

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

BARRI HICKS, *Applicant*

vs.

**LAKE AVENUE CONGREGATIONAL CHURCH; CHURCH MUTUAL INSURANCE
COMPANY, *Defendants***

**Adjudication Number: ADJ12610944
Van Nuys District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

Defendant, Church Mutual Insurance Company (CMIC,) petitions for reconsideration of the Findings of Fact and Order issued by the workers' compensation administrative law judge (WCJ) in this matter on June 29, 2021. In that decision, the WCJ found that applicant sustained injury to her psyche arising out of and in the course of her employment as a preschool teacher by defendant, Lake Avenue Congregational Church, during a cumulative period ending September 23, 2019.

CMIC, which insured the employer for workers' compensation liability at the time of the claimed injury, contends in its petition for reconsideration that the WCJ erred in finding that applicant sustained a compensable psychiatric injury.

The WCJ issued a report in which she recommended that the petition for reconsideration be denied.

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 January 27, 2022, 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 June 29, 2021 Findings of Fact and Order, and remand this matter to the WCJ to consider the Compromise and Release. The WCJ may conduct such further proceedings as she 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, she can issue an order reinstating her 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Workers' Compensation Appeals Board that the Findings of Fact and Order issued in this matter on June 29, 2021, be **RESCINDED**, and that this matter be **REMANDED** to the workers' compensation administrative law judge to consider the Compromise and Release and for such further proceedings as she deems appropriate.

WORKERS' COMPENSATION APPEALS BOARD

/s/ JOSÉ H. RAZO, COMMISSIONER

I CONCUR,

/s/ CRAIG SNELLINGS, COMMISSIONER

/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

February 2, 2022

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

**BARRI HICKS
LAW OFFICES OF RONALD NOLAN
GOLDMAN MAGDALIN & KRIKES**

DH/ara

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