

TENNESSEE WORKERS' COMPENSATION APPEALS BOARD

Paula Smith v. McNeilus Companies, et al.

Smith, 2026 TN WC App. 28 (Tennessee Workers' Compensation Appeals Board 2026) · No. 2025-50-5373 & 2025-50-5374 · Decided June 24, 2026

SUMMARY

The Tennessee Workers’ Compensation Appeals Board affirmed the denial of Paula Smith’s request for additional temporary disability and medical benefits following her workplace injuries. The Board held that Smith failed to present admissible medical evidence supporting additional treatment or benefits, lacked proof of an incorrectly calculated compensation rate, and waived her rate-calculation claim; the case was remanded.

CASE DETAILS

COURT	Tennessee Workers' Compensation Appeals Board
WRITING FOR THE COURT	Pele I. Godkin; Timothy W. Conner; Meredith B. Weaver
JURISDICTION	Tennessee Workers’ Compensation Appeals Board
DECIDED	June 24, 2026
DOCKET	2025-50-5373 & 2025-50-5374
DISPOSITION	affirmed
PROCEDURAL POSTURE	Interlocutory appeal from an expedited hearing order of the Court of Workers’ Compensation Claims denying additional temporary disability and medical benefits.
STANDARD OF REVIEW	Factual findings are presumed correct unless the preponderance of the evidence is otherwise, with considerable deference given to credibility determinations based on live testimony. For deposition testimony, the appellate panel is in the same position as the trial court and may draw its own conclusions regarding the weight and credibility of expert testimony. Statutory and regulatory interpretation are reviewed de novo without a presumption of correctness.
PRECEDENTIAL VALUE	published
PARTIES	Paula Smith v. McNeilus Companies, et al.

TOPICS

workers compensation

appellate procedure

evidence

standard of review

remedies

PRACTICE AREAS

workers' compensation

employment law

appellate procedure

evidence

remedies

QUESTIONS PRESENTED

1. Whether the trial court improperly admitted or excluded evidence at the expedited hearing.
2. Whether Smith, as a self-represented litigant, was required to comply with the same substantive, procedural, and evidentiary rules as represented parties.
3. Whether Smith presented sufficient medical proof to establish a likelihood of prevailing on her claim for additional medical or temporary disability benefits after the authorized physician placed her at maximum medical improvement.
4. Whether Smith established that her workers' compensation rate was incorrectly calculated or that she was entitled to a penalty for delayed payment.

HOLDINGS

1. The employee bears the burden of producing admissible evidence supporting entitlement to additional benefits even at an interlocutory expedited hearing, and the trial court did not abuse its discretion or otherwise err in its evidentiary rulings.
2. At the interlocutory stage, an employee seeking additional medical or temporary disability benefits must present sufficient expert medical evidence showing a likelihood of prevailing; absent countervailing medical proof, the authorized treating physician's opinion supported denial of additional benefits.
3. Smith waived her challenge to the compensation rate by conceding that she had no evidence that the employer calculated the rate incorrectly, and the record did not support additional disability payments based on an additional period of disability.

KEY QUOTATIONS

“Filing the records with the court prior to the hearing is not the same as having them admitted into evidence during the hearing” (at 4)

“We agree with the trial court that, without countervailing medical proof, the only medical evidence in the record addressing whether Employee suffered a work-related injury or reached MMI is that of Dr. Steinagle.” (at 5)

FACTUAL BACKGROUND

Smith alleged work-related injuries to her left wrist on July 10, 2025, and right knee on July 28, 2025. The employer accommodated her wrist restrictions, provided a panel of orthopedic physicians, and authorized treatment with Dr. Timothy Steinagle, who ordered an MRI, returned her to restricted work, and later placed her at maximum medical improvement after finding no significant internal derangement requiring further treatment.

The employer discontinued temporary disability benefits after the MMI determination, and Smith sought additional benefits and physical therapy but offered no contrary expert medical opinion.

PROCEDURAL HISTORY

Paula Smith sought additional temporary disability benefits, compensation based on an allegedly incorrect compensation rate, continuing medical treatment, and a penalty for delayed payment. After an expedited hearing, the trial court found that the employer had provided authorized medical treatment and temporary disability benefits through maximum medical improvement and that Smith had presented no proof supporting additional benefits or an incorrect compensation rate. The Tennessee Workers' Compensation Appeals Board affirmed and remanded.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

The case is remanded following affirmance of the trial court's order.

CASES CITED

- *Madden v. Holland Grp. of Tenn., Inc.*, 277 S.W.3d 896, 898 (Tenn. 2009)
- *Edwards v. Peoplease, LLC*, No. W2024-01034-SC-R3-WC, 2025 Tenn. LEXIS 514, at *18 (Tenn. Dec. 22, 2025)
- *Mansell v. Bridgestone Firestone N. Am. Tire, LLC*, 417 S.W.3d 393, 399 (Tenn. 2013)
- *Scott v. Integrity Staffing Solutions*, No. 2015-05-0055, 2015 TN Wrk. Comp. App. Bd. LEXIS 24, at *6 (Tenn. Workers' Comp. App. Bd. Aug. 18, 2015)
- *Buchanan v. Carlex Glass Co.*, No. 2015-01-0012, 2015 TN Wrk. Comp. App. Bd. LEXIS 39, at *6 (Tenn. Workers' Comp. App. Bd. Sept. 29, 2015)
- *Whitaker v. Whirlpool Corp.*, 32 S.W.3d 222, 227 (Tenn. Ct. App. 2000)
- *Hessmer v. Hessmer*, 138 S.W.3d 901, 903-04 (Tenn. Ct. App. 2003)
- *Lurz v. Int'l Paper Co.*, No. 2015-02-0462, 2018 TN Wrk. Comp. App. Bd. LEXIS 8, at *17 (Tenn. Workers' Comp. App. Bd. Feb. 14, 2018)
- *Jones v. Crencor Leasing and Sales*, No. 2015-06-0332, 2015 TN Wrk. Comp. App. Bd. LEXIS 48, at *7 (Tenn. Workers' Comp. App. Bd. Dec. 11, 2015)