

**WORKERS' COMPENSATION APPEALS BOARD
STATE OF CALIFORNIA**

CONCEPCION VASQUEZ, *Applicant*

vs.

**PROVIDENCE SAINT JOSEPH MEDICAL CENTER, PERMISSIBLY SELF-INSURED;
ADMINISTERED BY SEDGWICK CLAIMS MANAGEMENT SERVICES, INC.,
*Defendants***

**Adjudication Number: ADJ8641731
Van Nuys District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

Defendant, Providence Saint Joseph Medical Center, petitions for reconsideration of the First Amended Findings of Fact, Awards and Order issued by the workers' compensation administrative law judge (WCJ) in this matter on February 21, 2023. In that decision, the WCJ found that applicant, Concepcion Vasquez, while employed on August 6, 2012, as a nurse by defendant sustained injury arising out of and in the course of employment to her cervical spine, thoracic spine, lumbar spine, neurological system (in the form of headaches and peripheral neuropathy), cardiovascular system (in the form of hypertension), gastrointestinal system, urological system, vestibular system (in the form of gait derangement), muscle and connective tissue (in the form of fibromyalgia and complex regional pain syndrome), cognitive system and circadian system (in the form of a sleep disorder), reproductive system (in the form of sexual dysfunction) and psyche, resulting in need for medical treatment and permanent total disability.

Defendant contends in substance that the WCJ erred in finding that applicant's injury caused permanent total disability.

We granted reconsideration to further study the factual and legal issues presented.

Subsequently, the parties participated in a commissioners' settlement conference at our request.

On July 17, 2023, the parties filed a fully executed Compromise and Release.

In order to expedite review and approval of the Compromise and Release, we will rescind the February 21, 2023 First Amended Findings of Fact, Awards and Order and remand this matter to the WCJ to consider the Compromise and Release. The WCJ may conduct such further proceedings as he deems appropriate.

Our decision should not be construed as a ruling on the merits of the petition for reconsideration. If the WCJ does not approve the settlement, he can issue an order reinstating his decision and any aggrieved party may timely seek reconsideration from the reinstated decision.

Finally, we commend the parties for successfully resolving this matter without the need of further litigation.

For the foregoing reasons,

IT IS ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the First Amended Findings of Fact, Awards and Order issued on February 21, 2023 be **RESCINDED**.

IT IS FURTHER ORDERED that this matter be **REMANDED** to the workers' compensation administrative law judge for further proceedings consistent with this opinion.

WORKERS' COMPENSATION APPEALS BOARD

/s/ JOSÉ H. RAZO, COMMISSIONER

I CONCUR,

/s/ NATALIE PALUGYAI, COMMISSIONER



KATHERINE A. ZALEWSKI, CHAIR
CONCURRING NOT SIGNING

DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

JULY 21, 2023

SERVICE MADE ON THE ABOVE DATE ON THE PERSONS LISTED BELOW AT THEIR ADDRESSES SHOWN ON THE CURRENT OFFICIAL ADDRESS RECORD.

**CONCEPCION VASQUEZ
LAW FIRM OF ROWEN, GURVEY & WIN
WAI, CONNOR & HAMIDZADEH, LLP**

DH/ara

I certify that I affixed the official seal of the Workers' Compensation Appeals Board to this original decision on this date.

CS