

TENNESSEE COURT OF WORKERS' COMPENSATION CLAIMS AT
NASHVILLE

Romero-Hernandez, Rafael v. Valley Interior Systems, Inc.

Romero-Hernandez, 2026 TN WC 8 (Tennessee Court of Workers' Compensation Claims at Nashville 2026) ·
No. 2024-50-5318 · Decided January 29, 2026

SUMMARY

In this expedited workers’ compensation hearing order, the Tennessee Court of Workers’ Compensation Claims found that Rafael Romero-Hernandez was likely to prevail on claims for additional treatment for both knees. The court concluded that Valley Interior Systems, Inc. must immediately authorize the recommended left-knee surgery and that the right-knee condition was likely a direct and natural consequence of the compensable left-knee injury and treatment. The court did not find entitlement to additional temporary disability benefits at that time.

CASE DETAILS

COURT	Tennessee Court of Workers' Compensation Claims at Nashville
WRITING FOR THE COURT	Kenneth M. Switzer
JURISDICTION	Tennessee Court of Workers’ Compensation Claims
DECIDED	January 29, 2026
DOCKET	2024-50-5318
DISPOSITION	other
PROCEDURAL POSTURE	Employee sought expedited workers' compensation relief requiring the employer and carrier to authorize bilateral knee treatment and award additional temporary disability benefits.
STANDARD OF REVIEW	At an expedited hearing, the employee must show that he is likely to prevail at a hearing on the merits. Medical causation must be established to a reasonable degree of medical certainty, with the work injury contributing more than 50 percent in causing the need for treatment. The panel-selected treating physician's causation opinion and treatment recommendation are presumptively correct, subject to rebuttal by a preponderance of the evidence.
PRECEDENTIAL VALUE	Published

PARTIES

Rafael Romero-Hernandez v. Valley Interior Systems, Inc., Cincinnati Casualty Company

TOPICS

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damages

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Romero-Hernandez was likely to prevail in establishing that additional left-knee surgery was causally related to the work injury and reasonably necessary.
2. Whether the right-knee condition and recommended surgery were a direct and natural consequence of the compensable left-knee injury and treatment.
3. Whether Romero-Hernandez was likely to prevail on his claim for additional temporary disability benefits after March 6, 2025.

HOLDINGS

1. Romero-Hernandez was likely to prevail on the merits because the need for the recommended left-knee surgery primarily arose from the work injury and the surgery was reasonably necessary. Valley therefore had to authorize the surgery.
2. Romero-Hernandez was likely to prevail in establishing that the right-knee injury and need for treatment were the direct and natural consequences of the compensable left-knee injury and treatment.
3. Romero-Hernandez did not establish that he was likely to prevail on his claim for additional temporary disability benefits.

KEY QUOTATIONS

“Valley must immediately authorize this surgery.” (10)

“Mr. Hernandez is likely to prevail at a hearing on the merits in showing that his right-knee injury was the direct and natural consequence of treatment for the left-knee work injury.” (12)

“Therefore, the Court finds that Valley acted reasonably in offering Mr. Hernandez sit-down work in the office and was under no obligation to transport him there.” (13)

FACTUAL BACKGROUND

On February 27, 2024, a heavy metal boom struck and hyperextended Romero-Hernandez's left knee while he was performing construction work. He underwent two left-knee surgeries, later developed right-knee pain and a right-knee meniscal condition, and attributed that condition to compensating for the injured left knee. The authorized treating physician, Dr. Paul Thomas, recommended additional surgery for the left knee and surgery

for the right knee, while employer's examiner Dr. David West attributed the right-knee condition to preexisting degenerative or congenital conditions and questioned the need for a third left-knee surgery. The employer offered sit-down work in Nashville after a maximum-medical-improvement determination, but Romero-Hernandez declined because he lived in Alabama and claimed the commute was incompatible with his knee restrictions.

PROCEDURAL HISTORY

Rafael Romero-Hernandez alleged that a work-related left-knee injury led to further left-knee damage and a consequential right-knee injury. After the employer initially accepted the claim, disputes arose over additional surgeries, causation, medical necessity, maximum medical improvement, and temporary disability benefits. The court conducted an expedited hearing on January 13, 2026, considered witness testimony and conflicting medical opinions, ordered treatment for both knees, denied additional temporary disability benefits at that time, and set a status hearing.

DISPOSITION

other

CASES CITED

- McCord v. Advantage Human Resourcing, 2015 TN Wrk. Comp. App. Bd. LEXIS 6, at *7-8, 9 (Mar. 27, 2015)
- Kelly v. Kelly, 445 S.W.3d 685, 694-95 (Tenn. 2014)
- Orman v. Williams Sonoma, Inc., 803 S.W.2d 672, 676-77 (Tenn. 1991)
- Limberakis v. Pro-Tech Sec., 2017 TN Wrk. Comp. App. Bd. LEXIS 53, at *6 (Sept. 12, 2017)
- Morgan v. Macy's, 2016 TN Wrk. Comp. App. Bd. LEXIS 39, at *19 (Aug. 31, 2016)
- Hudgins v. Global Pers. Sols. Inc., No. E2023-00792-SC-R3-W, 2024 Tenn. LEXIS 86, at *12-14 (Tenn. Workers' Comp. Panel Mar. 5, 2024)
- Jones v. Crencor Leasing and Sales, 2015 TN Wrk. Comp. App. Bd. LEXIS 48, at *8 (Dec. 11, 2015)
- Francoeur v. Amerimed Med. Sols., LLC, 2024 TN Wrk. Comp. App. Bd. LEXIS 36, at *9, *12 (Oct. 1, 2024)

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