

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F305741

RICHARD KIMBELL, EMPLOYEE	CLAIMANT
ASSOCIATION OF REHAB. INDUSTRY & BUSINESS, EMPLOYER	RESPONDENT
COMPANION PROPERTY & CASUALTY, CARRIER	RESPONDENT

**ORDER FILED JULY 6, 2006**

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

Claimant represented by HONORABLE MIKE KINARD, Attorney at Law, Magnolia, Arkansas.

Respondent represented by HONORABLE WILLIAM C. FRYE, Attorney at Law, Little Rock, Arkansas.

ORDER

This matter is currently before the Full Workers' Compensation Commission on remand from the Arkansas Supreme Court. In an opinion delivered in this case on May 11, 2006, the Arkansas Supreme Court reversed the decision of the Arkansas Court of Appeals and reversed and remanded the decision of the Full Commission for a determination of benefits resulting from the claimant's compensable injury.

In an opinion dated February 2, 2004, an Administrative Law Judge found that the claimant proved by a preponderance of the evidence that the claimant was engaged

in employment services when he fell on May 27, 2003, as a result of stepping backwards to avoid a confrontation and that this fall was not caused by a spell of dizziness and was therefore not an idiopathic fall; that this fall resulted in a compensable injury; and that he is entitled to all medical treatment reasonable necessary in connection with his compensable injury. The Administrative Law Judge further found that the claimant failed to prove by a preponderance of the evidence that he was entitled to temporary total disability benefits from July 16, 2003, until October 22, 2003. The Full Commission hereby affirms the February 2, 2004, decision rendered by the Administrative Law Judge. The respondents are directed to comply with the award set forth in February 2, 2004 opinion of the Administrative Law Judge.

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 A.C.A. § 11-9-715 (Repl. 2002).

Kimbell - F305741

-3-

IT IS SO ORDERED.

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OLAN W. REEVES, Chairman

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SHELBY W. TURNER, Commissioner

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KAREN H. MCKINNEY, Commissioner