

TENNESSEE WORKERS' COMPENSATION APPEALS BOARD

Lotfi Mtiri v. Encompass Health Rehabilitation Hospital of Memphis

Mtiri, 2026 TN WC App. 27 (Tennessee Workers' Compensation Appeals Board 2026) · No. 2025-80-5154 ·  
Decided June 18, 2026

SUMMARY

The Tennessee Workers’ Compensation Appeals Board reviewed an interlocutory appeal concerning an employee’s entitlement to medical and temporary disability benefits after a reported workplace accident. The Board affirmed the finding that the employer had actual knowledge of the injury but reversed the award of additional benefits, concluding that the medical proof did not establish that the employee’s conditions were primarily caused by the work incident at that stage. The case was remanded to the trial court.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Tennessee Workers' Compensation Appeals Board                                                                                                                                                                                                                                                                                                                                                                                                      |
| WRITING FOR THE COURT | Meredith B. Weaver; Timothy W. Conner; Pele I. Godkin                                                                                                                                                                                                                                                                                                                                                                                              |
| JURISDICTION          | Tennessee Workers’ Compensation Appeals Board                                                                                                                                                                                                                                                                                                                                                                                                      |
| DECIDED               | June 18, 2026                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| DOCKET                | 2025-80-5154                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| DISPOSITION           | reversed_and_remanded                                                                                                                                                                                                                                                                                                                                                                                                                              |
| PROCEDURAL POSTURE    | Employer's interlocutory appeal from an expedited order of the Tennessee Court of Workers' Compensation Claims awarding additional medical treatment and temporary total disability 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 in-court testimony. When medical proof is presented by deposition, the appellate panel may draw its own conclusions about the weight and credibility of expert testimony. Statutory and regulatory interpretation are reviewed de novo without a presumption of correctness. |
| PRECEDENTIAL VALUE    | published                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| PARTIES               | Encompass Health Rehabilitation Hospital of Memphis v. Lotfi Mtiri                                                                                                                                                                                                                                                                                                                                                                                 |

TOPICS

workers compensation

appellate procedure

standard of review

evidence

## PRACTICE AREAS

workers' compensation

employment law

appellate procedure

evidence

## QUESTIONS PRESENTED

1. Whether the trial court erred in finding that the employer had actual knowledge of Mtiri's alleged work injury.
2. Whether the trial court correctly assessed the conflicting medical proof and determined that Mtiri was likely to prevail on causation at an expedited hearing.
3. Whether the trial court erred in awarding additional medical treatment and temporary total disability benefits.

## HOLDINGS

1. The trial court did not err in finding that the employer had actual knowledge of the reported injury because Mtiri gave unrefuted testimony that he reported the incident to his direct supervisor four days after it occurred, and the employer's witness acknowledged that reporting to the supervisor was an accepted method of notice.
2. The trial court erred in determining that Mtiri was likely to prevail at trial on whether his low-back and thigh conditions were primarily caused by the work accident. The medical proof was insufficient because the original physician's questionnaire responses were confusing, inconsistent, and equivocal, while the referred specialist clearly opined that the conditions were not caused by the work incident.
3. The trial court erred in awarding additional medical and temporary total disability benefits at the expedited stage because Mtiri did not establish that he was likely to prevail on primary causation.

## KEY QUOTATIONS

*"It is inappropriate to include findings in an expedited hearing order that appear to resolve ultimate issues in a case . . . ."* (8)

*"In short, we conclude the various responses provided by Dr. Lochemes are confusing, inconsistent, difficult to interpret, and equivocal at best on the critical issue of causation."* (9-10)

*"In contrast, Dr. Waggoner explicitly and unambiguously stated that neither the thigh condition nor the low back condition was primarily caused by the work incident."* (10)

## FACTUAL BACKGROUND

On December 26, 2024, Lotfi Mtiri allegedly missed the bottom step while descending a ladder at work and struck a desk, thereafter reporting low-back and left-leg symptoms. The employer initially accepted the claim and authorized treatment, but a referred orthopedic surgeon later opined that Mtiri's lumbar condition was degenerative, unrelated to the accident, and required no further treatment. The original authorized physician gave unclear and inconsistent answers in later questionnaires concerning causation and the need for treatment. Mtiri

testified that he verbally reported the accident to his supervisor within four days, although the records contained conflicting notice dates.

## PROCEDURAL HISTORY

Mtiri alleged that he injured his back and left leg after missing a step while descending a workplace ladder. The employer initially accepted the claim and paid medical and temporary disability benefits, but later denied compensability based on notice and causation and stopped temporary total disability payments. After an expedited hearing, the trial court found that the employer had actual notice and that Mtiri was likely to prevail on causation, ordering ongoing medical treatment and reinstatement of temporary total disability benefits. The Appeals Board affirmed the actual-notice finding, reversed the causation and benefits determinations, and remanded.

## DISPOSITION

reversed\_and\_remanded

## REMAND INSTRUCTIONS

The case is remanded to the trial court after reversal of the determination that Mtiri was likely to prevail on causation and the resulting award of additional medical and temporary total disability benefits.

## CASES CITED

- *Madden v. Holland Grp. of Tenn., Inc.*, 277 S.W.3d 896, 898 (Tenn. 2009)
- *Edwards v. Peoplelease, 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)
- *Tryon v. Saturn Corp.*, 254 S.W.3d 321, 327 (Tenn. 2008)
- *Yarbrough v. Protective Services Co., Inc.*, No. 2015-08-0574, 2016 TN Wrk. Comp. App. Bd. LEXIS 25, at \*9 (Tenn. Workers' Comp. App. Bd. May 27, 2016)
- *McCord v. Advantage Human Resourcing*, No. 2014-06-0063, 2015 TN Wrk. Comp. App. Bd. LEXIS 6, at \*7-8 (Tenn. Workers' Comp. App. Bd. Mar. 27, 2015)
- *Buchanan v. Carlex Glass Co.*, No. 2015-01-0012, 2015 TN Wrk. Comp. App. Bd. LEXIS 39, at \*5 (Tenn. Workers' Comp. App. Bd. Sept. 29, 2015)
- *Frye v. Vincent Printing Co.*, No. 2016-06-0327, 2016 TN Wrk. Comp. App. Bd. LEXIS 34, at \*20 (Tenn. Workers' Comp. App. Bd. Aug. 2, 2016)
- *Berdnik v. Fairfield Glade Community Club*, No. 2016-04-0328, 2017 TN Wrk. Comp. App. Bd. LEXIS 32, at \*10-11 (Tenn. Workers' Comp. App. Bd. May 18, 2017)

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