

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

TIMOTHY STANTON,

Claimant,

vs.

GLENWOOD RESOURCE CENTER,

Employer,

and

STATE OF IOWA,

Insurance Carrier,
Defendants.

File No. 1656606.01

A P P E A L

D E C I S I O N

Head Notes: 1402.40; 1803; 2701; 2907;
5-9998

Claimant Timothy Stanton appeals from an arbitration decision filed on January 13, 2022. Defendants Glenwood Resource Center, employer, and its insurer, State of Iowa, respond to the appeal. The case was heard on May 10, 2021, and it was considered fully submitted in front of the deputy workers' compensation commissioner on June 11, 2021.

In the arbitration decision, the deputy commissioner found that while claimant carried his burden of proof to establish he sustained injuries to his bilateral knees as a result of the stipulated work injury which occurred on September 20, 2018, the deputy commissioner found claimant failed to prove he sustained any permanent disability as a result of the work injury. The deputy commissioner found claimant failed to prove he is entitled to receive any permanent disability benefits for the injury. The deputy commissioner found claimant is not entitled to alternate medical care for the work injury. The deputy commissioner ordered the parties to pay their own costs of the arbitration proceeding.

Claimant asserts on appeal that the deputy commissioner erred in finding claimant failed to prove he sustained any permanent disability as a result of the work injury. Claimant asserts the deputy commissioner erred in finding claimant failed to prove he is entitled to receive any permanent disability benefits for the injury. Claimant asserts the deputy commissioner erred in finding claimant is not entitled to alternate medical care for the work injury. Claimant asserts the deputy commissioner erred in finding defendants are not responsible for claimant's costs of the arbitration proceeding.

Defendants assert on appeal that the arbitration decision should be affirmed in its entirety.

Those portions of the proposed arbitration decision pertaining to issues not raised on appeal are adopted as a part of this appeal decision.

I have performed a de novo review of the evidentiary record and the detailed arguments of the parties, and I reach the same analysis, findings, and conclusions as those reached by the deputy commissioner.

Pursuant to Iowa Code sections 17A.5 and 86.24, I affirm and adopt as the final agency decision those portions of the proposed arbitration decision filed on January 13, 2022, which relate to the issues properly raised on intra-agency appeal.

I find the deputy commissioner provided a well-reasoned analysis of all the issues raised in the arbitration proceeding. I affirm the deputy commissioner's findings of fact and conclusions of law pertaining to those issues.

I affirm the deputy commissioner's finding that claimant failed to prove he sustained any permanent disability as a result of the work injury. I affirm the deputy commissioner's finding that claimant failed to prove he is entitled to receive any permanent disability benefits for the injury. I affirm the deputy commissioner's finding that claimant is not entitled to alternate medical care for the work injury. I affirm the deputy commissioner's order that the parties pay their own costs of the arbitration proceeding.

I affirm the deputy commissioner's findings, conclusions and analysis regarding the above-stated issues.

ORDER

IT IS THEREFORE ORDERED that the arbitration decision filed on January 13, 2022, is affirmed in its entirety.

Claimant shall take nothing further from these proceedings.

Pursuant to rule 876 IAC 4.33, the parties shall pay their own costs of the arbitration proceeding, and claimant shall pay the costs of the appeal, including the cost of the hearing transcript.

Pursuant to rule 876 IAC 3.1(2), defendants shall file subsequent reports of injury as required by this agency.

Signed and filed on this 21st day of June, 2022.

Joseph S. Cortese II

JOSEPH S. CORTESE II
WORKERS' COMPENSATION
COMMISSIONER

The parties have been served as follows:

Jacob Peters (via WCES)

Meredith Cooney (via WCES)