

## COURT OF APPEALS OF VIRGINIA

Present: Judges Kelsey, Beales and Senior Judge Clements

SHANNA HILEMAN

v. Record No. 2110-13-3

HOME NURSING COMPANY, INC. AND  
UNITED WISCONSIN INSURANCE COMPANY

MEMORANDUM OPINION\*  
PER CURIAM  
MARCH 11, 2014

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Stephen W. Mullins, on brief), for appellant.

(Amanda S. Tapscott; McCandlish Holton, P.C., on brief), for  
appellees.

Shanna Hileman (claimant) appeals a ruling of the Workers' Compensation Commission that Home Nursing Company, Inc., and its insurer, United Wisconsin Insurance Company, sustained their burden of proving that, as of April 15, 2013, claimant was capable of returning to work as a home health nurse, her employment prior to her compensable injury by accident on September 18, 2010. On appeal, claimant argues the commission erred because 1) Dr. John Testerman did not unambiguously release her to pre-injury work, and 2) any purported release was ineffectual as it was not communicated to her. We have reviewed the record and the commission's opinion and find that this appeal is without merit. Accordingly, we affirm for the reasons stated by the commission in its final opinion. See Hileman v. Home Nursing Co., Inc., VWC File VA00000348887 (Oct. 3, 2013). We dispense with oral argument and summarily

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\* Pursuant to Code § 17.1-413, this opinion is not designated for publication.

affirm because the facts and legal contentions are adequately presented in the materials before the Court and argument would not aid the decisional process. See Code § 17.1-403; Rule 5A:27.

Affirmed.