

SUPREME COURT OF ALASKA

Groom v. State, Department of Transportation

169 P.3d 626 (Alaska 2007) · No. No. S-11882 · Decided October 26, 2007

SUMMARY

The Alaska Supreme Court reviewed a workers' compensation dispute involving Scott Groom's claimed workplace slip-and-fall injury and alleged aggravation of congenital lymphedema. The court held that the Alaska Workers' Compensation Board failed to provide adequate notice before revisiting its prior determination that Groom sustained a compensable injury, and that it applied the incorrect legal standard in evaluating the presumption of compensability. The court reversed and remanded for further proceedings.

CASE DETAILS

COURT	Supreme Court of Alaska
WRITING FOR THE COURT	Bryner, Chief Justice; Matthews, Justice; Eastaugh, Justice; Fabe, Justice; Carpeneti, Justice
JURISDICTION	Alaska
DECIDED	October 26, 2007
DOCKET	No. S-11882
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Groom appealed the superior court's affirmance of an Alaska Workers' Compensation Board decision denying his workers' compensation claims. The Alaska Supreme Court independently reviewed the administrative decision.
STANDARD OF REVIEW	The court independently reviews and directly scrutinizes the merits of the administrative board's decision when the superior court acts as an intermediate appellate court. Factual findings are reviewed for substantial evidence, while legal questions not involving agency expertise are reviewed de novo.
PRECEDENTIAL VALUE	Published Alaska Supreme Court opinion; precedential.
PARTIES	Scott A. Groom v. State of Alaska, Department of Transportation

TOPICS

workers compensation

administrative law

judicial review of agency action

standard of review

appellate procedure

PRACTICE AREAS

Workers' compensation

Administrative law

Appellate procedure

Employment law

QUESTIONS PRESENTED

1. Whether the Workers' Compensation Board violated due process by revisiting its prior finding that Groom sustained a compensable workplace slip-and-fall injury without providing adequate notice.
2. Whether the Board applied the correct legal standard in determining that the State rebutted the presumption of compensability as to both the existence and work-relatedness of Groom's injuries.
3. Whether the statute of limitations barred Groom's claims based on snow shoveling and prolonged standing.

HOLDINGS

1. The Board violated due process by revisiting its earlier factual finding that Groom sustained a compensable March 13, 1999 slip-and-fall injury without giving him adequate notice that the issue might be reconsidered.
2. The Board applied an improper legal standard by finding that the State rebutted the presumption of compensability based only on evidence that Groom could return to some employment, without determining whether the State produced substantial evidence that the claimed injuries were not work related.
3. The court could not resolve whether the statute of limitations barred Groom's snow-shoveling and prolonged-standing claims because the Board had not determined when Groom discovered the relevant injuries, their relationship to employment, and resulting disability.

KEY QUOTATIONS

“The question is whether the complaining party had sufficient notice and information to understand the nature of the proceedings.” (635)

“Even if the board could reconsider the issue—in a modification for example—it could not do so without giving the parties some notice that it was considering doing just that.” (636)

“Due process requires, at a minimum, some notice of what may be decided so that a party has the opportunity to prepare and present his case.” (640)

FACTUAL BACKGROUND

Scott Groom, who had congenital lymphedema, worked as a weigh station operator for the Alaska Department of Transportation. He reported that he injured his left leg in a March 13, 1999 slip and fall at work and later claimed that standing, snow shoveling, and other work duties aggravated his condition. The Board initially found

the slip-and-fall injury compensable, but in 2003 revisited that finding without expressly notifying Groom that the issue would be reconsidered and denied all of his claims.

PROCEDURAL HISTORY

The Workers' Compensation Board initially found in 1999 that Groom sustained a compensable workplace slip-and-fall injury. After additional claims, discovery, hearings, and an independent medical evaluation, the Board in 2003 revisited its earlier factual finding, determined that the slip and fall had not occurred, rejected Groom's other work-related aggravation claims, and denied benefits. The superior court affirmed, and Groom appealed to the Alaska Supreme Court.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The case was remanded for further proceedings consistent with the opinion. The Board remained free to make factual determinations relevant to the statute-of-limitations issue and was required to reconsider the claims under the proper presumption-of-compensability standard and without revisiting the prior slip-and-fall finding absent adequate notice.

CASES CITED

- DeYonge v. NANA/Marriott, 1 P.3d 90, 94-96 (Alaska 2000)
- Tesoro Alaska Petroleum Co. v. Kenai Pipe Line Co., 746 P.2d 896, 903 (Alaska 1987)
- Alyeska Pipeline Service Co. v. DeShong, 77 P.3d 1227, 1231 (Alaska 2003)
- Grove v. Alaska Construction & Erectors, 948 P.2d 454, 456 (Alaska 1997)
- Miller v. ITT Arctic Services, 577 P.2d 1044, 1046, 1048 (Alaska 1978)
- Guin v. Ha, 591 P.2d 1281, 1284 n.6 (Alaska 1979)
- Dresser Industries, Inc./Atlas Division v. Hiestand, 702 P.2d 244, 247 (Alaska 1985)
- Matanuska Maid, Inc. v. State, 620 P.2d 182, 192-193 (Alaska 1980)
- North State Telephone Co. v. Alaska Public Utilities Commission, 522 P.2d 711, 714 (Alaska 1974)
- State, Commercial Fisheries Entry Commission v. Carlson, 65 P.3d 851, 859 (Alaska 2003)
- Patrick v. Sedwick, 413 P.2d 169, 173-174 (Alaska 1966)
- Alaska Diversified Contractors, Inc. v. Lower Kuskokwim School District, 778 P.2d 581, 583 (Alaska 1989)
- Kodiak Oilfield Haulers v. Adams, 777 P.2d 1145, 1151 (Alaska 1989)
- Fairbanks North Star Borough v. Rogers & Babler, 747 P.2d 528, 533-534 (Alaska 1987)
- Leigh v. Seekins Ford, 136 P.3d 214, 216 (Alaska 2006)
- Carlson v. Doyon Universal-Ogden Services, 995 P.2d 224, 227 (Alaska 2000)
- Big K Grocery v. Gibson, 836 P.2d 941, 942 (Alaska 1992)
- Egemo v. Egemo Construction Co., 998 P.2d 434, 441 (Alaska 2000)

- Vaska v. State, 135 P.3d 1011, 1019 (Alaska 2006)

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