



claimant permanent total disability benefits. Claimant asserts the deputy commissioner erred in failing to award claimant payment by defendant for the requested past medical expenses. Claimant asserts the deputy commissioner erred in finding claimant is not entitled to reimbursement under Iowa Code section 85.39 for the cost of Dr. Kuhnlein's IME. Claimant also asserts the deputy commissioner erred in failing to order defendant to pay claimant's costs of the arbitration proceeding.

Defendants assert on appeal that the arbitration decision should be affirmed in its entirety.

Those portions of the proposed agency decision pertaining to issues not raised on appeal are adopted as a part of this appeal decision.

Having performed a de novo review of the evidentiary record and the detailed arguments of the parties, I reach the same analysis, findings, and conclusions as those reached by the deputy commissioner.

Pursuant to Iowa Code sections 17A.5 and 86.24, I affirm and adopt as the final agency decision those portions of the proposed arbitration decision filed on January 21, 2016, which relate to the issues properly raised on intra-agency appeal.

I find the deputy commissioner provided sufficient analysis of the issues raised in the arbitration proceeding. I affirm the deputy commissioner's findings of fact and conclusions of law pertaining to those issues. I affirm the deputy commissioner's finding that claimant failed to carry his burden of proof that he sustained a work-related injury on August 6, 2013, as alleged. I affirm the deputy commissioner's finding that claimant is entitled to neither permanent partial disability benefits nor permanent total disability benefits. I affirm the deputy commissioner's finding that claimant is not entitled to payment by defendant for requested past medical expenses. I affirm the deputy commissioner's finding that claimant is not entitled to reimbursement under Iowa Code section 85.39 for the cost of Dr. Kuhnlein's IME. I also affirm the deputy commissioner's order that the parties pay their own costs of the arbitration proceeding. I affirm the deputy commissioner's findings, conclusions and analysis regarding those issues.

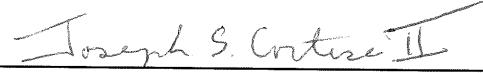
#### ORDER

IT IS THEREFORE ORDERED that the arbitration decision filed on January 21, 2016, is affirmed in its entirety.

Claimant shall take nothing from these proceedings.

Pursuant to rule 876 IAC 4.33, the parties shall bear their own costs of the arbitration proceeding, and claimant shall pay the costs of the appeal, including the cost of the hearing transcript.

Signed and filed this 7<sup>th</sup> day of July, 2017.



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JOSEPH S. CORTESE II  
WORKERS' COMPENSATION  
COMMISSIONER

Copies To:

Martin Ozga  
Attorney at Law  
1441 – 29<sup>th</sup> St., Ste. 111  
West Des Moines, IA 50266  
[mozga@nbolawfirm.com](mailto:mozga@nbolawfirm.com)

James M. Ballard  
Attorney at Law  
14225 University Ave., Ste. 142  
Waukee, IA 50263  
[jballard@jmbfirm.com](mailto:jballard@jmbfirm.com)