

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

STEPHON GOLDEN, Claimant, vs. MIDWEST CONSTRUCTION SERVICES, INC. d/b/a TRILLIUM DRIVER SERVICES, Employer, XL SPECIALTY INSURANCE COMPANY, Insurance Carrier, Defendants.	File No. 21012308.02 CONSENT ORDER REGARDING ALTERNATE CARE Headnote:2701
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STATEMENT OF THE CASE

On March 24, 2022, Stephon Golden filed an application for alternate care under Iowa Code section 85.27 and agency rule 876 IAC 4.48 in the form of a second opinion from an orthopedic specialist. The defendants, employer Midwest Construction Services, Inc. d/b/a Trillium Driver Services and insurance carrier XL Specialty Insurance Company, answered, accepted liability, and stated they were attempting to schedule an appointment for a second opinion at the University of Iowa Hospitals and Clinics (UIHC). The agency scheduled a telephone hearing for April 5, 2022.

Before the hearing, counsel for the parties shared they had been in communication regarding the requested second opinion. UIHC had not responded to the defendants' request to schedule an appointment. The defendants did not know when UIHC might do so. The parties agreed to a consent order with a soft deadline regarding the scheduling of a second opinion with the understanding the defendants cannot control when UIHC might schedule such an appointment.

ORDER

THEREFORE, IT IS ORDERED the defendants shall take reasonable action to schedule, within twenty-one (21) days of the date of this order, an appointment with an orthopedic specialist.

Signed and filed this 5th day of April, 2022.

A handwritten signature in black ink, appearing to read "Ben Humphrey", is written over a horizontal line.

BEN HUMPHREY

Deputy Workers' Compensation Commissioner

The parties have been served, as follows:

Nicholas Shaul (via WCES)

Coreen Sweeney (via WCES)