

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

**AMY SANCHEZ, *Applicant***

**vs.**

**COMMUNITY HOSPITAL OF THE MONTEREY PENINSULA, *Permissibly Self-Insured, administered by ATHENS ADMINISTRATORS, *Defendants****

**Adjudication Number: ADJ9166594  
Salinas District Office**

**OPINION AND DECISION  
AFTER RECONSIDERATION**

Applicant, Amy Sanchez, petitions for reconsideration of the Findings and Award issued by the workers' compensation administrative law judge (WCJ) in this matter on June 6, 2022. In that decision, the WCJ found that applicant, while employed on October 12, 2013, as a registered nurse by defendant, Community Hospital of the Monterey Peninsula, permissibly self-insured for workers' compensation liability, sustained injury arising out of and in the course of her employment to her lumbar spine, psyche, and excretory system, resulting in permanent partial disability of 28%.

Applicant contends in substance that the WCJ erred in not finding that applicant's injury caused permanent disability greater than 28% and in allowing defendant credit for an overpayment of temporary disability indemnity.

We granted reconsideration to further study the factual and legal issues presented.<sup>1</sup>

Subsequently, the parties participated in a commissioners' settlement conference at our request. On June 29, 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 June 6, 2022 Findings and Award and remand this matter to the WCJ to consider the

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<sup>1</sup> Commissioner Marguerite Sweeney signed the Opinion and Order Granting Petition for Reconsideration dated August 24, 2022. Commissioner Sweeney is no longer a member of the Appeals Board. Accordingly, a new panel member has been substituted in her place.

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 and Award issued on June 6, 2022 be **RESCINDED**.

**IT IS FURTHER ORDERED** 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/ CRAIG SNELLINGS, COMMISSIONER**

**I CONCUR,**

**/s/ KATHERINE WILLIAMS DODD, COMMISSIONER**

**/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER**



**DATED AND FILED AT SAN FRANCISCO, CALIFORNIA**

**July 14, 2023**

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

**AMY SANCHEZ  
RUCKA, O'BOYLE LOMBARDO & MCKENNA  
PURINTON, JIMENEZ, LABO & WU**

***DH/ara***

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