

COURT OF APPEALS OF VIRGINIA

Present: Judges Benton, Coleman and Willis

SIGNET BANKING CORPORATION  
AND  
AMERICAN MOTORISTS INSURANCE COMPANY

v. Record No. 0805-95-2

DEBORAH MEADE-CROMER

MEMORANDUM OPINION\*  
PER CURIAM  
SEPTEMBER 26, 1995

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Lynne Jones Blain; Michelle P. Wiltshire; Morris and  
Morris, on briefs), for appellants.

(Deborah Meade-Cromer, pro se, on brief).

Signet Banking Corporation and its insurer (hereinafter collectively referred to as "employer") contend that the Workers' Compensation Commission erred in finding that the employer was responsible for the cost of certain treatment rendered to Deborah Meade-Cromer by Dr. Terry Whipple, an orthopedic surgeon. Upon reviewing the record and the briefs of the parties, we conclude that this appeal is without merit. Accordingly, we summarily affirm the commission's decision. Rule 5A:27.

On appeal, we view the evidence in the light most favorable to the prevailing party below. R.G. Moore Bldg. Corp. v. Mullins, 10 Va. App. 211, 212, 390 S.E.2d 788, 788 (1990).

"Whether the employer is responsible for medical expenses . . . depends upon: (1) whether the medical service was causally

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\*Pursuant to Code § 17-116.010 this opinion is not designated for publication.

related to the industrial injury; (2) whether such other medical attention was necessary; and (3) whether the treating physician made a referral . . . [of] the patient." Volvo White Truck Corp. v. Hedge, 1 Va. App. 195, 199, 336 S.E.2d 903, 906 (1985).

The parties do not dispute that Dr. Whipple's treatment was causally related to Meade-Cromer's industrial accident and that it was necessary. Addressing the referral, the commission found as follows:

We consider Dr. [Forrest] Jessee's September 2, 1994 letter a valid referral. It is clear that in Dr. Jessee's opinion, Meade-Cromer was in need of surgical intervention that Dr. Whipple could provide. While Meade-Cromer may have initially treated with Dr. Whipple on her own initiative, on September 2, 1994, her treating physician, Dr. Jessee, officially referred her to Dr. Whipple.

Dr. Jessee's September 2, 1994 letter provides credible evidence to support the commission's finding that he made a valid referral of Meade-Cromer to Dr. Whipple. We find no merit in employer's argument that because Meade-Cromer had previously sought unauthorized treatment from Dr. Whipple, for which employer was not held responsible, Dr. Jessee's later referral was not valid.

Accordingly, we affirm the commission's decision.

Affirmed.