

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F214124

KERRI PATRICK, EMPLOYEE	CLAIMANT
ST. EDWARD HOSPITAL, EMPLOYER	RESPONDENT
SISTERS OF MERCY HEALTH CENTER, CARRIER	RESPONDENT

OPINION FILED NOVEMBER 3, 2003

Upon review before the FULL COMMISSION, Little Rock, Pulaski County, Arkansas.

Claimant represented by HONORABLE EDDIE WALKER, JR., Attorney at Law, Fort Smith, Arkansas.

Respondent represented by HONORABLE RANDY MURPHY, Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and Adopted.

OPINION AND ORDER

Claimant appeals from a decision of the Administrative Law Judge filed June 25, 2003.

The Administrative Law Judge entered the following findings of fact and conclusions of law:

1. The Arkansas Workers' Compensation Commission has jurisdiction of this claim;
2. On December 5, 2002, the relationship of employee-self insured employer existed between the parties.
3. On December 5, 2002, the claimant earned wages sufficient to entitle her to weekly compensation benefits of \$235.00 for total disability and \$176.00 for permanent partial disability, should such benefits have been appropriate.

4. The claimant has failed to prove that any injures she sustained as the result of an accidental fall on December 5, 2002, would constitute "compensable injures" as that term is defined by Ark. Code Ann. § 11-9-102(4). Thus, no benefits provided by the Act can be awarded for such injuries.
5. The respondent has denied the occurrence of any compensable injuries on December 5, 2002, and have controverted this claim in its entirety.

We have carefully conducted a de novo review of the entire record herein and it is our opinion that the Administrative Law Judge's decision is supported by a preponderance of the credible evidence, correctly applies the law, and should be affirmed. Specifically, we find from a preponderance of the evidence that the findings of fact made by the Administrative Law Judge are correct and they are, therefore, adopted by the Full Commission.

Thus, we affirm and adopt the decision of the Administrative Law Judge, including all findings and conclusions therein, as the decision of the Full Commission on appeal.

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

KAREN H. MCKINNEY, Commissioner

Commissioner Turner dissents.