

21-0754

**STATE OF WEST VIRGINIA
WORKERS' COMPENSATION BOARD OF REVIEW**

ROBERT E. HOOD,
Appellant

v.

LINCARE HOLDINGS, INC.,
Appellee

Appeal No. 2056412
JCN: 2020023734
DOI 05/01/2020

ORDER

The following case is an appeal by the claimant from a final order of the Workers' Compensation Office of Judges dated February 4, 2021, which affirmed the claims administrator's order dated May 21, 2020, rejecting the claim.

The Workers' Compensation Board of Review has completed a thorough review of the record, briefs, and arguments. As required, the Workers' Compensation Board of Review has evaluated the decision of the Office of Judges in light of the standard of review contained in West Virginia Code § 23-5-12, as well as the applicable statutory language as interpreted by the West Virginia Supreme Court of Appeals.

Upon our review of this case, we have determined to affirm the decision of the Office of Judges. The Board adopts the findings of fact and conclusions of law of the Administrative Law Judge's Decision dated February 4, 2021, which relate to the issue on appeal, and the same are incorporated herein by reference, made a part hereof, and are ratified, confirmed and approved.

Accordingly, it is ORDERED that the final order of the Workers' Compensation Office of Judges dated February 4, 2021, is hereby AFFIRMED.

ROBERT E. HOOD

Appeal No. 2056412

From any final decision of the Board, including any order of remand, an application for review may be prosecuted by any party to the Supreme Court of Appeals within thirty days from the date of this order. The appeal shall be filed with Edythe Nash Gaiser, Clerk of the West Virginia Supreme Court of Appeals, 1900 Kanawha Boulevard, East, Charleston, West Virginia 25305.

DATED: AUGUST 23, 2021


Nick Casey Chairperson

cc: ROBERT E. HOOD
WILLIAM C. GALLAGHER
LINCARE HOLDINGS, INC
LISA WARNER HUNTER
THE CHARTER OAK FIRE INSURANCE COMPANY