

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

ELMA MUSLIC,

Claimant,

vs.

TYSON FRESH MEATS, INC.,

Employer,
Self-Insured,
Defendant.

FILED

File No. 5037761

APR -7 2015

A P P E A L

WORKERS' COMPENSATION

D E C I S I O N

Head Note Nos.: 1802; 1803; 2501

Defendant Tyson Foods, Inc., appeals from an arbitration decision filed April 18, 2014. The case was heard on October 24, 2012, and it was considered fully submitted on November 16, 2012, in front of the deputy workers' compensation commissioner. The deputy commissioner determined that claimant proved entitlement to TTD benefits. The deputy commissioner also awarded claimant a 45 percent industrial disability. The deputy commissioner also determined Claimant is entitled to payment of various medical expenses. Defendant asserts on appeal that the deputy commissioner erred in determining that claimant proved entitlement to TTD benefits. Defendant also asserts on appeal that the deputy commissioner erred in determining that claimant proved entitlement to industrial disability benefits. Defendant also asserts on appeal that the deputy commissioner erred in awarding payment of the various claimed medical expenses. Claimant asserts on appeal that the deputy commissioner's award should be upheld. 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 April 18, 2014, that relate to issues properly raised on intra-agency appeal without additional comment.

ORDER

IT IS THEREFORE ORDERED that the arbitration decision of April 18, 2014, is AFFIRMED.

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

Signed and filed this 7th day of April, 2015.

Joseph S. Cortese II

JOSEPH S. CORTESE II
IOWA WORKERS'
COMPENSATION COMMISSIONER

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