

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F401404

DEBBIE R. FOSTER, EMPLOYEE	CLAIMANT
AUBURN HILLS HEALTH & REHABILITATION, INC., EMPLOYER	RESPONDENT
CANNON COCHRAN MANAGEMENT SVCS., CARRIER	RESPONDENT

OPINION FILED OCTOBER 18, 2006

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

Claimant represented by HONORABLE FREDERICK S. SPENCER,
Attorney at Law, Mountain Home, Arkansas.

Respondent represented by HONORABLE MICHAEL E. RYBURN,
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 July 19, 2006.

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

1. The employee/employer/carrier
relationship existed on February 7,
2004, and at all relevant times.

2. Claimant has failed to prove by a preponderance of the evidence that she was performing employment services at the time of her alleged incident.

3. Claimant has failed to prove by a preponderance of the evidence that she sustained a compensable injury as defined by the Arkansas Workers' Compensation Act.

The claimant alleges that he sustained a compensable injury that is governed by the Arkansas Workers' Compensation Act, A.C.A. § 11-9-101 et seq. The claimant's alleged injury is, indeed, an injury that is covered by the Act; however, the claimant has failed to establish the elements necessary to prove a compensable injury by a preponderance of the evidence.

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.