

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

EVELYN W. TEAH,

Claimant,

vs.

TYSON FOODS, INC.,

Employer,  
Self-Insured,  
Defendants.

File No. 5039408

APPEAL

DECISION

Head Note No.: 1803

**FILED**

APR - 1 2015

WORKERS' COMPENSATION

Defendant Tyson Foods, Inc., appeals from an arbitration decision filed April 25, 2014. The case was heard on May 2, 2013, and it was considered fully submitted on May 17, 2013, in front of Deputy Workers' Compensation Commissioner Erica J. Fitch. On December 20, 2013, this matter was delegated to Deputy Workers' Compensation Commissioner Jon E. Heitland, who then issued the arbitration decision on April 25, 2014. The deputy commissioner determined that claimant proved a compensable injury and awarded claimant a running award of temporary total disability benefits. The deputy commissioner also determined Claimant is entitled to payment of prior and ongoing medical expenses. The deputy commissioner also determined that claimant is not entitled to penalty benefits. Defendant asserts on appeal that the deputy commissioner erred in determining that claimant proved a compensable injury. Defendant also asserts that the deputy commissioner erred in awarding running healing period benefits. Defendant also asserts that the deputy commissioner erred in awarding prior and ongoing medical benefits. Claimant asserts on appeal that the deputy commissioner's award should be upheld. The detailed arguments of the parties have been considered and the record of evidence has been reviewed de novo.

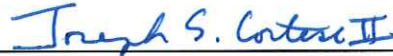
Pursuant to Iowa Code sections 86.24 and 17A.5, I affirm and adopt as the final agency decision those portions of the proposed arbitration decision filed on April 25, 2014, that relate to issues properly raised on intra-agency appeal without additional comment.

ORDER

IT IS THEREFORE ORDERED that the arbitration decision of April 25, 2014, is AFFIRMED.

Defendants shall pay the costs of the appeal, including the preparation of the hearing transcript.

Signed and filed this 1st day of April, 2015.



JOSEPH S. CORTESE II  
IOWA WORKERS'  
COMPENSATION COMMISSIONER

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