

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

LOURDES GRANADOS,

Claimant,

vs.

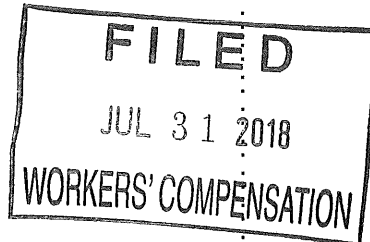
BCS FARMS,

Employer,

and

FARM BUREAU FINANCIAL SERVICES,

Insurance Carrier,
Defendants.



File No. 5064171
ALTERNATE MEDICAL
CARE DECISION

Head Note No.: 2701

STATEMENT OF THE CASE

This is a contested case proceeding under Iowa Code chapters 85 and 17A. The expedited procedure of rule 876 IAC 4.48 is invoked by claimant, Lourdes Granados. Claimant appeared through her attorney, Randy Schueller. Defendants appeared through their attorney, James Russell. All parties were well-represented by counsel, who presented articulate and convincing arguments on behalf of their clients.

The alternate medical care claim came on for hearing on July 31, 2018. The proceedings were digitally recorded. That recording constitutes the official record of this proceeding. Pursuant to the Iowa Workers' Compensation Commissioner's February 16, 2015 order, the undersigned has been delegated authority to issue a final agency decision in this alternate medical care proceeding. Therefore, this ruling is designated final agency action and any appeal of the decision would be to the Iowa District Court pursuant to Iowa Code section 17A.

The record consists of claimant's exhibit 1, and defendants' exhibit A. All exhibits were offered without objection and received into evidence.

The attorneys each had ample time to argue their respective positions. Claimant's counsel alleged his client was not always able to get medical treatment at the Mercy Family Clinic in New Hampton, Iowa. Mr. Schueller stated if claimant scheduled the medical appointments, the clinic would not see her without authorization from Farm Bureau. As a result, Mr. Schueller argued his client was denied medical care.

Mr. Russell replied defendants had accepted the claim as acceptable. Exhibit A established some medical care had been provided to claimant at the Mercy Clinic.

The parties agreed an adjuster at Farm Bureau would make future appointments for claimant at the Mercy Family Clinic in New Hampton. Claimant has the right to seek medical treatment for all causally related injuries to the work injury that arose out of and in the course of claimant's employment on June 16, 2017.

ORDER

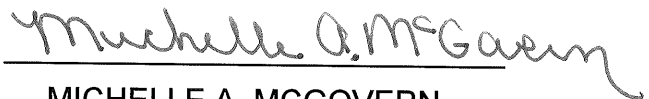
THEREFORE, IT IS ORDERED:

Defendants shall provide medical treatment for claimant at Mercy Family Clinic in New Hampton for all causally related injuries to the work injury that arose out of and in the course of claimant's employment on June 16, 2017.

IT IS FURTHER ORDERED:

A claim adjuster from Farm Bureau will make all appointments in a timely manner for claimant.

Signed and filed this 31st day of July, 2018.



MICHELLE A. MCGOVERN
DEPUTY WORKERS'
COMPENSATION COMMISSIONER

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