

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

RUBELINDA QUINTANILLA,

Claimant,

vs.

WELLS ENTERPRISES, INC.

Employer,
Self-Insured,
Defendant.

File No. 21700457.02

ALTERNATE MEDICAL CARE

CONSENT ORDER

Head Note No.: 2701

This is a contested case proceeding under Iowa Code chapters 85 and 17A. Claimant, Rubelinda Quintanilla, invokes the expedited procedure of rule 876 IAC 4.48. Claimant appeared personally with the assistance of an interpreter and through her attorney, Judy Freking. Defendant appeared through their attorney, Steven Durick.

The alternate medical care claim came on for a telephonic hearing on July 23, 2021. The proceedings were digitally recorded. That recording constitutes the official record of this proceeding. Pursuant to the 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.

Claimant offered Exhibit 1, which includes a total of 3 pages. Defendant offered Exhibits A and B, which includes 5 pages. Those exhibits were received into the evidentiary record.

After receiving the exhibits into the record, the undersigned conducted inquiries of counsel as to the specific disputes, and ultimately the parties were able to reach agreement as to future medical care with the assistance of the undersigned. Claimant seeks authorization of an MRI and authorization of a medical provider for her left shoulder. Defendant admits liability for the left shoulder injury and agrees to authorize Ryan Meis, M.D., an orthopaedic surgeon already authorized to treat claimant's right shoulder injury.

However, defendant challenges any order of an MRI of the left shoulder. Defendant contends that they cannot schedule and obtain an MRI of the left shoulder without an order of a physician. Ultimately, defendant concedes that they will schedule an evaluation with Dr. Meis and follow his recommendations pertaining to the left shoulder, including obtaining an MRI of the left shoulder, if recommended by Dr. Meis.

Claimant is concerned that time is of the essence and treatment of the left shoulder needs to occur quickly. However, claimant ultimately accepted the defendant's offer of care through Dr. Meis, including a left shoulder MRI, if recommended by Dr. Meis. No testimony was offered or elicited at the hearing. Instead, both parties agree to entry of a consent order documenting the agreement reached during the alternate medical care hearing.

THEREFORE, IT IS ORDERED:

Pursuant to the agreement of the parties during the July 23, 2021 alternate medical care hearing, defendant shall immediately authorize treatment of claimant's left shoulder through Dr. Ryan Meis.

Defendant shall follow the recommendations of Dr. Meis for the treatment of claimant's left shoulder, including but not limited to obtaining an MRI of the left shoulder, if recommended by Dr. Meis.

Signed and filed this 23rd day of July, 2021.



WILLIAM H. GRELL
DEPUTY WORKERS'
COMPENSATION COMMISSIONER

The parties have been served, as follows:

Judy Freking (via WCES)

Steven Durick (via WCES)