

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H001503

JOSHUA RICE, Employee	CLAIMANT
LUMBER ONE, LLC, Employer	RESPONDENT
BRIDGEFIELD CASUALTY INS. CO., Carrier/TPA	RESPONDENT

OPINION/ORDER FILED AUGUST 18, 2021

Hearing before ADMINISTRATIVE LAW JUDGE GREGORY K. STEWART in Fort Smith, Sebastian County, Arkansas.

Claimant represented by MATTHEW J. KETCHAM, Attorney, Fort Smith, Arkansas.

Respondents represented by LAURA J. PEARN, Attorney, Fort Smith, Arkansas.

OPINION/ORDER

This case comes on for review following a hearing on respondent's Motion to Dismiss.

On June 5, 2020, claimant filed Form AR-C requesting various compensation benefits. Respondent paid claimant some compensation benefits, but subsequently stopped payment due to claims of non-compliance. The date of claimant's last medical treatment was an MRI scan in July 2020.

On October 7, 2020, claimant requested a change of physician which was granted to Dr. Blankenship. Claimant did not appear at two scheduled appointments with Dr. Blankenship. Respondent filed a Motion to Dismiss this claim on February 1, 2021. Claimant objected to the dismissal and requested a hearing. A pre-hearing conference was conducted and a hearing was scheduled for May 24, 2021. Notice of the hearing

was sent to the claimant, but claimant did not appear at the hearing. This resulted in respondent renewing its Motion to Dismiss. A hearing was scheduled on the respondent's motion for August 9, 2021. Notice of the hearing was sent to claimant's last known address by certified mail and was returned as "Unclaimed."

Claimant's attorney appeared at the hearing and agreed with respondent's statement regarding the background of the case. He also acknowledged that claimant had missed some appointments with his office as well.

After my review of the respondent's motion, the claimant's response thereto, and all other matters properly before the Commission, I find that respondent's Motion to Dismiss this claim should be and hereby is granted. This dismissal is pursuant to Commission Rule 099.13 and it is without prejudice.

IT IS SO ORDERED.

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GREGORY K. STEWART  
ADMINISTRATIVE LAW JUDGE