

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

RAYMOND JORGENSEN,

Claimant,

vs.

DR. PEPPER SNAPPLE GROUP, INC.,

Employer,

and

NEW HAMPSHIRE INS. CO.,

Insurance Carrier,
Defendants.

File No. 5038649

APPEAL
DECISION

FILED

APR 16 2015

WORKERS' COMPENSATION

Head Note No. 1803

Defendants, Dr. Pepper Snapple Group, Inc., employer, and New Hampshire Ins. Co., insurance carrier, appeal from an arbitration decision filed July 29, 2014. The case was heard on August 30, 2013, in front of the deputy workers' compensation commissioner and considered fully submitted on January 10, 2014. On March 19, 2015, the case was delegated to the undersigned to issue the final agency decision of the intra-agency appeal.

The parties agreed claimant sustained a back injury arising out of and in the course of his employment with the defendant employer on August 2, 2010. The deputy commissioner found that claimant had a permanent and total disability as a result of the back injury. Defendant employer and insurer assert on appeal that the deputy commissioner erred in his disability findings as well as the award of mileage.

Claimant asserts the findings of the deputy commissioner should be affirmed on appeal. The detailed arguments of the parties have been considered and the record of evidence has been reviewed de novo.

Pursuant to Iowa Code sections 86.24 and 17A.5, I affirm and adopt as the final agency decision those portions of the proposed arbitration decision filed on July 29, 2014, that relate to issues properly raised on intra-agency appeal without additional comment.

ORDER

IT IS THEREFORE ORDERED that the arbitration decision of July 29, 2014, is AFFIRMED.

Defendants, Dr. Pepper Snapple Group, Inc., employer, and New Hampshire Ins. Co., insurance carrier, shall pay the costs of the appeal, including the preparation of the hearing transcript.

Signed and filed this 16th day of April, 2015.



JENNIFER GERRISH-LAMPE
DEPUTY WORKERS' COMPENSATION
COMMISSIONER

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