

STATE OF CALIFORNIA  
WORKERS' COMPENSATION APPEALS BOARD

MPB

LAYNE GEAREY,

ADJ10452045

*Applicant,*

v.

**MONTEREY AUTO SUPPLY,  
STAR INSURANCE COMPANY, ADJ by  
ILLINOIS MIDWEST INSURANCE  
COMPANY,**

**FINDINGS AND ORDER**

*Defendant,*

This matter having been heard and submitted, Stuart R. Crymes, Presiding Workers' Compensation Administrative Law Judge, now makes the following Findings and Orders as follows:

**FINDINGS OF FACT**

1. Applicant, Layne Gearey, born 02/26/60, while employed on 06/26/15 at Monterey, CA, by Monterey Auto Supply, sustained injury AOE/COE to his cervical spine and claims to have sustained injury AOE/COE to his upper extremities.
2. At the time of the injury the employer's workers compensation carrier was Star Insurance Company, adjusted by Illinois Midwest Insurance Company.
3. The primary treating physician is Victor Li, M.D.
4. Panel #1981282 is the controlling panel.
5. Panel #1968873 is not the controlling panel.
6. All other issues are deferred; jurisdiction is reserved.

**ORDER**

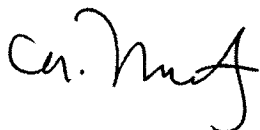
**IT IS ORDERED** that the parties utilize panel #1981282 as the controlling QME panel in this case.



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**STUART R. CRYMES**  
**Presiding**  
**Workers' Compensation**  
**Administrative Law Judge**

Served: 04/10/17  
On parties as shown on the  
Official Address Record.



By:             
**NORA MARTINEZ**

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STATE OF CALIFORNIA  
WORKERS' COMPENSATION APPEALS BOARD

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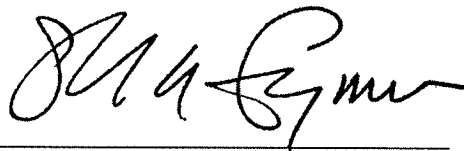
LAYNE GEAREY  
ADJ10452045

**OPINION ON DECISION**

The matter was submitted for decision on the issue as outlined below.

**ORTHOPEDIC PANEL V. PAIN MEDICINE PANEL**

The WCJ has determined that the orthopedic surgery panel is the appropriate, controlling panel, and, therefore, Panel #1981282 is the appropriate panel in this case. This determination is based upon 8 CCR 31.5 (a) (9) (10) which provides the medical director with broad powers to determine which specialty is appropriate to evaluate different injuries. In this case Dr. Avrum Gratch has determined that an orthopedic surgeon is the most appropriate specialty to evaluate applicant's injury. Dr. Gratch's report is based upon his assessment of applicant's significant orthopedic injuries including a cervical spine injury which includes the following findings: right hand weakness and numbness, 5-6 mm 2 point discrimination in the right median nerve distribution, and inability to fully extend the right index mp joint, electrophysiological testing and C5 radiculopathy. Based upon Dr. Gratch's well-reasoned opinion, the WCJ has determined that there is substantial evidence to support the Medical Director's decision that an orthopedic surgeon is the most appropriate physician to evaluate this case.



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**STUART R. CRYMES**  
**Presiding**  
**Workers' Compensation**  
**Administrative Law Judge**

STATE OF CALIFORNIA  
DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF WORKERS' COMPENSATION

04-10-2017

OFFICIAL ADDRESS RECORD

**Case Number:** ADJ10452045

BRADFORD BARTHEL      Law Firm, 2841 JUNCTION AVE STE 114 SAN JOSE CA 95134, E-  
SAN JOSE                      DOCS@BRADFORDBARTHEL.COM

SPRENKLE                      Law Firm, PO BOX 3500 SALINAS CA 93912  
GEORGARIOU  
SALINAS

SERVED FINDINGS AND ORDER AND MINUTES OF HEARING OF 3/13/17 ON PARTIES  
SHOWN ON 04/10/17 BY NORA MARTINEZ.