

## BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

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 EMILY BRUEGGEMAN,

Claimant,

vs.

BISHOP DRUMM RETIREMENT  
CENTER,

Employer,

and

UNKNOWN,

Insurance Carrier,  
Defendants.

File No. 23004053.02

ALTERNATE MEDICAL CARE  
CONSENT ORDER

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On June 27, 2023, claimant filed a petition for alternate medical care. Defendants filed an answer on July 6, 2023, admitting liability for the claim. A telephonic hearing took place on July 10, 2023. The proceeding was digitally recorded. That recording constitutes the official record of the proceeding.

Claimant appeared through her attorney, Erin Tucker. Defendants appeared through their attorney, Bryan Hatch. The record consists of Claimant's Exhibit 1, containing 1 page, and Defendants' Exhibit A, containing 10 pages. No witnesses were called, but both attorneys presented oral arguments to support their positions.

The care requested involves a referral for claimant to see a neurologist. On April 24, 2023, Brett Rosenthal, M.D., referred claimant to neurology, as well as pain management. (Claimant's Exhibit 1) Pain management will not see claimant until she has been evaluated by neurology. Since the time of referral, defendants have contacted several neurologists, who have each reviewed the medical records and then declined to see claimant.<sup>1</sup>

After discussing the issues, the parties reached an agreement. Defendants have agreed to work with claimant in finding a neurologist who will agree to see her. Claimant has indicated that she is willing to travel. The parties agree that if an appointment has not been secured within 14 days of the date of this order, claimant will return to

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<sup>1</sup> One neurologist agreed to see claimant, but she declined the appointment as she was not comfortable with the doctor. (See Defendants' Exhibit A, p. 5)

Dr. Rosenthal for reevaluation and recommendations regarding ongoing treatment. The parties understand that the actual appointment does not have to take place within that time frame, only that a future appointment is scheduled.

THEREFORE, IT IS ORDERED:

The parties have agreed to work together to secure an appointment with a neurologist as soon as possible.

If the parties are unable to secure an appointment for a future date and time within 14 days of the date of this order, claimant will be scheduled to return to Dr. Rosenthal for reevaluation and recommendations regarding further treatment.

Signed and filed this 10<sup>TH</sup> day of July, 2023.

A handwritten signature in black ink, appearing to read 'Jessica L. Cleereman', written over a horizontal line.

JESSICA L. CLEEREMAN  
DEPUTY WORKERS'  
COMPENSATION COMMISSIONER

The parties have been served, as follows:

Erin Tucker (via WCES)

Bryan Hatch (via WCES)