

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F214043

LAURIE BECKMAN,
EMPLOYEE

CLAIMANT

ARVEST BANK GROUP,
EMPLOYER

RESPONDENT #1

CLARENDON NATIONAL INSURANCE,
INSURANCE CARRIER

RESPONDENT #1

ROYAL & SUN ALLIANCE

RESPONDENT #2

OPINION FILED DECEMBER 9, 2004

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

Claimant represented by HONORABLE JAY TOLLEY, Attorney at
Law, Fayetteville, Arkansas.

Respondents No. 1 represented by HONORABLE JOSEPH H. PURVIS,
Attorney at Law, Little Rock, Arkansas.

Respondent No. 2 represented by HONORABLE JOHN WEBSTER,
Attorney at Law, Little Rock, Arkansas.

Decision of the Administrative Law Judge: Affirmed and
Adopted.

OPINION AND ORDER

This case comes on for review by the Full
Commission on appeal by Respondent No. 2 from an opinion
filed herein by an Administrative Law Judge on July 8, 2004.

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

1. The stipulations agreed to by the
parties at the pre-hearing
conference conducted on February
18, 2004, and contained in a pre-

hearing order filed February 24, 2004, are hereby accepted as fact.

2. The claimant's carpal tunnel syndrome and resulting surgery in 2003 is the result of the combined effects of compensable injuries suffered by the claimant in 2002 when respondent #1 was the carrier and a subsequent aggravation which occurred in 2003 while respondent #2 was the compensation carrier. Accordingly, I find that liability for compensation benefits should be apportioned 50 percent each to respondent #1 and respondent #2.
3. Claimant has met her burden of proving by a preponderance of the evidence that she is entitled to medical benefits for treatment of her carpal tunnel syndrome and temporary total disability benefits for the approximately three and one-half week period of time she was off work as a result of her carpal tunnel syndrome release.
4. Respondent #1 and respondent #2 have controverted claimant's entitlement to indemnity benefits.

We have carefully conducted a de novo review of the entire record herein, and it is our opinion that the decision of the Administrative Law Judge is correct 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.

We therefore affirm the July 8, 2004 opinion of the Administrative Law Judge, including all findings of fact and conclusions of law therein, and adopt the opinion as the decision of the Full Commission. All accrued benefits shall be paid in a lump sum without discount and with interest thereon at the lawful rate from the date of the Administrative Law Judge's decision in accordance with Ark. Code Ann. § 11-9-809 (Repl. 2002).

Since the claimant's injury occurred after July 1, 2001, the claimant's attorney's fee is governed by the provisions of Ark. Code Ann. § 11-9-715 as amended by Act 1281 of 2001. Compare Ark. Code Ann. § 11-9-715 (Repl. 1996) with Ark. Code Ann. § 11-9-715 (Repl. 2002). For prevailing on this appeal before the Full Commission, claimant's attorney is hereby awarded an additional attorney's fee in the amount of \$500.00 in accordance with Ark. Code Ann. § 11-9-715(b) (Repl. 2002).

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

SHELBY W. TURNER, Commissioner

Commissioner McKinney dissents.