

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F313054

DORIS M. JAMES,
EMPLOYEE

CLAIMANT

ST. VINCENT HEALTH SERVICE,
EMPLOYER

RESPONDENT

PREFERRED PROFESSIONAL INSURANCE CO.,
INSURANCE CARRIER

RESPONDENT

OPINION FILED MAY 13, 2005

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

Claimant represented by the HONORABLE STEVEN McNEELY,
Attorney at Law, Little Rock, Arkansas.

Respondents represented by the HONORABLE WALTER A.
MURRAY, Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and
Adopted.

OPINION AND ORDER

Respondents appeal an opinion and order of the
Administrative Law Judge filed January 12, 2005. In
said order, the Administrative Law Judge made the
following findings of fact and conclusions of law:

1. There was an employer-employee
relationship on November 5, 2003.
2. The compensation rate is the
maximum for a 2003 injury.
3. The claimant has proven by a
preponderance of the evidence that
she sustained a compensable injury
arising out of and in the course of

her employment on November 5, 2003.

4. The respondents are responsible for reasonable and necessary medical treatment the claimant has pursued.

5. The claimant has proven by a preponderance of the evidence that she remained in her healing period and totally unable to earn wages from January 14, 2004 through October 7, 2004.

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 made by the Administrative Law Judge are correct and they are, therefore, adopted by the Full Commission.

We therefore affirm the January 12, 2005 decision 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 on appeal.

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.