

ARKANSAS COURT OF APPEALS

DIVISION II

No. CA09-765

PULASKI COUNTY SPECIAL
SCHOOL DISTRICT ET AL.
APPELLANTS

V.

KAREN G. GLOVER
APPELLEE

Opinion Delivered February 17, 2010

APPEAL FROM THE ARKANSAS
WORKERS' COMPENSATION
COMMISSION [NO. F804835]

AFFIRMED

JOHN MAUZY PITTMAN, Judge

Appellee has been employed as an art teacher by appellant school district for twenty-two years. She sustained a compensable right ankle injury during an altercation with a student in February 2008. After recommended surgery was denied by the employer, appellant filed a claim with the Arkansas Workers' Compensation Commission for this additional medical benefit. The employer asserted that any need for surgery was the result of appellee's preexisting condition. After a hearing, the administrative law judge found that the need for surgical treatment resulted from the combination of appellant's compensable injury and a preexisting condition; that this treatment was reasonable and necessary pursuant to Ark. Code Ann. section 11-9-508; and that it was causally related to the compensable injury pursuant to Ark. Code Ann. section 11-9-102. On de novo review, the Commission affirmed and adopted as its own the findings and opinion of the administrative law judge.



Cite as 2010 Ark. App. 150

Appellant's sole argument on appeal to this court is that the award of additional benefits is not supported by substantial evidence. In appeals involving claims for workers' compensation, we review the evidence in the light most favorable to the Commission's findings and affirm if the decision is supported by substantial evidence. *Dairy Farmers of America v. Coker*, 98 Ark. App. 400, 255 S.W.3d 905 (2007). Substantial evidence is evidence that a reasonable mind might accept as adequate to support a conclusion. *Id.* We will not reverse the Commission's decision unless we are convinced that fair-minded persons with the same facts before them could not have reached the conclusions arrived at by the Commission. *Id.*

Here, the findings of fact, conclusions of law, and opinion adopted by the Commission adequately explain the decision. Having determined that the Commission's findings are in fact supported by substantial evidence, we affirm by memorandum opinion pursuant to sections (a) and (b) of *In re Memorandum Opinions*, 16 Ark. App. 301, 700 S.W.2d 63 (1985).

Affirmed.

HENRY and BAKER, JJ., agree.

Friday, Eldredge & Clark, LLP, by: *Betty J. Hardy*, for appellants.