

## BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

JOHN HEENEY,

Claimant,

vs.

BROIHIER CONTRACT HAULING,  
LLC,

Employer,

and

WESTERN NATIONAL MUTUAL INS.  
CO.,Insurance Carrier,  
Defendants.

File No. 21700542.02

ALTERNATE MEDICAL CARE

CONSENT ORDER

Claimant filed an Original Notice and Petition for Alternate Medical Care with this agency on May 23, 2022. In the Original Notice and Petition for Alternate Medical Care, claimant requested defendants be ordered to authorize claimant to treat with an orthopedic specialist for his right shoulder other than a specialist from ORA Orthopedics (ORA).

Based on a conference call with counsel for both parties, and a proposed consent order, defendants agree to authorize claimant to treat with an orthopedic specialist for his right shoulder other than a specialist from ORA.


In an effort to avoid an unnecessary hearing, and yet protect the interests of their clients, the parties agree to entry of a consent order, requiring defendants to authorize claimant to treat with an orthopedic specialist for his right shoulder other than a specialist from ORA. Defendants also accept liability for claimant's right shoulder injury.

This consent order is not intended to reflect findings of fact or conclusions of law relative to this claim. Rather, it is intended to document and enter an order that is consistent with both parties' positions and acceptable to both parties. A formal alternate medical care hearing was not conducted, as all parties consented to entry of this order and waived the formal hearing.

THEREFORE, IT IS ORDERED:

Pursuant to the agreement of the parties prior to the scheduled June 3, 2022, alternate medical care hearing, defendants shall authorize claimant to treat with an orthopedic specialist for his right shoulder other than a specialist from ORA. Claimant retains the right to file another petition for alternate medical care regarding this matter if necessary.

Signed and filed this 3<sup>rd</sup> day of June, 2022.

  
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JAMES F. CHRISTENSON  
DEPUTY WORKERS'  
COMPENSATION COMMISSIONER

The parties have been served, as follows:

Joseph Powell (via WCES)

Jeff Margolin (via WCES)