

State of South Carolina
Workers' Compensation Commission **SC Court of Appeals**

APPELLATE PANEL DECISION AND ORDER

COMMISSION PANEL: The Honorable Aisha Taylor; The Honorable John Gabriel Coggiola;
The Honorable R. Michael Campbell, II.

SCWCC File No.: 2118724 & 2223831

Sonya Parks,

Claimant,

v.

Cintas Corporation,

Employer,

and

LM Insurance Corporation,

Carrier,

Defendants.

AFFIRMED

Hearing held virtually on August 25, 2025

Per notice timely and properly served upon all Parties of Interest.

Appearances: Lola S. Richey of Richey and Richey Law Firm appeared
on behalf of Claimant/Appellant/Respondent.

Matthew LaFave & Stephen Foster of Crowe LaFave
Garfield & Bagley, LLC appeared on behalf of
Defendants/Appellants/Respondents.

Court Reporter: Amber Scarborough, Creel Court Reporting, Inc.
1230 Richland Street, Columbia, SC 29201
(803) 252-3445, contact@creelreporting.com

Filed: September 24, 2025

I. STATEMENT OF THE CASE

A hearing was held by a single commissioner on July 9, 2024, pursuant to notice timely and properly given to all parties of record. Claimant sought benefits due to an injury by accident that occurred on September 2, 2021, whereby Claimant contends that while placing a tote full of garments on a shelf, she injured her *right* shoulder. Claimant further alleged that this accident aggravated a pre-existing injury to her *left* shoulder and caused injuries to her arms, hands, neck, and psyche. Defendants accepted that Claimant sustained an injury to her *right* shoulder only and thereafter provided benefits to her in the form of medical treatment and temporary total disability (TTD) compensation. Defendants filed a Form 21, Request for Hearing, on January 5, 2024, wherein they argued that Claimant had reached maximum medical improvement (MMI) on October 31, 2023, and as such they sought an award of permanent partial disability to the *right* shoulder as well as a credit for overpayment of temporary total disability benefits. Additionally, Claimant alleged, by way of a Form 50, Request for Hearing, repetitive trauma injuries to her bilateral shoulders, arms, hands, and neck with a psychological overlay, claiming October 9, 2022 as the date of purported last injurious exposure. Defendants denied the repetitive trauma claim.

In an order dated February 4, 2025, the single commissioner found that Claimant sustained a compensable injury only to her *right* shoulder, and that she reached MMI on October 31, 2023 with 21% permanent partial disability to her right shoulder as a result of the work-accident. The commissioner also found that Claimant was entitled to ongoing medical treatment for her right shoulder, Claimant had not proven that there were any other compensable injuries, and Defendants were entitled to a credit for overpayment of TTD benefits, dating back to January 5, 2024, the day Defendants filed their Form 21 requesting a hearing.

Claimant appealed the single commissioner's order, maintaining that she suffered additional compensable injuries to her left shoulder, arms, hands, neck, and psyche and that she had not reached MMI. Claimant also maintained that she was permanently and totally disabled.

Defendants also appealed the single commissioner's order, arguing that the commissioner made an error by awarding them credit for overpayment of TTD benefits starting from January 5, 2024—the date they filed their Form 21, Request for Hearing—instead of from the date of MMI, October 31, 2023.

A hearing was held before the appellate panel on August 26, 2025. We affirm the single commissioner's order from February 4, 2025.

II. SINGLE COMMISSIONER FINDINGS OF FACT AND CONCLUSIONS OF LAW

The verbatim findings of fact and conclusions of law in the appealed order of the single commissioner are as follows:

Single Commissioner Findings of Fact

1. That all parties to this proceeding are subject to and bound by the terms and provisions of the South Carolina Workers' Compensation Act.
2. That the Commission file becomes part of the record with the exception of self-serving declarations and unstipulated medical records.
3. That on September 2, 2021, Claimant was working as an employee of Cintas when she suffered an injury to her *right* shoulder arising out of and in the course and scope of her employment.
4. That based on filings with the Commission, the compensation rate is \$547.39.
5. Claimant asserts that:

- a. Claimant suffered a compensable, work-related injury to her right shoulder.
- b. Claimant's work-related accident also aggravated a pre-existing injury in her left shoulder.
- c. Claimant continued her repetitive job duties, suffering repetitive trauma until her last day of work on October 9, 2022.

6. Defendants assert that:

- a. Defendants are entitled to terminate Claimant's temporary total disability benefits.
- b. Defendants are entitled to credit for overpayment of temporary total disability benefits.
- c. Claimant has reached MMI.
- d. Defendants deny any alleged injuries to any other body parts as a result of accidents on or about September 2, 2021 and October 9, 2022.
 - i. Specifically, as it pertains to Claimant's left shoulder, Defendants contend that Claimant's condition was pre-existing and not dormant on the dates of the alleged injuries.
 - ii. Furthermore, Defendants deny the October 9, 2022 repetitive trauma claim, contending that Claimant did not timely report a repetitive trauma claim.

7. The parties stipulate that:

- a. Both parties were subject to the Workers' Compensation Act at the time of the alleged accident.
- b. An employee-employer relationship existed between the parties at the time of the accident.

- c. On 2 September, 2021, Claimant suffered a work-related accident that resulted in a compensable right shoulder injury. (Defendants' brief, p. 1; Consent Order)
8. Claimant gave her employer proper notice of her injury to her *right* shoulder. (Form 51).
9. Claimant had an underlying rotator cuff issue in her left shoulder that originated from a 2019 injury.
10. Claimant's underlying rotator cuff issue in her left shoulder caused pain and weakness, particularly with repetitive heavy overhead activities at work. (APA, p. 138, 147, 150, and 156)
11. Claimant's job at Cintas required her to lift totes full of laundry, and her left shoulder injury interfered with her normal work activities quite a bit. (Hearing Transcript p. 37, 114; APA p. 166)
12. On March 9, 2021, Dr. Gabriella Ode recommended surgery to repair Claimant's left rotator cuff. (APA, p. 159). This surgery was scheduled, but it had to be postponed multiple times due to unforeseen circumstances. It was eventually scheduled for September 10, 2021. This operation on her *left* shoulder was never performed, however, seemingly because her right shoulder became the focus of the treatment after her September 2, 2021 injury. (Hearing Transcript, p. 83)
13. On or around September 2, 2021, Claimant was lifting a heavy tote at work when she felt a sharp pain in her right shoulder and right bicep.
 - a. Claimant testified that the pain in her *left* shoulder went from about a 2 out of 10 before the September 2, 2021 accident to about an 8 to 10 out of 10 afterward. (Hearing transcript, p. 49-50, 52)

- b. Claimant testified that after her September 2021 accident, her left shoulder pain continued to worsen due to having to use her left arm more, now that she was unable to predominantly use her right arm. (Hearing transcript, p. 56-57)
 - c. Claimant further testified that, until her September 2021 injury, she was able to favor her right arm and manage the pain in her *left* shoulder leading up to her scheduled surgery such that her left shoulder was no longer bothering her that much. (Hearing transcript, p. 50-51, 57, 82)
 - d. Claimant testified that she told HR and a coworker named Mitch that her left arm was not bothering her before the accident, but it had since started bothering her. There was no indication of the date on which this conversation allegedly happened. (Hearing transcript, p. 57)
14. On September 30, 2021, Claimant saw Dr. Stephan Pill with a high-grade, partial-thickness tear in her right rotator cuff. (APA, p. 41)
- a. On September 30, 2021, Dr. Pill stated that Claimant could return to work with restrictions on lifting, pushing, or pulling more than 5 pounds with the right upper extremity and avoid overhead work. (APA, p. 47) Dr. Pill reiterated these restrictions on November 16, 2021. (APA, p. 63)
15. Claimant followed up with Dr. Pill on October 7, 2021, primarily to address the pain in her *left* shoulder. (APA, p. 50, 53)
16. Claimant continued performing her job duties with increasing pain in her *left* shoulder until October 9, 2022, the day before her scheduled surgery on her *right* shoulder. (Claimant's brief, p. 2; Defendants' brief, p. 2)
17. On October 10, 2022, Claimant underwent surgery on her *right* shoulder. (APA, p. 87-88)

18. In a questionnaire from July 4, 2022, Dr. Pill confirmed that, to a reasonable degree of medical certainty, Claimant's *right* shoulder injury was caused by her work-related accident on September 2, 2021, and her left shoulder injury was aggravated by this accident. Dr. Pill also indicated that Claimant would continue to need additional and future medical treatment for her causally related injuries. (APA, p. 64-65)
19. Dr. Pill filled out a Form 14B stating that Claimant had reached MMI on October 31, 2023 with a 12% impairment rating to her *right* shoulder. (APA, p. 116)
 - a. Dr. Pill stated that Claimant's right shoulder injury in 2021 affected and aggravated her left shoulder. (Dr. Pill's deposition, p. 19) Furthermore, the left shoulder requires surgery because of the lifting injury Claimant sustained on September 2, 2021. (APA, p. 81)
 - b. Dr. Pill also stated that Claimant retained hardware as a result of the injury.
 - c. Dr. Pill also stated that Claimant is restricted to lifting 20 pounds at waist level, 10 pounds at shoulder height, and 5 pounds overhead.
 - d. Dr. Pill further stated that Claimant would need future medical treatment as a result of the injury, including physical therapy.
20. On February 15, 2024, Dr. Pill noted that Claimant was still slowly recovering from her right shoulder surgery on October 10, 2022. (APA, p. 74)
21. A vocational evaluation on January 29, 2024, concluded that Claimant would be unable to effectively perform the essential duties in any full-time, gainful work activity, even at sedentary jobs. (APA, p. 128)

22. In Dr. Pill's deposition, taken on March 27, 2024, he stated that Claimant would need an arthroscopic rotator cuff repair for her *left* shoulder; he also stated that Claimant needed this same surgery prior to the 2021 injury. (Dr. Pill's deposition, p. 24, 46)
- a. After conceding that he had forgotten that Claimant was scheduled for surgery on her left shoulder at the time of the 2021 accident, Dr. Pill further clarified that the left shoulder injury was, "aggravated very loosely in that she has a known injury, and that she was holding a tote with both arms and the left shoulder just continued to hurt like it always had." (Dr. Pill's deposition, p. 41)
 - b. Dr. Pill continued by stating, "I think she just made her left shoulder essentially sore without making it any worse. And there's no objective findings there that anything got worse." (Dr. Pill's deposition, p. 42)
23. Even though Claimant also listed, "arms, hands, neck, and psychological overlay," on her Form 50 as affected body parts, Claimant has not introduced substantial evidence to support a finding of causally related injuries to these body parts.
24. That Claimant, as required by S.C. Code Ann. 42-1-172(D), failed to present any evidence that there was a direct causal relationship between the condition under which the work is performed, and any injury alleged in her October 9, 2022, repetitive trauma claim.
25. That Claimant's purported last date of injurious exposure, October 9, 2022, was her last date of employment as she was scheduled on October 10, 2022, to undergo surgery for her September 2, 2021, *right* shoulder injury.
26. That these findings of fact are based on the preponderant evidence of record, including the greater weight of the evidence and the testimony of record.

Single Commissioner Conclusions of Law

1. Where applicable, these Conclusions of Law are to also be construed as Findings of Fact.
2. The parties to this proceeding are subject to and bound by the provisions of the South Carolina Workers' Compensation Act, as amended. S.C. Code Ann. § 42-1-130 and § 42-1-140.
3. Under S.C. Code Ann. § 42-9-35, in order for a claimant to prove that a pre-existing condition was aggravated by a work-related accident, the claimant must prove the aggravation by a preponderance of the evidence, including medical evidence.
 - a. Because Dr. Pill is the only doctor on the record who spoke to whether Claimant's left shoulder injury was aggravated by her 2021 injury, I find that Claimant has not met her burden of proof regarding her *left* shoulder injury.
4. Claimant has not proven by a preponderance of the evidence that her 2021 accident made her left shoulder injury worse to the extent that she (1) has a diminished earning capacity as a result, or (2) needs additional treatment for her left shoulder beyond what she would have needed right before her 2021 accident.
5. Moreover, Claimant, as required by S.C. Code Ann. § 42-9-345, has not proven that her left shoulder injury was a dormant condition. *See Murphy v. Owens Corning*, 393 S.C. 77, 710 S.E.2d 454 (Ct. App. 2011); *Frampton v. S.C. Department of Natural Resources*, 432 S.C. 247, 851 S.E.2d 714.
6. Claimant is, consequently, not entitled to any additional award for her *left* shoulder as a result of her 2021 work-accident or continued use of her left shoulder through 2022.
7. Claimant reached maximum medical improvement on October 31, 2023 and was assigned 12% impairment to her *right* shoulder.

8. Claimant is entitled to an award of permanent partial disability in the amount of 21% to the *right* shoulder.
9. Claimant is entitled to future medical treatment pursuant to S.C. Code Ann. § 42-15-60 and *Dodge v. Bruccoi, Clark, Layman, Inc.*, 334 S.C. 574, 514 S.E.2d 593 (Ct. App. 1999) as set forth by Dr. Pill in his Form 14B. This treatment is to include lifetime maintenance, repair, and replacement for any hardware retained as a result of her work-related injury of September 2, 2021.
10. Claimant, pursuant to S.C. Code Ann. § 42-1-172, failed to present any medical evidence as is otherwise required for a finding of compensability as to the alleged repetitive trauma claim of October 9, 2021.
11. Defendants are entitled to a credit for overpayment of benefits, pursuant to S.C. Code Ann. § 42-9-210, made after January 5, 2024.
12. The parties have fourteen (14) days from the date of this order to appeal the ruling to the full Commission.

III. ISSUES ON APPEAL

1. Did the single commissioner err by improperly weighing testimony and medical evidence of Claimant's repetitive and strenuous job duties which allegedly led to the injuries to her bilateral shoulders, arms, hands, neck, and psyche?
2. Did the single commissioner err by not properly weighing the MRI diagnostic evidence and other medical evidence that allegedly supports Claimant's assertion that she sustained new injuries to her *left* shoulder due to her admitted September 2, 2021 lifting injury and her alleged repetitive trauma injuries?

3. Did the single commissioner err by improperly weighing witness testimony concerning Claimant's repetitive work duties and the potential effects on her left shoulder?
4. Did the single commissioner err by improperly weighing Claimant's vocational assessment and witness testimony?
5. Did the single commissioner err by improperly weighing Dr. Stephen Phill's updated Form 14B, his deposition testimony, and the authorized treating physician's medical records?
6. Did the single commissioner err by finding that Claimant reached MMI?
7. Did the single commissioner err by improperly weighing expert medical evidence in support of Claimant's assertion that she sustained repetitive injuries to her left and right hands, arms, and shoulders due to repetitive activity?
8. Did the single commissioner err by not finding that Claimant sustained a compensable injury to her left shoulder?
9. Did the single commissioner err in awarding Defendants a credit for overpayment of temporary total disability?
10. If the single commissioner properly granted Defendants a credit for overpayment of TTD, did the single commissioner err in awarding the credit from January 5, 2024, the day Defendants filed their Form 21, Request for Hearing, onward, rather than from the date of MMI, October 31, 2023?

IV. DECISION OF THE APPELLATE PANEL

Appellate Panel's Findings of Fact

1. That all parties to this proceeding are subject to and bound by the terms and provisions of the South Carolina Workers' Compensation Act.

2. That the Commission file becomes part of the record with the exception of self-serving declarations and unstipulated medical records.
3. That on September 2, 2021, Claimant was working as an employee of Cintas when she suffered an injury to her *right* shoulder arising out of and in the course and scope of her employment.
4. That based on filings with the Commission, the compensation rate is \$547.39.
5. Claimant asserts that:
 - a. Claimant suffered a compensable, work-related injury to her right shoulder.
 - b. Claimant's work-related accident also aggravated a pre-existing injury in her left shoulder.
 - c. Claimant continued her repetitive job duties, suffering repetitive trauma until her last day of work on October 9, 2022.
6. Defendants assert that:
 - a. Defendants are entitled to terminate Claimant's temporary total disability benefits.
 - b. Defendants are entitled to credit for overpayment of temporary total disability benefits.
 - c. Claimant has reached MMI.
 - d. Defendants deny any alleged injuries to any other body parts as a result of accidents on or about September 2, 2021 and October 9, 2022.
 - i. Specifically, as it pertains to Claimant's left shoulder, Defendants contend that Claimant's condition was pre-existing and not dormant on the dates of the alleged injuries.

- ii. Furthermore, Defendants deny the October 9, 2022 repetitive trauma claim, contending that Claimant did not timely report a repetitive trauma claim.

7. The parties stipulate that:

- a. Both parties were subject to the Workers' Compensation Act at the time of the alleged accident.
- b. An employee-employer relationship existed between the parties at the time of the accident.
- c. On 2 September, 2021, Claimant suffered a work-related accident that resulted in a compensable right shoulder injury. (Defendants' brief, p. 1; Consent Order)

8. Claimant gave her employer proper notice of her injury to her *right* shoulder. (Form 51).

9. Claimant had an underlying rotator cuff issue in her left shoulder that originated from a 2019 injury.

10. Claimant's underlying rotator cuff issue in her left shoulder caused pain and weakness, particularly with repetitive heavy overhead activities at work. (APA, p. 138, 147, 150, and 156)

11. Claimant's job at Cintas required her to lift totes full of laundry, and her left shoulder injury interfered with her normal work activities quite a bit. (Hearing Transcript p. 37, 114; APA p. 166)

12. On March 9, 2021, Dr. Gabriella Ode recommended surgery to repair Claimant's left rotator cuff. (APA, p. 159). This surgery was scheduled, but it had to be postponed multiple times due to unforeseen circumstances. It was eventually scheduled for September 10, 2021. This operation on her *left* shoulder was never performed, however, seemingly because her right

shoulder became the focus of the treatment after her September 2, 2021 injury. (Hearing Transcript, p. 83)

13. On or around September 2, 2021, Claimant was lifting a heavy tote at work when she felt a sharp pain in her right shoulder and right bicep.

a. Claimant testified that the pain in her *left* shoulder went from about a 2 out of 10 before the September 2, 2021 accident to about an 8 to 10 out of 10 afterward. (Hearing transcript, p. 49-50, 52)

b. Claimant testified that after her September 2021 accident, her left shoulder pain continued to worsen due to having to use her left arm more, now that she was unable to predominantly use her right arm. (Hearing transcript, p. 56-57)

c. Claimant further testified that, until her September 2021 injury, she was able to favor her right arm and manage the pain in her *left* shoulder leading up to her scheduled surgery such that her left shoulder was no longer bothering her that much. (Hearing transcript, p. 50-51, 57, 82)

d. Claimant testified that she told HR and a coworker named Mitch that her left arm was not bothering her before the accident, but it had since started bothering her. There was no indication of the date on which this conversation allegedly happened. (Hearing transcript, p. 57)

14. On September 30, 2021, Claimant saw Dr. Stephan Pill with a high-grade, partial-thickness tear in her right rotator cuff. (APA, p. 41)

a. On September 30, 2021, Dr. Pill stated that Claimant could return to work with restrictions on lifting, pushing, or pulling more than 5 pounds with the right upper

extremity and avoid overhead work. (APA, p. 47) Dr. Pill reiterated these restrictions on November 16, 2021. (APA, p. 63)

15. Claimant followed up with Dr. Pill on October 7, 2021, primarily to address the pain in her *left* shoulder. (APA, p. 50, 53)
16. Claimant continued performing her job duties with increasing pain in her *left* shoulder until October 9, 2022, the day before her scheduled surgery on her *right* shoulder. (Claimant's brief, p. 2; Defendants' brief, p. 2)
17. On October 10, 2022, Claimant underwent surgery on her *right* shoulder. (APA, p. 87-88)
18. In a questionnaire from July 4, 2022, Dr. Pill confirmed that, to a reasonable degree of medical certainty, Claimant's *right* shoulder injury was caused by her work-related accident on September 2, 2021, and her left shoulder injury was aggravated by this accident. Dr. Pill also indicated that Claimant would continue to need additional and future medical treatment for her causally related injuries. (APA, p. 64-65)
19. Dr. Pill filled out a Form 14B stating that Claimant had reached MMI on October 31, 2023 with a 12% impairment rating to her *right* shoulder. (APA, p. 116)
 - a. Dr. Pill stated that Claimant's right shoulder injury in 2021 affected and aggravated her left shoulder. (Dr. Pill's deposition, p. 19) Furthermore, the left shoulder requires surgery because of the lifting injury Claimant sustained on September 2, 2021. (APA, p. 81)
 - b. Dr. Pill also stated that Claimant retained hardware as a result of the injury.
 - c. Dr. Pill also stated that Claimant is restricted to lifting 20 pounds at waist level, 10 pounds at shoulder height, and 5 pounds overhead.

- d. Dr. Pill further stated that Claimant would need future medical treatment as a result of the injury, including physical therapy.
20. On February 15, 2024, Dr. Pill noted that Claimant was still slowly recovering from her right shoulder surgery on October 10, 2022. (APA, p. 74)
21. A vocational evaluation on January 29, 2024, concluded that Claimant would be unable to effectively perform the essential duties in any full-time, gainful work activity, even at sedentary jobs. (APA, p. 128)
22. In Dr. Pill's deposition, taken on March 27, 2024, he stated that Claimant would need an arthroscopic rotator cuff repair for her *left* shoulder; he also stated that Claimant needed this same surgery prior to the 2021 injury. (Dr. Pill's deposition, p. 24, 46)
 - a. After conceding that he had forgotten that Claimant was scheduled for surgery on her left shoulder at the time of the 2021 accident, Dr. Pill further clarified that the left shoulder injury was, "aggravated very loosely in that she has a known injury, and that she was holding a tote with both arms and the left shoulder just continued to hurt like it always had." (Dr. Pill's deposition, p. 41)
 - b. Dr. Pill continued by stating, "I think she just made her left shoulder essentially sore without making it any worse. And there's no objective findings there that anything got worse." (Dr. Pill's deposition, p. 42)
23. Even though Claimant also listed, "arms, hands, neck, and psychological overlay," on her Form 50 as affected body parts, Claimant has not introduced substantial evidence to support a finding of causally related injuries to these body parts.

24. That Claimant, as required by S.C. Code Ann. 42-1-172(D), failed to present any evidence that there was a direct causal relationship between the condition under which the work is performed, and any injury alleged in her October 9, 2022, repetitive trauma claim.
25. That Claimant's purported last date of injurious exposure, October 9, 2022, was her last date of employment as she was scheduled on October 10, 2022, to undergo surgery for her September 2, 2021, *right* shoulder injury.
26. That these findings of fact are based on the preponderant evidence of record, including the greater weight of the evidence and the testimony of record.

Appellate Panel's Conclusions of Law

Based on the foregoing findings of fact, the undersigned commissioners make the following conclusions of law:

1. Where applicable, these Conclusions of Law are to also be construed as Findings of Fact.
2. The parties to this proceeding are subject to and bound by the provisions of the South Carolina Workers' Compensation Act, as amended. S.C. Code Ann. § 42-1-130 and § 42-1-140.
3. Under S.C. Code Ann. § 42-9-35, in order for a claimant to prove that a pre-existing condition was aggravated by a work-related accident, the claimant must prove the aggravation by a preponderance of the evidence, including medical evidence.
 - a. Because Dr. Pill is the only doctor on the record who spoke to whether Claimant's left shoulder injury was aggravated by her 2021 injury, we find that Claimant has not met her burden of proof regarding her *left* shoulder injury.
4. Claimant has not proven by a preponderance of the evidence that her 2021 accident made her left shoulder injury worse to the extent that she (1) has a diminished earning capacity

as a result, or (2) needs additional treatment for her left shoulder beyond what she would have needed right before her 2021 accident.

5. Moreover, Claimant, as required by S.C. Code Ann. § 42-9-345, has not proven that her left shoulder injury was a dormant condition. *See Murphy v. Owens Corning*, 393 S.C. 77, 710 S.E.2d 454 (Ct. App. 2011); *Frampton v. S.C. Department of Natural Resources*, 432 S.C. 247, 851 S.E.2d 714.
6. Claimant is, consequently, not entitled to any additional award for her *left* shoulder as a result of her 2021 work-accident or continued use of her left shoulder through 2022.
7. Claimant reached maximum medical improvement on October 31, 2023 and was assigned 12% impairment to her *right* shoulder.
8. Claimant is entitled to an award of permanent partial disability in the amount of 21% to the *right* shoulder.
9. Claimant is entitled to future medical treatment pursuant to S.C. Code Ann. § 42-15-60 and *Dodge v. Bruccoli, Clark, Layman, Inc.*, 334 S.C. 574, 514 S.E.2d 593 (Ct. App. 1999) as set forth by Dr. Pill in his Form 14B. This treatment is to include lifetime maintenance, repair, and replacement for any hardware retained as a result of her work-related injury of September 2, 2021.
10. Claimant, pursuant to S.C. Code Ann. § 42-1-172, failed to present any medical evidence as is otherwise required for a finding of compensability as to the alleged repetitive trauma claim of October 9, 2021.
11. Defendants are entitled to a credit for overpayment of benefits, pursuant to S.C. Code Ann. § 42-9-210, made after January 5, 2024.

12. The parties have fourteen (14) days from the date of this order to appeal the ruling to the full Commission.

ORDER

Based on the preceding findings of fact and conclusions of law,

IT IS, THEREFORE, ORDERED that Claimant, on September 2, 2021, sustained a compensable injury by accident to her *right* shoulder only.

IT IS FURTHER ORDERED that Claimant has a 12% medical impairment rating to her *right* shoulder.

IT IS FURTHER ORDERED that Claimant reached maximum medical improvement as of October 31, 2023 and sustained 21% permanent partial disability to her right shoulder as a result of her compensable accident. (APA, p. 116). The resulting award equals Thirty-Four Thousand Four Hundred Eighty-Five and 57/100 (\$34,485.57) Dollars.

IT IS FURTHER ORDERED that Claimant, is entitled to an award of permanent partial disability for the injury to her right shoulder.

IT IS FURTHER ORDERED that Defendants, pursuant to S.C. Code Ann. § 42-9-210, are entitled to a credit for overpayment of benefits made after January 5, 2024.

IT IS FURTHER ORDERED that Claimant is entitled to future causally related medical treatment for her right shoulder as prescribed by Dr. Pill in his Form 14B, including physical therapy.

IT IS FURTHER ORDERED that Claimant is entitled to lifetime maintenance, repair, and replacement for any hardware retained as a result of her work-related injury.

IT IS FURTHER ORDERED that Claimant is not entitled to any additional award for her *left* shoulder as a result of her 2021 work-accident or continued use of her left shoulder through 2022.

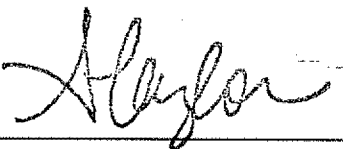
IT IS FURTHER ORDERED that Claimant is not entitled to awards or treatment for her arms, hands, neck, or psyche.

IT IS FURTHER ORDERED that Claimant failed to meet her burden of proof for a finding of a compensable repetitive trauma claim as to any body parts.


IT IS FURTHER ORDERED that Claimant is entitled to compensation for her permanent partial disability in whatever sum remains upon final determination of Defendants' credit for overpayment of benefits, if any.

No hearing costs or penalties are assessed in this matter.

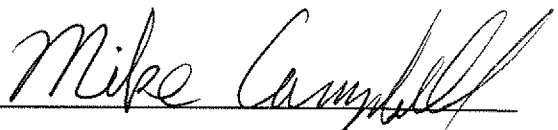
AND SO IT IS ORDERED.



Aisha Taylor, Commissioner



John Gabriel Coggiola, Commissioner



R. Michael Campbell, II, Commissioner

Date

Columbia, SC

Order Served via email:

Matthew C. LaFave Stephen Foster Crowe LaFave, LLC matt@lafavebagley.com stephen@lafavebagley.com	Lola S. Richey Richey & Richey lolarichey@bellsouth.net
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CERTIFICATE OF SERVICE

This is to certify that the undersigned has on this date served a copy of this order in the above entitled action upon all parties to this case by sending an electronic copy hereof by electronic mail addressed to the attorneys for said parties; or if there is an unrepresented party(ies), by depositing a copy hereof, postage paid in the United States mail, first class, addressed to the unrepresented party(ies) and to the attorney(s) for the represented party(ies).

By Eugenia Hollmon on September 24, 2025