

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. G604726

GENITA McKNIGHT, EMPLOYEE CLAIMANT

ARKANSAS DEPARTMENT OF HEALTH, EMPLOYER RESPONDENT

PUBLIC EMPLOYEE CLAIMS DIVISION,
INSURANCE CARRIER/TPA RESPONDENT NO. 1

DEATH & PERMANENT TOTAL
DISABILITY TRUST FUND RESPONDENT NO. 2

OPINION FILED NOVEMBER 15, 2021

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

Claimant represented by the HONORABLE ANDY L. CALDWELL, Attorney at Law, Little Rock, Arkansas.

Respondents No. 1 represented by the HONORABLE CHARLES H. McLEMORE, Attorney at Law, Little Rock, Arkansas.

Respondents No. 2 represented by the HONORABLE CHRISTY L. KING, 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 July 28, 2021. In said order, the Administrative Law Judge made the following findings of fact and conclusions of law:

1. The Arkansas Workers' Compensation Commission has jurisdiction of the within claim.
2. The stipulations set forth above are hereby accepted.

3. Claimant failed to prove by a preponderance of the evidence her entitlement to an additional impairment rating (over the 55% rating assigned by Dr. Norton) for her left hand injuries.
4. Claimant failed to prove by a preponderance of the evidence her entitlement to permanent partial disability benefits for her left shoulder injury.
5. Claimant failed to prove by a preponderance of the evidence that she has been rendered permanently and totally disabled as a result of her compensable left hand injuries.

We have carefully conducted a *de novo* review of the entire record herein and it is our opinion that the Administrative Law Judge's July 28, 2021 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 that 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 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

CHRISTOPHER L. PALMER, Commissioner

Commissioner Willhite concurs.

CONCURRING OPINION

After my *de novo* review of the entire record, I concur with the majority opinion finding that Claimant failed to prove by a preponderance of the evidence her entitlement to an additional impairment rating (over the 55% rating assigned by Dr. Norton) for her left hand injuries; Claimant failed to prove by a preponderance of the evidence her entitlement to permanent partial disability benefits for her left shoulder injury; and Claimant failed to prove by a preponderance of the evidence that she has been rendered permanently and totally disabled as a result of her compensable left hand injuries. I write separately to clarify, for the benefit of the claimant.

I find that the claimant was a credible witness who appears to continue to suffer from her compensable left-hand injury. However, the Full Commission is bound by the provisions of the American Medical Association's *Guides to the Evaluation of Permanent Impairment* (4th ed.

1993) which does not provide a basis for assessing an impairment rating for CRPS in this case. Therefore, I am constrained to agree with the majority.

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

M. SCOTT WILLHITE, Commissioner