

# NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F602593

SANDRA D. FOSTER, EMPLOYEE	CLAIMANT
GLISTER MARY LEE CORP., SELF-INSURED EMPLOYER	RESPONDENT
GALLAGHER BASSETT SERVICES, TPA	RESPONDENT

OPINION FILED JUNE 3, 2009

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

Claimant represented by the HONORABLE RICHARD A. REID, Attorney at Law, Blytheville, Arkansas.

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

Decision of Administrative Law Judge: Affirmed and Adopted.

## OPINION AND ORDER

Claimant appeals an opinion and order of the Administrative Law Judge filed February 19, 2009. 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 January 23, 2006, the employee-employer relationship existed among the parties when the claimant sustained a compensable cervical injury, during which time she earned an average weekly wage of \$387.69, which entitles her to

weekly compensation benefits at the rates of \$258.00/\$194.00, for temporary total/permanent partial disability.

3. In addition to prior periods of temporary total disability, the claimant was within her healing period and totally incapacitated from engaging in gainful employment for the period commencing July 14, 2008 and continuing through November 18, 2008.
4. The physical therapy prescribed for the claimant by Dr. Robert E. Abraham is reasonably necessary medical treatment in connection with the claimant's January 23, 2006, compensable injury.
5. The claimant reached the end of her healing period on or about November 18, 2008, and has sustained a permanent physical impairment in the amount of 12% to (sic) body as a whole as a result of the January 23, 2006, compensable cervical injury and subsequent surgery.
6. The respondent shall pay all reasonable hospital and medical expenses arising out of and in connection with the claimant's compensable cervical injury of January 23, 2006.
7. The respondents have controverted the payment (sic) medical benefits in this claim subsequent to July 14, 2008, and the payment of temporary total disability benefits subsequent to July 14, 2008.

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 February 19, 2009 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).

IT IS SO ORDERED.

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A. WATSON BELL, Chairman

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KAREN H. MCKINNEY, Commissioner

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PHILIP A. HOOD, Commissioner