

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

JOSE VERA,
Claimant,

FILED

File No. 5053531

SEP 15 2015

MEMORANDUM OF DECISION

vs.

WORKERS COMPENSATION

ON ALTERNATE

HYPERTIGHT SPRAY FOAM,

MEDICAL CARE

Employer,
Defendant.

HEAD NOTE NO: 2701

Claimant filed a petition seeking alternate medical care on August 31, 2015 due to a work injury on July 15, 2015. A telephonic hearing on this petition was held on September 14, 2015. All parties were given proper notice and were aware that the undersigned has been delegated final agency decision authority in this proceeding.

The defendant employer, Hypertight Spray Foam, whose insurance status is unknown, has not appeared in this proceeding, despite receiving timely and adequate notice of the petition and of these proceedings. Claimant has not been offered any medical care by defendant for his work injury of July 15, 2015 to his left leg and low back. An attempt to authorize care and needed magnetic resonance imaging (MRI) of the low back was made by a physician chosen by claimant, John Ingram, M.D., but defendant refused to respond.

Default is entered against this defendant and it was found that no medical care was offered by defendant despite the need for such care.

The entire hearing was recorded by a digital voice recorder. A detailed decision containing findings of fact and conclusions of law was dictated into the record on the date of the hearing. This decision will not be reproduced in typewritten form unless there is an appeal from this decision, at which time the procedures under the administrative code are to be followed. Any rights of appeal will run from the date the decision was dictated into the record and this memorandum is solely for the purpose of the agency file.

In the decision, it was ordered that claimant's petition for alternate care be granted and defendant provide to claimant all care and treatment modalities recommended by John Ingram, M.D., including an MRI of the low back. This decision was rendered on September 14, 2015.

Signed and filed this 15th day of September, 2015.



LARRY WALSHIRE
DEPUTY WORKERS'
COMPENSATION COMMISSIONER

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Copies to:

Dennis M. McElwain
Attorney at Law
PO Box 1194
Sioux City, IA 51102-1194
smitmcel@aol.com

Hypertight Spray Foam
305 Hillcrest
Adair, IA 50002
REGULAR AND CERTIFIED MAIL

LPW/srs