



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 3/10/26

REQUESTER: Jeanne Snider

PRESENTER: Jeanne Snider, Assistant City Attorney

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A COURT ORDER: A RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE TOTAL AMOUNT OF \$29,700 REGARDING DANIEL PIERCE VS. THE CITY OF NORMAN, OKLAHOMA WORKERS' COMPENSATION COMMISSION CASE 2024-02999 H.

BACKGROUND:

Daniel Pierce is a Master Police Officer for Patrol Division of the Norman Police Department. He was hired on July 13, 2015, as a Police Officer and was promoted to Master Police Officer January 13, 2020.

Mr. Pierce filed claim 2024-02999 H with the Oklahoma Workers' Compensation Commission on June 3, 2024, alleging both a single and cumulative on the job injury to the Right Knee with date of awareness of July 20, 2021, and reinjury dates of July 1, 2023, and February 1, 2024, from miscellaneous causes. The claim was admitted and proceeded through the normal litigation process. A trial was held on February 18, 2026, on the issue of nature and extent of permanent disability. On February 24, 2026, the Court awarded Mr. Pierce 30 percent (\$29,700) Permanent Partial Disability (PPD) to the RIGHT LEG (KNEE) to be paid to Mr. Pierce weekly at the rate of \$360 commencing July 15, 2025, until the entire award is paid in full. It is recommended that the City comply with the Order.

DISCUSSION:

Medical Treatment. Mr. Pierce was initially seen at the Norman Regional Healthplex emergency room and treated conservatively and directed to follow up with Norman Regional Occupational Medicine. On July 23, 2021, he was seen at Norman Regional Occupational Medicine and sent for a magnetic resonance imaging (MRI) of the Right Knee. Upon follow-up, the August 4, 2021, MRI was reviewed. Mr. Pierce was found to have an ACL tear and was referred to orthopedics. He was seen on August 16, 2021, by Dr. Moses and surgical intervention was recommended. Mr. Pierce underwent arthroscopic surgical repair on September 2, 2021, followed by postop physical therapy. He continued to follow-up with Dr. Moses and on March 7, 2022, he was released with instructions to finish the prescribed postop physical therapy and follow-up as needed.

On July 9, 2023, Mr. Pierce reinjured his Right Knee and was seen at Norman Regional Occupational Medicine on August 2, 2023. He was sent for an MRI on the following day and referred to Dr. Bond. On August 30, 2023, Mr. Pierce was seen by Dr. Bond and surgical repair was recommended. He underwent arthroscopic surgery as well as hardware removal on October 2, 2023, followed by postop physical therapy. He continued to follow-up with Dr. Bond and on January 2, 2024, he was released at MMI.

On February 6, 2024, Mr. Pierce reinjured his Right Knee and was seen at Norman Regional Occupational Medicine on February 22, 2024, where he was referred to Dr. Bond. He was then seen by Dr. Bond on March 6, 2025, and a steroid injection was performed. Mr. Pierce then underwent a MRI of the Right Knee on April 16, 2024, and no obvious tearing of his ACL or meniscus was found. Surgical intervention was not recommended, and he was release at MMI on April 24, 2024.

Mr. Pierce was then seen by Dr. Taylor on August 13, 2024, for a second opinion of the Right Knee and Biodex testing to measure muscle strength, endurance, and joint range of motion and physical therapy were ordered. He was sent for an updated MRI on November 1, 2024, which reported of findings but none were surgical in nature. Mr. Pierce continued to follow-up with Dr. Taylor and physical therapy was ordered. Due to increased pain, he was sent for an updated MRI of the Right Knee on July 7, 2025. He followed up with Dr. Taylor on July 15, 2025, and was released at MMI.

Issues for Trial. The issue tried on February 18, 2026, before the Oklahoma Workers' Compensation Commission was nature and extent of permanent partial disability benefits to the Right Leg (Knee). Permanent partial disability is a factual determination made by the Workers' Compensation Commission Trial Judge based on doctors' opinions and medical records regarding the extent of permanent partial impairment.

Evaluations. On September 25, 2025, Mr. Pierce was rated by Dr. Rosson who opined 44 percent (\$43,560) permanent partial impairment to the Right Knee and continued medical care in the form in the nature of prescription medications on an as needed bases as well as other treatment that his treating physician or further selected physicians might deem necessary, ongoing; and continued medical maintenance indefinitely for implanted medical devices/prosthetic/instrumentation. The City then had Mr. Pierce evaluated by Dr. Griffith on November 24, 2025. Dr. Griffith opined 10 percent (\$9,900) impairment to the Right Leg and opined no further medical care, continuing medical maintenance, or prescription medications were needed. The City's maximum permanent partial impairment exposure would be \$43,560.

Court Award: The case was heard by the Workers' Compensation Commission on February 18, 2026. After hearing the Claimant's testimony and considering the expert medical evidence, the Court entered its Order on February 24, 2026. The Court found Mr. Pierce to have sustained a compensable work-related injury to the RIGHT LEG (KNEE) on July 20, 2021, with aggravations on or about July 1, 2023, and February 6, 2024.

The Court's findings are set out in the Order as follows:

-3.- "That as a result of said injury, claimant has sustained 30% Permanent Partial Disability to the RIGHT LEG (KNEE). At claimant's rate of compensation, this is equal to an award of

\$29,700.00, which shall be paid to claimant weekly at the rate of \$360.00 commencing July 15, 2025, until the entire award is paid in full.”

As can be noted in No. 3 of the Commission’s Order, Permanent Partial Disability (PPD) compensation is expressed in terms of “weeks” of compensation with an accompanying “weekly wage rate.” Workers’ Compensation awards are normally paid at the weekly rates over a period of time. Mr. Pierce’s weekly wage PPD rate is \$360.00. In this instance, a portion of the award has accrued.

If approved by Council, Mr. Pierce and his attorney will be paid the accrued lump sum amount and attorney’s fee plus an additional amount for processing and Council approval in the total lump sum amount of \$18,540. The balance of the award (\$10,269) which includes the Multiple Injury Trust Fund assessment deduction would then be paid in weekly payments of \$360 beginning March 17, 2026, until paid in full as set forth in the attached Payment Schedule.

-4.- “That the issue of benefits under 85A O.S. Section 50(f) for hardware maintenance is reserved for future hearing.

-5.- “Maximum attorney fees of 20% of the permanent partial disability benefits are awarded herein, pursuant to 85A O.S., §82.”

Further, in complying with the Order, the City will incur additional costs and fees as set out in Paragraph Nos. 6 through 8. Special Occupational Health and Safety Fund Tax in the amount of \$222.75, Workers’ Compensation Administration Fund in the amount of \$594.00, filing fee to the Workers’ Compensation Court in the amount of \$140.00, and filing fee to Cleveland County in the amount of \$154.14. The costs and fees total \$1,110.89, which brings the total cost of this Order to \$30,810.89. Adequate funds are available in the Order/Settlements Account (43330102-42131).

-9.- “Pursuant to 85A O.S. § 31(7), For injuries occurring on or after July 1, 2019, a Multiple Injury Trust Fund assessment in the amount of \$891.00, representing (3%) of the Claimant’s permanent partial disability award shall be deducted and paid to the Oklahoma Tax Commission by the Respondent.

RECOMMENDATION:

The issues tried on February 18, 2026, were nature and extent of permanent partial disability benefits to the RIGHT LEG (KNEE). The Court Award in this case is within the medical evidence submitted. It is not anticipated a more favorable ruling for the City could be achieved by further litigation. It is recommended that the City move forward to comply with this Order.

Acceptance of the Order would require payments as outlined above. The Order would be certified to the Cleveland County District Court to be placed on the property tax rolls for collection over the next three years in accordance with 85 O.S. § 313, 51 O.S. § 159, and 62 O.S. § 361, *et seq.* Certifying the Order to the property tax rolls would, in effect, reimburse the City’s Workers’ Compensation Fund over the next three years.