[This opinion has been published in *Ohio Official Reports* at 76 Ohio St.3d 50.]

THE STATE EX REL. PARRETT, APPELLANT AND CROSS-APPELLEE, *v.* INDUSTRIAL COMMISSION OF OHIO, APPELLEE; ROBBINS & MYERS INC., CROSS-APPELLANT AND APPELLEE.

[Cite as *State ex rel. Parrett v. Indus. Comm.*, 1996-Ohio-433.]

Workers' compensation—Industrial Commission does not abuse its discretion in basing a permanent partial disability award solely on medical and clinical findings that are reasonably demonstrable.

(No. 94-1181—Submitted June 5, 1996—Decided July 3, 1996.)

APPEAL and CROSS-APPEAL from the Court of Appeals for Franklin County, No. 93AP-420.

{¶ 1} In 1989, appellant and cross-appellee, claimant Leon Dennis Parrett, contracted contact dermatitis in the course of his employment with cross-appellant and appellee, Robbins & Myers, Inc. On April 4, 1991, claimant moved the Bureau of Workers' Compensation to determine his percentage of permanent partial disability pursuant to R.C. 4123.57.

{¶ 2} Bureau specialist Dr. Scott D. Bleser examined claimant and assessed a twenty-five percent permanent partial impairment. Based on that report and purported consideration of claimant's nonmedical disability factors, a commission district hearing officer found claimant to have a twenty-five percent permanent partial disability. That order was administratively affirmed.

{¶ 3} Claimant filed a complaint in mandamus in the Court of Appeals for Franklin County, alleging that the commission abused its discretion in failing to find a higher percentage of disability. The court of appeals agreed and issued a limited writ that returned the cause to the commission for further consideration and amended order.

{¶ 4} This cause is now before this court upon an appeal and cross-appeal as of right.

Stewart Jaffy & Associates Co., L.P.A., Stewart R. Jaffy and *Marc J. Jaffy*, for appellant and cross-appellee.

Betty D. Montgomery, Attorney General, and *Gerald H. Waterman*, Assistant Attorney General, for appellee.

Thompson, Hine & Flory, Janice Rosenthal and *Timothy E. Cowans*, for cross-appellant and appellee.

***Per Curiam*.**

{¶ 5} On authority of *State ex rel. Holman v. Longfellow Restaurant* (1996), 76 Ohio St.3d 44, 665 N.E.2d 1123, the judgment of the court of appeals is reversed.

Judgment reversed.

MOYER, C.J., PFEIFER, COOK and STRATTON, JJ., concur.

DOUGLAS, J., concurs in judgment only.

RESNICK and F.E. SWEENEY, JJ., dissent and would affirm the judgment of the court of appeals.
