

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F605957

JORGE VERA,
EMPLOYEE

CLAIMANT

BUILT WELL CONSTRUCTION COMPANY,
EMPLOYER

RESPONDENT

CONTINENTAL CASUALTY COMPANY,
INSURANCE CARRIER/TPA

RESPONDENT

OPINION FILED MAY 12, 2009

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

Claimant appears Pro Se.

Respondent represented by the HONORABLE FRANK B. NEWELL,
Attorney at Law, Little Rock, Arkansas.

OPINION AND ORDER

This matter is currently before the Full Commission on
Remand from the Arkansas Court of Appeals. *Built Well
Construction Co. v. Jorge Vera* CA08-1140 (April 29, 2009).

From the opinion of the Arkansas Court of Appeal
reversing and remanding this order to the Full Commission
for proceedings consistent with the Court of Appeals
Opinion, the Full Commission finds as follows:

1. The ordering of the independent medical evaluation
by the Administrative Law Judge was an abuse of his
discretion and gives the claimant an impermissible
"second bite at the apple".

Accordingly, the Administrative Law Judge's Opinion
filed March 6, 2008 is hereby reversed and this case is
remanded back to Administrative Law Judge Michael Ellig for

proceedings consistent with this order and the Court of Appeals Remand to the Full Commission.

_____ IT IS SO ORDERED.

A. WATSON BELL, Chairman

KAREN H. McKINNEY, Commissioner

PHILIP A. HOOD, Commissioner