

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F306632

DEBRA KIRKWOOD,
EMPLOYEE

CLAIMANT

AREA AGENCY ON AGING,
SELF-INSURED EMPLOYER

RESPONDENT

RISK MANAGEMENT RESOURCES,
TPA

RESPONDENT

OPINION FILED JUNE 16, 2006

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

Claimant represented by HONORABLE JAMES W. HARRIS, Attorney at Law, Blytheville, 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

Claimant appeals from a decision of the Administrative Law Judge filed March 7, 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 June 10, 2003, the relationship of employee-employer existed between the parties.
3. On June 10, 2003, the claimant earned wages sufficient to entitle her to weekly compensation benefits of \$174.00/\$154.00, for temporary total/permanent partial disability.
4. On June 10, 2003, the claimant sustained an injury to her left shoulder, as well as her neck and right shoulder, arising out of and in the course of her employment.
5. Respondent last paid compensation benefits to or on behalf of the claimant relative to the compensable June 10, 2003, accident on August 10, 2003. A claim for additional benefits growing out of the June 10, 2003, accident, was not filed with the Commission until the August 19, 2005, hearing request of the claimant.
6. The present claim for additional workers (sic) compensation benefits growing out of the June 10, 2003, compensable accident is barred pursuant to Ark. Code Ann. §11-9-702(b)(1).

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.