

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NOS. D111326, E304462 & E610079

BETTY STRICKLAND, EMPLOYEE	CLAIMANT
HELENA CHEMICAL COMPANY, EMPLOYER	RESPONDENT
INSURANCE CO. OF NORTH AMERICA/ RELIANCE NATIONAL INDEMNITY COMPANY c/o BROADSPIRE, INSURANCE CARRIER	RESPONDENT

AMENDED OPINION FILED MAY 21, 2008

The above matter was submitted on the record and an Opinion was entered on May 13, 2008. Due to a clerical error in the May 13, 2008, Opinion, the Findings of Fact and Conclusions of Law on Page 14 of the Opinion are amended to read as follows:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Arkansas Workers' Compensation Commission has jurisdiction of this claim.
2. The employer/employee/carrier relationship existed at all relevant times.
3. That no benefits were paid in the 1981 claim (D111326) subsequent to the date it was closed in the Fall of 1981.
4. The prescription medication card issued by Broadspire, and included in Ms. Strickland's exhibit, was never used to obtain prescriptions or to obtain any other "benefit" allowed under our Workers' Compensation Act.

5. Two years from the date of injury would have been on September 25, 1983, and the one year from the date of the last payment of benefits would have been in the fall of 1983.
6. Based on the preponderance of the evidence, I find that any claim for additional benefits in connection with the compensable injuries on September 24, 1981 (D111326) are barred by the statute of limitations.
7. The prior Administrative Law Judge and Commission Opinions constitute the law of the case and all stipulations and findings set out in these opinions in connection with claims E304462 and E610079 are res judicata on the issue of the extent of claimant's compensable injuries arising from her employment with the respondents. The claims for a determination of compensable injuries and related benefits in the instant case are precisely the claims at issue in the prior decisions and are barred by *res judicata*.
8. The claimant has filed and attempted to re-litigate her claims for compensation without reasonable grounds and therefore the respondents are entitled to an award of their costs of defending the instant proceeding.

All other provisions of the May 13, 2008, Opinion shall remain as originally set forth therein.

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IT IS SO ORDERED.

BARBARA WEBB
Administrative Law Judge