

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

SHERI SANKEY,

Claimant,

vs.

REMBRANDT ENTERPRISES,

Employer,

and

NATIONWIDE AGRIBUSINESS
INSURANCE,

Insurance Carrier,
Defendants.

File Nos. 5041824/5041823

A P P E A L

D E C I S I O N

FILED

MAR 13 2015

WORKERS' COMPENSATION

Head Note Nos.: 1801, 1803, 2501,
2502, 3003

Claimant, Sheri Sankey, appeals from an arbitration decision filed February 24, 2014. Defendants argue on appeal that the presiding deputy commissioner erred in awarding a running healing period for the stipulated January 25, 2011, low back injury (Agency File No. 5041824). Defendants further challenge the weekly rate at which the presiding deputy commissioner awarded benefits. Defendants concede the accuracy of the presiding deputy commissioner's decision and orders in Agency File No. 5041823, which involves a February 13, 2011, finger injury claimant sustained at work. Claimant contends that the running award and weekly rate utilized by the presiding deputy commissioner are accurate and should be affirmed.

On February 25, 2015, Iowa Workers' Compensation Commissioner, Joseph S. Cortese II, entered an order of delegation of authority granting the undersigned authority to issue the final agency decision in this intra-agency appeal. I have considered the detailed arguments of the parties and reviewed the evidentiary record de novo.

I reach the same findings of fact and conclusions of law as those entered by the presiding deputy commissioner in his February 24, 2014, arbitration decision. Therefore, pursuant to Iowa Code sections 86.24 and 17A.5, I affirm and adopt as the final agency decision those portions of the proposed arbitration decision filed on February 24, 2014, that relate to issues properly raised on intra-agency appeal without additional comment.

ORDER

IT IS THEREFORE ORDERED that the arbitration decision of January 24, 2014, is AFFIRMED.

Defendants shall pay the costs of the appeal, including the preparation of the hearing transcript.

Signed and filed this 13th day of March, 2015.



WILLIAM H. GRELL
WORKERS' COMPENSATION
COMMISSIONER

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