

SUPREME COURT OF APPEALS OF WEST VIRGINIA

Sara P. Stevens v. Logan Regional Medical Center

Stevens · No. 12-0424 · Decided December 20, 2013

SUMMARY

The Supreme Court of Appeals of West Virginia reviewed a workers’ compensation dispute concerning whether Sara P. Stevens was entitled to an arthroscopic evaluation of her left knee after a work-related injury. The court reversed and remanded the Board of Review’s decision, concluding that the Board had materially mischaracterized the evidence and that the requested evaluation was reasonably required treatment for the compensable injury.

CASE DETAILS

COURT	Supreme Court of Appeals of West Virginia
WRITING FOR THE COURT	Chief Justice Brent D. Benjamin; Justice Robin J. Davis; Justice Margaret L. Workman; Justice Menis E. Ketchum; Justice Allen H. Loughry II
JURISDICTION	West Virginia
DECIDED	December 20, 2013
DOCKET	12-0424
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Petitioner's appeal from the West Virginia Workers’ Compensation Board of Review's final order denying authorization for an arthroscopic evaluation of her left knee.
STANDARD OF REVIEW	The Court reviewed whether the Board of Review's decision was clearly the result of an erroneous conclusion of law and whether it was based on a material misstatement or mischaracterization of the evidentiary record.
PRECEDENTIAL VALUE	Memorandum decision under West Virginia Rule of Appellate Procedure 21(d); the source does not state a separate precedential designation.
PARTIES	Sara P. Stevens v. Logan Regional Medical Center

TOPICS

workers compensation

health law

administrative law

standard of review

appellate procedure

PRACTICE AREAS

workers compensation

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QUESTIONS PRESENTED

1. Whether the Board of Review erred in denying authorization for a diagnostic arthroscopic evaluation of Stevens's left knee.
2. Whether the requested arthroscopy was reasonably required medical treatment for Stevens's compensable work-related knee injury under West Virginia Code of State Rules § 85-20-44.2.e (2006).

HOLDINGS

1. The Board of Review's denial was the result of an erroneous conclusion of law and was based on a material misstatement or mischaracterization of the evidentiary record.
2. Stevens was entitled to the requested arthroscopic evaluation of her left knee as reasonably required medical treatment for her work-related injury.

KEY QUOTATIONS

“Therefore, Ms. Stevens is entitled to the requested arthroscopic evaluation of her left knee.” (2)

“Upon consideration of the standard of review, the briefs, and the record presented, the Court finds that the Board of Review’s decision is based upon a material misstatement or mischaracterization of the evidentiary record.” (1)

FACTUAL BACKGROUND

Stevens injured her left knee while working as a registered nurse for Logan Regional Medical Center on April 26, 2010, and the claim was held compensable for a sprain of the medial collateral ligament. Medical examinations and imaging documented persistent pain, swelling, effusion, and restricted range of motion; one physician opined that the work injury exacerbated an underlying condition. Although another physician attributed her condition to chronic, naturally occurring osteoarthritis, Stevens's treating physicians requested or supported a diagnostic arthroscopic evaluation.

PROCEDURAL HISTORY

The claims administrator denied Stevens's request for an arthroscopic evaluation. The Workers’ Compensation Office of Judges reversed that decision and found the procedure was reasonably required medical treatment for the compensable injury. The Board of Review reversed the Office of Judges, and Stevens appealed to the Supreme Court of Appeals of West Virginia.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The decision of the Workers' Compensation Board of Review was reversed and remanded consistent with the determination that Stevens was entitled to the requested arthroscopic evaluation.

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