

ARKANSAS COURT OF APPEALS

DIVISION II
No. CA10-1113

ST. EDWARD MERCY MEDICAL
CENTER and SISTERS OF MERCY
HEALTH SYSTEM

APPELLANTS

V.

AMBER WILKERSON

APPELLEE

Opinion Delivered APRIL 20, 2011

APPEAL FROM THE ARKANSAS
WORKERS' COMPENSATION
COMMISSION
[NO. F707400]

AFFIRMED

ROBERT J. GLADWIN, Judge

Appellee, Amber Wilkerson, sustained an admittedly compensable low-back injury on June 24, 2007, while working as an LPN for appellants St. Edward Mercy Medical Center and Sisters of Mercy Health System. Appellants accepted her compensable injury to her low back and provided medical care and treatment up to and including an initial evaluation provided by Dr. Luke Knox. However, when Dr. Knox suggested that appellee consider a hemilaminotomy and microdiscectomy and recommended L4-5 marcaine injections to help determine if a lumbar fusion would be of benefit, appellants controverted the claim.

Following a hearing, the ALJ concluded that appellee had established that the additional medical treatment provided by Dr. Knox, following his initial examination, was

reasonable and necessary and remained appellants' responsibility. The ALJ also found that appellee was entitled to permanent-disability benefits based upon a seventeen-percent impairment rating to the body as a whole. This impairment rating included a seven-percent permanent-physical-impairment rating and an additional ten-percent wage-loss disability benefit. The Commission affirmed and adopted the ALJ's decision. In this appeal, appellants contend that substantial evidence does not support either of these findings. We affirm by memorandum opinion. *See In re Memorandum Opinions*, 16 Ark. App. 301, 700 S.W.2d 63 (1985).

Memorandum opinions may be issued in any or all of the following cases:

- (a) Where the only substantial question involved is the sufficiency of the evidence;
- (b) Where the opinion, or findings of fact and conclusions of law, of the trial court or agency adequately explain the decision and we affirm;
- (c) Where the trial court or agency does not abuse its discretion and that is the only substantial issue involved; and
- (d) Where the disposition of the appeal is clearly controlled by a prior holding of this court or the Arkansas Supreme Court and we do not find that our holding should be changed or that the case should be certified to the supreme court.

This case falls within categories (a) and (b).

Appellants challenge the sufficiency of the evidence with respect to the necessity of the additional medical treatment and the award of permanent-disability benefits. The ALJ's opinion, affirmed and adopted by the Commission, adequately explains the decision, and we are affirming.

Cite as 2011 Ark. App. 287

We therefore affirm by memorandum opinion pursuant to sections (a) and (b) of our per curiam opinion *In re Memorandum Opinions, supra*.

Affirmed.

VAUGHT, C.J., and HOOFFMAN, J., agree.