

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

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NICHOLAS MULLALEY,

Claimant,

vs.

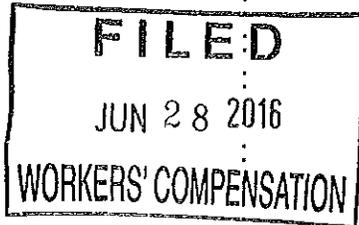
RAILONE USA CORP.,

Employer,

and

AMERISURE INSURANCE COMPANY,

Insurance Carrier,  
Defendants.



File No. 5056770

MEMORANDUM OF  
ALTERNATE MEDICAL CARE

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On June 13, 2016, claimant filed an application for alternate medical care under Iowa Code section 85.27 and rule 876 IAC 4.48. A hearing was held on June 27, 2016. All parties were given proper notice and appeared either through counsel or with counsel.

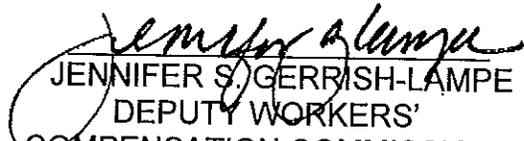
Claimant sustained an injury on February 7, 2015, which arose out of and in the course of employment. Claimant requested to go forward with the recommendation of an authorized treating physician for a spinal cord stimulator trial. Defendants assert that the most recent recommendation from the same physician is to pursue a second opinion.

The hearing was recorded via digital voice recorder and a complete decision was dictated into the record on the day of the hearing. The decision will be reproduced in typewritten form only if the decision is appealed, and the parties are advised to follow the procedures outlined under the administrative code. Any rights of appeal will run from the date the decision was dictated into the record on June 27, 2016.

The deputy ordered that claimant's petition for alternate medical care be granted.

Pursuant to a standing order of delegation of authority by the workers' compensation commissioner pursuant to Iowa Code section 86.3, the undersigned enters this decision for the workers' compensation commissioner. There is no right of appeal of this decision to the workers' compensation commissioner. Appeal of this decision, if any, would be by judicial review pursuant to Iowa Code section 17A.19.

Signed and filed this 28<sup>th</sup> day of June, 2016.

  
JENNIFER S. GERRISH-LAMPE  
DEPUTY WORKERS'  
COMPENSATION COMMISSIONER

Copies to:

Dirk Hamel  
Attorney at Law  
770 Main St.  
Dubuque, IA 52001-6820  
[dhamel@dbqlaw.com](mailto:dhamel@dbqlaw.com)

Bill M. Lamson  
Attorney at Law  
222 South 72<sup>nd</sup> St., Ste. 302  
Omaha, NE 68114  
[blamson@evans-dixon.com](mailto:blamson@evans-dixon.com)

JGL/kjw