

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F409221

SANDRA HIXON,
EMPLOYEE

CLAIMANT

BAPTIST HEALTH,
SELF-INSURED EMPLOYER

RESPONDENT NO. 1

DEATH & PERMANENT TOTAL DISABILITY,
TRUST FUND

RESPONDENT NO. 2

OPINION FILED JUNE 11, 2010

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

Claimant represented by the HONORABLE GREGORY R. GILES,
Attorney at Law, Texarkana, Arkansas.

Respondent No. 1 represented by the HONORABLE GAIL PONDER
GAINES, Attorney at Law, Little Rock, Arkansas.

Respondent No. 2 represented by the HONORABLE CHRISTY L.
KING, Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed.

OPINION AND ORDER

The Arkansas Court of Appeals has affirmed the Full
Commission's finding that the claimant was not entitled to
permanent total disability but has reversed and remanded the
finding that the claimant's wage loss was no greater than
25%. *Hixon v. Baptist Health*, No. CA 09-1394 (May 12,

2010). The Full Commission finds that the claimant proved she sustained wage-loss disability in the amount of 50%.

The claimant, now age 52, began working as a paramedic for the respondent-employer in 1994. The claimant sustained a compensable injury on July 27, 2004 and underwent low back surgery on or about September 26, 2007. The parties stipulated that the claimant sustained a 13% anatomical impairment. Edie Nichols, a vocational consultant, began assisting the claimant in November 2008. Ms. Nichols opined that the claimant was physically able to perform sedentary employment in the light work classification. A Functional Capacity Evaluation in December 2008 indicated that the claimant could perform sedentary work. The evidence indicated that the claimant was motivated to find work and that the claimant cooperated with the vocational consultant.

The record demonstrates that the claimant at this time is not able to return to work as a paramedic, earning her pre-injury wage of \$10.40 per hour. The claimant has significant post-injury physical restrictions and is not able to hold down full-time employment which requires manual labor. An administrative law judge found that the claimant proved she sustained wage-loss disability in the amount of

50%. In accordance with the remand from the Court of Appeals, the Full Commission affirms this finding.

IT IS SO ORDERED.

A. WATSON BELL, Chairman

KAREN H. MCKINNEY, Commissioner

Commissioner Hood dissents.