

BEFORE THE WORKERS' COMPENSATION COURT OF EXISTING CLAIMS  
STATE OF OKLAHOMA

**FILED**

WORKERS' COMPENSATION COURT  
STATE OF OKLAHOMA  
December 30, 2015  
Katrina Stephenson  
COURT CLERK

In re claim of:

DERRALD KIZZIA

Claimant

CITY OF NORMAN

Respondent

CITY OF NORMAN (OWN RISK #10970)

Ins. Carrier

)  
)  
) Court Number: 2015-05508F  
)  
)  
) Claimant's Social Security  
) Number: xxx-xx-9869  
)

**ORDER AWARDING THE NATURE AND EXTENT OF  
PERMANENT PARTIAL IMPAIRMENT BENEFITS**

Now on this 15th day of DECEMBER, 2015, this cause came on for consideration pursuant to regular assignment and hearing on DECEMBER 15, 2015, before JUDGE CARLA SNIPES, at Oklahoma City, Oklahoma, at which time claimant appeared in person and by counsel, NICOLE LYNN BELL appearing for RICHARD A BELL and respondent and insurance carrier appeared by counsel, JEANNE SNIDER.

The Court having considered the evidence and records on file, and being well and fully advised in the premises FINDS AND ORDERS AS FOLLOWS:

- 1 -

THAT claimant was employed by the above named respondent and such employment was subject to and covered by the provisions of the Workers' Compensation Act of the State of Oklahoma; and in JANUARY 2014, claimant became aware he had sustained accidental personal injury as a result of cumulative trauma to the BOTH EARS (BILATERAL HEARING LOSS , TINNITUS) arising out of and in the course of claimant's employment.

- 2 -

THAT at time of injury, claimant's wages were sufficient to establish the rates of compensation at \$801.00 per week for temporary total disability and \$323.00 per week for permanent partial impairment.

- 3 -

THAT as a result of said injury, claimant sustained 31 percent permanent partial impairment to the BOTH EARS (BILATERAL HEARING LOSS , TINNITUS), for which claimant is entitled to compensation for 102.3 weeks at \$323.00 per week, or the total amount of \$33,042.90 of which 20 weeks have accrued and shall be paid in a lump sum of \$6,460.00.

- 4 -

THAT a physician of respondents choice shall be authorized to provide the claimant an evaluation to determine the need for hearing aids.

- 5 -

THAT respondent and/or insurance carrier shall pay all reasonable and necessary medical expenses incurred by claimant as a result of said injury.

- 6 -

THAT respondent or insurance carrier shall pay claimant the accrued portion of the award herein in lump sum of \$6,460.00 and pay the balance of said award at the rate of \$323.00 per week until the total award of \$33,042.90 (less attorney fee) has been paid to claimant.

- 7 -

THAT Respondent shall pay court costs; Special Occupational Health and Safety Fund Tax of three-fourths of one percent (0.75%) of the amounts paid in lump sum of \$247.82 is levied against the Respondent; three-fourths of one percent of the continuing benefits awarded in this case shall be computed and paid as the same comes due. Pursuant to 85 O.S., Section 407, as amended by Laws 2013, HB 2201, c. 254, Section 49, eff. January 1, 2015, Respondent, if Own Risk, shall pay \$660.86 to the Workers' Compensation Administration Fund created by 85 O.S. Section 407, to be used for the costs of administering the Workers' Compensation Code as applicable to the Oklahoma Workers' Compensation Court of Existing Claims, representing two percent (2%) of the permanent disability award herein.

- 8 -

THAT pursuant to Title 85 O.S. Section 368, a final award fee of one hundred forty dollars (\$140.00) is taxed as a cost in this matter, and shall be paid by respondent.

- 9 -

THAT the sum of \$6,608.58 shall be deducted from the award herein and paid in lump sum to claimant's attorney as a fair and reasonable attorney fee; within twenty (20) days from the date of filing of this order, respondent or insurance carrier shall comply herewith.

BY ORDER OF:

Handwritten signature of Carla Snipes in black ink.

CARLA SNIPES, JUDGE

..FBennett

A copy of the above and foregoing Court Order was mailed, by regular or Certified United States Mail, on this filed stamped date to:

Claimant's Attorney: RICHARD A BELL  
3151 W TECUMSEH RD SUITE 100  
NORMAN, OK 73072-

Respondent's Attorney: JEANNE SNIDER  
PO BOX 370  
NORMAN, OK 73070-

I do hereby certify that the above and foregoing is a true and correct copy of the original order signed by the Judge herein. Witness by my hand and the official seal of this court on this date.

*Katrina Superson*



Court Clerk  
December 30, 2015