BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

SARAH PHILLIPS,

Claimant,

VS. :

REM IOWA, :

Employer, :

and :

NEW HAMPSHIRE INSURANCE COMPANY.

Insurance Carrier,
Defendants.

ALTERNATE MEDICAL

CARE CONSENT ORDER

File Nos. 5044838.01, 5044839.01, 5804484.01

Defendants. :

Claimant Sarah Phillips sustained three work injuries on October 15, 2011, File Number 5044838, January 21, 2012, File Number 5044839, and October 17, 2012, File Number 5804484, which arose out of and in the course of her employment with the defendant, REM Iowa ("REM"). An arbitration decision was filed on July 21, 2016, ordering Phillips would take nothing with respect to the work injuries occurring on October 15, 2011, File Number 5044838, and January 21, 2012, File Number 5044839. Phillips was awarded 200 weeks of permanent partial disability benefits for File Number 5804484. The decision was not appealed.

On January 22, 2020, Phillips filed three petitions for alternate care for File Numbers 5044838.01, 5044839.01, and 5804484.01. A hearing was scheduled for February 3, 2020. Phillips filed a Brief and exhibits 1 through 5 prior to the hearing. In her Brief Phillips requested I order REM and its insurer, the defendant New Hampshire Insurance Company ("New Hampshire"), to authorize: (1) the February 5, 2020 appointment for occipital nerve block/trigger point injections; (2) a pharmacy in Troy, Michigan within ten days; (3) an appointment for Botox injections; (4) authorize treatment with a pain psychologist; and (5) chiropractic treatment.

Attorney Emily Anderson appeared on behalf of Phillips at the time of the hearing. Attorney Edward Rose appeared on behalf of REM and New Hampshire. Before the hearing REM and New Hampshire had not received an order from the University of Michigan ordering continued occipital nerve block/trigger point injections.

A recess was taken and Phillips' attorney obtained a current order for the injections dated November 22, 2019, which is valid through May 22, 2020.

The parties agreed to the entry of a consent order. Phillips agreed File Numbers 5044838.01 and 5044839.01 should be dismissed given no relief was granted in the 2016 arbitration decision. REM and New Hampshire agreed to authorize the February 5, 2020 appointment for occipital nerve block/trigger point injections and a pharmacy in Troy, Michigan.

ORDER

File Numbers 5044838.01 and 5044839.01 are hereby dismissed. For File Number 5804484.01, REM and New Hampshire shall authorize the February 5, 2020 appointment for occipital nerve block/trigger point injections and shall authorize a pharmacy in Troy, Michigan, as soon as practicable.

Signed and filed this <u>3rd</u> day of February, 2020.

HEATHER L. PALMER
DEPUTY WORKERS'
COMPENSATION COMMISSIONER

The parties have been served, as follows:

Emily Anderson (via WCES) Edward Rose (via WCES)