

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F613424

LAVERNE REED, EMPLOYEE	CLAIMANT
SHERWOOD NURSING & REHABILITATION CENTER, EMPLOYER	RESPONDENT
ACE INSURANCE COMPANY, INSURANCE CARRIER	RESPONDENT

OPINION FILED OCTOBER 8, 2007

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

Claimant represented by the HONORABLE KENNETH E.
BUCKNER, Attorney at Law, Pine Bluff, Arkansas.

Respondents represented by the HONORABLE BETTY J. HARDY,
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 May 9, 2007. 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 of this
claim.
2. On June 29, 2006, the relationship of
employee-employer-carrier existed among
the parties.

3. On June 29, 2006, the claimant earned wages sufficient to entitle her to weekly compensation benefits of \$488.00/\$366.00, for temporary total/permanent partial disability.
4. On June 29, 2006, the claimant sustained an injury to her right knee arising out of and in the course of her employment with respondents.
5. The claimant was temporarily totally disabled for the period beginning June 30, 2006, and continuing through the end of her healing period, a date to be determined.
6. The treatment recommended by Dr. Thomas O. Rooney, to include a total knee replacement on the right, represent reasonably necessary medical treatment in connection with the claimant's June 29, 2006, compensable right knee injury.
7. The respondent shall pay all reasonable hospital and medical expenses arising out of the injury of June 29, 2006.
8. The respondents have controverted the payment of temporary total disability benefits subsequent to October 12, 2006, and the payment of medical benefits subsequent to December 12, 2006.

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 May 9, 2007, 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.

OLAN W. REEVES, Chairman

PHILIP A. HOOD, Commissioner

Commissioner McKinney dissents.