

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

ANDRE JOHNSON, *Applicant*

vs.

CITY OF LOS ANGELES, permissibly self-insured, *Defendant*

**Adjudication Number: ADJ9990172
Van Nuys District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

Petitioner, City of Los Angeles, permissibly self-insured, as administered by Acclamation Insurance through their non-attorney representative, A.M. Lien Solutions, LLC, petitioned for reconsideration of the Findings and Orders issued by the workers' compensation administrative law judge (WCJ) in this matter on November 30, 2021. In that decision, the WCJ found that lien claimant, DNM Pharmacy was entitled to payment for self-procured medical treatment to applicant in the amount of \$33,836.99, less sums previously paid.

Petitioner, City of Los Angeles, contends in its petition for reconsideration that the WCJ erred in finding that lien claimant was entitled to payment for their services as their services were unauthorized, and that lien claimants failed to prove that such services were actually, reasonably or necessarily provided.

The Petitioner requests that the WCAB grant reconsideration and vacate the trial order of the WCJ awarding such payment.

The WCJ issued a report recommending that the petition for reconsideration be denied.

We granted reconsideration to further study the factual and legal issues presented.¹

Subsequently, the parties participated in a commissioners' settlement conference at our request and agreed to resolve this matter by stipulation. On June 29, 2023, the parties filed a fully executed Stipulation to pay lien claimant DNM Pharmacy the sum of \$ 17,500.00 as full and final

¹ Chair Zalewski, who was on the panel that granted reconsideration, was unavailable to participate in this decision. Another panelist was appointed in her place.

satisfaction of DNM Pharmacy's lien. The stipulation, signed on June 29, 2023, by representative Megan Dean for petitioner City of Los Angeles, and by Rafael Alvarez, representative from California Lien Claimant Network (CLCN) for lien claimant DNM Pharmacy, provides as follows:

Lien Claimant, DNM Pharmacy, retains an outstanding balance of \$124,303.18, not inclusive of potential penalty and interest for the services provided in the above referenced case.

Lien Claimant being represented by Rafael Alvarez of CLCN, and defendant being represented by Megan Dean of AM lien Solutions, agree to resolve the above referenced amount for a total sum of \$17,500.00 as full and final satisfaction of DNM Pharmacy's Lien in lieu of awaiting a decision from the Appeals Board.

This settlement resolves any and all dates of service for DNM Pharmacy in the case at bar along with all penalty, interests and costs involving the same.

Payment will be made upon receipt of WCAB approval (Order/Award) of these stipulations.

P&I waived if paid within 30 days from the Order/Award by WCAB.

We conclude that the Stipulations filed by petitioner and lien claimant should be approved.

Finally, we commend the parties for engaging in good faith negotiations and successfully resolving this matter without the need for further litigation.

For the foregoing reasons,

IT IS ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Findings and Orders issued by the workers' compensation administrative law judge (WCJ) in this matter on November 30, 2021, be **RESCINDED**.

IT IS FURTHER ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Stipulations of petitioner City of Los Angeles and lien claimant DNM Pharmacy, executed and filed on June 29, 2023, is **APPROVED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER

I CONCUR,

/s/ JOSÉ H. RAZO, COMMISSIONER

/s/ CRAIG SNELLINGS, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

July 20, 2023

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

**CALIFORNIA LIEN CLAIMANT NETWORK
AM LIEN SOLUTIONS**

LAS/ara

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