

TENNESSEE WORKERS’ COMPENSATION APPEALS BOARD

Musshur Meener v. Federal Express Hub, et al.

2026 TN WC App. 26 · No. 2025-80-0048 · Decided June 8, 2026

SUMMARY

The Tennessee Workers’ Compensation Appeals Board affirmed an order compelling the employee to identify a physician treating alleged work-related injuries and to execute a HIPAA-compliant medical records release. The Board also held that the employer was not required to provide the employee with deposition or hearing transcripts and determined that the appeal was frivolous, while declining to award attorneys’ fees or expenses. The case was remanded.

CASE DETAILS

COURT	Tennessee Workers’ Compensation Appeals Board
WRITING FOR THE COURT	Pele I. Godkin; Timothy W. Conner; Meredith B. Weaver
JURISDICTION	Tennessee Workers’ Compensation Appeals Board
DECIDED	June 8, 2026
DOCKET	2025-80-0048
DISPOSITION	affirmed_and_remanded
PROCEDURAL POSTURE	Second interlocutory appeal from an order compelling the employee to identify a medical provider and execute a HIPAA-compliant medical-records release, and addressing the employee's request for a deposition transcript.
STANDARD OF REVIEW	Abuse of discretion for the trial court’s pretrial discovery decisions.
PRECEDENTIAL VALUE	Published memorandum opinion of the Tennessee Workers’ Compensation Appeals Board; precedential treatment beyond the source’s stated publication status is not specified.
PARTIES	Musshur Meener v. Federal Express Hub, et al.

TOPICS

- workers compensation
- discovery dispute
- appellate procedure
- standard of review
- medical records privacy

PRACTICE AREAS

- workers compensation
- civil procedure
- appellate procedure
- health law

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by compelling Meener to identify the physician treating him for alleged work-related injuries and execute a HIPAA-compliant medical-records release.
2. Whether the employer was required to provide Meener with a copy of his discovery-deposition transcript or expedited-hearing transcript.
3. Whether the appeal was frivolous.

HOLDINGS

1. The trial court did not abuse its discretion by ordering Meener to identify his current treating physician and execute a HIPAA-compliant release permitting the employer to obtain related medical records.
2. The employer was not obligated to provide Meener with a copy of his discovery-deposition transcript; Meener could obtain the transcript directly from the court reporter at his own expense.
3. Meener waived issues that were unsupported by a developed legal argument or authority, and the Appeals Board was not required to search the record or construct arguments on his behalf.
4. The appeal was frivolous because it was devoid of merit and lacked legal authority or an identifiable argument showing error, although the court declined to award attorney's fees or expenses.

KEY QUOTATIONS

"It is not the role of the courts, trial or appellate, to research or construct a litigant's case or arguments for him or her." (at 3)

"where a party fails to develop an argument in support of his or her contention or merely constructs a skeletal argument, the issue is waived." (at 3)

"Employee's apparent belief that he can disclose information when he deems it necessary is, quite simply, incorrect." (at 4)

FACTUAL BACKGROUND

Meener worked as a warehouse associate for Federal Express Hub and alleged that he injured his back and neck during the course and scope of his employment in April 2023. The employer authorized treatment, and Dr. John Brophy ultimately placed Meener at maximum medical improvement, found no permanent impairment, and opined that additional treatment was not more than 50% related to the work incident. During proceedings on remand, Meener disclosed treatment by a new provider but did not identify the provider or provide the requested medical release.

PROCEDURAL HISTORY

Meener filed a workers' compensation petition after alleging that he injured his back and neck at work. Following mediation and an expedited hearing, the trial court denied benefits, and the Appeals Board affirmed. On remand, after Meener disclosed that he was treating with a new provider but failed to supplement discovery, the trial court granted the employer's motion to compel. Meener appealed, and the Appeals Board affirmed and remanded.

DISPOSITION

affirmed_and_remanded

REMAND INSTRUCTIONS

The case was remanded for further proceedings consistent with the affirmed discovery order. The court directed no specific additional procedure beyond compliance with the trial court's discovery orders and timelines.

CASES CITED

- Doe 1 ex rel. Doe 1 v. Roman Cath. Diocese of Nash., 154 S.W.3d 22, 42 (Tenn. 2005)
- Konvalinka v. Chattanooga-Hamilton Cnty. Hosp. Auth., 249 S.W.3d 346, 358 (Tenn. 2008)
- Mass. Mut. Life Ins. Co. v. Jefferson, 104 S.W.3d 13, 33 (Tenn. Ct. App. 2002)
- Sneed v. Bd. of Pro. Resp. of the Sup. Ct. of Tenn., 301 S.W.3d 603, 615 (Tenn. 2010)
- Cosey v. Jarden Corp., No. 2017-01-0053, 2019 TN Wrk. Comp. App. Bd. LEXIS 3, at *8 (Tenn. Workers' Comp. App. Bd. Jan. 15, 2019)
- Yarbrough v. Protective Servs. Co., Inc., No. 2015-08-0574, 2016 TN Wrk. Comp. App. Bd. LEXIS 3, at *11 (Tenn. Workers' Comp. App. Bd. Jan. 25, 2016)
- Burnette v. WestRock, No. 2016-01-0670, 2017 TN Wrk. Comp. App. Bd. LEXIS 66, at *15 (Tenn. Workers' Comp. App. Bd. Oct. 31, 2017)