

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H304343

DIANA COLEMAN, EMPLOYEE CLAIMANT

YOUTH HOME, INC., SELF-INSURED, EMPLOYER RESPONDENT

RISK MANAGEMENT RESOURCES, TPA RESPONDENT

OPINION FILED FEBRUARY 11, 2025

Upon review before the FULL COMMISSION in Little Rock, Pulaski County, Arkansas.

Claimant represented by the HONORABLE WILLARD PROCTOR JR., Attorney at Law, Little Rock, Arkansas.

Respondents represented by the HONORABLE MELISSA WOOD, Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and Adopted.

OPINION AND ORDER

Claimant appeals an opinion and order of the Administrative Law Judge filed October 8, 2024. In said order, the Administrative Law Judge made the following findings of fact and conclusions of law:

1. The AWCC has jurisdiction over this claim.
2. The previously noted stipulations are accepted as fact.
3. The claimant failed to prove by a preponderance of the evidence that she suffered a compensable injury.

4. The claimant is, therefore, not entitled to the benefits sought, and she is not entitled to an attorney's fee.

We have carefully conducted a *de novo* review of the entire record herein and it is our opinion the Administrative Law Judge's decision is supported by a preponderance of the credible evidence, correctly applies the law, and should be affirmed. Specifically, we find from a preponderance of the evidence the findings of fact made by the Administrative Law Judge are correct and they are, therefore, adopted by the Full Commission.

Therefore, we affirm and adopt the October 8, 2024 decision of the Administrative Law Judge, including all findings and conclusions therein, as the decision of the Full Commission on appeal.

IT IS SO ORDERED.

SCOTTY DALE DOUTHIT, Chairman

MICHAEL R. MAYTON, Commissioner

Commissioner Willhite concurs.

CONCURRING OPINION

After my *de novo* review of the entire record, I concur with the majority opinion finding that the Claimant failed to prove by a

preponderance of the evidence that she suffered a compensable injury to her right knee and hip.

While Claimant fell during the course of her employment on June 19, 2023, there is no objective evidence of injury as required by Ark. Code Ann. § 11-9-102(4)(A). A compensable injury must be established by medical evidence supported by objective findings and medical opinions addressing compensability must be stated within a degree of medical certainty. *Smith-Blair, Inc. v. Jones*, 77 Ark. App. 273, 72 S.W.3d 560 (2002). There is no evidence in the record that Claimant's authorized physician found any objective evidence of injury as a result of the Claimant's fall in the course and scope of her employment. Thus, I cannot say that the evidence in the record is sufficient to entitle Claimant to medical treatment or temporary total disability as a result of her fall on June 19, 2023.

For the foregoing reason, I concur with the majority opinion.

M. SCOTT WILLHITE, Commissioner