



Claimant cites *Mick v. The Home Depot, Inc.*, 2008 IIC 1007 (December 2008), a Commission case which discussed the compensable consequences doctrine. But that case specifically pointed out that the Commission has applied the compensable consequence doctrine in several cases to justify extending medical treatment. A classic example is finding an overuse injury of the left-arm related as a compensable consequence to a right-hand carpal tunnel industrial injury that restricted Claimant to left-hand work only. *Schafer v. Smith Group Int.* 2006 IIC 0120 (February 2006). The present case involves a different application of the compensable consequences doctrine than has been used in Idaho. Claimant's compensable consequences argument applies the same facts and analysis argued by the parties previously.

The Commission's analysis took into account Claimant's prescription medication and the details of the evening that Claimant fell asleep in his car. The Commission's decision found that Claimant's restrictions did not inhibit his operation of equipment at his job. Claimant checked in with Dr. Hjeltness after returning to work, and Dr. Hjeltness did not change Claimant's medications, did not release Claimant from work, and did not modify his restrictions. By the restrictions of his treating doctor, Claimant was able to perform his job. The decision found that Employer terminated Claimant for abandoning his post, a cause unrelated to his industrial injury.

Although Claimant disagrees with the Commission's findings and conclusions, the Commission reviewed and weighed, as a whole, the medical reports and evidence presented. The Commission's decision of January 27, 2009, in the above referenced case, is supported by substantial evidence in the record, and Claimant has presented no persuasive argument to disturb the decision.

Based upon the foregoing reasons, Claimant's Motion for Reconsideration is DENIED.

**ORDER DENYING RECONSIDERATION - 2**

