

REGULAR MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION
COMMISSION

APPEALS

Friday August 18, 2017
9:00 a.m.
Commission Chambers
1915 N. Stiles Ave.
Oklahoma City, Oklahoma
www.wcc.ok.gov

AGENDA

CALL TO ORDER Presiding Appellate Officer, Chairman Gilliland
ROLL CALL Presiding Appellate Officer, Chairman Gilliland
NOTICE OF COMPLIANCE.....Dana Esparza
BUSINESS Presiding Appellate Officer, Chairman Gilliland

A. MINUTES:

- The drafted Minutes of the Regular Appeal Meeting of July 28, 2017 will be considered for approval.

THE FOLLOWING MATTERS ARE PRESENTED FOR CONSIDERATION AND ACTION, IF ANY, DEEMED APPROPRIATE BY THE COMMISSION

B. Appeal Hearings before the Commission En Banc from Orders Issued by the Commission's Administrative Law Judges

The hearings before the Commission en banc will be conducted pursuant to the authority and jurisdiction of the Administrative Workers' Compensation Act, Title 85A O.S. §1 et seq., and the Workers' Compensation Commission's Permanent Rules, OAC 810. The procedure for the hearings before the Commission en banc is as follows:

- Each party will be allowed ten (10) minutes for oral arguments.
- The appellant will present first. Appellant may divide his or her ten minutes for argument, allowing a portion of that time for rebuttal.

- Both parties are subject to questioning by Commissioners.

1. Jason Thomas Talbot v. Cudd Pressure Control Inc., & Ace American Insurance Co., File # CM2015-01013F

Claimant filed an appeal from the order issued by Administrative Law Judge Sommer. J. Kord Hammert and Bob Burke are the attorneys of record for the Claimant and Charles G. Braun is the attorney of record for the Respondent.

Possible Action:

Possible action may include, but is not limited to: taking no action; affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

2. Marisol Florer v. Mannford Public Schools & CompSource Mutual (FKA CompSource Oklahoma), File # CM2015-04000Q

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. Susan H. Jones is the attorney of record for the Claimant and Kevin D. Berry is the attorney of record for the Respondent.

Possible Action:

Possible action may include, but is not limited to: taking no action, affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

3. Amberlie Chambers v. Oxford Health Care Services & CompSource Mutual Ins. Co. (FKA CompSource Oklahoma) & Oklahoma Healthcare Services Inc., & CompSource Mutual Ins. Co. (FKA CompSource Oklahoma) , File #CM2015-04939Y

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. Hans Otto Lehr is the attorney of record for the Claimant and Blake I. Whitten is the attorney of record for the Respondent.

Possible Action:

Possible action may include, but is not limited to: taking no action, affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

4. John Prear v. City of Tulsa (Own Risk #10435), File # CM2016-00630A

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. Rich S. Toon Jr. is the attorney of record for the Claimant and Leah P. Keele is the attorney of record for the Respondent.

Possible Action:

Possible action may include, but is not limited to: taking no action, affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

5. Jimmy L. Stamper v. Chilis Inc., Safety National Casualty, File #CM2016-02891X

Claimant filed an appeal from the order issued by Administrative Law Judge Sommer. Stacey Lobaugh is the attorney of record for the Claimant and John McCaleb is the attorney of record for the Respondent.

Possible Action:

Possible action may include, but is not limited to: taking no action, affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

6. Michael Briney v. WalMart Stores Inc. (Own Risk #20000), File #CM2016-03340Q

Respondent filed an appeal from the order issued by Administrative Law Judge Egan. Philip D. Ryan is the attorney of record for the Claimant and Katie R. McCune is the attorney of record for the Respondent.

Possible Action:

Possible action may include, but is not limited to: taking no action, affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

7. Crystal Pryor-Wadley v. Wal Mart Stores Inc. (Own Risk #20000), File # CM2016-06897R

Respondent filed an appeal from the order issued by Administrative Law Judge Sommer. Ray Lahann is the attorney of record for the Claimant and Jill R. Fidelie is the attorney of record for the Respondent.

Possible Action:

Possible action may include, but is not limited to: taking no action, affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

8. Debbie Sue Hoskins v. Chelsea Public Schools & CompSource Mutual Ins. Co. (FKA CompSource Oklahoma), File # CM2016-01241F

Claimant filed an appeal from the order issued by Administrative Law Judge Inhofe. Cyrus Nathaniel Lawyer is the attorney of record for the Claimant and Kevin D. Berry is the attorney of record for the Respondent.

Possible Action:

Possible action may include, but is not limited to: taking no action; affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

D. Announcements

Commission's next regular business meeting is Thursday, September 14, 2017. Commission's next meeting regarding Appeals is scheduled for Friday, September 15, 2017.

ADJOURNMENT.....Presiding Appellate Officer, Chairman Gilliland