

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F508310

GARY HOPPER, EMPLOYEE	CLAIMANT
S W T, INC., EMPLOYER	RESPONDENT
AMERICAN HOME ASSURANCE, CARRIER	RESPONDENT

OPINION FILED JULY 11, 2006

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

Claimant represented by HONORABLE EVELYN BROOKS, Attorney at Law, Fayetteville, Arkansas.

Respondent represented by HONORABLE R. SCOTT MORGAN, Attorney at Law, Pine Bluff, Arkansas.

Decision of Administrative Law Judge: Affirmed and Adopted.

OPINION AND ORDER

The claimant appeals a decision of the Administrative Law Judge filed March 10, 2006.

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 July 6, 2005, the relationship of employee-employer employer-carrier existed between the parties.

3. On July 6, 2005, the claimant earned wages sufficient to entitle him to weekly compensation benefits of \$466.00 for total disability and \$350.00 for permanent partial disability.

4. On July 6, 2005, the claimant was involved in an employment related motor vehicle accident and sustained compensable injuries to his face, mouth, and chest.

5. The claimant has failed to prove by the greater weight of the credible evidence that he sustained any physical injury or damage to his heart in the employment related motor vehicle accident of July 6, 2005.

6. The claimant is entitled to reasonably necessary medical services for his compensable face, mouth, and chest injuries.

7. The claimant is not entitled to any benefits, either in the form of medical expenses or disability benefits (temporary or permanent), for his cardiac difficulties.

8. The respondents have denied the occurrence of any compensable injury to the claimant's heart and have controverted his entitlement to any benefits attributable thereto.

9. As no benefits have been awarded to the claimant for his alleged compensable heart injury, no attorney's fee can be awarded to the claimant's attorney at this time.

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.