

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F302103

FLORENCE LAWRENCE, EMPLOYEE CLAIMANT

ST. EDWARD MERCY MEDICAL CENTER, EMPLOYER RESPONDENT

SISTERS OF MERCY HEALTH CARE, CARRIER RESPONDENT

OPINION FILED NOVEMBER 30, 2005

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 P. MURPHY, Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and Adopted.

OPINION AND ORDER

The claimant appeals from a decision of the Administrative Law Judge filed April 14, 2005.

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 September 12, 2002, the relationship of employee-self insured employer existed between the parties.

3. On September 12, 2002, the claimant earned wages sufficient to entitle her to weekly compensation benefits of \$425.00 for total disability and \$319.00 for permanent partial disability.

4. On September 12, 2002, the claimant sustained a compensable injury to her lower back and lumbar spine.

5. There is no dispute over the payment of accrued medical expenses.

6. There is no dispute over the payment of accrued temporary total disability benefits.

7. The claimant has failed to prove that the lumbar MRI scan recommended by Dr. James Rogers constitutes "reasonably necessary medical services" for her compensable injury. Thus, the respondents cannot be held liable for the expense of such services.

8. The respondents have controverted the claimant's entitlement to receive, at their expense, an additional lumbar MRI.

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.