

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H401058

DANIEL CASEY,
EMPLOYEE

CLAIMANT

OAK STREET VALERO,
EMPLOYER

RESPONDENT

ACCIDENT FUND INSURANCE COMPANY,
OF AMERICA, INSURANCE CARRIER/TPA

RESPONDENT

OPINION FILED SEPTEMBER 4, 2024

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 represented by the HONORABLE CAROL LOCKARD WORLEY, Attorney at Law, Little Rock, Arkansas.

ORDER

The claimant petitions the Full Commission to review and dismiss an administrative law judge's order dated July 12, 2024. The Full Commission denies and dismisses the petition for review.

Ark. Code Ann. §11-9-711(a)(Repl. 2012) provides, in pertinent part:

(1) A compensation order or award of an administrative law judge or a single commissioner shall become final unless a party to the dispute shall, within thirty (30) days from the receipt by him or her of the order or award, petition in writing for a review by the full commission of the order or award.

For an order to be appealable, it must be final. *TEC v. Falkner*, 38 Ark. App. 13, 827 S.W.2d 661 (1992). To be final, an order must dismiss the parties from the court, discharge them from the action, or conclude their

rights as to the subject matter in controversy. *American Mutual Insurance Co. v. Argonaut Insurance Co.*, 33 Ark. App. 82, 801 S.W.2d 55 (1991).

In the present matter, the administrative law judge has filed an **ORDER ALLOWING CASE MANAGER TO COMMUNICATE WITH CLAIMANT REGARDING HIS MEDICAL TREATMENT**. Said order does not dismiss the parties, discharge them from the action, or conclude their rights to the subject matter in controversy. The Full Commission therefore denies and dismisses the petition for review, because the administrative law judge's order is not final and appealable.

IT IS SO ORDERED.

SCOTTY DALE DOUTHIT, Chairman

M. SCOTT WILLHITE, Commissioner

MICHAEL R. MAYTON, Commissioner