

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

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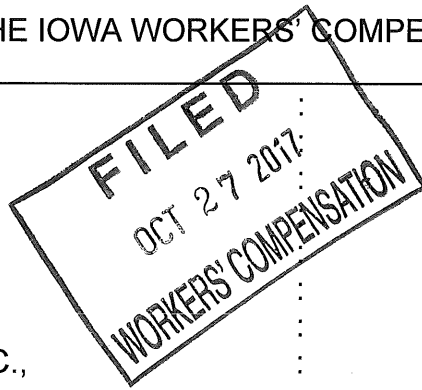
ELVIRA BEGOVIC,

Claimant,

vs.

TYSON FOODS, INC.,

Employer,  
Self-Insured,  
Defendant.



File No. 5055879

ARBITRATION

DECISION

Head Notes: 1402.30, 1802, 1803, 2501

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STATEMENT OF THE CASE

Claimant, Elvira Begovic, filed a petition in arbitration seeking workers' compensation benefits from Tyson Foods, Inc. (Tyson), self-insured employer, as defendant. This case was heard on May 17, 2017 with a final submission date of June 30, 2017.

At hearing, defendant objected to Exhibit B. Exhibit B is an independent medical evaluation (IME) report from Matthew Bollier, M.D. Claimant objected to Exhibit B, as claimant agreed to an IME only for injuries that defendant accepted liability. Following the Bollier IME, defendant denied liability for all of claimant's injuries.

The objection to Exhibit B was overruled. To offset any prejudice from Exhibit B, claimant was allowed to submit rebuttal to Exhibit B within 30 days of the May 17, 2017 hearing. Claimant did submit a rebuttal report from Arnold Delbridge, M.D., marked as Exhibit 1, pages 7 through 10. This exhibit was made a part of the record in this case.

The record in this case consists of Claimant's Exhibits 1-5, Defendant's Exhibits A through J, Joint Exhibits 1-8, and the testimony of claimant. Serving as interpreter at hearing was Karmela Loftus.

The parties filed a hearing report at the commencement of the arbitration hearing. On the hearing report, the parties entered into various stipulations. All of those stipulations were accepted and are hereby incorporated into this arbitration decision and no factual or legal issues relative to the parties' stipulations will be raised or discussed in this decision. The parties are now bound by their stipulations.

### ISSUES

1. Whether claimant sustained an injury that arose out of and in the course of employment on August 12, 2015.
2. Whether the injury resulted in a temporary disability.
3. Whether the injury resulted in a permanent disability; and if so
4. The extent of claimant's entitlement to permanent partial disability benefits.
5. Whether there is a causal connection between the injury and the claimed medical expenses.

### FINDINGS OF FACT

Claimant was 41 years old at the time of hearing. Claimant was born in Bosnia. Claimant completed two years of high school in Bosnia, but quit due to the war. Claimant immigrated to the United States in 2001. Claimant testified she understands and speaks a little English. She said she can read and write a little English. Claimant required a translator at hearing.

Claimant has worked at a candle factory in New Hampshire and has also worked as a housekeeper at a spa. (Exhibit 3, page 3)

Claimant began working for Tyson in September 2003. For her first five years, claimant worked in the "face" job. This involved trimming the face of hogs heads. Claimant then transferred to the "cheek heads" position.

Claimant testified that in the cheek heads position, seven people work in her area. She said her job involves pulling heads towards her with her right hand. Claimant said she uses her left hand to hold a Whizzard knife, which makes cuts on the hog's head. Claimant then uses her right hand to push the head down a conveyor line. Claimant testified she does approximately 1,420 heads per shift, or about three heads every minute.

Claimant said that approximately one time a week she is on the front of the line of seven people. In that position, claimant takes a head for herself to cut, and then allows six other heads to go down the line to coworkers to cut. If more than seven heads come her way, claimant then has to push the extra heads back against the conveyor belt. Claimant does this entire procedure with her right arm. She testified she was not able to do any of the moving or pushing of the hogs heads with her left arm, as her left hand holds the Whizzard knife. Claimant testified when she works this position, she has to push and pull heads across her body. Claimant testified this motion is

awkward or difficult for her. Claimant testified that it required force to push and pull the hogs heads.

On September 1, 2015 claimant was evaluated by Robert Gordon, M.D., with complaints of cervical, right shoulder, and pain in the hand. Claimant noted symptoms while doing her job at Tyson. Claimant was treated with medication. A job site evaluation was recommended. (Joint Exhibit 1, pages 1-3)

In a September 21, 2015 report, John Kruzich, MS, OTR/L indicated he did a job analysis of claimant's position on September 18, 2015. Mr. Kruzich indicated he did this evaluation to evaluate strains on claimant's neck, right shoulder and right upper extremity while she performed the cheek head job. Mr. Kruzich watched claimant doing her job, interviewed claimant, and read the job description of her job. (Ex. C, pp. 1-3)

Mr. Kruzich did not believe there were significant risk factors for claimant's neck given the limited range of motion to do the job. Regarding her right shoulder, Mr. Kruzich did not believe the cheek heads job required sustained awkward posture of the right upper extremity. He believed the job was safe for claimant's right upper extremity given the force and duration of the expectations of the job. In brief, he did not believe that it was medically plausible that claimant's job caused her symptoms. (Ex. C, pp. 3-5)

Claimant testified Mr. Kruzich saw her doing her normal cheek head job. She said he did not see claimant doing the job at the front of the line that required her to push and pull hogs heads.

Claimant returned in followup with Dr. Gordon on September 23, 2015 with continued complaints of pain in the neck, down to the right shoulder into the right arm. Dr. Gordon indicated he reviewed Mr. Kruzich's job report. Dr. Gordon went to the production floor to evaluate claimant's job in cheek heads. Dr. Gordon noted claimant was in position one in the job, which required her to distribute heads to other workers in her line. Dr. Gordon noted that claimant pushed heads with her left hand and distributed the heads with her right hand. Dr. Gordon agreed with Mr. Kruzich's opinion that the cheek head job did not cause or aggravate claimant's symptoms of neck, right shoulder and right arm pain. (Jt. Ex. 1, pp. 4-5)

Claimant testified at hearing she could only pull and distribute the hogs heads with her right arm, and not her left arm, as her left arm always held the Whizzard knife.

In an October 14, 2015 letter, Dr. Gordon indicated he agreed with the job analysis done by Mr. Kruzich, indicating claimant's job did not cause her shoulder, neck, or upper extremity injuries. He did note there was a mild risk that susceptible individuals could have their conditions caused or aggravated by the cheek heads job. (Jt. Ex. 1, pp. 10-11)

On October 19, 2015 claimant underwent electrodiagnostic testing. It showed no evidence of cervical nerve root injury. (Jt. Ex. 7, pp. 1-2)

In a November 18, 2015 letter, Tyson informed claimant that based upon the reports of Dr. Gordon, claimant's condition was not caused or aggravated by her work and that Tyson was denying her workers' compensation claim. (Ex. 1)

On November 12, 2015 claimant was evaluated by Thomas Gorsche, M.D. Claimant was evaluated for her symptoms only related to her elbow distally. Dr. Gorsche believed claimant had no objective findings to substantiate her subjective complaints. (Jt. Ex. 2, pp. 1-2)

Claimant returned to Dr. Gordon on January 11, 2016 with continued complaints of right elbow pain. Claimant received a diagnostic injection. (Jt. Ex. 2, p. 3)

On February 1, 2016 claimant underwent an MRI of the shoulder. It showed supraspinatus tendinosis. (Ex. 3, p. 1)

On February 25, 2016 claimant underwent shoulder surgery performed by Dr. Delbridge. Surgery consisted of debridement of the superior labrum, acromioplasty and bursectomy of the subacromial bursa. (Ex. 3, pp. 5-6)

Claimant saw Dr. Delbridge in followup from March 3, 2016 through June 23, 2016. (Jt. Ex. 2, pp. 9-15) Claimant returned to Dr. Delbridge on July 21, 2016. Claimant continued to have neck and arm problems. She was taken off work for two more months. (Jt. Ex. 2, p. 10)

On September 22, 2016 claimant had a cervical MRI. It showed no significant abnormality except for some spurring at the C5-6 levels. (Jt. Ex. 6, p. 4)

On October 17, 2016 claimant had an EMG study to the right upper extremity that was normal. (Jt. Ex. 2, p. 20)

In a March 30, 2017 report, Dr. Delbridge gave his opinions of claimant's condition following an IME. He opined that the work claimant did at Tyson caused or materially aggravated her right upper extremity and right shoulder condition. He found claimant at maximum medical improvement (MMI). On February 20, 2017 Dr. Delbridge noted that claimant would probably require conservative treatment, from time to time, consisting of injections or physical therapy. (Jt. Ex. 1, pp. 1-5)

Dr. Delbridge found claimant had a 7 percent permanent impairment to the right shoulder, converting to a 4 percent permanent impairment to the body as a whole using the AMA Guides to the Evaluation of Permanent Impairment, Fifth Edition. He recommended claimant bid off her job at cheek heads. (Ex. 1, pp. 5-6)

In an April 3, 2017 letter Dr. Gorsche gave his opinions on claimant's condition after performing a records review. Based on Mr. Kruzich's job analysis, his review of

records, and his understanding that surgery did not relieve claimant's symptoms, Dr. Gorsche opined claimant's job did not aggravate or cause her right shoulder, cervical or right upper extremity complaints. (Ex. D)

Claimant testified Dr. Gorsche did not examine her shoulder and did not evaluate her at all in 2017. She said contrary to Dr. Gorsche's report, surgery greatly improved her symptoms.

In an April 13, 2017 report Dr. Bollier, gave his opinions of claimant's condition following an IME. He assessed claimant as having chronic lateral epicondylitis. He did not attribute this to claimant's work. He believed it was unlikely claimant's work was a significant factor in causing her complaints. (Ex. B, pp. 1-6)

Dr. Bollier found claimant had no permanent impairment to her right elbow/hand injury. He opined claimant did not need any work restrictions or further treatment. (Ex. B, pp. 6-7)

Claimant testified Dr. Bollier did not examine her shoulder and only evaluated her right elbow and wrist.

In a June 6, 2017 letter Dr. Delbridge indicated he reviewed the reports of Dr. Gorsche and Bollier. Dr. Delbridge noted that as claimant's shoulder symptoms did not improve after she was put on light duty that was indicative that claimant had a longstanding repetitive motion injury to her shoulder from years of use. He noted that, contrary to Dr. Gorsche's report, claimant's symptoms did improve after surgery. (Ex. 1, p. 8)

Dr. Delbridge also questioned Dr. Bollier's findings that claimant had normal range of motion in her right shoulder. This was contrary to findings by Dr. Gordon, Dr. Gorsche, and Dr. Delbridge that claimant's right shoulder, preoperative, showed loss of range of motion. He also noted it is contrary to Dr. Bollier's own measurements showing claimant had a 60 percent loss of range of motion. In addition, claimant noted in her deposition Dr. Bollier did not even evaluate her right shoulder. (Ex. 1, pp. 8-9)

Dr. Delbridge also believed Mr. Kruzich's opinion was incorrect regarding claimant's position while working cheek heads. Dr. Delbridge noted that as claimant reached across her body with her right upper extremity and pushed heads up the belt that was an awkward position that required force. (Ex. 1, p. 10)

Claimant testified her pain and range of motion has improved since her surgery. She said she was glad to have her surgery and feels her shoulder condition is much better. Claimant said she still has intermittent pain. She takes over-the-counter medication for pain.

Claimant testified her job at Tyson is repetitive. She says she wants to continue her employment with Tyson.

Claimant testified that she returned to work in approximately November of 2016. She says she has worked the cheek head job since then. She says she has worked some overtime. Claimant said she does not have work restrictions at her job. She said that at the time of her hearing she earned \$16.40 an hour. This was a greater hourly wage than she earned at the time of injury.

### CONCLUSIONS OF LAW

The first issue to be determined is whether claimant sustained an injury that arose out of and in the course of employment.

The party who would suffer loss if an issue were not established has the burden of proving that issue by a preponderance of the evidence. Iowa R. App. P. 6.14(6).

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);

Dunlavey 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); Dunlavey 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.

Five experts have opined regarding the causal connection between claimant's work and her injury.

Mr. Kruzich went to Tyson and watched claimant do her job. He opined after watching claimant perform her job and talking with claimant, he did not believe claimant's shoulder, neck or arm conditions were caused or materially aggravated by her job. (Ex. C, pp. 3-5)

Claimant testified, both at hearing and in deposition, that the position that was the most awkward and required the most repetitive force, was when she did the job at the front of the cheek heads line. This job required her to direct hog heads to coworkers and occasionally push back heads when the line was backed up. The record indicates Mr. Kruzich did not see claimant perform the lead job.

Mr. Kruzich is a licensed occupational therapist. However, his curriculum vitae were not made a part of the record. It is unclear what qualifications Mr. Kruzich has to give opinions regarding causation of work injuries.

Because Mr. Kruzich did not see or take into consideration claimant performing the lead job in cheek heads, and because his qualifications are unknown regarding his ability to make causation opinions, Mr. Kruzich's opinions regarding causation are found not convincing.

Dr. Gordon also opined claimant's work at Tyson did not cause or materially aggravate her condition. (Jt. Ex. 1, pp. 10-11)

The record indicates Dr. Gordon only saw claimant do her job prior to a break. Dr. Gordon also notes, in his report, claimant used her left hand to push back heads at the line and with her right hand push heads down. (Jt. Ex. 1, p. 4) This is an inaccuracy, as the record indicates claimant did all the moving of hogs heads with her right hand and only used her left hand to operate the Whizzard knife. Because Dr. Gordon spent little time observing claimant's work station, and because the description of claimant's performance of the job is inaccurate, his opinions regarding causation are also found not convincing.

Dr. Gorsche also opined claimant's job did not cause or aggravate her injury. (Ex. D) Dr. Gorsche did not evaluate claimant in 2017. He did base his opinions, in part on Mr. Kruzich's opinion, which is found not convincing. Dr. Gorsche's opinion is also based on a belief that claimant's surgery did not relieve her symptoms. Claimant testified in deposition and at hearing that her surgery greatly improved her symptoms. Because Dr. Gorsche did not evaluate claimant in 2017, because his opinion is based, in part, on Mr. Kruzich's opinion and because it has an inaccurate conclusion regarding claimant's surgical outcome, Dr. Gorsche's opinion regarding causation is found not convincing.

Dr. Bollier opined claimant's upper extremity condition more than likely was not caused or aggravated by her job at Tyson. Dr. Bollier did not appear to opine on claimant's right shoulder condition. He did not evaluate or examine claimant's right shoulder. Given this record, Dr. Bollier's opinion regarding causation is found not convincing as it relates to causation of claimant's shoulder condition.

Dr. Delbridge actively treated claimant for over a year. He performed surgery on claimant. His opinion on causation takes into consideration claimant's use of her right arm to push and pull hogs heads when she worked the lead spot in the cheek heads position. Dr. Delbridge found claimant's condition, and her need for surgery, was causally connected to her work at Tyson. (Ex. 1, pp. 7-10) Because Dr. Delbridge had extensive time in treating claimant, because he is more well versed in claimant's history and medical presentation, because he took into consideration claimant's job as a lead worker and reached his opinion, and because he appears to have a better understanding of the requirements of claimant's job than do all other experts, it is found his opinions regarding causation are more convincing.

Claimant testified she processed approximately 1,420 hogs heads per day in her job at Tyson. Claimant has been doing this job since approximately 2008. She testified her job in the lead position of hogs cheeks required her to push and pull hogs heads across her body. She testified this position was awkward and required her to use force with her right arm. Dr. Delbridge's opinion regarding claimant's injury and the need for surgery is found to be more convincing regarding causation. The opinions of Drs. Gordon, Bollier, Gorsche, and Mr. Kruzich are found not convincing. Given this record, claimant has carried her burden of proof that her injury arose out of and in the course of employment with Tyson.



The next issue to be determined is whether the injury is a cause of temporary disability.

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.

The parties stipulate that if defendant is found liable for the August 12, 2015 injury, claimant was entitled to temporary benefits from February 19, 2016 through November 1, 2016. Defendant is found liable for the August 12, 2015 work injury. As a result, claimant is entitled to healing period benefits from February 19, 2016 through November 1, 2016.

The next issue to be determined is whether the injury is a cause of permanent disability.

Claimant was injured on August 12, 2015. Claimant underwent shoulder surgery on February 25, 2016. Claimant was off work for her surgery up to November 1, 2016. Dr. Delbridge, who performed the surgery, found claimant had a permanent impairment. Based on this record, claimant has carried her burden of proof that her August 12, 2015 injury resulted in a permanent disability.

The next issue to be determined is the extent of claimant's entitlement to permanent partial disability benefits.

Since claimant has an impairment to the body as a whole, an industrial disability has been sustained. Industrial disability was defined in Diederich v. Tri-City R. Co., 219 Iowa 587, 258 N.W. 899 (1935) as follows: "It is therefore plain that the legislature intended the term 'disability' to mean 'industrial disability' or loss of earning capacity and not a mere 'functional disability' to be computed in the terms of percentages of the total physical and mental ability of a normal man."

Functional impairment is an element to be considered in determining industrial disability which is the reduction of earning capacity, but consideration must also be given to the injured employee's age, education, qualifications, experience, motivation, loss of earnings, severity and situs of the injury, work restrictions, inability to engage in employment for which the employee is fitted and the employer's offer of work or failure

to so offer. McSpadden v. Big Ben Coal Co., 288 N.W.2d 181 (Iowa 1980); Olson v. Goodyear Service Stores, 255 Iowa 1112, 125 N.W.2d 251 (1963); Barton v. Nevada Poultry Co., 253 Iowa 285, 110 N.W.2d 660 (1961).

Compensation for permanent partial disability shall begin at the termination of the healing period. Compensation shall be paid in relation to 500 weeks as the disability bears to the body as a whole. Section 85.34.

Claimant was 41 years old at the time of hearing. Claimant went to two years in high school in Bosnia but quit school early because of the war. She immigrated to the United States in 2001. Claimant understands, speaks, and can read and write a little English. Claimant has worked at a candle factory and was a housekeeper at a spa before her job at Tyson.

Claimant has a 4 percent permanent impairment to the body as a whole. Claimant testified her symptoms have improved since surgery, but she still has a loss of range of motion. Claimant has no permanent work restrictions. Claimant did return to work at Tyson. She earns more than she did at the time of the injury. Claimant has been counseled by Dr. Delbridge to bid on a job that is less stressful to her right shoulder.

When all relevant factors are taken into consideration it is found the claimant has a 10 percent loss of earning capacity or industrial disability.

The final issue to be determined is if there is a causal connection between the injury and the claimed medical expenses.

The employer shall furnish reasonable surgical, medical, dental, osteopathic, chiropractic, podiatric, physical rehabilitation, nursing, ambulance, and hospital services and supplies for all conditions compensable under the workers' compensation law. The employer shall also allow reasonable and necessary transportation expenses incurred for those services. The employer has the right to choose the provider of care, except where the employer has denied liability for the injury. Section 85.27. Holbert v. Townsend Engineering Co., Thirty-second Biennial Report of the Industrial Commissioner 78 (Review-Reopening October 1975).

Claimant seeks payment of the medical expenses as detailed in Exhibit 4. Records indicate the costs detailed in the medical bills found at Exhibit 4 are related to care and treatment of claimant's shoulder and upper extremity that claimant received from her August 12, 2015 work injury. There is no evidence that bills detailed in Exhibit 4 are not causally connected to the August 12, 2015 injury. There is no evidence that costs related to the treatment are not fair and reasonable. Based on this, defendant is liable for the costs detailed in Exhibit 4.

ORDER

Therefore it is ordered:

That defendant shall pay claimant healing period benefits from February 19, 2016 through November 1, 2016 at the rate of four hundred fourteen and 68/100 dollars (\$414.68).

That defendant shall pay claimant fifty (50) weeks of permanent partial disability benefits at the rate of four hundred fourteen and 68/100 dollars (\$414.68) commencing on November 2, 2016.

That defendant shall pay accrued weekly benefits in a lump sum.

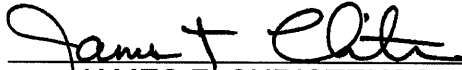
That defendant shall pay interest on unpaid weekly benefits as ordered above and as set forth in Iowa Code section 85.30.

That defendant shall pay medical bills as detailed in Exhibit 4.

That defendant shall pay costs.

That defendant shall file subsequent reports of injury as required by this agency under rule 876 IAC 3.1(2).

Signed and filed this 27<sup>th</sup> day of October, 2017.

  
JAMES F. CHRISTENSON  
DEPUTY WORKERS'  
COMPENSATION COMMISSIONER

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JFC/sam

**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.