

is suffering from rheumatoid arthritis, which did not arise out of and in the course of claimant's employment.

Claimant also argues that her work activities aggravated the rheumatoid arthritis. However, it is clear from the doctors' reports that any activity, not just work activity, aggravates claimant's condition. Therefore, there does not appear to be any relationship between the work activities and increased complaints of pain over and above her daily living activities. In Boeckmann v. Goodyear Tire & Rubber Co., 210 Kan. 733, 504 P.2d 625 (1972), the Court held that there must be a causal relationship between the work activities and the aggravation for the aggravation to be compensable for injury to arise out of employment. Based on the medical evidence admitted for purposes of preliminary hearing, the Appeals Board finds that the claimant has failed to show a causal relationship between her work activities and any aggravation of the rheumatoid arthritis.

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the Preliminary Hearing Order entered by Administrative Law Judge Floyd V. Palmer, dated March 9, 1995, should be, and hereby is, affirmed.

IT IS SO ORDERED.

Dated this ____ day of December 1995.

BOARD MEMBER PRO TEM

BOARD MEMBER

BOARD MEMBER

- c: Diane F. Barger, Emporia, Kansas
- Pamela Falk, Emporia, Kansas
- Floyd V. Palmer, Administrative Law Judge
- Philip S. Harness, Director