

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F009787

PEGGY LINDSEY, EMPLOYEE	CLAIMANT
THURL LINDSEY, EMPLOYER	RESPONDENT
HARTFORD INSURANCE COMPANY, CARRIER	RESPONDENT

ORDER FILED DECEMBER 14, 2004

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

Claimant represented by HONORABLE MICHAEL W. BOYD, Attorney at Law, Pine Bluff, Arkansas.

Respondent represented by HONORABLE GENE WILLIAMS, Attorney at Law, Little Rock, Arkansas.

ORDER

This matter is currently before the Full Workers' Compensation Commission on remand from the Arkansas Court of Appeals. In an Opinion delivered October 27, 2004, the Arkansas Court of Appeals reversed the decision of the Full Commission and remanded this case to the Commission for an award of additional medical benefits.

In an opinion dated January 9, 2003, an Administrative Law Judge found that the claimant proved by a preponderance of the evidence that the claimant was entitled to additional medical treatment. In an opinion filed November 21, 2003, the Full Commission found that the claimant failed to meet her burden of proof and reversed the Administrative Law Judge's decision. The claimant appealed

the Full Commission's decision to the Arkansas Court of Appeals. The Court of Appeals found that "there is no substantial basis to deny appellant continued care for her admittedly compensable injury."

In accordance with the mandate from the Court of Appeals, we find that the claimant has proven by a preponderance of the evidence that she is entitled to additional medical treatment for her compensable injury. Accordingly, the respondents are directed to comply with the award set forth in the opinion of the Administrative Law Judge filed January 9, 2003.

For prevailing on this appeal before the Full Commission, the claimant's attorney is hereby awarded an additional attorney's fee in the amount of \$250.00 in accordance with A.C.A. § 11-9-715.

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

SHELBY W. TURNER, Commissioner

KAREN H. MCKINNEY, Commissioner