

BEFORE THE OKLAHOMA WORKERS' COMPENSATION COMMISSION

ORDER FILED

August 6, 2024

**WORKERS'
COMPENSATION COMMISSION**

CASEY WILLIAM KRAEGER)	
Claimant)	Commission File No.
)	CM3-2023-00969R
CITY OF NORMAN)	
Employer-Respondent)	Claimant's Social Security
)	Number: xxx-x6-9690
CITY OF NORMAN)	
Insurer)	

ORDER AWARDING PERMANENT PARTIAL DISABILITY BENEFITS

Hearing before Administrative Law Judge MOLLY H LAWYER on July 16, 2024, in OKLAHOMA CITY, Oklahoma.

Claimant appeared by counsel, JOSEPH C BISCONE II.

Respondent and insurance carrier appeared by counsel, JEANNE SNIDER.

I. FACTS AND STIPULATIONS

Claimant seeks a finding of compensable work-related injury to the HEAD and LUMBAR SPINE (with radicular symptoms to the LEGS) on February 7, 2023 and an award of permanent partial disability therefor. Respondent stipulates to jurisdictional issues and admits compensable work-related injury to the HEAD and LUMBAR SPINE. The parties are in agreement that rates for temporary total disability and permanent partial disability can be adjudicated at \$635.32 and \$360.00, respectively, and that the accrual date for permanent partial disability is August 28, 2023.

II. FINDINGS AND CONCLUSIONS

The Commission, having considered the evidence and records on file, and being duly advised in the premises, FINDS AND ORDERS AS FOLLOWS:

1. That on February 7, 2023, claimant sustained compensable work-related injury to the HEAD and LUMBAR SPINE (with radicular symptoms to the LEGS).
2. That claimant's rates for temporary total disability and permanent partial disability are adjudicated at \$635.32 and \$360.00, respectively.
3. That as a result of said injury, claimant has sustained 12% Permanent Partial Disability to the LUMBAR SPINE (with radicular symptoms to the LEGS) and 5% Permanent Partial Disability to the HEAD. At claimant's rate of compensation, this is equal to an award of \$22,032.00, which shall be paid to claimant weekly at the rate of \$360.00 commencing August 28, 2023, until the entire award is paid in full. All accrued amounts shall be paid in lump sum.
4. Maximum attorney fees of 20% of the permanent partial disability benefits are awarded herein, pursuant to 85A O.S., §82.

5. That pursuant to Title 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, the Respondent-Insurer shall pay to the Oklahoma Tax Commission the Special Occupational Health and Safety tax in the amount of \$165.24, 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 \$440.64 to the Oklahoma Tax Commission, representing two percent (2%) of the (permanent disability benefits) 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 \$660.96, representing (3%) of the Claimant's permanent partial disability award shall be deducted and paid to the Oklahoma Tax Commission by the Respondent.

IT IS SO ORDERED.

DONE this 5th day of AUGUST, 2024.

BY ORDER OF:



MOLLY H LAWYER
ADMINISTRATIVE LAW JUDGE

mp/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
August 6, 2024