

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

CODY KOPPES,

Claimant,

vs.

STAR BUILDING SYSTEMS,

Employer,

and

ZURICH AMERICAN INSURANCE CO.,

Insurance Carrier,  
Defendants.

**FILED**

**JAN 12 2015**

WORKERS' COMPENSATION

File No. 5040352

APPEAL

DECISION

Head Note Nos.: 1108.50; 1802

This was an arbitration case that was heard on October 30, 2013. The presiding deputy workers' compensation commissioner issued the arbitration decision on January 24, 2014. There were only limited issues for the presiding deputy to determine. The deputy determined claimant sustained a work-related blood clot which developed in June 2011 such that defendants were liable for related medical costs plus claimant was entitled to temporary disability benefits from June 10, 2011 through July 25, 2011. (Arbitration, page 1)

On February 4, 2014, defendants filed their notice of appeal. On April 23, 2014, defendants filed their appeal brief. Claimant filed her interagency appeal brief on June 16, 2014. Defendants filed their reply brief on June 23, 2014.

In the appeal brief, defendants argued the following:

The deputy workers' compensation commissioner erred in finding claimant met his burden of proof to establish that the blood clot he developed in his right calf in June of 2011 was related to the work injury of July 11, 2008;

The undersigned reviewed the record de novo. The deputy workers' compensation commissioner wrote in precise detail why she determined claimant had met his burden of proof. The deputy wrote:

Andrea Reis, M.D., an internal medicine specialist, on July 18, 2011 recorded that claimant had no personal or familial history of hypercoagulability and had had neither recent surgery nor prolonged bed rest, although, several years earlier, he had sustained a significant right thigh trauma with quite a bit of muscle swelling and contusion. Dr. Reis then stated that that previous leg trauma may [have been] claimant's risk factor for [forming a] clot. She then ordered a full hypercoagulable work up. (Ex. B, pp. 33-34) That testing revealed that claimant had no genetic reasons for forming blood clots. (Ex. B, p.38)

There is no record evidence suggesting that claimant's playing volleyball or his standing in his 2011 welding job increased his risk for forming a blood clot. He is not genetically disposed to form blood clots. He had had no surgery nor any other reason for prolonged bed rest that put him at risk for forming a blood clot in his calf in June 2008. In short, the only risk claimant had for forming a blood clot was his earlier work related contusion that affected the soft tissues from his right thigh to his right foot. The July 11, 2008 contusion injury is found to have been a substantial factor in claimant's developing the superficial blood clot in June 2011.

(Arbitration, pp. 2-3)

Pursuant to Iowa Code sections 86.24 and 17A.15, I affirm and adopt as the final agency decision the proposed arbitration decision filed on January 24, 2014.

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 12<sup>th</sup> day of January, 2015.



MICHELLE A. MC GOVERN  
ACTING WORKERS' COMPENSATION  
COMMISSIONER

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