

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F603874

DORIS D. MILLER, EMPLOYEE	CLAIMANT
PULASKI COUNTY SPECIAL SCHOOL DISTRICT, EMPLOYER	RESPONDENT
ARK. SCHOOL BOARD ASSOC. INS. WC TRUST, CARRIER	RESPONDENT
RISK MANAGEMENT RESOURCES, TPA	RESPONDENT

OPINION FILED JULY 16, 2007

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

Claimant appeared pro se.

Respondents represented by the HONORABLE MICHAEL E.
RYBURN, Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and
Adopted, as Modified.

OPINION AND ORDER

Respondents appeal an opinion and order of
the Administrative Law Judge filed February 15, 2007.

In said order, the Administrative Law Judge made the
following findings of fact and conclusions of law:

1. There was an April 4, 2006, specific
incident.

2. The compensation rate is \$140.00.
3. The claimant has proven by a preponderance of the evidence that she sustained a compensable left knee injury on April 4, 2006.
4. Respondents are responsible for all reasonable and necessary medical treatment the claimant has received for her left knee.
5. The claimant has also proven by a preponderance of the evidence that she is entitled to temporary total disability benefits from April 19, 2006 through June 6, 2006, while she remained in her healing period and did not return to work, providing she was not paid her full wages during this period.

The Commission notes that the Administrative Law Judge awarded the claimant a credit based on her "sick leave" pay. However, this finding is in contrast to the holdings of this Commission in Socha v. Northwest Airlines, Full Commission Opinion Filed April 7, 2006 (F500085) and Norman v. North Hills Service, Inc., Full Commission Opinion Filed November 21, 2005 (F408828). As such, we modify the decision of the Administrative Law Judge and find the respondents are not entitled to a credit.

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 as modified by the Full Commission.

We therefore affirm, the February 15, 2007, decision of the Administrative Law Judge, including all findings of fact and conclusions of law as modified 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).

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

PHILIP A. HOOD, Commissioner

Commissioner McKinney dissents.