



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 9/08/2026

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 AMOUNT OF \$115,710.00 REGARDING SPENCER ALAN STEELE VS. THE CITY OF NORMAN, OKLAHOMA WORKERS' COMPENSATION COMMISSION CASE 2025-06683 Q.

BACKGROUND:

Spencer Alan Steele is a 10-year Master Police Officer for the Patrol Division of the Norman Police Department. He was hired September 12, 2016, and promoted to Master Police Officer March 12, 2021. Mr. Steele filed Oklahoma Workers' Compensation Commission case 2025-06683 Q on December 12, 2025, alleging a single incident injury to the Left Foot, Right Shoulder, Whole Back, Both Knees, and Other - Consequential to Altered Gait from a fall on September 14, 2019. The City accepted this injury and the case proceeded through the normal litigation process. A trial was held August 19, 2026. On August 24, 2026, the Court awarded Mr. Steele the total amount of \$115,710 representing 18 percent (\$22,680) Permanent Partial Disability (PPD) to the CERVICAL SPINE, 6 percent (\$7,560) PPD to the THORACIC SPINE, 8 percent (\$10,080) PPD to the LUMBAR SPINE, 14 percent (\$17,640) to the RIGHT SHOULDER, 50 percent (\$38,500) PPD to the LEFT FOOT, 10 percent (\$9,625) PPD to the RIGHT KNEE, and 10 percent (\$9,625) PPD to the LEFT KNEE, to be paid weekly at the rate of \$350 commencing May 2, 2024, until the entire award is paid in full. It is recommended that the City comply with this Order.

DISCUSSION:

Medical Treatment.

On September 14, 2019, Mr. Steele was transported by ambulance to Norman Regional Hospital Emergency Department for a left ankle fracture/dislocation with left fibular and tibial fractures as well as multiple abrasions and contusions. Mr. Steele's injury was caused from a fall through an attic ceiling while searching for a suspect. He was admitted to the orthopedics ward under Dr. James Bond's care and underwent an open reduction and internal fixation procedure to the left fibula/tibia on September 15, 2026, and was discharged September 17, 2019. He followed up postoperatively with Dr. Bond and was treated conservatively with ultimate plans for hardware removal. Due to continued pain after his hospital discharge, he

was sent to Dr. Vytautas Ringus for a second opinion. Mr. Steele underwent removal of orthopedic hardware from the left ankle on January 21, 2020, and a left ankle fusion on May 26, 2020. Due to results of an updated CT scan on December 1, 2020, which revealed posttraumatic osteoarthritis, Mr. Steele underwent a left ankle fusion with Achilles tendon lengthening on January 19, 2021. He continued to follow up with Dr. Ringus and on June 20, 2022, for the left knee and ankle, Mr. Steele was released MMI/observation and routine six-month follow-up visits to monitor the left ankle fusion due to the likelihood he would require additional surgery and/or develop degenerative changes. He continues to follow up with Dr. Ringus.

For the right shoulder, Mr. Steele was sent for a magnetic resonance imaging (MRI) on February 3, 2020, which revealed a partial thickness tear of the supraspinatus tendon and ultimately underwent a right shoulder arthroscopy with an extensive debridement, biceps tenodesis, labral repair, rotator cuff debridement, and subacromial decompression by Dr. Ringus on September 1, 2020. He was released at maximum medical improvement (MMI) without restrictions on November 25, 2020.

Mr. Steele was treated conservatively with physical therapy and oral/injectable anti-inflammatory medication for his bilateral knees due to the left ankle fusion causing an altered gait by Dr. Ringus and Dr. Richard Kirkpatrick. He underwent MRI of the left knee on October 4, 2021, and right knee on March 23, 2024. For the right knee, he was released at MMI to regular work by Dr. Kirkpatrick on May 2, 2024.

With regard to the lumbar spine, the December 7, 2022, MRI results revealed a disc protrusion at T12/L1 and L1/2. He was referred to Dr. Alina Justiz by Dr. Ringus and received oral/injectable anti-inflammatory medicines.

Due to continued residual neck pain, he was treated by Dr. Jeffrey Nees and was sent for MRI on January 6, 2023, which revealed significant disc bulge at C6/7. On March 15, 2023, he underwent a C7-T1 laminectomy and on April 26, 2023, a total disc arthroplasty replacing a damaged disc with a biomechanical implant followed by post operative physical therapy. MRI imaging performed post-surgical repair showed well alignment and healing. He continued to follow up with Dr. Nees until he was released at MMI without restriction on September 22, 2023.

Issues for Trial. The issues tried on August 19, 2026, before the Oklahoma Workers' Compensation Commission were the extent of permanent partial disability benefits and continued medical maintenance. 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 January 21, 2026, Mr. Steele was rated by Dr. Lonnie Litchfield. Dr. Litchfield opined 27 percent (\$34,020) Permanent Partial Disability (PPD) to the CERVICAL SPINE, 17 percent (\$21,420) PPD to the THORACIC SPINE, 27 percent (\$34,020) PPD to the LUMBAR SPINE, 16 percent (\$20,160) to the RIGHT SHOULDER, 75 percent (\$57,750) PPD to the LEFT FOOT (significant loss of function with severely altered gait), 36 percent (\$34,650) PPD to the RIGHT KNEE, and 35 percent (\$33,687.50) PPD to the LEFT KNEE over and above any prior injury to include continued medical benefits as well as vocational rehabilitation if

necessary. The City had Mr. Steele evaluated by Dr. William Jones on June 16, 2026, and Dr. Jones opined 8 percent (\$10,080) Permanent Partial Disability (PPD) to the CERVICAL SPINE, 0 percent PPD to the THORACIC SPINE, 2 percent (\$2,520) PPD to the LUMBAR SPINE, 6 percent (\$7,560) to the RIGHT SHOULDER, 31 percent (\$23,870) PPD to the LEFT FOOT, 7 percent (\$6,737.50) PPD to the RIGHT KNEE, and 7 percent (\$6,737.50) PPD to the LEFT KNEE. Dr. Jones also opined continued medical maintenance as well as vocational training would not be required.

The Workers' Compensation Commission Trial Judge is free to make a ruling within the range of medical evidence presented at the time of trial. The City's maximum permanent partial impairment exposure would be \$235,707.50.

Court Award. The case was heard by the Workers' Compensation Commission on August 19, 2026. After hearing the Claimant's testimony and considering the expert medical evidence, the Court entered its Order on August 24, 2026. The Court found the Cervical Spine, Thoracic Spine, Lumbar Spine, Right Shoulder, Left Foot, Right Knee, and Left Knee compensable.

The Court's findings are set out in Paragraph Nos. 2 through 5 of the Order, as follows:

As can be noted in No. 2 of the Commission's Order, 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. Steele's weekly wage PPD rate is \$350.00. In this instance, a portion of the award has accrued.

-3. "That as a result of said injury, Claimant has sustained 18% Permanent Partial Disability to the CERVICAL SPINE, 6% Permanent Partial Disability to the THORACIC SPINE, 8% Permanent Partial Disability to the LUMBAR SPINE, 14% Permanent Partial Disability to the RIGHT SHOULDER, 50% Permanent Partial Disability to the LEFT FOOT, 10% Permanent Partial Disability to the RIGHT KNEE, and 10% Permanent Partial Disability to the LEFT KNEE.

At Claimant's rate of compensation, this is equal to an award of \$15,710.00, which shall be paid to Claimant weekly at the rate of \$350.00 commencing May 2, 2024, until the entire award is paid in full."

-4. "That any issues regarding Claimant's retained hardware pursuant to 85A O.S. §50(f) and §114 are reserved for future hearing if and when the same become ripe."

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

If approved by Council, Mr. Steele and his attorney would be paid the accrued lump sum amount and attorney's fee, less the Multiple Injury Trust Fund Assessment amount, plus an additional 3 weeks for processing and Council approval in the total lump sum amount of \$66,542. The balance of the award (\$45,696.70) would then be paid in weekly payments of \$350 until paid in full as set forth in the attached Payment Schedule.

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 \$867.83, Workers' Compensation Administration Fund in the amount of \$2,314.20, filing fee to the Workers' Compensation Court in the amount of \$140.00; and in addition, a filing fee to Cleveland County in the amount of \$160.23. The costs and fees total \$3,482.26, which brings the total cost of this Order to \$119,192.26. 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 \$3,471.30, 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 August 19, 2026, were the extent of permanent partial disability benefits to the Cervical Spine, Thoracic Spine, Lumbar Spine, Right Shoulder, Left Foot, Right Knee, and Left Knee, continuing medical maintenance and vocational rehabilitation. 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.