

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

SILEENA HENDLEY,

Claimant,

vs.

CARE INITIATIVES, INC. d/b/a
MECHANICSVILLE NURSING AND
REHAB CENTER,

Employer,
Self-Insured,
Defendant.

File No. 5034232

ALTERNATE MEDICAL
CARE DECISION

HEAD NOTE NO: 2701

FILED
JUL 24 2015
WORKERS' COMPENSATION

Claimant filed a petition seeking alternate medical care. A telephonic hearing on this petition was held on July 20, 2015. All parties were given proper notice and were aware that the undersigned has been delegated final agency decision authority in this proceeding.

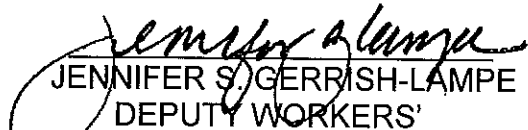
This medical care dispute arose over the claimant's request for treatment by James LaMorgese, M.D. for her neck pain. Liability was disputed by the defendant; however, an August 2011 arbitration decision found claimant's neck injury to be related to her work related activities.

Claimant moved to strike the defendant's denial of liability, and that motion was granted on July 13, 2015. Further, the arbitration decision of August 2011 noted that defendant had lost the right to manage care and that the claimant was free to seek out reasonable care causally related to her work injuries.

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 was granted and claimant is entitled to receive treatment from Dr. LaMorgese.

Signed and filed this 24th day of July, 2015.


JENNIFER S. GERRISH-LAMPE
DEPUTY WORKERS'
COMPENSATION COMMISSIONER

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JGL/sam