

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION
CLAIM NO. F903691

DONNA ERBACH, EMPLOYEE	CLAIMANT
UNIVERSITY OF CENTRAL ARKANSAS, EMPLOYER	RESPONDENT
PUBLIC EMPLOYEE CLAIMS, CARRIER/TPA	RESPONDENT

OPINION FILED JULY 20, 2010

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

Claimant appeared *pro se*.

Respondents represented by the HONORABLE RICHARD SMITH,
Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and Adopted.

OPINION AND ORDER

Claimant appeals from a decision of the
Administrative Law Judge filed January 15, 2010.

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

1. The Arkansas Workers' Compensation Commission has jurisdiction of the claim.
2. The stipulations set forth above are reasonable and are hereby accepted.
3. Due to the claimants failure to provide it to respondents at least seven days prior to the hearing in keeping with the Prehearing Order,

or to excuse such failure, Claimant's Proffered Exhibit 4 will not be admitted into evidence.

4. Because admission of Claimant's Proffered Exhibit 5 will not help to "best ascertain the rights of the parties" under Ark. Code Ann. § 11-9-705(a)(1) (Repl. 2002), it will not be admitted into evidence.
5. Because admission of Respondents' Proffered Exhibit 2 will help to "best ascertain the rights of the parties" under Ark. Code Ann. § 11-9-705(a)(1) (Repl. 2002), it will be admitted into evidence and given due weight.
6. Claimant has not proven by a preponderance of the evidence that she sustained a compensable gradual onset injury to her left shoulder.
7. Claimant has not proven by a preponderance of the evidence that she sustained a compensable injury to her left shoulder by specific incident.
8. Claimant has not proven by a preponderance of the evidence that she is entitled to reasonable and necessary medical treatment.
9. Claimant has not proven by a preponderance of the evidence that she is entitled to temporary total disability benefits.

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.

A. WATSON BELL, Chairman

KAREN H. MCKINNEY, Commissioner

Commissioner Hood dissents.