

## BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

MOISE KANUND,

Claimant,

vs.

TYSON FOODS, INC.,

Employer,  
Self-Insured,  
Defendants.

File No. 19006314.04

MEMORANDUM OF

ALTERNATE MEDICAL CARE

DECISION

Head Note No.: 2701


On February 23, 2022, Claimant Moise Kanund filed a petition concerning application for alternate care under Iowa Code section 85.27 and rule 876 Iowa Administrative Code 4.48. A hearing was held on March 7, 2022. All parties were given proper notice of the hearing. Attorney Cory Abbas represented Kanund. Kanund appeared and testified. Attorney Dillion Carpenter represented Defendant Tyson Foods, Inc. ("Tyson")

Kanund sustained an injury to his left leg on November 1, 2019. Tyson accepted the condition and provided treatment to Kanund. After he was released from care, Kanund requested a second opinion, which was granted. Tyson authorized additional care. After he was released from care, Kanund requested additional pain management treatment for tingling and pain in his left ankle. Tyson did not authorize additional treatment. Kanund sought treatment on his own and his primary care provider referred him for pain management treatment for his left ankle. Kanund then filed an application for alternate care requesting Tyson be ordered to authorize pain management treatment for his left ankle.

A hearing was recorded *via* a digital voice recorder and a complete decision was dictated into the record on the day of the hearing. The deputy workers' compensation commissioner ordered Kanund's application for alternate care be granted. The decision will be reproduced in typewritten form only if the decision is appealed, and all parties are advised to follow the procedures outlined in the administrative code. Any rights of appeal run from the date the decision was dictated into the record, March 7, 2022.

Pursuant to a standing order of delegation of authority by Workers' Compensation Commissioner, Joseph Cortese, II, under Iowa Code section 86.3, the undersigned enters this decision for the workers' compensation commissioner. Appeal of this decision, if any, would be by judicial review pursuant to Iowa Code section 17A.19.

Signed and filed this 7<sup>th</sup> day of March, 2022.

  
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HEATHER L. PALMER  
DEPUTY WORKERS'  
COMPENSATION COMMISSIONER

The parties have been served, as follows:

Cory Abbas (via WCES)

Dillon Carpenter (via WCES)