

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F303178

BETTY S. YOUNG, EMPLOYEE	CLAIMANT
BOAR'S HEAD PROVISION COMPANY, INC., EMPLOYER	RESPONDENT
ZURICH AMERICAN INSURANCE COMPANY, CARRIER	RESPONDENT

ORDER FILED AUGUST 26, 2004

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

Claimant represented by the HONORABLE GEORGE BAILEY,  
Attorney at Law, Little Rock, Arkansas.

Respondent represented by the HONORABLE ERIC NEWKIRK,  
Attorney at Law, Little Rock, Arkansas.

ORDER

Presently before the Commission is claimant's Motion to Enforce Aspects of Award Not on Appeal. After review of claimant's motion, respondents' response thereto, and all other matters properly before the Commission, we find that the claimant's motion must be denied.

Claimant contends that the respondents should be forced to pay the claimant medical benefits, including but not limited to medical mileage reimbursement. Obviously, respondent's Notice of Appeal reflects that the respondents are appealing the Administrative Law Judge's finding that the respondent's controverted the claimant's entitlement to medical mileage. Therefore, we find that whether the

claimant is entitled to medical mileage based upon the format in which the claimant submitted her request is clearly an issue on appeal. Accordingly, we find that the claimant's motion to enforce payment of medical mileage addresses an issue on appeal and must therefore be denied. As for the medical benefits, respondents indicate in their response that they stand ready, willing and able to pay all reasonable and necessary medical expenses upon receipt of proper payment requests. Claimant's counsel has not offered documentation of submissions for payment, he has only submitted medical records. As there is no evidence that these medical records comply with rule 30, we find that the claimant's motion to enforce payment of medical benefits must be denied. However, should respondents fail to pay appropriate medical bills after submission of the proper documentation, we will reconsider our findings.

IT IS SO ORDERED.

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OLAN W. REEVES, Chairman

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KAREN H. MCKINNEY, Commissioner

Commissioner Turner dissents.