

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

EDGAR CAMPBELL,

Claimant,

vs.

KRAFT HEINZ CO.,

Employer,

and

INDEMNITY INSURANCE CO. OF N.A.,

Insurance Carrier,  
Defendants.

File No. 5063651

ARBITRATION

DECISION

Head Note Nos.: 1108; 1402.40;  
1802; 1803; 3800

**FILED**  
MAY 08 2019  
WORKERS COMPENSATION

STATEMENT OF THE CASE

This is a proceeding in arbitration. The contested case was initiated when claimant, Edgar Campbell, filed his original notice and petition with the Iowa Division of Workers' Compensation. The petition was filed on September 6, 2017. Claimant alleged he sustained a work-related injury on April 25, 2017. (Original notice and petition)

For purposes of workers' compensation, Kraft Heinz Company, is insured by Indemnity Insurance Co. of N.A. Defendants filed their answer on October 11, 2017. The defendants denied the occurrence of the work injury on April 25, 2017. A First Report of Injury was filed on June 16, 2017.

The hearing administrator scheduled the case for hearing on October 9, 2018. The hearing took place at 150 Des Moines Street in Des Moines, Iowa. The undersigned appointed Ms. Jody Malloy as the certified shorthand reporter. She is the official custodian of the records and notes.

Claimant testified on his own behalf. Defendants did not call any witnesses to testify at the hearing. Joint Exhibits 1 through 9 were offered. Claimant offered exhibits 1 through 7. Defendants offered exhibit A. All proffered exhibits were admitted as evidence. The parties also submitted post-hearing briefs on October 31, 2018. The case was deemed fully submitted on that date.

### STIPULATIONS

The parties completed the designated hearing report. The various stipulations are:

1. There was the existence of an employer-employee relationship at the time of the alleged injury;
2. Claimant sustained an injury on April 25, 2017 which arose out of and in the course of his employment;
3. If permanency is found, the parties agree the method of calculation is by the functional manner and the injury is to the right upper extremity;
4. The weekly benefit rate is \$377.19;
5. Defendants waive any affirmative defenses they may have had available to them;
6. Medical benefits are no longer in dispute;
7. Defendants state the independent medical examination will be paid by defendants; and
8. The parties agree claimant has paid the costs listed.

### ISSUES

The issues presented are:

1. Whether claimant sustained a temporary and/or permanent disability to his right upper extremity;
2. Whether claimant is entitled to temporary or healing period benefits for the period from May 19, 2017 through July 7, 2017;
3. Whether the right upper extremity condition is a cause of permanent disability;
4. If permanency is found, there is the issue of the extent of claimant's permanent partial disability; and
5. There is the issue of the commencement date for any permanency benefits that may be awarded. Defendant contends the date would be April 26, 2017; claimant contends the date would be July 8, 2017.

FINDINGS OF FACT

This deputy, after listening to the testimony of claimant and after judging the credibility of claimant, plus after reading the evidence, and the post-hearing briefs, makes the following findings of fact and conclusions of law:

The party who would suffer loss if an issue were not established has the burden of proving the issue by a preponderance of the evidence. Iowa Rule of Appellate Procedure 6.14(6).

Claimant is presently 42 years old and single. He currently resides in Davenport, Iowa. He grew up in Chicago but moved to Iowa in 2004. Claimant has a high school diploma from Martin Luther King High School in Chicago. Claimant also has an Associate of Arts degree in business from Rend Lake College in Ina, Illinois.

Claimant commenced employment with Kraft Heinz Company on or about March 17, 2017. Claimant was hired to work in the sanitation division. Claimant testified about his job duties. He stated:

A. I was working sanitation, which my job was basically for when the rest of the team members get done doing their job with the equipment, I would come behind them and basically sanitize it and clean it with a high-pressure hose and use chemical to spray it down and clean the equipment up.

Q. (By Mr. Shaull) And I'm assuming these are industrial strength?

A. Yes, they is [sic] pretty - - Bigger than this room. The machines they use is [sic] pretty big. Bigger than this room.

Q. And you mentioned something about a raincoat, I believe or a rainsuit.

A. Rainsuit, yes.

Q. Why do you have to wear that?

A. Well, you have to have your rainsuit on because when you're spraying the stuff, basically, you know, you don't want nothing [sic] to be dripping down on your head, because you're using chemicals and all that. So you got your goggles on. You got your gloves and plastic - - wrist - - I mean wrist - - like some plastic things. Then you got just PPE stuff that you use basically. And the rainsuit is basically, you know, to help protect you, but - for you won't get wet. And the hoodie is just basically so the stuff won't come over your head.

DEPUTY MCGOVERN: Do you have special boots?

A. Yes, they give you some boots for that.

Q. (By Mr. Shaull) So you noticed that you had some burns; is that correct?

A. Yes, sir.

Q. Where were those located at?

A. It was on my left - - it was on my right wrist and then some specks on my left wrist. Left and right.

Q. And it's my understanding that the left wrist ultimately healed; is that correct?

A. Yes. Yes.

Q. And are you right – or left handed?

A. My good arm is my right arm.

Q. And do you still have a mark there now?

A. Yes.

(Tr., pp. 16-18)

Claimant showed the residual scarring to this deputy during the course of the arbitration hearing. There were also photographs claimant had taken of his wrists. It was not known when those photos were taken.

Claimant reported to the medical department at the Kraft Heinz Company following the discovery of his chemical burns on bilateral wrists. (Joint Exhibit 1, page 1) A nurse on duty administered proper wound care to both wrists. Claimant was given 800 mg of Ibuprofen for throbbing pain. (Jt. Ex. 1, p.2) Claimant had several dressing changes on April 25<sup>th</sup>. The nurses on duty provided claimant with bacitracin, and all of the necessary dressings. (Jt. Ex. 1, p. 2)

Claimant returned to the medical department on April 26, 2017 for wound care and dressing changes. (Jt. Ex. 1, p. 3) Mary Speidel, RN, detected serious drainage on the telfa pad from the right wrist. (Jt. Ex. 1, p. 3) The nursing staff advised claimant to have his dressings changed twice per shift. (Jt. Ex. 1, p. 3)

On May 1, 2017, claimant complained of pain in his right wrist. He found it difficult to sleep because of the intense pain. (Jt. Ex. 1, p. 4) Claimant requested permission to see a physician. (Jt. Ex. 1, p. 4) Claimant reported he could not flex his

right wrist. (Jt. Ex. 1, p. 4) On the right wrist, there was moderate serious drainage on the telfa. (Jt. Ex. 1, p. 5)

On May 5, 2017, claimant reported to the nursing staff, he was experiencing numbness in his right wrist. He also had shooting pains in his hands and into his right arm. Claimant stated he could not make a fist with his hand. (Jt. Ex. 1, p. 5) On May 8, 2017, the nursing staff strongly encouraged claimant to flex and extend his right wrist or else retraction could occur. (Jt. Ex. 1, p. 6) Claimant was restricted from coming into contact with liquids or mist chemicals. (Jt. Ex. 1, p. 7)

Claimant appeared to be improving around May 10, 2017. He had no complaints of pain until his wound was scrubbed with saline. (Jt. Ex. 1, p. 8) He was able to flex his right wrist. (Jt. Ex. 1, p. 8) On May 12, 2017, claimant explained his pain level was down from where it had been previously. (Jt. Ex. 1, p. 8) On May 16, 2017, claimant reported feeling well. However, there was a small amount of serious drainage on his dressing from the right dorsal wrist. (Jt. Ex. 1, p. 8) On May 18, 2017, claimant reported feeling great. (Jt. Ex. 1, p. 19) There were still small amounts of serious drainage on a Telfa pad. (Jt. Ex. 1, p. 9)

On May 19, 2017, Mr. John Fleming terminated claimant from employment at Kraft Heinz Company. (Tr., pp. 11-12) Claimant was also notified by a letter with the date of May 19, 2017 that he was terminated effective the same date. (Claimant's exhibit 7, page 1) Claimant was told he was terminated during his probationary period. (Cl. Ex. 7, p. 1) He was also advised to return his company badge and to pick up his personal items within 15 days. (Cl. Ex. 7, p. 1) Claimant testified he was given no reason for his termination. (Tr., p. 12)

After several requests from claimant's counsel, and after filing a petition for alternate medical care pursuant to Iowa Code section 85.27, defendants authorized an appointment with Rick Garrels, M.D., a physician at the Genesis Occupational Medicine Clinic. The examination occurred on July 7, 2017. (Jt. Ex. 2, p. 11) Dr. Garrels examined the right wrist. The physician noted:

Msk: on inspection of right wrist, no swelling, ecchymosis, or bruising noted. Tenderness to palpation along the dorsal and Palmer aspect of right wrist around site of chemical burn. Decreased Active ROM with right wrist flexion and extension. Decreased hand grip on right when compared to left. Equivocal tinels.

(Jt. Ex. 2, p. 12)

Dr. Garrels diagnosed claimant with:

1. Pain in right wrist.
2. Unspecified fracture of navicular bone of right wrist, subsequent encounter for fracture with nonunion.

3. Burn of second degree of right forearm, subsequent encounter.

(Jt. Ex. 2, p. 12)

Dr. Garrels opined the fracture was not work-related. The physician opined the burn had healed and the discoloration would improve with time. Dr. Garrels determined claimant was able to perform regular duty. (Jt. Ex. 2, p. 12)

On May 29, 2018, Dr. Garrels rated claimant as having a zero percent permanent impairment rating to the skin. The diagnosis was a chemical burn of the second degree to the right forearm. (Jt. Ex. 3, p. 15) The rating was based on the AMA Guides to the Evaluation of Permanent Impairment, Fifth Edition. (Jt. Ex. 3, p. 15)

Claimant exercised his right to an independent medical examination pursuant to Iowa Code section 85.39. Sunil Bansal, M.D., M.P.H., examined claimant on July 13, 2018. Dr. Bansal conducted a physical examination of claimant's upper extremities. The examining doctor noted in his report:

**PHYSICAL EXAMINATION**

**SKIN/RIGHT WRIST/FOREARM:**

Hyperpigmented scar on wrist, measuring 9.5 x 4.3 cm, mild central induration without elevation or hyperemia.

No hypertrophic areas noted.

There is a loss of two-point sensory discrimination over the scar at 12mm

**WRIST RANGE OF MOTION**

Flexion: 60 degrees

Extension 52 degrees

Radial Deviation 15 degrees

Ulnar Deviation 30 degrees

**LEFT WRIST/HAND**

No tenderness to palpation

Full range of motion

(Jt. Ex. 4, p. 19)

Dr. Bansal diagnosed claimant with right wrist burn. The independent medical examiner agreed with Dr. Garrels. Claimant reached maximum medical improvement on July 7, 2017. (Jt. Ex. 4, p. 19) Dr. Bansal related the right wrist burn to claimant's job in the sanitation department at Kraft Heinz Co. (Jt. Ex. 4, p. 20) Dr. Bansal told claimant to avoid working in the extreme cold. (Jt. Ex. 4, p. 20)

Dr. Bansal provided a permanent impairment rating for the right upper extremity. Dr. Bansal opined:

SKIN

With reference to the **AMA Guides to the Evaluation of Permanent Impairment, Fifth Edition (Guides)**, specifically Table 8-2, Mr. Campbell meets the criteria of a Class I impairment. His burn is sensitive to the physical agents of temperature, and he does need to apply moisturizers. **Therefore, I would assign a 2% impairment of the body as a whole or 3% upper extremity impairment.**

(Jt. Ex. 4, p. 20)

Subsequent to the issuance of Dr. Bansal's report, Dr. Garrels issued a second report. It had the date of September 5, 2018. (Jt. Ex. 6, p. 23) In the second report, Dr. Garrels stated he stood by his previous rating of zero percent. Additionally, Dr. Garrels explained what the chemical, "Luster", is. Dr. Garrels wrote:

Luster is a food grade cleaning chemical which is mild and safe to use on food prep surfaces. In the 15+ years of treating patients at Kraft, it was rare to see a person with significant skin irritation from it, except when there was a prolonged exposure where it wasn't washed off within a short time of the exposure [.] In the hand-full of people I took care of with similar injuries, the burns were similar to Mr. Campbell and only involved superficial skin layers. This type of burn would have no impact on deep tissues such as nerves, tendons or bones. Nerve function controls motor and sensory function of the wrist and hand.

(Jt. Ex. 6, p. 23)

Claimant testified he commenced employment with Solar Plastics on March 18, 2018. The company management hired claimant as a trimmer. Claimant uses small hand tools and drills. Claimant testified he uses his dominant right hand and upper extremity. However, he drops objects because he has numbness and trouble gripping items.

RATIONALE AND CONCLUSIONS OF LAW

The claimant has the burden of proving by a preponderance of the evidence that the alleged injury actually occurred and that it both arose out of and in the course of the

employment. Quaker Oats Co. v. Ciha, 552 N.W.2d 143 (Iowa 1996); Miedema v. Dial Corp., 551 N.W.2d 309 (Iowa 1996). The words "arising out of" referred to the cause or source of the injury. The words "in the course of" refer to the time, place, and circumstances of the injury. 2800 Corp. v. Fernandez, 528 N.W.2d 124 (Iowa 1995). An injury arises out of the employment when a causal relationship exists between the injury and the employment. Miedema, 551 N.W.2d 309. The injury must be a rational consequence of a hazard connected with the employment and not merely incidental to the employment. Koehler Electric v. Wills, 608 N.W.2d 1 (Iowa 2000); Miedema, 551 N.W.2d 309. An injury occurs "in the course of" employment when it happens within a period of employment at a place where the employee reasonably may be when performing employment duties and while the employee is fulfilling those duties or doing an activity incidental to them. Ciha, 552 N.W.2d 143.

The claimant has the burden of proving by a preponderance of the evidence that the injury is a proximate cause of the disability on which the claim is based. A cause is proximate if it is a substantial factor in bringing about the result; it need not be the only cause. A preponderance of the evidence exists when the causal connection is probable rather than merely possible. George A. Hormel & Co. v. Jordan, 569 N.W.2d 148 (Iowa 1997); Frye v. Smith-Doyle Contractors, 569 N.W.2d 154 (Iowa App. 1997); Sanchez v. Blue Bird Midwest, 554 N.W.2d 283 (Iowa App. 1996).

The question of causal connection is essentially within the domain of expert testimony. The expert medical evidence must be considered with all other evidence introduced bearing on the causal connection between the injury and the disability. Supportive lay testimony may be used to buttress the expert testimony and, therefore, is also relevant and material to the causation question. The weight to be given to an expert opinion is determined by the finder of fact and may be affected by the accuracy of the facts the expert relied upon as well as other surrounding circumstances. The expert opinion may be accepted or rejected, in whole or in part. St. Luke's Hosp. v. Gray, 604 N.W.2d 646 (Iowa 2000); IBP, Inc. v. Harpole, 621 N.W.2d 410 (Iowa 2001); Dunlavy v. Economy Fire and Cas. Co., 526 N.W.2d 845 (Iowa 1995). Miller v. Lauridsen Foods, Inc., 525 N.W.2d 417 (Iowa 1994). Unrebutted expert medical testimony cannot be summarily rejected. Poula v. Siouxland Wall & Ceiling, Inc., 516 N.W.2d 910 (Iowa App. 1994).

A personal injury contemplated by the workers' compensation law means an injury, the impairment of health or a disease resulting from an injury which comes about, not through the natural building up and tearing down of the human body, but because of trauma. The injury must be something that acts extraneously to the natural processes of nature and thereby impairs the health, interrupts or otherwise destroys or damages a part or all of the body. Although many injuries have a traumatic onset, there is no requirement for a special incident or an unusual occurrence. Injuries which result from cumulative trauma are compensable. Increased disability from a prior injury, even if brought about by further work, does not constitute a new injury, however. St. Luke's Hosp. v. Gray, 604 N.W.2d 646 (Iowa 2000); Ellingson v. Fleetguard, Inc., 599 N.W.2d 440 (Iowa 1999); Dunlavy v. Economy Fire and Cas. Co., 526 N.W.2d 845 (Iowa



1995); McKeever Custom Cabinets v. Smith, 379 N.W.2d 368 (Iowa 1985). An occupational disease covered by chapter 85A is specifically excluded from the definition of personal injury. Iowa Code section 85.61(4) (b); Iowa Code section 85A.8; Iowa Code section 85A.14.

When an expert's opinion is based upon an incomplete history it is not necessarily binding on the commissioner or the court. It is then to be weighed, together with other facts and circumstances, the ultimate conclusion being for the finder of the fact. Musselman v. Central Telephone Company, 154 N.W.2d 128, 133 (Iowa 1967); Bodish v. Fischer, Inc., 257 Iowa 521, 522, 133 N.W.2d 867 (1965).

The weight to be given an expert opinion may be affected by the accuracy of the facts the expert relied upon as well as other surrounding circumstances. St. Luke's Hospital v. Gray, 604 N.W.2d 646 (Iowa 2000).

The commissioner as trier of fact has the duty to determine the credibility of the witnesses and to weigh the evidence. Together with the other disclosed facts and circumstances, and then to accept or reject the opinion. Dunlavey v. Economy Fire and Casualty Co., 526 N.W.2d 845 (Iowa 1995).

Under the Iowa Workers' Compensation Act, permanent partial disability is compensated either for a loss or loss of use of a scheduled member under Iowa Code section 85.34(2)(a)-(t) or for loss of earning capacity under section 85.34(2)(u). The extent of scheduled member disability benefits to which an injured worker is entitled is determined by using the functional method. Functional disability is "limited to the loss of the physiological capacity of the body or body part." Mortimer v. Fruehauf Corp., 502 N.W.2d 12, 15 (Iowa 1993); Sherman v. Pella Corp., 576 N.W.2d 312 (Iowa 1998). The fact finder must consider both medical and lay evidence relating to the extent of the functional loss in determining permanent disability resulting from an injury to a scheduled member. Terwilliger v. Snap-On Tools Corp., 529 N.W.2d 267, 272-273 (Iowa 1995); Miller v. Lauridsen Foods, Inc., 525 N.W.2d 417, 420 (Iowa 1994).

Claimant has met his burden of proof. He is entitled to permanency benefits for the burn he sustained to his right upper extremity. The undersigned had the opportunity to observe the residual scarring during the course of the hearing. Also, Dr. Bansal provided a more thorough physical examination than did Dr. Garrels. Dr. Bansal performed actual testing such as range of motion testing and grip strength testing. Dr. Bansal used actual measurements when assessing range of motion of the right wrist. Dr. Garrels did not calculate range of motion measurements. Therefore, the undersigned accepts the opinion of Dr. Bansal over the opinion of Dr. Garrels. Claimant has a 3 percent functional loss of use of his right upper extremity.

A wrist injury is an injury to the arm, not the hand. Holstein Electric v. Breyfogle, 756 N.W.2d 812 (Iowa 2008).

Iowa Code section 85.34(2)(m) governs the payment of permanency for the loss of use of the arm. The subsection states:

*m.* The loss of two-thirds of that part of an arm between the shoulder joint and the elbow joint shall equal loss of an arm and the compensation therefor shall be weekly compensation during two hundred fifty weeks.

As a consequence, 150 weeks times .03 percent equals 4.5 weeks of permanent partial disability benefits. Defendants shall pay unto claimant 4.5 weeks of permanent partial disability benefits at the stipulated weekly benefit rate of \$377.19. Permanency benefits shall commence from July 8, 2017, per the opinions of both Dr. Garrels and Dr. Bansal.

Claimant is requesting healing period benefits pursuant to Iowa Code section 85.34(1). Healing period compensation describes temporary workers' compensation weekly benefits that precede an allowance of permanent partial disability benefits. Ellingson v. Fleetguard, Inc., 599 N.W.2d 440 (Iowa 1999). Section 85.34(1) provides that healing period benefits are payable to an injured worker who has suffered permanent partial disability until the first to occur of three events. These are: (1) the worker has returned to work; (2) the worker medically is capable of returning to substantially similar employment; or (3) the worker has achieved maximum medical recovery. Maximum medical recovery is achieved when healing is complete and the extent of permanent disability can be determined. Armstrong Tire & Rubber Co. v. Kubli, Iowa App., 312 N.W.2d 60 (Iowa 1981). Neither maintenance medical care nor an employee's continuing to have pain or other symptoms necessarily prolongs the healing period.

In the present case, both Dr. Garrels and Dr. Bansal determined claimant reached maximum medical improvement on July 7, 2017. Defendants contend the commencement date for the payment of permanency benefits should have been April 26, 2017 because claimant was working. However, defendants terminated claimant on May 19, 2017. Claimant testified no reason was given to him by Mr. Fleming for the termination. Then claimant was notified by letter of his termination, effective May 19, 2017. Again no reason was cited. (Cl. Ex. 7, p. 1) Claimant is entitled to healing period benefits for the period from May 19, 2017 through July 7, 2017. This is a period of 7 weeks and 1 day. Defendants shall pay claimant at the rate of \$377.19.

Defendants shall pay accrued weekly benefits in a lump sum together with interest at the rate of ten percent for all weekly benefits payable and not paid when due which accrued before July 1, 2017, and all interest on past due weekly compensation benefits accruing on or after July 1, 2017, shall be payable at an annual rate equal to the one-year treasury constant maturity published by the federal reserve in the most recent H15 report settled as of the date of injury, plus two percent. See Gamble v. AG Leader Technology, File No. 5054686 (App. April 24, 2018).

The final issue is the matter of costs.

Iowa Code section 86.40 states:

Costs. All costs incurred in the hearing before the commissioner shall be taxed in the discretion of the commissioner.

Iowa Administrative Code Rule 876—4.33(86) states:

Costs. Costs taxed by the workers' compensation commissioner or a deputy commissioner shall be (1) attendance of a certified shorthand reporter or presence of mechanical means at hearings and evidential depositions, (2) transcription costs when appropriate, (3) costs of service of the original notice and subpoenas, (4) witness fees and expenses as provided by Iowa Code sections 622.69 and 622.72, (5) the costs of doctors' and practitioners' deposition testimony, provided that said costs do not exceed the amounts provided by Iowa Code sections 622.69 and 622.72, (6) the reasonable costs of obtaining no more than two doctors' or practitioners' reports, (7) filing fees when appropriate, (8) costs of persons reviewing health service disputes. Costs of service of notice and subpoenas shall be paid initially to the serving person or agency by the party utilizing the service. Expenses and fees of witnesses or of obtaining doctors' or practitioners' reports initially shall be paid to the witnesses, doctors or practitioners by the party on whose behalf the witness is called or by whom the report is requested. Witness fees shall be paid in accordance with Iowa Code section 622.74. Proof of payment of any cost shall be filed with the workers' compensation commissioner before it is taxed. The party initially paying the expense shall be reimbursed by the party taxed with the cost. If the expense is unpaid, it shall be paid by the party taxed with the cost. Costs are to be assessed at the discretion of the deputy commissioner or workers' compensation commissioner hearing the case unless otherwise required by the rules of civil procedure governing discovery. This rule is intended to implement Iowa Code section 86.40.

Iowa Administrative Code rule 876—4.17 includes as a practitioner, "persons engaged in physical or vocational rehabilitation or evaluation for rehabilitation." A report or evaluation from a vocational rehabilitation expert constitutes a practitioner report under our administrative rules. Bohr v. Donaldson Company, File No. 5028959 (Arb. November 23, 2010); Muller v. Crouse Transportation, File No. 5026809 (Arb. December 8, 2010) The entire reasonable costs of doctors' and practitioners' reports may be taxed as costs pursuant to 876 IAC 4.33. Caven v. John Deere Dubuque Works, File Nos. 5023051, 5023052 (App. July 21, 2009).

Claimant is requesting certain costs as detailed on page 2 of the hearing report

The following costs are taxed to defendants:

Filing fee: \$100.00

\$1,774.00 (Defendants agreed to pay the cost of the IME.)

ORDER

THEREFORE, IT IS ORDERED:

Defendants shall pay unto claimant four point five (4.5) weeks of permanent partial disability benefits commencing from July 8, 2017 and payable at the stipulated rate of three hundred seventy-seven and 19/100 dollars (\$377.19).

Defendants shall pay unto claimant seven (7) weeks and one (1) day of healing period benefits for the period from May 19, 2017 through July 7, 2017, and the benefits shall be payable at the stipulated rate of three hundred seventy-seven and 19/100 dollars (\$377.19).


All past due benefits shall be paid in a lump sum together with interest as allowed by law and as discussed in the body of the decision.

Defendants agreed at the hearing to reimburse claimant's counsel for the cost of the independent medical examination pursuant to Iowa Code section 85.39.

Defendants shall pay costs as detailed in the body of the decision.

Defendants shall file all reports as required by law.

Signed and filed this 8<sup>th</sup> day of May, 2019.



MICHELLE A. MCGOVERN  
DEPUTY WORKERS'  
COMPENSATION COMMISSIONER

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MAM/kjw

**Right to Appeal:** This decision shall become final unless you or another interested party appeals within 20 days from the date above, pursuant to rule 876-4.27 (17A, 86) of the Iowa Administrative Code. The notice of appeal must be in writing and received by the commissioner's office within 20 days from the date of the decision. The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday. The notice of appeal must be filed at the following address: Workers' Compensation Commissioner, Iowa Division of Workers' Compensation, 1000 E. Grand Avenue, Des Moines, Iowa 50319-0209.