FILED
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CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

MASSEY-FERGUSON, INC., Employer and SENTRY INSURANCE, Insurance Carrier,	
Petitioners-Appellants,	Filed December 21, 1978
vs.	
MILDRED I. KOEHLER, Claimant and ROBERT C. LANDESS, as Industrial Commissioner,	684 2-61297
Respondents-Appellees.	

Appeal from Polk District Court - James P. Denato, Judge.

Employer and insurance carrier appeal worker's compensation award to claimant. Affirmed.

Harry W. Dahl, of Des Moines, counsel for appellants.

Roger L. Ferris, of Nyemaster, Goode, McLaughlin, Emery & O'Brien, of Des Moines, counsel for appellees.

Heard by Oxberger, C. J., Donielson, Snell, Carter and Johnson, JJ.

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DONIELSON, J.

The employer, Massey-Ferguson, Inc., and its insurance carrier, Sentry Insurance, appeal from judgment of the district court affirming award of the industrial commissioner in a worker's compensation case. Appellants urge our consideration of three separate issues on appeal, which are in fact related aspects of only one issue: was there substantial evidence to support the agency decision?

Judicial review of decisions or orders of the commissioner are pursuant to § 86.26, and § 17A.19(8), The Code, 1977. This review is not **de novo**; rather, the commissioner's findings have the force and effect of a jury verdict. Auxier v. Woodward State Hospital School, 266 N.W.2d 139, 143 (Iowa 1978); Holmes v. Bruce Motor Freight, Inc., 215 N.W.2d 296, 301 (Iowa 1974). The question on review is whether there was any substantial evidence to support the commissioner's finding, in the light of the evidence as a whole. **Auxier**, supra at 143. We find there was substantial evidence and affirm the district court.

Claimant Mildred Koehler was employed as a secretary at Massey-Ferguson from 1966 to 1973. She had experienced back problems intermittently since 1966 and underwent corrective surgery in 1970. After her recovery, her employment record was good, with very few absences, until March 1973. On February 28, 1973, Koehler fell over a protruding electrical outlet at work and injured her back. She sought medical attention and was hospitalized. Koehler has been unable to sustain employment since that time, even on a part-time basis, and has difficulty performing household chores.

Medical testimony offered at the hearing was in conflict. One physician testified that examinations of claimant resulted in his opinion that as a result of the February 28 injury Koehler was unable to hold secretarial employment and would probably not improve. Two other physicians testified that they did not believe the claimant was unable to hold secretarial employment, nor that the February 28 incident caused whatever problems claimant had. They found her condition substantially the same as her condition after the 1970 surgery. They did testify, however, that it was medically possible that her condition had changed as a result of the incident. All three physicians indicated that the claimants symptoms resulted in part from "psychological overlay" as well as physiological causes.

While a claimant is not entitled to compensation for the results of a pre-existing injury or disease, its mere existence at the time of a subsequent injury will not bar compensation. If the claimant had a pre-existing condition or disability that is aggravated, accelerated, worsened or "lighted up" so that disability is found to exist, the claimant is entitled to compensation to the extent of the injury. Yeager v. Firestone Tire and Rubber Company, 253 Iowa 369, 374, 112 N.W.2d 299 (1961). There was sufficient evidence from the medical testimony presented that the industrial commissioner could find that on February 28, 1973 Kroehler suffered an injury arising out of and in the course of her employment aggravating a pre-existing condition which resulted in compensable disability. There was no error when the district court affirmed the agency action.

AFFIRMED.