolved are limited to the following:

1. Whether Claimant sustained compensable injuries to her right knee and both feet on April 29, 2004.

2. Whether Claimant was performing employment services at the time of her alleged injury on April 29, 2004.

3. Whether Claimant has RSD, and if so, whether her RSD is a compensable consequence of her alleged injuries to her right knee and both feet.

4. What is Claimant's average weekly wage?

5. Whether Claimant is entitled to reasonably necessary medical benefits.

6. Whether Claimant is entitled to temporary total disability benefits.

7. Whether Claimant is entitled to an attorney's fee.

Claimant contends that she sustained a compensable specific incident injury on April 29, 2004, when she tripped on a stair at her place of employment. She contends that she injured both feet and her right knee; she also contends that she later sustained reflex sympathetic dystrophy in her right lower extremity, and that it is a compensable consequence of her April 29, 2004 accident. She seeks medical and temporary total disability benefits, as well as an attorney's fee.

Respondents question Claimant's credibility. They argue that the incident never occurred; if it did, they further argue that Claimant was not performing employment services at the time.

DISCUSSION

A. Compensability

Claimant worked as an LPN for the Respondent employer. She testified that on April 29, 2004, she was walking up a stairwell, returning to her station on the fourth floor. She was carrying a pair of medical administration records (MARs), “one MARs for Bridget Carlton” and one of her own, and a container of vancomycin antibiotic that came from the hospital’s pharmacy. Claimant testified that she had received an emergency order for the antibiotic from a doctor, then “went straight to Jody” and told him it was an emergency order for a brand-new patient; the pharmacist gave her the antibiotic with no label. She agreed that this process is different from the normal procedure for obtaining medications.

As Claimant walked upstairs, she was accompanied by another LPN, Deborah Aikens, a friend who also worked on the fourth floor. She testified to an accident in the stairwell as she approached the fourth floor.

I had my MARs in my hand like this, my medication like this, I was walking up the stairway and Deborah was in front of me, and then we got almost to the very top, that second step from the landing, the landing then two steps down; as we got almost to the top, my foot got caught in the trim. The step was broke on this side and the trim was pulled across and when I went to go step up with my right foot, the trim caught my shoe and it just flipped me forward and then I fell onto her. I would have hit my face if she hadn’t’ve been there. And I kind of twisted my left foot and my right knee landed on the step in front of me and my face fell against her.

Claimant had an immediate onset of pain. She recalled seeing Michelle Bishop in the stairwell after getting up from her fall; she told Bishop to watch the broken step, and Bishop acknowledged the warning.

After returning to her floor, Claimant went to the floor’s secretary, Suzanne Pankey,

and reported her incident. She completed an occurrence report while Pankey entered the incident into the computer. After Claimant completed the occurrence report she left it on Pankey's desk.

Aikens testified on Claimant's behalf; she confirmed their friendship, and that she thinks very highly of Claimant. She recalled that she had to go to the lab while Claimant went to the pharmacy; both of these areas are on the first floor. Aikens met Claimant in the pharmacy, and they proceeded upstairs together. She testified: "There was a strip and she tripped and I was her buffer." She recalled that, on the step, "this flooring was loose and it was torn and that's what she tripped on." Aikens accompanied Claimant as she returned to the fourth floor, called maintenance, and completed an occurrence report. She observed Pankey putting in a work order on the computer about the stair; she stated that Claimant returned the occurrence report to Pankey.

On cross-examination, Aikens agreed that she and Claimant were very close friends. She explained that the MARs report is a list of medications that a patient would be receiving; it could be printed off a computer, and compared against a patient's chart to insure that the correct medications were being given. She acknowledged that Claimant could get her MARs off the computer on the fourth floor. Aikens also testified about Pyxis, a system for dispensing medication on each floor of the hospital. She testified that the antibiotic Claimant carried "has to be premixed downstairs [in the pharmacy] and it's not dispensed on our floor" from the Pyxis.

Claimant first sought medical treatment from Dr. Seth Barnes and from Dr. J. D. Allen. She recalled discussing the history of her fall with each doctor as they worked together on her floor in the hospital. She testified that she was under medication for a

good deal of time following her accident, so that her recollection was not good. However, she admitted that she worked for eleven and a half days after the accident, not under the influence of medication, from May 2, 2004 until her last date of work, June 4, 2004.

Dr. Barnes' first clinic note after Claimant's alleged incident is dated May 14, 2004. Under the heading "Subjective," he noted: "She complains of neuropathy in feet especially after working a 12-hour shift at the hospital. Pain is unbearable at times. She occasionally has mild edema in her ankles." There is no mention of Claimant's right knee. Dr. Barnes assessed possible neuropathy. A diagnostic report dated May 14, 2004 documents a study of Claimant's "Left Foot, 2 views"; a finding of "normal" is reported.

Dr. Allen's first note after Claimant's alleged incident is dated May 28, 2004. Under the heading "Case History" he recorded the following: "Pt is a 35 yo wf seen at this time [indecipherable] to P over the plantar surface of both feet (R is worse than L). Pt reports a gradual onset of P in B feet." Claimant complained of pain in the arches of both feet; there is no mention of her right knee.

Respondents' Exhibit #4 includes a form entitled "Certification of Health Care Provider"; while this form is undated, it is apparently attached to a family and medical leave form dated June 11, 2004. The certification form states that Claimant had "[s]evere pain in both feet especially [indecipherable] shifts with swelling. She was evaluated & found to have plantar fasciitis & fallen arches." The form notes "5/04" as the approximate date the condition commenced.

Respondent's Exhibit #7 is entitled "Statement of Disability"; it is dated June 21, 2004, and signed by Claimant. The Claimant's section of the form is marked to indicate that her claim is for an illness. The form notes that the illness is job related, but in a space

to report the “[d]ate of accident or first sign of illness,” no information is provided. Likewise, Claimant did not respond when asked “[i]f claim is for an accident, describe how and where accident occurred.” In the physician’s section of the form, one question asked “[i]f condition is due to accident, please give details of accident”; “N/A” is the response given. The “[d]ate symptoms first appeared or accident happened” is given, in the physician’s section, as “5/14/04.” Dr. Barnes signed the physician’s section.

Dr. Allen signed a clinic history form dated July 6, 2004; it notes that Claimant’s problem stems from a work accident, but does not give a history of her fall, list a date of accident, or mention her right knee. Claimant underwent an MRI of her right lower extremity on July 8, 2004; the resulting report noted “an osteochondral defect in the posterior aspect of the tibia.” Dr. Allen subsequently referred Claimant to Dr. Steven Kulik; he examined Claimant on July 21, 2004, and reported in a letter to Dr. Allen:

Even though her complaints are a little unusual, I feel that the pain in her posterolateral is probably related to an osteochondral injury or a possible bone injury in the posterolateral talar articular surface. These are almost secondary to trauma, and I feel strongly that this is secondary to her injury at work when she tripped on the stairs.

Dr. Kulik ultimately performed an arthroscopy and debridement on Claimant’s right ankle on August 27, 2004.

Claimant signed a Form N on July 24, 2004, shortly after her initial visit with Dr. Kulik; this form can be found at Respondent’s Exhibit #2. In the space to indicate the part of her body that was injured, Claimant wrote: “Both feet - most injury to right foot.” There is no mention of her right knee. She listed Aikens, Bishop, and Pankey as witnesses.

On July 27, 2004, Claimant gave a statement to an agent of the Respondent carrier; this statement is Respondent’s Exhibit #8. When asked where she was coming from as

she walked up the stairwell, Claimant replied: "I think it might've been the lab, I'm not really for sure." She reported an injury to both feet; she did not mention an injury to her knee. She claimed that she spoke to Michelle Bishop in the stairwell and warned her about the broken step, and that Bishop said "okay" as she was going down the stairs. She admitted that all of her medical bills had been filed under her group health policy.

Respondent's Exhibit #9 is entitled "WRHS Non-Patient Occurrence Report"; it is dated April 29, 2004 and was completed by Claimant. Claimant testified that this report was found by a woman who returned it to the Respondent employer; she allegedly called Claimant to report the find and what she'd done. Spaces at the bottom of the form to indicate "Date Entered Into Computer" and "Occurrence ID" are blank. The handwritten account of Claimant's incident is as follows:

Debra Aikens LPN and I left the lunchroom and went to pharmacy to pick up my MARs and [the antibiotic] for pt. As we were almost to 4th floor door I fell when my right foot got caught on a broken trim and I fell to my right knee. Work order called by me and Suzanne Pankey placed work order in computer.

Respondents' Exhibit #10 is Aikens' August 20, 2004 handwritten statement. The first part of this statement corroborates Claimant's testimony concerning the incident, completion of the occurrence report, and reporting the matter to maintenance. Aikens claims that Bishop "was coming out of 2nd (floor) as we were going up the staircase." She wrote: "I am not sure what time or if we were going to or from lunch or to or from a procedure." Aikens did not mention either the lab or the pharmacy.

Claimant was deposed on June 28, 2005; this deposition is Respondent's Exhibit #11. She testified that it was some time around October 14, 2004 before she concluded that her accident occurred on April 29, 2004; it was some time around the end of

September or October 2004 before she knew for certain that she was on her way back from the pharmacy when her accident occurred. She explained that Dr. Barnes and Dr. Allen already knew the history of her accident from hallway conversations prior to her clinic visits with them. She insisted that she left the occurrence report with Pankey, and believes that her former supervisor had something to do with its loss. Similarly, when asked about the fact that the work order she called in does not appear in the computer, she believes “[s]omebody has deleted it or something.”

Dr. Reginald Rutherford’s EMG report, dated December 15, 2004, can be found in Respondent’s Exhibit #1. On January 11, 2005, in a “To whom it may concern” letter, Dr. Rutherford wrote:

[Claimant] suffers from reflex sympathetic dystrophy right lower extremity. This is related to a fall with trauma to the common peroneal nerve. The RSD has been confirmed by triphasic bone scan. The RSD has resulted in severe limitation of function by virtue of intractable pain.

Dr. Rutherford recommended further treatment and opined that Claimant is unable to work.

Joseph “Jody” Smotherman is one of eight pharmacists on staff at the hospital. He appeared at the hearing with computerized drug distribution system records, and was questioned about the contents of those records.

Q. And on the date of April 29, were there any IVs of vancomycin issued for the 4th floor?

A. There was, there were no labels printed in the pharmacy for those that we would make as such.

Q. So in the pharmacy, you didn’t make any IVs of vancomycin for the 4th floor, right?

A. I didn’t make any, no, sir.

Q. Okay, all right. Now, how about on the 4th floor out of the Pyxis

machine, any IVs of vancomycin issued on April 29?

A. There were two for one patient.

...

Q. So the only two IVs of vancomycin issued for the 4th floor that day came out of the Pyxis machine on the 4th floor at 5:00 in the morning and 5:00 in the afternoon.

A. Yes, according to our records.

Smotherman further explained that Claimant's activity report for April 29 to April 30, 2004 does not indicate that she obtained an IV of vancomycin. Smotherman was examined regarding the significance of the absence of any labels:

ALJ: ... Did you mean there weren't labels generated for [the Claimant]?

...

A. Or the patient that would have, on the 4th floor there were no labels generated that day for vancomycin for any patient on the 4th floor. That means we would have made the preparation downstairs in the IV room, so we didn't generate any labels. And we have to generate labels everyday for where we can bill for it and obviously we're not going to generate a label for no reason or not generate one if we're going to dispense one.

ALJ: So again you're saying out of the pharmacy there were no labels generated for the 4th floor.

A. Yes.

ALJ: For any patient or for any nurse?

A. As best I can tell.

Smotherman insisted that, even for emergency orders, the pharmacy has to complete a label. While he agreed it's possible that Claimant could have obtained the antibiotic without a label being generated, Smotherman insisted that "we're instructed to generate labels every time we dispense something because if we don't generate that label, the patient's never billed." As to the specific antibiotic Claimant was carrying, Smotherman

further explained that “we have to keep tabs on everything that happens with them because pharmacy is responsible for that protocol.”

Michelle Bishop, a registered nurse employed at the hospital, testified that she recalled a broken step in the stairwell, but does not recall exactly when it was broken. As to whether she witnessed Claimant’s fall or spoke to Claimant immediately thereafter, she testified in part:

Q. Okay. Were you notified on April 29th, 2004 that Sheila Hill had injured herself?

A. I have no data to support that. I have no, I have no variance report, no documentation.

Q. Do you have any recollection?

A. And I cannot recall being notified of that.

Q. Okay. Do you recall even seeing her on the stair on April 29th, 2004?

A. I cannot recall that.

Q. If you had seen her fall on the stairs, what would you have done?

A. Well, I hope that I would have done like anyone would be to stop and help her, to fill out a variance report, and to offer to take her to the emergency room for treatment if she felt like she needed it. We offer that to all employees.

Q. Do you have any record or any recollection of having done that on April 29th, 2004 as it relates to Sheila Hill?

A. No, sir.

She conceded that if she had seen Claimant merely picking up papers in the stairway, that would not necessarily indicate to her that Claimant had been injured. As to Aikens’ August 20, 2004 statement, Bishop confirmed that Aikens would not have been able to physically see Bishop on the second floor stairwell entrance. Bishop recalled that Claimant called

once to tell Bishop about the injury: “Wanted to know if I remembered the incident and I told her then even as early as then that I did not, which was only a few months and I did not recall her falling.”

Suzanne Pankey was called to testify; at the time of the alleged incident, she was the fourth floor secretary. Although she couldn't be certain it was April 29, 2004, she recalled sitting at her desk when Claimant “came and told me about the accident, she asked me to put in a work order; I put in the work order and gave her a variance report.” Pankey recalled putting in a work order on her computer to fix the broken step. Pankey recalled Claimant complaining about her feet; however, Pankey could not recall whether she gave Claimant an occurrence report before or after Claimant's complaints began. After she gave Claimant the occurrence report, Pankey did not recall seeing it again.

Mary Brannon, a registered nurse who worked with Claimant, testified that after April 29, 2004, Claimant complained “with a lot of pain in her foot and difficulty walking on it.” She initially testified that prior to April 29, 2004, Claimant did not have this difficulty, but after that date, when Claimant told Brannon about her injury, Claimant had foot problems. Brannon later admitted that she was not working on April 29, 2004, and that she was not certain of the date: “I remember it was in April, the last part of April.”

Edward Hamilton performed maintenance and repair work for the Respondent employer in April of 2004. He testified concerning Respondents' Exhibit #3.

Q. First of all, did you find any record of a work order on April 29 to repair a defective step in the stairwell between the third and 4th floors of White River Medical Center?

A. Not on April 29th.

He admitted that there was some difficulty associated with the trim of the hospital's

stairwells in the first part of 2004. He also testified that there are thirteen people in the maintenance area, so that it is “possible” that he would not know about a particular problem. While it is possible to “un-do” something in the computer, Hamilton agreed that, to the best of his knowledge, no work order request appears in the computer for a defective fourth floor stairwell step for April 29, 2004.

Candy Wray testified; in April of 2004, she was a supervisor in charge of the nurses on the fourth floor. As far as Wray could remember, the first notice she had of Claimant’s alleged work injury is when Claimant called Wray on July 16, 2004, while Wray was in the hospital recovering from surgery.

Q. When she called you in the hospital and told you, did she tell you where she was coming from at the time she hurt herself?

A. I made notes after this conversation and in my notes I have in quotes that she said I think we were coming back from lunch.

Q. Okay. Did you tell her at that time if she was coming back from lunch it would not be covered by workers’ comp?

A. Yes, sir.

Q. And what was her response?

A. She simply stated, oh. It was a surprise.

After Wray learned of Claimant’s alleged injury, she looked through her records to see whether an occurrence report had been filed; she did not find one. She recalled that Claimant called her again on August 19, 2004, and stated that “we [Claimant and Aikens] were on lunch break and then had stopped by [the] lab” before returning to the floor. Wray testified that Claimant called again on September 28, 2004.

28th, she stated she wanted to revise a statement that she had made earlier when she stated that she was on lunch. She began by saying that originally

she stated she was on lunch break when she fell on the stairs and at that time I stopped her and told her I could not discuss this case with her, that I understood she had a lawyer and I had been informed not to discuss it.

...

... And I believe she went on to say that I was returning from lunch and had stopped by pharmacy and had medicines with me when I fell.

There is testimony in the record indicating that Wray may not have gotten along that well with her subordinates, including Claimant.

Bridget Carlton testified that on April 29, 2004, she worked as an LPN on the fourth floor with Claimant.

Q. But did you have any recollection of her falling on the stairwell that day?

A. None at all.

Q. Do you have any recollection on April 29th, 2004 of Sheila Hill going down to pharmacy and picking up a MARs and medication for you?

A. None at all.

Carlton conceded that she would not necessarily have been near Claimant on April 29, 2004, except perhaps passing her at the nurse's station.

Florence Grammar is the Respondent employer's human resources coordinator; one of her duties is to manage workers' compensation claims. She did not receive an occurrence report on Claimant's alleged incident until some time after September 20, 2004. On cross-examination, Grammar did recall a conversation (apparently in June of 2004) wherein she told Claimant that neuropathy or plantar fasciitis would not be covered by workers' compensation and that Claimant was to file for short-term disability.

Claimant must prove that she sustained a compensable injury as defined by Ark. Code Ann. § 11-9-102(4)(A)(i). Among other requirements, Claimant must prove that her

injury is one “arising out of and in the course of employment...” Id. “Arising out of the employment” refers to the origin or cause of the accident while the phrase “in the course of the employment” refers to the time, place, and circumstances under which the injury occurred. Gerber Products v. McDonald, 15 Ark. App. 226, 229, 691 S.W.2d 879, ___ (1985); see Preacher v. Cave City Nursing Home Inc., Full Workers’ Compensation Commission Opinion filed January 15, 2004 (E512363). Claimant must sustain her burden of proving a compensable injury by a preponderance of the evidence. Ark. Code Ann. § 11-9-102(4)(E)(i). “Preponderance of the evidence” means evidence of greater convincing force; the term does not mean preponderance in amount, but implies an overbalancing in weight. Smith v. Magnet Cove Barium Corp., 212 Ark. 491, 496-97, 206 S.W.2d 442, ___ (1947).

I find that Claimant failed to sustain her burden of proving by a preponderance of the evidence that her alleged injuries to her feet and right knee arose out of and in the course of her employment on April 29, 2004. The inconsistent statements of Claimant and her principal corroborating witness call into question their credibility and make it difficult to ascertain exactly what happened. Even if their testimony at the hearing is taken as their sole version of Claimant’s accident, the evidence of greater convincing force offered at the hearing contradicts this version.

As to the inconsistencies, it is obvious that the initial medical records of Dr. Barnes and Dr. Allen omit any history of either a fall at work or an injury to Claimant’s right knee. Indeed, Dr. Allen’s May 28, 2004 note states that Claimant “reports a gradual onset of P in B feet” (emphasis supplied). The Certification of Health Care Provider form, as well as Claimant’s June 21, 2004 Statement of Disability form, both omit any history of a work-

related accident; the latter document indicates that the “[d]ate symptoms first appeared or accident happened” was “5/14/04.” Thus, the version of events reported on these four documents, apparently supplied by Claimant, is inconsistent with her hearing testimony.

Likewise, there are inconsistencies between Claimant’s testimony and her July 27, 2004 statement. In the statement, Claimant speculated that she may have been returning from the lab at the time she had her injury; at the hearing, she insisted that she was returning from the pharmacy. In the statement, Claimant reported an injury to both feet; she did not mention an injury to her knee, as she did at the hearing. In the statement, Claimant admitted that all of her bills had been filed under her group health policy, which is inconsistent with a workers’ compensation claim.

Although there was a strained relationship between these two nurses, the testimony of Candy Wray further highlights Claimant’s inconsistent statements. On July 16, 2004, according to Wray, Claimant stated that she was returning from lunch. On August 19, 2004, Claimant stated that she and Aikens were on lunch break and then had stopped by the lab. Finally, on September 28, 2004, Claimant explained that she had stopped by the pharmacy.

Aikens’ testimony is not without problems. Her August 20, 2004 statement noted her uncertainty whether “we were going to or from lunch or to or from a procedure” at the time of Claimant’s accident; Aikens did not mention either the lab or the pharmacy, as she did at the hearing. Of course, the medical records and forms cited above also contradict Aikens’ version of events.

Even if Claimant’s testimony at the hearing is credible, so that her testimony concerning her accident is her sole version of events, the evidence of greater convincing

force offered at the hearing contradicts her testimony. Smotherman could not find a label for the antibiotic Claimant allegedly carried; Hamilton could not find an entry for a work order concerning the stairwell submitted on April 29, 2004; Bishop did not recall seeing Claimant on the stair on April 29, 2004, contrary to the testimony of Claimant and Aikens; and Carlton denied that Claimant went to the pharmacy and picked up her MARs on that date. The testimony of these witnesses, coupled with the fact that Dr. Barnes and Dr. Allen did not record a history of a work-related incident in Claimant's initial medical records, further coupled with the contents of the Certification of Health Care Provider form and the June 21, 2004 Statement of Disability form, all weigh against a finding that Claimant sustained compensable injuries arising out of and in the course of her employment on April 29, 2004.

I acknowledge that Claimant's testimony is corroborated to some degree by Pankey's testimony. However, Pankey does not remember which day Claimant reported an accident, nor does she remember whether this was before or after Claimant's complaints of foot pain began. Pankey contradicts Claimant in one regard: she does not recall seeing the occurrence report again after she gave it to Claimant. Pankey's testimony simply does not outweigh the inconsistencies and contradictory testimony noted above.

B. Remaining Issues

It is not necessary to discuss Claimant's average weekly wage or her request for medical benefits, temporary total disability benefits, or an attorney's fee. Because Claimant failed to establish by a preponderance of the evidence one of the requirements for establishing the compensability of her alleged injuries, she failed to establish the compensability of her claim, and compensation must be denied. Reed v. Con Agra Frozen

Foods, Full Workers' Compensation Commission Opinion filed February 2, 1995 (E317744); see Ark. Code Ann. §§ 11-9-102(4)(F)(i) and 11-9-715(a)(2)(B)(ii).

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The stipulations agreed upon by the parties are reasonable and are approved.
2. The employee-employer relationship existed on April 29, 2004 and at all other relevant times.
3. Respondents controvert this claim in its entirety.
4. Claimant's alleged right knee and feet injuries are scheduled injuries.
5. Claimant's rate of pay was \$11.94 per hour.
6. Claimant did not sustain her burden of proving by a preponderance of the evidence that she suffered an injury arising out of and in the course of her employment on April 29, 2004. Claimant's testimony at the hearing was inconsistent with the contemporary recorded histories given to her doctors that fail to mention a work-related accident, as well as the histories given on her Certification of Health Care Provider form and her June 21, 2004 Statement of Disability form. Claimant's July 27, 2004 statement further contradicts her hearing testimony concerning the extent of her injury, the area she was returning from, and the nature of her claim. Even if Claimant's testimony at the hearing is taken as her consistent statement of events, that testimony is directly contradicted and outweighed by the absence of a label in the pharmacy, the absence of a work order for step repair, the testimony of Michelle Bishop and Bridget Carlton, and the histories contained in the earlier medical records and forms.
7. Because Claimant failed to prove a compensable injury, it is not necessary to ascertain her average weekly wage, or to discuss her request for medical benefits,

temporary total disability benefits, or an attorney's fee.

ORDER

Claimant failed to sustain her burden of proving that she suffered a compensable injury. Therefore, the above claim is respectfully denied and dismissed.

IT IS SO ORDERED.

D. FRANKLIN AREY, III
Administrative Law Judge

DFA/ml