

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

ALLEN WERNER,

Claimant,

vs.

NCI BUILDING SYSTEMS,

Employer,

and

INSURANCE COMPANY OF THE
STATE OF PENNSYLVANIA,

Insurance Carrier,
Defendants.

FILED

JUN 21 2018

WORKERS COMPENSATION

File No. 5044478

ALTERNATE MEDICAL

CARE CONSENT ORDER

HEAD NOTE NO: 2701

STATEMENT OF THE CASE

This is a contested case proceeding under Iowa Code chapters 85 and 17A. The expedited procedure of rule 876 IAC 4.48 is invoked by claimant, Allen Werner. Claimant appeared personally and through his attorney, Mark Sullivan. Defendants appeared through their attorney, Stephen Spencer. All parties were well-represented by counsel, who presented articulate and convincing arguments on behalf of all parties.

The alternate medical care claim came on for hearing on June 21, 2018. The proceedings were digitally recorded. That recording constitutes the official record of this proceeding. Pursuant to the Iowa Workers' Compensation Commissioner's February 16, 2015 order, the undersigned has been delegated authority to issue a final agency decision in this alternate medical care proceeding. Therefore, this ruling is designated final agency action and any appeal of the decision would be to the Iowa District Court pursuant to Iowa Code section 17A.

The record consists of claimant's exhibits 1 through 3. All exhibits were offered without objection and received into evidence.

The attorneys for the respective parties informed the undersigned deputy workers' compensation commissioner they had reached an agreement with respect to future treatment for claimant.

- 1) Claimant will be referred to the Mayo Clinic for assistance in tapering off opioid medication and for other pain management therapies;
- 2) Defendants will provide ongoing psychiatric care; and
- 3) Defendants will provide reasonable travel and living expenses for claimant while he is attending the Mayo Clinic.

The agreement between the parties is approved and ordered.

ORDER

THEREFORE, IT IS ORDERED:

The consent order is approved.

Signed and filed this 21st day of June, 2018.



MICHELLE A. MCGOVERN
DEPUTY WORKERS'
COMPENSATION COMMISSIONER

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