

# NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F510339

KATHLEEN CHILDERS,  
EMPLOYEE

CLAIMANT

EATON CORPORATION,  
EMPLOYER

RESPONDENT

OLD REPUBLIC INSURANCE COMPANY,  
INSURANCE CARRIER

RESPONDENT

OPINION FILED APRIL 30, 2007

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

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

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

Decision of Administrative Law Judge: Affirmed and  
Adopted.

## OPINION AND ORDER

Respondents appeal an opinion and order of the  
Administrative Law Judge filed December 19, 2006. In  
said order, the Administrative Law Judge made the  
following findings of fact and conclusions of law:

1. The Arkansas Workers' Compensation Commission has jurisdiction over this claim.
2. The employee-employer-carrier relationship existed on September 15, 2005 and at all pertinent times hereto.
3. The respondents have controverted the claim in its entirety.

4. The claimant's average weekly wage of \$495.36 entitles her to a TTD rate of \$330 per week and a PPD rate of \$248 per week if this claim is found compensable.

5. The claimant has established by a preponderance of the evidence that her accident and the injury that she sustained on September 15, 2005 were not substantially occasioned by the use of marijuana.

6. The claimant has established by a preponderance of the evidence that she sustained a compensable left ring finger injury on September 15, 2005.

7. The claimant has established by a preponderance of the evidence that she is entitled to a period of temporary total disability compensation for September 16, 2005 through November 28, 2005.

8. The claimant has established by a preponderance of the evidence that all of the medical treatment documented in the record between September 15, 2005 and November 28, 2005 was reasonably necessary for treatment of her compensable left ring finger injury.

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 made by the Administrative Law Judge are correct and they are, therefore, adopted by the Full Commission.

We therefore affirm the December 19, 2006 decision of the Administrative Law Judge, including all findings of fact and conclusions of law therein, and adopt the

opinion as the decision of the Full Commission on appeal.

All accrued benefits shall be paid in a lump sum without discount and with interest thereon at the lawful rate from the date of the Administrative Law Judge's decision in accordance with Ark. Code Ann. § 11-9-809 (Repl. 2002).

Since the claimant's injury occurred after July 1, 2001, the claimant's attorney's fee is governed by the provisions of Ark. Code Ann. § 11-9-715 as amended by Act 1281 of 2001. Compare Ark. Code Ann. § 11-9-715 (Repl. 1996) with Ark. Code Ann. § 11-9-715 (Repl. 2002). 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 Ark. Code Ann. § 11-9-715(b) (Repl. 2002).

IT IS SO ORDERED.

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OLAN W. REEVES, Chairman

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PHILIP A. HOOD, Commissioner

Commissioner McKinney dissents.