

**BEFORE THE OKLAHOMA WORKERS' COMPENSATION COMMISSION**

**ORDER FILED**

**April 21, 2026**

**WORKERS'  
COMPENSATION COMMISSION**

JEFFERSON B. BERNHARDT            )  
Claimant                                )  
                                              )  
CITY OF NORMAN                    )  
Employer-Respondent                )  
                                              )  
CITY OF NORMAN                    )  
Insurer                                )

Commission File No.

CM3-2025-04357A

Claimant's Social Security

Number: xxx-x5-2385

**ORDER DETERMINING COMPENSABILITY AND  
AWARDING PERMANENT PARTIAL DISABILITY BENEFITS**

Hearing before Administrative Law Judge JOHN L BLODGETT on April 13, 2026, in OKLAHOMA CITY, Oklahoma.

Claimant appeared in person, and by counsel, EMILY BISCONI FOR JOSEPH C BISCONI II.

Employer-Respondent and Insurer appeared by counsel, JEANNE SNIDER.

**I. STATEMENT OF THE CASE**

Claimant filed his Employee's First Notice of Claim for Compensation (CC-Form-3) on August 15, 2025, alleging injuries to his left knee and whole body, with a date of injury of September 23, 2024. Claimant now requests a finding of compensable injury to his left leg (knee) only, a significant and identifiable aggravation of a pre-existing condition, the major cause of which was a single incident accident arising out of the course and scope of his employment with Respondent, with a date of injury of September 23, 2024. Claimant requests an award of permanent partial disability benefits for his injury to the left leg (knee).

Respondent and Insurer admit the Commission has jurisdiction to consider Claimant's cause of action. Respondent and Insurer admit Claimant was an employee of CITY OF NORMAN on September 23, 2024. Respondent and Insurer admit CITY OF NORMAN had an own risk policy of workers' compensation insurance on September 23, 2024. Respondent and Insurer admit Claimant sustained a compensable injury to his left leg (knee), the major cause of which was a single incident accident arising out of the course and scope of his employment, with a date of injury of September 23, 2024. Respondent and Insurer deny the nature and extent of Claimant's permanent partial disability as a result of his admitted injury to the left leg (knee).

The parties stipulate and agree, Claimant's rate for permanent partial disability benefits is \$360.00 per week. The parties further stipulate and agree, the date of accrual for permanent partial disability benefits is March 20, 2025.

With the contested issues framed, the matter was fully submitted on April 13, 2026. The record includes the testimony of Claimant, the January 1, 2026 report of Dr. Lance E. Rosson (Claimant Exhibit

#1), historical medical records (Claimant Exhibit #2), and the March 17, 2026 report of Dr. William Jones (Respondent Exhibit #1).

## II. FINDINGS AND CONCLUSIONS

From a review of the record as a whole, and having heard the testimony of Claimant and having observed his demeanor, and other matters properly before the Commission, the following findings of fact and conclusions of law are made in accordance with 85A O.S. §72:

Claimant is sixty-five (65) years old and was a credible witness. Claimant was employed by Respondent as a firefighter. Claimant injured his left leg (knee) on September 23, 2024 when he landed awkwardly after jumping out of a fire truck. In the September 23, 2024 incident, Claimant felt a “twinge” in his knee. Claimant did have a prior workers’ compensation claim involving an injury to his left leg (knee), for which he was adjudicated to have a 20% permanent partial disability to the leg. Claimant reported the accident and his injury and was referred for medical treatment. Initially, he was seen at an Immediate Care of Oklahoma, where x-rays revealed no fracture. He subsequently came under the care of Dr. Richard Kirkpatrick, an orthopedic surgeon. Dr. Kirkpatrick diagnosed Claimant with a medial meniscus tear. He provided Claimant with a left leg (knee) injection, but this did not provide substantial benefit. Dr. Kirkpatrick subsequently recommended surgery, which occurred on January 15, 2025. According to the operative report, the procedure included a left knee arthroscopy with meniscectomy. Postoperatively, Claimant participated in physical therapy. Dr. Kirkpatrick ultimately released Claimant at maximum medical improvement with no work restrictions on March 20, 2025. In his March 20, 2025 Physician’s Report on Release and Restrictions (CC-Form-5), Dr. Kirkpatrick indicated Claimant did not require continuing medical maintenance or vocational retraining.

Claimant did not feel he was physically capable of returning to full duty work, so he retired from Respondent’s fire department. Claimant has not returned to work. Claimant does have some continued complaints. Claimant is limited in the time that he can sit or stand in one (1) position. Claimant believes he can only sit or stand in the same position for approximately thirty (30) minutes before he needs to move or change positions. Claimant complains that he experiences intermittent pain and swelling in his left knee. Claimant complains that he sometimes walks with a limp. Claimant complains that his left leg is weaker than his right leg. Claimant is unable to continue some of his hobbies, such as hunting, because of his left leg (knee) injury. Claimant has difficulty climbing stairs. Claimant is still able to do chores around the house, but he must do them differently now. For example, when mowing his yard, Claimant now has to split the task into two (2) days. Claimant experiences a dull ache in his left knee behind his knee cap. His left knee pain is intensified with activity.

Claimant submitted the January 1, 2026 report of Dr. Lance E. Rosson. Dr. Rosson took a history of Claimant’s injury and complaints, reviewed Claimant’s medical records, and performed a physical examination. Dr. Rosson is of the opinion Claimant has a 39% permanent partial impairment to his left leg (knee) as a result of his injury of September 23, 2024, which is over and above any pre-existing condition/impairment.

Respondent submitted the March 17, 2026 report of Dr. William Jones. Dr. Jones took a history of Claimant’s injury and complaints, reviewed Claimant’s medical records, and performed a physical examination. Dr. Jones is of the opinion Claimant has an 8% permanent partial impairment to his left leg (knee) as a result of his injury of September 23, 2024, which is over and above his pre-existing

condition/impairment.

### III. ORDER

Having considered the testimony of Claimant and having observed his demeanor, having reviewed the medical reports submitted for the Commission's consideration, having reviewed the pleadings on file herein, and other matters properly before the Commission, and being well and fully advised in the premises, I find and hereby order that:

1. Claimant sustained a compensable injury to his LEFT LEG (KNEE), a significant and identifiable aggravation of a pre-existing condition, the major cause of which was a single incident accident arising out of the course and scope of his employment with Respondent, with a date of injury of September 23, 2024.
2. Claimant's rate for permanent partial disability benefits is adjudicated to be \$360.00.
3. As a result of said injury, Claimant has sustained 15% Permanent Partial Disability to the LEFT LEG (KNEE) (over and above any pre-existing disability). At Claimant's rate of compensation, this is equal to an award of \$14,850.00, which shall be paid to Claimant weekly at the rate of \$360.00 commencing March 20, 2025, until the entire award is paid in full. Respondent shall pay all accrued benefits in a lump sum within twenty (20) days of the file-stamped date of this order.
4. Maximum attorney fees of 20% of the permanent partial disability benefits are awarded herein, pursuant to 85A O.S. §82.
5. Pursuant to 85A O.S. §118, 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 to the Workers' Compensation Commission, if not previously paid.
6. Pursuant to 40 O.S. §418, Respondent shall pay to the Oklahoma Tax Commission the Special Occupational Health and Safety tax in the amount of \$111.38, representing three-fourths of one percent of the total workers' compensation losses ordered herein, excluding medical payments and temporary total disability compensation.
7. Pursuant to 85A O.S. §122(B)(2), Respondent, if OWN RISK, shall pay a workers' compensation assessment in the amount of \$297.00 to the Oklahoma Tax Commission, representing two percent (2%) of the permanent disability benefits awarded herein.
8. 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 \$445.50, representing (3%) of Claimant's permanent partial disability award shall be deducted and paid to the Oklahoma Tax Commission by Respondent.

**IT IS SO ORDERED.**

DONE this 20th day of APRIL, 2026.

BY ORDER OF:



JOHN L BLODGETT  
ADMINISTRATIVE LAW JUDGE

ca/CRichardson

A copy of this order was sent by electronic mail or registered mail on this file stamped date to:

Claimant's Attorney:

JOSEPH C BISCONI II  
105 N HUDSON AVE STE 100  
OKLAHOMA CITY, OK 73102-4801

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  
April 21, 2026