

FILED

April 10, 2026

**TN COURT OF
WORKERS' COMPENSATION
CLAIM**

8:06 AM (CT)



**TENNESSEE BUREAU OF WORKERS' COMPENSATION
IN THE COURT OF WORKERS' COMPENSATION CLAIMS
AT GRAY**

**MATTHEW FINK,
Employee,**

v.

**MCCOLLUM WATER
CONDITIONING
INCORPORATED,**

Employer,

and

**BUSINESS FIRST INSURANCE
COMPANY,**

Carrier.

Docket No. 2026-20-1746

State File No. 7422-2026

Judge Brian K. Addington

ORDER DENYING MOTION FOR STAY

On March 19, 2026, McCullom Water Conditioning Inc., filed a Petition for Benefit Determination and Motion to Stay the Medical Director's March 12 order approving a right knee arthroscopy with partial meniscectomy. McCullom argues that it disputes the causation and compensability of Matthew Fink's surgery. For the reasons below, the Court denies the motion.

Claim History

Mr. Fink alleged an injury to his right knee on February 2, 2026. Dr. Aiken became the authorized physician and ordered a knee arthroscopy with lateral meniscectomy.

McCullom sent the recommendation to Utilization Review. There, Dr. Robert Hollady decided that the need for surgery was not caused by the alleged incident. The UR decision was appealed, and the medical director approved the surgery.

Analysis

McCullum's motion was filed per Rule 0800-02-06-.07 of the Tennessee Compilation Rules and Regulations, which requires a party who disagrees with the Medical Director's determination of a UR issue to file a petition within fifteen calendar days. The rule also requires the party to request a hearing and file a motion to stay enforcement of the Medical Director's decision. McCullom met these requirements.

However, McCollum's objection to the surgery is based on causation and not medical necessity as required by the rules. Because Dr. Aiken is the authorized doctor, his recommendation is considered medically necessary under Tenn. Code Ann. § 50-6-204(a)(3)(H) (2025), and McCullom has the burden of rebutting this presumption. It has failed to do so under the UR Rules.

Under these circumstances the Court **denies** the motion and the stay, and the surgery recommended by Dr. Aiken and affirmed by the Medical Director shall be authorized.

IT IS ORDERED.

ENTERED April 10, 2026.

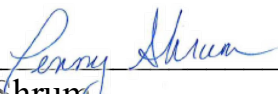
Brian K. Addington

JUDGE BRIAN K. ADDINGTON
Court of Workers' Compensation Claims

CERTIFICATE OF SERVICE

I certify that a copy of this Order was sent on April 10, 2026.

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