MISSOURI COURT OF APPEALS EASTERN DISTRICT
OPINION SUMMARY

JUSTIN KENT,	)	No. ED108667
	)	
Appellant,	)	Appeal from the Labor and Industrial
	)	Relations Commission
vs.	)	
	)	
NHC HEALTHCARE AND TREASURER	)	
OF THE STATE OF MISSOURI AS	)	
CUSTODIAN OF THE SECOND INJURY	)	
FUND,	)	
Respondents.	)	FILED: February 2, 2021

Justin Kent ("Kent") appeals from the final award of the Labor and Industrial Relations Commission (the "Commission") ordering Kent's former employer, NHC Healthcare, to pay permanent partial disability ("PPD") benefits in the amount of $44,123.80, but reversing the findings and awards of the administrative law judge (the "ALJ") of permanent total disability ("PTD"), past medical expenses, and temporary total disability ("TTD"), which the ALJ had found in Kent's favor.

Kent raises six points on appeal. In Points One and Two, Kent challenges the Commission's findings and award of no PTD. In Point Three, Kent argues the Commission erred in declining to award him past medical expenses for the medical treatment Kent pursued at his own expense. In Point Four, Kent contends the Commission erred in denying additional TTD benefits because the evidence showed Kent was totally disabled during the time period at issue. In Points Five and Six, Kent alleges the Commission erred regarding evidentiary issues related to three reports.

AFFIRMED.

DIVISION THREE HOLDS: The Commission's factual determinations are consistent with its finding of no PTD and sufficient competent evidence supported the Commission's award of only PPD benefits. Because the record contains no evidence that Kent demanded medical treatment from NHC Healthcare after his termination of employment, the Commission reasonably could have found that Kent directed his own medical treatment at his own expense. Sufficient competent evidence supports the Commission's finding that Kent did not suffer from TTD in excess of his original compensation. Because the record shows that Kent did not present his evidentiary arguments concerning the Crane, Morris, and Parks Reports to the Commission, Kent did not preserve these evidentiary issues for appellate review. Accordingly, we affirm the final award of the Commission.

Opinion by: Kurt S. Odenwald, J.
Angela T. Quigless, P.J., and James M. Dowd, J., concur.

Attorney for Appellant:	Thomas E. Fagan
Attorney for Respondent NHC Healthcare:	Kevin M. Leahy
Attorney for Respondent Treasurer of Missouri:	Madalyn J. Campbell

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.