

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F702963

WILLIAM PRINE, EMPLOYEE	CLAIMANT
CORING & CUTTING SERVICES, INC., EMPLOYER	RESPONDENT
ARCH INSURANCE COMPANY/ GALLAGHER BASSETT SERVICE, TPA	RESPONDENT

OPINION FILED OCTOBER 27, 2008

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

Claimant represented by HONORABLE STEVEN R. McNEELY, Attorney at Law, Little Rock, Arkansas.

Respondent represented by HONORABLE BETTY J. HARDY, Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and Adopted.

OPINION AND ORDER

The claimant appeals from a decision of the Administrative Law Judge filed December 31, 2007.

The Administrative Law Judge entered the following findings of fact and conclusions of law:

1. That the Arkansas Workers' Compensation Commission has jurisdiction of this claim.

2. The employer/employee relationship existed on or about the dates of January 10, 2007.

3. The claimant's applicable compensation rate is \$275.00 for TTD and \$206.00 for PPD, based on an average weekly wage of \$412.16.

4. The claimant has failed to prove by a preponderance of the evidence that he suffered a compensable work-related injury on January 10, 2007.

5. The claimant has failed to prove by a preponderance of the evidence that any medical treatment is reasonable or necessary or causally related to a work-related compensable injury.

6. The claimant has failed to prove by a preponderance of the evidence that he is entitled to temporary total disability based on the fact that he was released to light duty work and was provided light duty work until the time he was terminated for other reasons.

The claimant alleges that he sustained a compensable injury that is governed by the Arkansas Workers' Compensation Act, A.C.A. § 11-9-101 et seq. The claimant's alleged injury is, indeed, an injury that is covered by the Act; however, the claimant has failed to establish the

elements necessary to prove a compensable injury by a preponderance of the evidence.

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 Hood dissents.