BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION
CLAIM NO. H601406

ELISA TORRES DE VEGA, EMPLOYEE **CLAIMANT**

VS.

TYSON POULTRY, INC., EMPLOYER **RESPONDENT**

TYSON SHARED SERVICES, INC.,
INSURANCE CARRIER/TPA **RESPONDENT**

OPINION FILED SEPTEMBER 16, 2026

Hearing before Administrative Law Judge, James D. Kennedy, on the 26th day of August 2026, in Springdale, Arkansas.

Claimant is represented by Evelyn E. Brooks, Attorney at Law, of Fayetteville, Arkansas.

Respondents are represented by R. Jeremey Swearingen, Attorney at Law, of Little Rock, Arkansas.

STATEMENT OF THE CASE

A hearing was conducted on the 26th day of August 2026, to determine the issue of compensability for an injury to claimant's head, neck, low back, and chest, medical treatment in regard to the injuries, temporary total disability from February 21, 2026, to a date to be determined, and attorney fees. The parties stipulated that the Arkansas Workers' Compensation Commission has jurisdiction of the within claim and that an employer/employee/carrier relationship existed on February 20, 2026, the date of the claimed injury in question. The respondents controverted the claim in its entirety. At the time of the hearing, the parties were able to stipulate that the average weekly wage was $743.85, with a TTD/PPD rate of $496.00/$$372.00.

The claimant's and respondent's contentions are set out in their respective responses to the Pre-hearing Questionnaire and are attached as part of this opinion and

attached hereto, as well as the Pre-hearing Order dated May 27, 2026. The claimant contends that she fell at work and injured her head, brain, neck, low back and chest and is entitled to medical treatment and temporary total disability from February 21, 2026, to a date yet to be determined. Claimant reserves all other issues. The respondents contend that the cause of the claimant's fall was idiopathic and is thus not compensable.

From a review of the record as a whole, to include medical reports and other matters properly before the Commission and having had an opportunity to observe the testimony and demeanor of the witness, the following findings of fact and conclusions of law are made in accordance with Ark. Code Ann. §11-9-704.

FINDINGS OF FACT AND CONCLUSSIONS OF LAW

1. The Arkansas Workers' Compensation Commission has jurisdiction over this claim.
2. That an employer/employee/carrier relationship existed on February 20, 2026, the date of the claimed injury.
3. That claimant's fall was the result of an idiopathic disease process, and as a result of this finding, claimant has failed to prove by a preponderance of the credible evidence that she sustained a compensable work-related injury to her head, brain, neck, low back, and chest.
4. That all remaining issues are moot.
5. If not already paid, the respondents are ordered to pay for the cost of the transcript forthwith.

REVIEW OF TESTIMONY AND EVIDENCE

The Pre-hearing Order along with the Pre-hearing questionnaires are attached to and made a part of this opinion. Claimant submitted 69 pages of medical records and 13 pages of non-medical that were admitted into the record without objection. Respondents submitted 37 pages of medical records that were also admitted into the record without objection. Additionally, the deposition of numerous witnesses were submitted by the parties and admitted into the record without objection, along with a flash drive that contained an extended video, and two folders of photos. Two witnesses testified at the time of the hearing.

The claimant, Elisa Torres De Vega, testified that she just turned 65 and had gone to work for the respondent employer in 2007. Her job consisted of working in the chicken breast area and sorting chicken. On February 20, 2026, she was working just fine but had to go back and forth and side to side to reach everything and to make sure everything was laid out properly. “I was moving and I felt something like resisting against my left foot and I tried to get my foot out of it, but that was when I fell.” The claimant went on to state that she fell to the floor but was feeling just fine before the fall, and when she fell, she lost consciousness. Her co-worker at the time was Berta Lara. Before she was taken to the hospital, they woke her up and Berta was pushing on her chest and placing alcohol under her nose. The claimant went on to state that when she became awake, everything was spinning, so she closed her eyes and saw thunderbolts. She was taken by ambulance, and they kept saying “Wake up, wake up, wake up” but she wanted to keep her eyes closed. She was taken by ambulance to one hospital and then transferred to Washington Regional. She thought that she stayed at the first hospital, Northwest Regional, for a half

hour and her son and husband came to be with her. The chaplain came to Washington Regional and visited with her, and her son Alex, translating. She testified that she was barely awake. (Tr. 9 – 13)

The claimant went on to testify that she was in the hospital for seven days, and since then, has had therapy and multiple doctor's visits. She had to stop therapy due to being unable to pay for it. She has insurance but is required to pay a $50.00 co-pay every time. Her family doctor sent her for an MRI and found a clot where her skull was fractured. She has suffered a lot of dizziness and headaches since her fall and has not been released to return to work. She is receiving long term disability and is having difficulty doing things around the house like bending over, and the back of her neck feels heavy. Her husband and son have been helping her out. The claimant also admitted she was diagnosed with diabetes around the time of covid. She went on to state that she was not taking her insulin but was monitoring her blood sugar and had not been to the doctor in over a year in regard to her blood sugar. She also admitted issues with her blood sugar prior to the accident. (Tr. 17)

The claimant was shown a photo of her workstation and responded that the picture did not contain the mat she was standing on the day of the accident. The mat kept them off the floor and raised them up while working. The photo showed some cables and the claimant testified the cables were closer to the ground on the day she fell. A box was also shown in the photos and claimant testified that the box contained the cable control box. Claimant denied that the metal panel to the right of the control box was present at the time of her fall. (Tr. 17 – 19)

Under cross examination, the claimant admitted she was aware that respondents had a video of her fall on February 20, 2026, and admitted she had reviewed the video. When claimant was asked about the video not appearing to show her tripping on any cables, she replied “Well, I felt the cables.” Claimant admitted that she did not see her foot getting caught in the cables because she was paying attention to her work, just as her co-workers were doing. (Tr. 19, 20)

The claimant also admitted that she was not managing her diabetes with any medication prior to the fall on February 20, 2026, and had not been monitoring her blood sugar levels for nearly a year. She also admitted that she had stated in her deposition that she never had any problems with dizziness or vertigo prior to February 20, 2026. (Tr. 21) The claimant was then questioned about medical records from April of 2019, from the Karas Medical Clinic which provided she was suffering from problems with dizziness and headache, and she responded that she wasn’t that dizzy. Claimant admitted she had a tingly feeling in her hands and feet and was placed on diabetes medication back in 2019. She also agreed that the medical records were correct when the records provided her dizziness improved when she took her medication. Claimant was specifically questioned about a medical record from the Karas Clinic which indicated that it might be unsafe for her to work around lines and that she might suffer dizziness if her blood sugar levels were uncontrolled, but she denied being aware of it. The claimant was also questioned about the medical records for the Karas Clinic in December of 2020 that reflected that she was not taking her diabetes medication, that she was feeling dizzy again, and that her blood sugar readings were 545, and she denied being aware of that and denied having problems with dizziness. Claimant admitted the diabetes medication was expensive. (Tr.

22 - 24) Claimant also denied being aware of medical records in March of 2022 that provided she had not renewed her diabetes medication since 2020, and also denied remembering telling her doctor in 2023, that she was having dizziness and stating she was required to stand on a step at work and was worried she might fall when she got dizzy. She added “I really didn’t feel dizzy back then.” She was also questioned about her medical records providing that she had suffered three days of dizziness and responded she did not remember it. (Tr.25, 26) Claimant was also questioned about the photos of her workstation and responded “But if the cables were as high as my knee, I wouldn’t have fallen. They were lower. If they had been as high or higher than my knee, I wouldn’t have had an accident.” Claimant was also questioned about her medical records providing that when she was taken to the hospital her blood sugar level was very high and she responded that she did not know that. (Tr. 28, 29)

On redirect, the claimant was questioned about her testimony during her deposition. The claimant was asked about the location of the cables in the photo and their normal location and responded, “So the cables are almost always hanging out, but because during the shift you have to pay attention to what you are doing. It is only at the start of the shift that you actually look. And then every 30 minutes when we have to change spots, you know, you will look to be able to step down off the mat. But other than that, you are not looking down there.” The claimant also admitted the respondent employer had a nurse available who she could go see when she was not feeling well and she would go see her if she was feeling bad and that she did not feel bad the day of her fall. (Tr. 31-33)

The claimant also called Alejandro Vega (Alex), as a witness, the son of the claimant. Alex testified that he was aware of the claimant's fall on February 20 of this year. He became ware of the accident by a text message from his father and went to see the claimant at Washington Regional, probably within the hour. He thought the chaplain, who was present at the hospital, did not speak Spanish and he interpreted for his mother. Alex testified that he was able to translate what happened that day and that his mom told him, "There was a cable, got hung, fell back, and hit her head. When she hit her head, it was blacked out. She tried to open her eyes. It was dark. Saw light. Felt a hand push her down saying 'Stay down' and then she went unconscious again." Alex admitted that he was not present when the chaplain returned for a later visit. (Tr. 34 – 36)

Under cross examination, Alex agreed that everything he knew about the accident was told to him by his mother and he did not have any independent knowledge of the incident. (Tr. 37)

Claimant's medical exhibit consisted of 69 pages. Encounters with the Tyson nurse from January 2, 2014, thru January 20, 2026, provided that on January 2, 2014, the claimant presented with nausea, fever, and vomiting. The next visit of record was on October 25, 2018, when claimant presented with dizziness, high blood pressure, and the report provided that the claimant, a diabetic, had not been taking her medications for the past two months. The claimant returned on May 5, 2019, and May 5, 2019, in reference an injury involving her right breast being hit by a door. Later, on the date of May 6, 2019, she returned to the nurse stating that she felt better. She again returned on May 10, 2019, providing that she was feeling pain in her right breast.

Claimant returned to the Tyson nurse on June 19, and June 21, 2019, in regard to her annual hearing test. She received her annual flue vaccination from the nurse on October13, 2020, and had an eight week follow up on October 21, 2020. The claimant continued to present to the nurse on March 9, 2021, June 17, 2022, and January 27, 2023, for a variety of issues. FMLA documentation occurred on March 20, 2023, and May 19, 2023.

The claimant again returned to the Tyson nurse on October 27, 2023, when a wheelchair was requested. The claimant had elevated blood pressure and blood sugar and the report stated she was emotional due to the loss of her son. The claimant reported to the nurse on multiple occasions for multiple health related reasons with none mentioning high blood pressure or high blood sugar, until a report provided that the claimant passed out while working on line 4 on February 20, 2026. EMS was contacted and the claimant was transported to Springdale. The claimant reported she tripped over some cords and requested a workers' compensation claim. (Cl. Ex. 1, P. 1 – 4)

The Pre-Hospital report by the Fire Department on February 20, 2026, provided that the claimant was transferred by EMS due to an interfacility transfer. (Cl. Ex. 1, P. 5) Claimant was taken to the Springdale Medical Center with the records providing she presented following a fall which had occurred just prior to arrival. Associated symptoms were syncope, headache, and loss of consciousness. The report additionally provided claimant was alert and the differential diagnosis provided for a fall, contusion, and a closed fracture. A subarachnoid hemorrhage and a right occipital calvarial fracture were noted. The report further provided claimant had suffered a syncopal episode while at work and fell and hit the back of her head. (Cl. Ex. 1, P. 5 – 38).

Claimant was then transferred to Wahington Regional secondary to a subarachnoid and skull fracture on the day of the injury. The report provided claimant had apparently tripped over some cords, fell backwards, and struck her head on the ground. A neurosurgery consult was ordered. (Cl. Ex. 1, P. 39 – 42) Provider notes provided claimant was a transfer patient who was known to suffer from diabetes mellitus. She was working today and tripped over some cables. The report further provided that the claimant suffered from a subarachnoid hemorrhage within the left frontal lobe within the inferior aspect of the interhemispheric fissure. (Cl. Ex. 1, P. 43 – 46) Additional progress notes on the same date provided claimant continued to have symptoms of nausea, dizziness, and pain, and mentioned a fall at work. Claimant's past medical history included diabetes mellitus. (Cl. Ex. 1, P. 47- 50) A Notice of Workers' Compensation was also included (Cl. Ex. 1, P. 51)

Progress notes from Washington Regional dated February 21, 2026, provided claimant tolerated sitting at the edge of her bed for 8 – 10 minutes with no dizziness at rest. Claimant was presenting with multiple deficits and impairments resulting in an overall decline in functional independence. A neurosurgery progress note provided claimant suffered from dizziness when upright and out of bed. (Cl. Ex. 1, P. 57 – 60)

On March 2, 2026, the claimant returned to Karas Health Care. The report referred to insulin, Ozempic, and provided for a physical therapy referral and referred to diabetic education. A return-to-work note provided that the claimant could be excused from work from the date of February 20, 2026, thru March 1, 2026. (Cl. Ex. 59 – 61) Claimant again returned to Karas Health Care on March 16, 2026. This report provided claimant was seen as a follow up for diabetes and her Ozempic dose would be increased. She

continued to suffer from vertigo, which was worse positionally. The report also provided for a follow up CT of her skull due to her fall at work. (Cl. Ex. 1, P. 62, 63)

Claimant returned to Karas Health care on May 5, 2026, and the clinic note provided claimant was not checking her home glucose but was in compliance with her diabetic medications and was still suffering vertigo. (Cl. Ex. 1, P. 64, 65) Claimant again returned to the clinic on May 14, 2026, and the report provided that her diabetes mellitus was uncontrolled, she was not checking her blood glucose levels, and she was tempted by sweets. (Cl. Ex. 1, P. 66 - 67) A return to work from Sedgwick was also included. (Cl. Ex. 1, P. 68 – 69)

Claimant's non-medical included the respondent employer's safety rules for 2007 and 2011, as well as a document in Spanish referencing the electric cables in the workplace. (Cl. Ex. 2, P. 1 - 3) An OHS ambulance report provided claimant was picked up from Line 4 at the Tyson plant. A team member's statement of injury provided that loose cables were under the production line and numerous people witnessed the injury. The report also provided that the cables were dangerous in the work area. (Cl. Ex. 2, P. 5 – 7) The AR-N Form provided claimant was injured on February 20, 2026, at about 8:30 a.m. and that she fractured the back of her skull. (Cl. Ex. 2, P. 8, 9) Photographs of the chicken breast production line were also included. (Cl. Ex. 2, P. 10-13). The cables appeared to be higher than the workers feet in photo 10. Claimant also included two color photographs, one of a metal box, and another one involving cables. (Cl. Ex. 3)

The respondent submitted 37 pages of medical records. A SOAP note dated April 13, 2019, from Karas Health Care provided claimant presented for the first time to the clinic for hyperglycemia. Claimant's blood glucose was 446 and she was checked due to

dizziness. The report provided that the claimant had been off her diabetic meds for two years and had been suffering from neuropathic pain in her feet for the last year. Claimant was diagnosed with diabetes and prescribed metformin. (Resp. Ex. 1, P. 1 – 3) Claimant returned to Karas Health Care on May 20, 2019, and the SOAP note provided claimant was there for a follow up blood sugar or blood glucose check. Her highest level was 227 post prandial, and lowest was 122 fasting. The report provided she would be rechecked in two more months and her metformin dosage would be increased. (Resp. Ex. 1, P. 4,5) An FMLA certification was also provided by Karas Health Care on May 20, 2019, which provided that the time off was based upon the claimant needing to check her blood sugar twice daily and obtain snacks and take breaks as needed and that claimant could suffer dizziness and be unsafe around lines or machines. (Resp. Ex. 1, P. 6 - 9)

Claimant again returned to Karas Health Care on December 7, 2020, and the report again referred to dizziness and diabetes, with the claimant continuing to be prescribed metformin. (Resp. Ex. 1, P. 10 – 12) The claimant returned to the clinic a week later, on December 14, 2020, with the assessment again providing for dizziness, with the claimant continuing to take metformin. (Resp. Ex. 1, P. 13 -15) Claimant again returned to Karas Health Care on March 21, 2022, and the report again provided for diabetes and that claimant was unable to refer to her meds and was consequently instructed to bring her medications to the clinic so the clinic would know what she was taking. (Resp. Ex. 1, P. 16, 17)

Claimant returned to the Karas Health Care Clinic on March 20, 2023, one day short of a year later. The report provided claimant was not going anywhere else for diabetes management and had not been seen for a year. Claimant provided that her blood

sugar was averaging 300 at home and her dizziness was intermittent. (Resp. Ex. 1, P. 18-20) She then returned to the clinic in about a month on April 23, 2023. The report provided that her dizziness had resolved, and she had been checking her blood sugar which had been running between 127 and 227. She was still taking metformin along other meds. (Resp. Ex. 1, P. 21, 22)

The claimant did not then return to the clinic until October 27, 2023, and the report provided she had elevated glucose at work and was suffering from numbness and tingling in her feet bilaterally, with her blood sugar 340 at work today. She did provide that she was still taking her Metformin. (Resp. Ex. 1, P. 23, 25)

A progress note from Wahington Regional Medical Center dated February 25, 2026, provided claimant continued to struggle with her blood glucose control. The claimant complained of headaches and dizziness. The claimant was now on insulin and lab results provided that the claimant's glucose was measured at 350. (Resp. Ex. 1, P. 26 – 28) A progress note the following day from Washington Regional Medical Center provided that the claimant was doing well but that her blood glucose was still elevated in the 300 range. Her insulin was increased. A claimant/patient follow up was to be arranged. (Resp. Ex. 1, P. 29 – 37)

The respondents also submitted non-medical documentary evidence without objection. A statement by Coleman Wood provided they became aware of an incident involving Line 4, and it appeared that the claimant had "passed out and fell over on the ground." Resp. Ex. 2, P. 1.

A statement by Abdellah Essalki dated February 24, 2026, provided he went to Washington Regional serving as a chaplain to check on the claimant. He stated claimant's

son translated for him and that claimant saw something like lightning and then fell and hurt her head. (Resp. Ex. 2, P. 2, 3)

An undated statement from Alexandria Baughman provided she had received a call at 8:40 a.m. on February 20, 2026, that a Team Member had passed out. She called the nurse who was in the parking lot at the time. She instructed Security to direct EMS to shipping. (Resp. Ex. 2, P. 4) A statement by Dana Thompson, LPN, dated March 3, 2026, provided that when she arrived on the scene, EMS was already present. She stated that Chaplin Essalki had provided an update to her and informed her that the claimant had stated that she saw a flash of light and fell to the floor on Friday, but after talking with co-workers over the weekend, claimant had told him that her foot was tangled in wires causing her to fall. (Resp. Ex. 1, P. 5). An email from Alexandria Baughman dated March 3, 2026, asked if there was a chance that the claimant had tripped over a cord which caused her to fall. (Resp. Ex. 1, P. 6)

The parties also submitted depositions that were admitted without objections. In Claimant's deposition of Berta Lara, Ms. Lara testified that she was a co-worker with the claimant on the fourth line on the morning of February 20, 2026. She noticed the claimant falling to the floor and that the claimant attempted to grab her. When asked did you see what made her fall, she responded "Well, there was cables breaking there" and "they were really stretched out, so they were further out than they were supposed to be." When asked if claimant's feet were in the cables when she was falling, Ms. Lara responded "I was paying attention to her." She also responded to the question about the cables being near the claimant's feet when she was falling, "Yes, they were nearby." When Ms. Lara was shown a photo of the cables and asked about their location, she responded they were

lower than in the photo. Ms. Lara was questioned about the location of the cables at the time of the fall, and she marked a location significantly lower than the location of the cables in the photo. Under cross examination, Ms. Lara admitted that at the time of the fall she was looking straight ahead but added that her and the claimant had just been talking and “she was fine.” (Cl. Ex. 4)

Respondent’s deposition of Dana Thompson provided Ms. Thompson was a nurse at the Tyson plant where the claimant fell and had been employed there fifteen years. She admitted that she had familiarity with the claimant and did not recall any other medical issues that stood out to her over the years prior to February 20, 2026. Ms. Thompson stated she was just parking in the parking lot coming to work, when she received a call from Alex Baughman, the safety manager, about an unresponsive team member and that EMS had been called. She testified she really had no involvement in the investigation of what might have happened but did have discussions with people about the claimant’s condition. She went on to state that a lot of times for personal health issues, our chaplains follow up. She spoke to chaplain Essalki to find out about the claimant’s condition. He came into her office about three days after the incident and agreed that chaplain Essakli told her that the claimant saw a flash and fell down. But after talking with coworkers over the weekend claimant told him that her foot was tangled in wires which caused her fall. She went on to state that all of this was information relayed to her by chaplain Essalki. Under cross-examination, Ms. Thompson provided that the claimant was unconscious on the floor when she arrived and that everything she knew about whether the claimant passed out or whatever happened was something that somebody else told her. (Resp. Ex. 3)

The deposition of Alexandria Baughman on August 12, 2026, provided she had worked six years as the manager over safety and that there was an incident on September 20, involving the claimant. She received a phone call regarding the incident and had typed out her statement later on March 3. She first became aware of the incident when she received a call on her office phone from Justin Filbeck that a team member had passed out which caused her to contact the nurse, who happened to be in the parking lot. She testified that when EMS arrived and started administering care, she did not recall who was present at that point in time and was not aware whether the claimant was unconscious when EMS arrived. She admitted she had an opportunity to observe the work scene where the claimant had fallen, later in the day, and had been told earlier in the day that the claimant had passed out, but that she later went to observe the work area to see if there was anything that the claimant could have tripped on. She thought that someone had communicated to her that the team member may have tripped. She went on to testify that when she went to observe the location where the claimant was working, she did not observe anything at that time that the claimant could have tripped over. She was then shown nine photos and admitted that she was the one who took the pictures. The first seven pictures were taken on the 20th, and the last two were taken on the 23rd. She agreed that she did not see anything that she felt were consistent with causing the claimant to fall. She admitted that the pictures taken on the 23rd involved measuring the distance between where claimant's foot would have been while she was standing and where the cord might have been hanging at the time. She also agreed that after taking the measurements, she did not have any insight as to the claimant's fall. She also

admitted that none of the people working near the claimant provided any insight as to the cause of the claimant's fall.

Under cross examination, Ms. Baughman admitted she had not taken any written statements from coworkers near the claimant at the time of the fall who thought that she might have tripped. Ms. Baughman also admitted she did not go to check the area where the claimant's fall occurred until that afternoon and did not know or have any memory of what happened to the area in question between the time that she showed the paramedics in and she returned that afternoon. Ms. Baughman also admitted that she was responsible for the safety of the plant and that she reported to the plant manager. When asked if repeated safety violations might endanger her job, she responded that the questioning would have to be more specific.

Under redirect, Ms. Baughman agreed that not all incidents are OSHA recordable, and what is recordable is based upon the OSHA regulations. She stated that she did not keep the OSHA log which was handled by the Occupational Health Team. She agreed her job was to investigate incidents that are safety related or not safety related and there was no disincentive for her to report or not report incidents. In the incident which involved the claimant, she did not identify any safety-related cause and did not identify any possible cable, wire, or anything else that could have reasonably caused the fall. She admitted there was a video which she had watched and that she had not seen anything in the video consistent with the claimant catching her foot and causing her to trip.

On recross, Ms. Baughman admitted that she along with her management team were responsible for plant safety and that if there were hazards that were not taken care of, she and her management team would be lacking in job performance. (Resp. Ex. 4)

The deposition of Abdellah Essalki was also taken on August 12, 2026. He testified that he was a chaplain supervisor for the plant where the claimant worked and was injured. Claimant was eventually transported to Washington Regional Medical center where he visited her. Her family was with her in her room when he arrived, and her son translated for him since he did not speak Spanish. He asked the claimant what occurred and she said something like she remembered lightning and then fell and hurt her head. He went on to say that he tried to visit the workers twice and on his second visit a few days later, she talked about tripping on cables. He denied looking at the accident scene.

Under cross examination, Chaplain Essalki admitted he found out about the incident in the break room and thought that he went to see the claimant the day after the incident. He went on to testify that on his first visit, claimant could barely speak, was just mumbling, and was very weak. On the first visit, she stated that all she could remember was something like lightening and then falling and hurting her head, but on the second visit she was talking about problems with the cables. (Resp. Ex. 5)

The deposition of Santos Umanna was taken on August 18, 2026, and under direct examination by Ms. Brooks, testified that he worked at the same plant with the claimant and that he knew her. His job consisted of picking up product from the cooler and taking it to where the workers were and that he was present in the plant when the claimant fell. He was arriving with product and the claimant was laying on the floor, and he went closer to see what was happening. The ambulance crew showed up and took the claimant away and he noticed that the cables were slightly out of place, so he looked for something to tie them up where they were supposed to be. He was seen on the camera and was called in later by a boss who asked what he was doing. “I just told him that I was tying up those

cables that were just slightly out of place and he kind of chuckled and said, ‘Okay, that’s fine.’” He testified that he tied them up due to his own curiosity. He denied looking anywhere else. He thought the boss called him in a couple of days later. When he was called in, he was wondering why, since he had little interaction with the boss. He went on to state that he was asked the questions by the manager, and the safety manager was present. The claimant had never said anything to him about the cables. He also agreed that he had previously spoken to the claimants attorney a few days earlier and it was mentioned claimant had indeed talked about the cables to him, and he responded “Yes, I remember saying that to you, and I did say that, but I’m not sure if when she said that, she was talking about the place where the fall happened or a different place because they rotate around and it’s a very long location, and so I’m really not sure if when I heard her make that comment, if it was there or somewhere else.”

Mr. Umana admitted that he had also talked on the phone to the respondent’s attorney. (Resp. Ex. 6) (It is noted that this exhibit is possibly mismarked due to the multiple exhibits admitted into the record)

The deposition of Coleman Wood was taken on August 12, 2026, and he testified he was the general production manager of the respondent employer’s plant at the time of the work-related incident involving the claimant and was familiar with the claimant. He had worked as her supervisor multiple years earlier. He was not present when she fell but was present shortly thereafter. Mr. Wood admitted he had typed out the statement with his signature that was part of the record and was not sure when he typed out the statement, but it was after a request by Alex, the safety manager, and after the claimant had left by EMS. The statement provided he had been notified by radio that the claimant

had passed out on the line and fallen. He went on to testify that they performed an investigation around the area of the fall as a precautionary measure in an attempt to determine if there was something she slipped or tripped on and did not find anything.

Under cross examination, Mr. Wood was asked who notified him by radio about the team member passing out on the line and he thought it was Justin Filbeck, a shipping line supervisor, and was not aware whether Mr. Filbeck actually saw claimant fall or why Mr. Filbeck came to that conclusion. When asked why they investigated to see if the claimant had slipped or tripped on something when they thought she had passed out, he responded that it was part of their process to go over the area to see what may have caused the incident. He also admitted that the line was cleaned nightly by a sanitation team. (Resp. Ex. 7)

Respondents Exhibit Eight consisted of a flash or thumb drive with 10 PDF photos and six JPEG photos from a different angle that showed cables hanging down the table but significantly higher than foot level and which included photos with a tape measure showing that the cables were 18 inches above the floor. The exhibit also included a 45 second video from an overhead view that was viewed multiple times and showed a woman on the right side of the video totter and fall. (Resp. Ex. 8)

DISCUSSION AND ADJUDICATION OF ISSUES

In regard to the primary issue of compensability, the claimant has the burden of proving by a preponderance of the evidence that she is entitled to compensation benefits for the injuries to her head, brain, neck, and low back. In determining whether the claimant has sustained her burden of proof, the Commission shall weigh the evidence impartially, without giving the benefit of the doubt to either party. Ark. Code Ann §11-9-704. *Wade v.*

Mr. Cavananugh's, 298 Ark. 364, 768 S.W. 2d 521 (1989). Further, the Commission has the duty to translate evidence on all issues before it into findings of fact. *Weldon v. Pierce Brothers Construction Co*., 54 Ark. App. 344, 925 S.W.2d 179 (1996). The claimant has the burden of proving that her injury was the result of an accident that arose in the course of her employment and that grew out of or resulted from her employment. *Moore v. Darling Store Fixtures*, 22 Ark. App. 21, 732 S.W.2d 496 (1987). "Arising out of the employment" refers to the origin or cause of the accident, while "in the course of employment" refers to the time, place and circumstances under which the injury occurred. *Little Rock Convention & Visitors Bureau v. Pack*, 60 Ark. App. 82, 959 S.W. 2d 415 (1997).

In the present matter, the basic issue before the Commission is whether the claimant got her left foot caught in some low hanging cables which caused her fall or did she suffer an idiopathic syncope episode that caused her fall. Santa Umanna testified in his deposition that he worked with the claimant and his job consisted of picking up product and delivering it to the workers, including the claimant. He saw the claimant on the floor on the day of her fall and noticed the cables were "slightly" out of place and tied them up where they were supposed to be located. He also stated that he wasn't sure about the location of the cables which were out of place in relation to the location of the claimant's fall, since the workers rotated from station to station every 30 minutes.

A plant chaplain testified that he went to see the claimant at Washington Regional on the day of claimant's fall or the day after and she provided remembering lightning and then falling and hurting her head, per the chaplain. The chaplain returned a few days later, and claimant talked about tripping over cables at that time.

Ms. Baughman, the safety manager, testified she returned to the line later in the day, where the claimant had fallen, to see if there was anything present that the claimant could have tripped on, and she did not observe anything. Mr. Wood, the production manager, also testified that he went to investigate the area as a precautionary measure to determine if there was anything that the claimant could have slipped on and found nothing.

Dana Thompson, the plant nurse testified that she did not see the fall but was present shortly thereafter and the chaplain later told her that the claimant saw a flash and fell down, but that after the weekend and talking to coworkers the chaplain became aware that claimant thought her foot had become entangled in wires that caused her to fall. Berta Lara, a co-worker, who the claimant grabbed during her actual fall, referred to the cables breaking and which were further out than they were supposed to be. She also testified under cross examination that she did not see where the claimant's feet were due to looking straight ahead when the claimant fell and paying attention to the claimant.

This brings us to the testimony of the claimant at the time of the hearing. Claimant testified that while moving back and forth at her workstation, she felt something resisting against her left foot and that when she attempted to get her foot out, she fell. She testified that she was feeling fine before the fall, but when she fell, she lost consciousness, and when she woke up, everything was spinning. She then closed her eyes and saw thunderbolts. She was shown a picture of her workstation and testified that the cables were lower at her workstation than they were in the photo. She admitted that she was not managing her diabetes with medication at the time of the fall on February 20, 2026, and had not been monitoring her blood sugar levels for nearly a year. She also admitted that

she had stated in her deposition that she had not had any problems with dizziness or vertigo prior to February 20, 2026.

Her statement about dizziness in her deposition does not correlate with her historical medical records, however. The claimant's medical records provided she presented on April 13, 2019, to Karas Health Care for hyperglycemia with a reported blood glucose level of 446 and reported dizziness. The report provided claimant had been off her medications for two years and had suffered neuropathic pain in her feet for the last year. Claimant was diagnosed with diabetes and placed on the drug Metformin, a common medication used in managing blood glucose levels. The claimant returned for a follow up and blood glucose check on May 20, 2019, and the test provided her glucose lever was now 227 post prandial, and 122 while fasting. Two months later the claimant's Metformin dosage was increased. A FMLA Certification dated May 20, 2019, provided that the claimant needed time off due to needing to check her blood sugar twice daily, obtain snacks, take breaks as needed, and that she could suffer dizziness and be at risk around machines. Claimant then returned to the clinic on December 7, 2020, and the report referred to dizziness and diabetes.

Claimant did not return to the Karas Health Care Clinic from the date of March 21, 2022, until March 20, 2023, one day short of a year, and the report provided claimant was not treating anywhere else for diabetes management and that her dizziness was intermittent. Later, on April 23, 2023, another medical report provided claimant's dizziness had resolved, she was checking her blood sugar, and she was still taking Metformin. Claimant did not return to the clinic until October 27, 2023, again with an elevated glucose

level of 340 and again with tingling in her feet, but this time she provided she still was taking her Metformin.

The photos, which may or may not accurately show the relationship of claimant's workstation and cables at the time of her fall due to no low hanging cables being present that claimant could have entangled her feet in, are given little weight. However, after reviewing the overhead video of the claimant's fall multiple times, it does not appear that the claimant caught a foot in a cable or any other item that resulted in her fall. It is clear from the medical records and the testimony of claimant that she had a history of mismanaging her blood glucose levels. Although she denied dizziness before the fall, she had a history of dizziness during times when her diabetes was not managed.

Based upon the evidence before the Commission, it appears that Claimant suffered a syncopal episode at the time of her fall on February 20, 2026, and this would be considered an idiopathic matter. An idiopathic injury is one whose cause is personal in nature or peculiar to the individual. *Crawford v. Single Transportation*, 87 Ark. App. 216, 189 S.W.3d 507 (2004). Injuries sustained due to an unexplained cause are different from injuries where the cause is idiopathic. When a claimant suffers an unexplained injury, it is generally compensable. Because an idiopathic injury is not related to employment, it is generally not compensable.

In the present matter, the medical history of the Claimant is relevant to the incident on February 20, 2026. The claimant had been treated off and on for diabetes and for elevated blood glucose levels. She had a history of failing to follow the recommended treatment of her diabetes and her resulting elevated blood glucose levels and had often gone off her medications, which resulted in dizziness and neuropathy in her feet.

The claimant stated that she did not suffer dizziness prior to her fall but this does not correspond to her medical history and to the video showing her fall. Based upon the totality of the evidence, the fall that occurred on February 20, 2026, is found to be idiopathic in nature and not the result of her employment with the respondent. Here, the basic cause of the harm is personal, and her employment did not significantly add to the risk. See *Nu-Way Laundry & Cleaners, v. Palmer*, 12 Ark. App. 31, 670 S.W2d 464. It is noted that even if a claimant suffered an idiopathic injury, it may be compensable if the employment conditions contributed to the risk or aggravated the injury placing the employee in a position that increased the dangerous effect of a fall, and this is found to not be present in the current matter before the Commission. See *Crawford v. Single Source Transportation,* supra. The claimant's basic cause of harm was personal.

After weighing the evidence impartially, without giving the benefit of the doubt to either party, there is no alternative but to find that the claimant has failed to prove by a preponderance of the credible evidence that her claim for injuries on February 20, 2026, is a compensable claim under the Arkansas Workers' Compensation Act. If not already paid, the respondents are ordered to pay the cost of the transcript forthwith.

IT IS SO ORDERED.

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JAMES D. KENNEDY
Administrative Law Judge