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SC Court of Appeals

**State of South Carolina
Workers' Compensation Commission**

APPELLATE PANEL DECISION AND ORDER

COMMISSION PANEL: The Honorable Aisha Taylor, The Honorable Gene McCaskill, The Honorable John Gabriel Coggiola

SCWCC File No.: 2313262

Stephanie Stephens,

Claimant,

v.

Venture Measurement, LLC,

Employer,

and

Indemnity Insurance Company of North America,

Carrier,

Defendants.

AFFIRMED IN PART / REVERSED IN PART

Hearing held virtually on May 18, 2026

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

Appearances: Charles J. Hodge, of Hodge Law Firm, appeared on behalf of Claimant/Respondent.

Jennifer H. Newman, of Willson Jones Carter & Baxley, P.A., appeared on behalf of Defendants/Appellants.

Court Reporter: Amber Scarborough, Creel Court Reporting, Inc.
1230 Richland Street, Columbia, SC 29201
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Filed: September 4, 2026

I. STATEMENT OF THE CASE

Claimant sustained an admitted injury to her left wrist on August 5, 2023, when she fell in the course and scope of her employment with Venture Measurement, LLC. Defendants accepted the left wrist injury but denied additional body parts and contested Claimant's entitlement to further medical treatment for her left shoulder and left hip.

On October 27, 2025, a hearing was held before the single commissioner, and on February 4, 2026, the single commissioner issued an order in which they found that (1) Claimant is not at MMI for her left wrist and is to be returned to Dr. Brown for continued treatment of her left wrist, (2) Claimant's left shoulder and left hip injuries are compensable, and (3) Defendants are to provide an orthopedic evaluation and causally-related treatment of Claimant's left shoulder and left hip.

On February 18, 2026, Defendants filed an appeal, claiming that the injuries to Claimant's left shoulder and left hip were not compensable, and Defendants should not be required to provide treatment for those body parts. A hearing was held before the appellate panel on May 18, 2026. We partially affirm and partially reverse the decision of the single commissioner.

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. The parties are subject to and bound by the South Carolina Workers' Compensation Act.
2. The Claimant sustained a compensable injury to her left wrist on August 5, 2023, as a result of a fall arising out of and in the course of her employment.

3. The Claimant has not reached maximum medical improvement for her left wrist injury.
4. Dr. David Brown at Carolina Orthopedic Neurosurgical Associates is the authorized treating orthopedist for the Claimant's left wrist.
5. Dr. Brown opined that the Claimant's bilateral ulnar and median nerve entrapment is not causally related to the August 5, 2023 accident, but that the Claimant's ganglion cyst and current left wrist symptoms are causally related to the fall. (Questionnaire dated March 1, 2025 at APA 170) He states that his diagnosis and recommended medical treatment is "left wrist sprain, possible tendinitis, possible causally related left wrist ganglion cyst." (APA 171)
6. At the Claimant's March 20, 2025 visit, Dr. Brown's PAC, Landrie Morris, continues to discuss further treatment and does not indicate that the Claimant is at MMI.
7. The Claimant is to be returned to Dr. Brown for continued treatment of the related conditions of her left wrist.
8. The Claimant has met her burden that her left shoulder is a compensable injured body member.
9. The Claimant was first seen by Dr. Malhan on August 5, 2023. (APA 1-2). She reported severe pain in various body members, including her left shoulder. Dr. Malhan's diagnosis is "left shoulder contusion."
10. The Claimant was referred for physical therapy of her left shoulder. (APA 3)
11. The Defendants are to provide an orthopedic evaluation and causally-related treatment of the Claimant's left shoulder.
12. The Claimant has met her burden that her left hip is a compensable injured body member.

13. The Claimant returned for her second medical appointment, a ten (10) day follow-up, on August 15, 2023. The record reports that the Claimant's leg and hip are better. (APA 112)
The Claimant was referred for physical therapy of her left hip. (APA 4)
14. The Defendants are to provide an orthopedic evaluation and causally-related treatment of the Claimant's left hip.

Single Commissioner Conclusions of Law

1. Claimant met her burden of proving by a preponderance of the evidence that she sustained compensable injuries to her left wrist, left shoulder, and left hip arising out of and in the course of her employment. S.C. Code Ann. §§ 42-1-160, 42-1-540.
2. Defendants are responsible for providing all causally-related, reasonable, and necessary medical treatment for the Claimant's compensable injuries pursuant to S.C. Code Ann. §§ 42-15-60, 42-15-80, and 42-17-30.
3. Claimant has not reached maximum medical improvement for her left wrist injury and is entitled to continued authorized medical care.

Single Commissioner Orders

IT IS THEREFORE ORDERED:

1. The parties agree to a provisional average weekly wage. (\$720.00/\$480.02)
2. The Claimant has an admitted injury to her left wrist that occurred as a result of a fall on August 5, 2023.
3. The Claimant is not at MMI for her left wrist injury.
4. The Claimant is currently treating for her left wrist with Dr. Brown.

5. Dr. Brown is an orthopedist at Carolina Orthopedic Neurosurgical Associates.
6. Dr. Brown states that the Claimant's bilateral ulnar/median nerve entrapment is not related to the August 5, 2023 fall. (Questionnaire dated March 1, 2025 at APA 170) However, he opines that the Claimant's ganglion cyst and current symptoms are causally related to the fall. (APA 170) He states that his diagnosis and recommended medical treatment is "left wrist sprain, possible tendinitis, possible causally related left wrist ganglion cyst." (APA 171)
7. At the Claimant's March 20, 2025, Landrie Morris, Dr. Brown's PAC, continues to discuss further treatment and does not indicate that the Claimant is at MMI.
8. The Claimant is to be returned to Dr. Brown for continued treatment of her related conditions.
9. The Claimant has met her burden that her left shoulder is an injured body member.
10. The Claimant was first seen by Dr. Malhan on August 5, 2023. (APA 1-2). She reported severe pain in various body members, including her left shoulder. Dr. Malhan's diagnosis is "left shoulder contusion."
11. The Claimant was referred for physical therapy of her left shoulder. (APA 3)
12. The Defendants are to provide an orthopedic evaluation and causally-related treatment of the Claimant's left shoulder. (Sections 42-17-30 and 42-15-80)
13. The Claimant has met her burden that her left hip is an injured body member.
14. The Claimant returned for her ten (10) day follow-up appointment on August 15, 2023.
The record reports that the Claimant's leg and hip are better. (APA 112)
15. The Claimant was referred for physical therapy of her left hip. (APA 4)

16. The Defendants are to provide an orthopedic evaluation and causally-related treatment of the Claimant's left hip. (Sections 42-17-30 and 42-15-80)

III. ISSUES ON APPEAL

1. Did the hearing Commissioner err by finding that the injuries to Claimant's left shoulder and left hip are compensable?
2. Did the hearing Commissioner err by finding that Defendants are required to provide an orthopedic evaluation and causally related treatment to Claimant's left shoulder and left hip?

IV. DECISION OF THE APPELLATE PANEL

Appellate Panel's Findings of Fact

1. The parties are subject to and bound by the South Carolina Workers' Compensation Act.
2. Claimant sustained a compensable injury to her left wrist on August 5, 2023, as a result of a fall arising out of and in the course of her employment.
3. Claimant has not reached maximum medical improvement for her left wrist injury.
4. Dr. David Brown at Carolina Orthopedic Neurosurgical Associates is the authorized treating orthopedist for Claimant's left wrist.
5. Dr. Brown opined that Claimant's bilateral ulnar and median nerve entrapment is not causally related to the August 5, 2023 accident, but that Claimant's ganglion cyst and current left wrist symptoms are causally related to the fall. (Questionnaire dated March 1, 2025 at APA 170) He states that his diagnosis and recommended medical treatment is "left

wrist sprain, possible tendinitis, possible causally related left wrist ganglion cyst." (APA 171)

6. At Claimant's March 20, 2025 visit, Dr. Brown's PAC, Landrie Morris, continues to discuss further treatment and does not indicate that Claimant is at MMI.
7. Claimant is to be returned to Dr. Brown for continued treatment of the related conditions of her left wrist.
8. Claimant has failed to meet her burden of proving by expert medical evidence, stated to a reasonable degree of medical certainty, that she requires additional treatment necessary to tend to lessen her period of disability to the left shoulder or left hip.
9. Claimant was first seen by Dr. Malhan on August 5, 2023. (APA 1-2). She reported severe pain in various body members, including her left shoulder. Dr. Malhan's diagnosis is "left shoulder contusion."
10. Claimant was referred to physical therapy of her left shoulder. (APA 3)
11. Claimant returned for her second medical appointment, a ten (10) day follow-up, on August 15, 2023. The record reports that Claimant's leg and hip are better. (APA 112)
Claimant was referred for physical therapy of her left hip. (APA 4)
12. On September 5, 2023, Bradley Young, a nurse practitioner, noted Claimant's x-rays showed no acute fracture or dislocation of Claimant's left shoulder. His report listed Claimant's left shoulder injury as an unspecified sprain, and Claimant's left hip injury was listed as a contusion. The report notes that Claimant had a full range of motion in her left shoulder without pain. The plan was for Claimant to continue with PT and other conservative measures before checking in after 3 weeks. (Claimant's APA, p. 94-96)

13. By September 26, 2023, Claimant was reporting noticeable improvement and less pain with movement and activity. Claimant still had pain in her left hip, but the greatest part of her pain remained her posterior shoulder. Young recommended that Claimant complete her PT, anticipating that Claimant would be allowed to go back to work at full duty by the time her PT was finished. (Claimant's APA, p. 113, 118)
14. By October 13, 2023, however, Claimant stated that she believed PT was making her condition worse, particularly in her wrist and elbow. Young recommended that Claimant undergo an MRI of her wrist and elbow. (Claimant's APA, p. 121, 127)
15. Following the MRI, Claimant saw Young again on December 22, 2023. She noted that she still had shoulder pain, but her hip pain was significantly better. Young noted that Claimant's shoulder seemed to be overall better and referred Claimant to an orthopedist, noting that her shoulder would likely simply need more PT. (Claimant's APA, p. 103, 130, 136)
16. On March 4, 2024, Claimant filed a request for a hearing to determine if she was entitled to the recommended orthopedic treatment, and by July 12, 2024, a consent order was entered wherein Defendants agreed to provide treatment with an orthopedist.
17. Following an independent medical evaluation (IME) with Dr. Gordon Early on May 29, 2024, Dr. Early reported that Claimant had full range of motion in her left hip, and there was no diagnosis listed for the hip. In fact, Dr. Early expressly states that Claimant does not get a rating for the left hip. Dr. Early stated that Claimant has never had complaints that were confined to the hip joint, and instead, Claimant's complaints have always been regional complaints involving the left buttock, left outer and posterior thigh, and most

recently, sciatica on her left side. Dr. Early does give Claimant a 5% impairment rating for her lower back. (Claimant's APA, p. 144)

18. Dr. Early did note that Claimant had tendonitis, pain, and loss of range of motion in her left shoulder, but he did not expressly causally-relate these symptoms to her work accident. Dr. Early also noted that he believes Claimant probably had youth onset osteoarthritis, but x-rays from the date of injury showed no arthritis or fracture in her left shoulder. (Claimant's APA, p. 142-144)
19. On May 29, 2024, Dr. Early noted that Claimant did not show substantial improvement after 8 or 9 physical therapy sessions. Dr. Early noted that Claimant's left shoulder was bothering her the most, followed by her left wrist, left elbow, then left hip. (Claimant's APA, p. 142-143)
20. On May 29, 2024, Dr. Early also completed a multiple choice questionnaire. While Dr. Early indicates on the questionnaire that physical activity is likely to cause greatly increased pain when Claimant moves her left shoulder or left wrist, Dr. Early's responses to the questions asked in the questionnaire do not indicate the need for treatment for Claimant's left hip or left shoulder. (Claimant's APA, p. 146)
21. In a Form 14B from Dr. Early from May 29, 2024, he causally relates Claimant's shoulder and lumbar spine injury to her work accident, and he states that she possibly needs shoulder/wrist surgery and possible acupuncture. We find that Dr. Early's list of possible medical treatments fails to meet the burden of proof by a reasonable degree of medical certainty. (Claimant's APA, p. 149)
22. Additionally, on Dr. Early's Form 14B, he indicates that Claimant was at maximum medical improvement for her left shoulder, elbow, and wrist as of May 29, 2024. Dr. Early

gave Claimant a 12% impairment rating to her shoulder, a 5% impairment rating to the body, as well as a separate 11% impairment rating to the body. This discrepancy between general ratings to the body was not explained. (Claimant's APA, p. 149)

23. After her appointment on May 29, 2024, her next report of shoulder pain in the record wasn't until July 7, 2025. Dr. David Brown said nothing about Claimant's left shoulder or hip in his February 11, 2025 report. (Claimant's APA, p. 158)
24. On August 21, 2024, Landrie Morris, PAC, noted that Claimant had maintained motion in her left shoulder without significant discomfort or other abnormalities. On this day, Claimant also reported that her left shoulder had been feeling better. (Claimant's APA, p. 153)
25. Dr. David Brown put Claimant on light duty as of March 17, 2025, with a restriction on lifting more than 20 lbs and frequent lifting/carrying of objects weighing up to 10 lbs. (Claimant's APA, p. 159)
26. On July 7, 2025, Dr. Tara Wheeler noted generally that surgery on Claimant's left hip and lower back has been recommended by other physicians. Additionally, to treat Claimant's left hip and lower back pain, Dr. Wheeler referred Claimant to a pain management specialist, recommends a prescription of Voltaren gel for pain management, and recommends over-the-counter lidocaine patches, ice, heat, and Tylenol. (Claimant's APA, p. 167)
27. Claimant underwent physical therapy from August 25, 2023 through October 25, 2023, reporting pain in her left shoulder, left elbow, left wrist, and left hip. By October 25, 2023, her PT was discontinued because her plan of care expired. According to Kurt Garber, DPT, at her last PT appointment on the record, Claimant had achieved most of her short-term

goals, but most of the long term PT goals regarding her left shoulder were incomplete.
(Claimant's APA, p. 4, 88-89)

28. Dr. Early noted on September 19, 2025 that Claimant's pre-existing diabetes has contributed to and exacerbated the severity of her work-related injuries. (Claimant's APA, p. 169)
29. Although the record includes records of complaints and/or possible injuries to the left hip and left shoulder, Claimant has failed to meet her burden of proving by medical evidence stated to a reasonable degree of medical certainty that she requires additional treatment to tend to lessen her period of disability.

Appellate Panel's Conclusions of Law

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

1. Claimant met her burden of proving by a preponderance of the evidence that she sustained compensable injuries to her left wrist arising out of and in the course of her employment. S.C. Code Ann. §§ 42-1-160, 42-1-540.
2. Based on the gaps in time between reports of symptoms in Claimant's left shoulder and left hip, as well as the lack of expert medical evidence, stated to a reasonable degree of medical certainty, that treatment for Claimant's left shoulder or left hip would tend to lessen the period of causally-related disability, we find that Claimant is not entitled to further treatment for her left shoulder or left hip, pursuant to S.C. Code Ann. §§ 42-15-60 and *Hartzell v. Palmetto Collision L.L.C.*, 419 S.C. 87 (Ct. App. 2016). See also S.C. Code Ann. §§ 42-1-160.

3. Defendants are responsible for providing all causally-related, reasonable, and necessary medical treatment for Claimant's compensable injuries to her left wrist pursuant to S.C. Code Ann. §§ 42-15-60, 42-15-80, and 42-17-30.
4. Claimant has not reached maximum medical improvement for her left wrist injury and is entitled to continued authorized medical care.

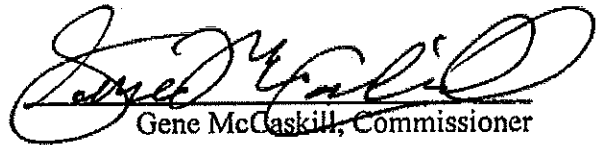
ORDER

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

IT IS HEREBY ORDERED that Claimant is not at MMI for her compensable left wrist injury, therefore she is entitled to ongoing treatment for her left wrist.

IT IS FURTHER ORDERED that Claimant is not entitled to further treatment for her left hip or left shoulder.

AND SO IT IS ORDERED.


Gene McCaskill, Commissioner


John Gabriel Coggiola, Commissioner

Aisha Taylor, Commissioner, Not participating

Date

Columbia, SC

Order Served via email:

Jennifer H. Newman Wilson Jones Carter & Baxley, PA jhnewman@wjcbllaw.com	Charles J. Hodge Hodge Law Firm chodge@hodgelawfirm.com
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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 4, 2026