

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

TERESE MCCORMICK,

Claimant,

vs.

POLARIS INDUSTRIES, INC.,

Employer,
Self-Insured,
Defendant.

File No. 5037185

APPEAL

DECISION

Head Note Nos.: 1402.40, 1803,
2502, 3003

FILED

MAR - 6 2015

WORKERS' COMPENSATION

Defendant Polaris Industries, Inc. appeals from an arbitration decision filed March 27, 2014. Claimant Terese McCormick cross-appeals from the arbitration decision. The case was heard on November 26, 2013, and it was considered fully submitted on January 14, 2014, in front of Deputy Workers' Compensation Commissioner James F. Christenson. The deputy commissioner awarded claimant a 20 percent industrial disability. Defendant asserts on appeal that the deputy commissioner erred awarding industrial disability. Claimant asserts on cross-appeal that the deputy commissioner erred in not awarding claimant industrial disability substantially greater than 20 percent. Defendant also asserts that the deputy commissioner erred in not awarding reimbursement for Dr. Hines' second IME report dated March 29, 2013. The detailed arguments of the parties have been considered and the record of evidence has been reviewed de novo.

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 March 27, 2014, that relate to issues properly raised on intra-agency appeal without additional comment.

ORDER

IT IS THEREFORE ORDERED that the arbitration decision of March 27, 2014, is AFFIRMED.

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

Signed and filed this 6th day of March, 2015.



JOSEPH S. CORTESE II
IOWA WORKERS'
COMPENSATION COMMISSIONER

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