

commissioner erred in finding claimant is not entitled to receive temporary disability benefits. Claimant asserts the deputy commissioner erred in finding claimant is not entitled to receive benefits from the Fund. Claimant asserts the deputy commissioner erred in finding claimant is not entitled to payment by defendant-employer for any of the requested past medical expenses itemized in Exhibit 4.

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

Those portions of the proposed agency 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 November 16, 2018, which relate to the issues properly raised on intra-agency appeal.

I find the deputy commissioner provided a well-reasoned analysis of all of 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 carry her burden of proof to establish she sustained any permanent disability as a result of the work injury. I affirm the deputy commissioner's finding that claimant is entitled to receive nothing in the way of permanent partial disability benefits. I affirm the deputy commissioner's finding that claimant failed to prove entitlement to receive temporary disability benefits from November 2, 2016, through June 13, 2017, as alleged. I affirm the deputy commissioner's finding that claimant failed to prove entitlement to receive benefits from the Fund. I affirm the deputy commissioner's finding that claimant failed to prove entitlement to payment by defendant-employer for any of the requested past medical expenses itemized in Exhibit 4. I affirm the deputy commissioner's finding that claimant is entitled to receive reimbursement from defendant-employer for the cost of Dr. Kreiter's IME. I affirm the deputy commissioner's order that defendant-employer pay claimant's costs of the arbitration proceeding.

I affirm the deputy commissioner's findings, conclusions and analysis regarding those issues

ORDER

IT IS THEREFORE ORDERED that the arbitration decision filed on November 16, 2018, is affirmed in its entirety.

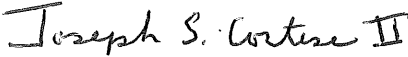
Claimant shall take nothing in the way of weekly benefits from these proceedings.

Defendant-employer shall reimburse claimant for the cost of Dr. Kreiter's IME.

Pursuant to rule 876 IAC 4.33, defendant-employer shall pay claimant's costs of the arbitration proceeding, claimant shall pay the costs of the appeal, including the cost of the hearing transcript.

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

Signed and filed on this 31st day of January, 2020.



JOSEPH S. CORTESE II
WORKERS' COMPENSATION
COMMISSIONER

The parties have been served as follows:

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| Robert T. Rosenstiel | Via WCES |
| Edward J. Rose | Via WCES |
| Amanda R. Rutherford | Via WCES |