

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

ALFRED COTE,

Claimant,

vs.

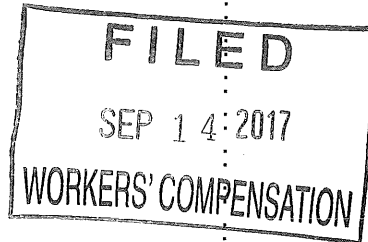
FEDERAL MOGUL,

Employer,

and

TRAVELERS,

Insurance Carrier,
Defendants.



File No. 5062632

MEMORANDUM OF ALTERNATE
MEDICAL CARE DECISION

HEAD NOTE NO: 2701

STATEMENT OF THE CASE

This is a contested case proceeding under Iowa Code chapters 85 and 17A. The expedited procedure of rule 876 IAC 4.48 is invoked by claimant, Alfred Cote. Claimant appeared personally and through his attorney, Nicholas Pothitakis. Defendants appeared through their attorney, Tonya Oetken.

The alternate medical care claim came on for hearing on September 14, 2017. The proceedings were digitally recorded. That recording constitutes the official record of this proceeding. Pursuant to the Commissioner's February 16, 2015 Order, the undersigned has been delegated authority to issue a final agency decision in this alternate medical care proceeding.

The undersigned dictated his decision in this case into the evidentiary record at the conclusion of the alternate medical care hearing. That dictated ruling and order are the final agency action and the parties were advised that any appeal of that decision would run from the date of entry of that verbal decision. Any appeal of the decision would be to the Iowa District Court pursuant to Iowa Code section 17A.19.

Having heard and reviewed the parties' evidence, the undersigned rendered a decision at the conclusion of the alternate medical care hearing in which the undersigned concluded that the care being offered by defendants through Patrick Hartley, M.D., at the University of Iowa Hospitals and Clinics is a reasonable offer of

care moving forward. Therefore, the undersigned concluded that claimant failed to carry his burden of proof to establish his claim for alternate medical care.

ORDER

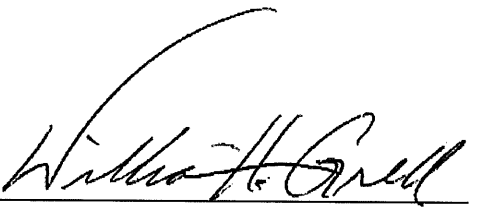
THEREFORE, IT WAS ORDERED:

The claimant's petition for alternate medical care is denied and dismissed without prejudice.

This memorandum of decision is entered and filed solely for administrative purposes to document the undersigned's decision entered at the time of the September 14, 2017 alternate medical care hearing.

The decision dictated by the undersigned at the conclusion of the alternate medical care hearing constitutes the final agency decision.

Signed and filed this 14th day of September, 2017.


WILLIAM H. GRELL
DEPUTY WORKERS'
COMPENSATION COMMISSIONER

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