WORKERS' COMPENSATION APPEALS BOARD
STATE OF CALIFORNIA

JOHN ENGLER, *Applicant*

vs.

WALGREENS COMPANY;
AMERICAN ZURICH INSURANCE COMPANY, *Defendants*

Adjudication Number: ADJ2012962 (SBR 0341278)
San Bernardino District Office

OPINION AND DECISION AFTER RECONSIDERATION

We previously issued a January 6, 2025 Opinion and Order Granting Petition for Reconsideration and Decision after Reconsideration in which we rescinded the workers' compensation administrative law judge's (WCJ) previous September 26, 2024 Findings and Order and returned the matter to the trial level for further proceedings.

On return the case was again tried with a new Findings and Order issued on June 17, 2025, wherein the WCJ found in part that the applicant sustained injury to the head, hernia, back, hips, foot, psyche and lumbar spine but did not sustain injury to the thoracic spine, cervical spine or the upper extremities. The WCJ found lien claimants Comprehensive Outpatient Surgery Center (COSC) and California Urgent Care Center (CUC) were each entitled to reimbursement for services in connection with no more than one lumbar spine epidural injection, and that further development of the record was required to determine the reasonable value of such services. The WCJ also found the lien claim of Mumtaz Ali, M.D. required development of the record, applicant was not denied care, that other issues required further development of the record, and that all other issues were moot.

Thereafter, lien claimants COSC and CUC jointly filed a Petition for Reconsideration (Petition) challenging the findings of body parts injured, the limited number of reimbursements allowed, and that applicant was not denied medical care. Lien claimant Mumtaz Ali, M.D., did not challenge the Findings and Order issued June 17, 2025.

Defendant filed an Answer.

The WCJ's Report and Recommendation (Report) recommends the Petition be denied.

On August 9, 2024 we issued an interim non-final order granting the petition and encouraged the parties to participate in the Appeals Board's voluntary mediation program.

Thereafter, the parties participated in the Appeals Board's voluntary mediation program and defendants and lien claimants COSC and CUC were able to resolve the issues they raised on reconsideration by informal agreement with defendant.

As the defendants and lien claimants COSC and CUC have informally resolved the issues raised in their Petition for Reconsideration, as our decision after reconsideration, we will rescind the Findings and Order After Remand issued June 17, 2025 and substitute a new Finding and Order, which finds that the lien claim of Mumtaz Ali, M.D., requires further development of the record, and that all other issues are deferred. Our decision should not be construed as a ruling on the merits of the petition for reconsideration.

We commend defendants and lien claimants COSC and CUC for 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 Order After Remand issued June 17, 2025 is **RESCINDED**, and the following is **SUBSTITUTED** therefor:

FINDINGS OF FACT

1. Applicant, John Engler, sustained injury on January 15, 2008 to the head, hernia, back, hips, foot, psyche and lumbar spine.

2. Comprehensive Outpatient Surgery Center and California Urgent Care have informally resolved their liens for services with defendant, and such liens are no longer in issue.

3. Lien claimant, Mumtaz Ali, M.D., may be entitled to reimbursement for treatment charges once further development of the record has been accomplished.

ORDER

IT IS ORDERED that all other issues raised at trial are deferred.

WORKERS' COMPENSATION APPEALS BOARD

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER

I CONCUR,

/s/ JOSEPH V. CAPURRO, COMMISSIONER

/s/ CRAIG L. SNELLINGS, COMMISSIONER

DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

NOVEMBER 3, 2026

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

ZA MANAGEMENT
SEDGWICK LIEN RESOLUTION
CALIFORNIA URGENT CARE CENTERS
COMPREHENSIVE OUTPATIENT SURGERY CENTER
MUMTAZ ALI

PS/*cs*

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