

BEFORE THE OKLAHOMA WORKERS' COMPENSATION COMMISSION

FILED

WORKERS' COMPENSATION COMMISSION
STATE OF OKLAHOMA
February 19, 2019
Norma McRae
COMMISSION CLERK

ROBERT PACK
Employee-Claimant

CITY OF NORMAN
Employer-Respondent

CITY OF NORMAN (OWN RISK #10970)
Insurer

)
)
) Commission File No.
) CM-2017-06285K
)

) Claimant's Social Security
) Number: xxx-xx-3593
)

ORDER AWARDING PERMANENT PARTIAL DISABILITY

Hearing before Administrative Law Judge MOLLY H LAWYER on FEBRUARY 5, 2019, in Oklahoma City, Oklahoma.

Claimant appeared by counsel, JOE FARNAN.

Respondent and insurance carrier appeared by counsel, JEANNE SNIDER.

I. FACTS AND STIPULATIONS

Claimant seeks a finding of compensable work-related injury to the lumbar spine on September 28, 2015 and an award of permanent partial disability therefor. Respondent stipulates to jurisdictional issues and admits compensable work-related injury to the lumbar spine. The parties are in agreement that the rate for permanent partial disability is adjudicated at \$323.00 and that the accrual date for permanent partial disability is January 8, 2018.

II. FINDINGS AND CONCLUSIONS

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

1. That on September 28, 2015, Claimant sustained compensable work-related injury to the lumbar spine.
2. That Claimant's rate permanent partial disability is adjudicated at
3. That as a result of said injury, Claimant has sustained 15% permanent partial disability to the lumbar spine. At Claimant's rate of compensation, this is equal to an award of \$16,957.50, which shall be paid to Claimant weekly at the rate of \$323.00 commencing January 8, 2018, until the entire award is paid.

4. That Claimant sustained disfigurement on his stomach due to surgery. The seven (7) inch scar entitles Claimant to \$1,500.00 in disfigurement.
5. Pursuant to 40 O.S., §418, the Respondent-Insurer shall pay to the Oklahoma Tax Commission the Special Occupational Health and Safety tax in the amount of \$138.43, representing three-fourths of one percent of the total workers' compensation losses ordered herein, excluding medical payments and temporary total disability compensation.
6. Pursuant to 85A O.S., §122(B)(2), Respondent, if OWN RISK, shall pay a workers' compensation assessment in the amount of \$369.15 to the Oklahoma Tax Commission, representing two percent (2%) of the permanent disability awarded herein
7. Pursuant to 85A O.S., §118(A), a final award fee of One Hundred Forty Dollars (\$140.00) is taxed as costs in this matter, and, unless previously paid, shall be paid by the Respondent to the Workers' Compensation Commission.
8. That claimant's attorney is entitled to an attorney's fee of not more than 20% of the permanent partial disability awarded herein.

IT IS SO ORDERED.

DONE this 14th day of FEBRUARY, 2019.

BY ORDER OF:

/s/ Molly H. Lawyer

MOLLY H LAWYER

ADMINISTRATIVE LAW JUDGE

msr/SCox

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

Claimant's Attorney: JOE FARNAN
PO BOX 770
PURCELL, OK 73080-0770

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 Commission on this date.



Norma McRae
Commission Clerk
February 19, 2019