

SUPREME COURT OF UTAH

Provo City v. Utah Labor Commission

2015 UT 32 (2015) · No. 20120724 · Decided February 6, 2015

SUMMARY

The Utah Supreme Court affirmed the Utah Labor Commission’s award of permanent total disability benefits to Duane Serrano following a work-related automobile accident that aggravated a congenital spinal condition. The court held that substantial evidence supported the commission’s findings on the statutory disability elements and rejected challenges concerning causation, remand proceedings, and the timing of benefits.

CASE DETAILS

COURT	Supreme Court of Utah
WRITING FOR THE COURT	Justice Durham; Chief Justice Durrant; Associate Chief Justice Nehring; Justice Parrish; Justice Lee
JURISDICTION	Utah
DECIDED	February 6, 2015
DOCKET	20120724
DISPOSITION	affirmed
PROCEDURAL POSTURE	Provo City and the Workers Compensation Fund petitioned for review of the Utah Labor Commission's order awarding Duane Serrano permanent total disability benefits. The Utah Court of Appeals certified the case to the Supreme Court of Utah.
STANDARD OF REVIEW	Agency findings of fact are reviewed for substantial evidence, meaning the quantum and quality of relevant evidence adequate to convince a reasonable mind. Legal issues are reviewed for correctness, and legal causation was reviewed de novo. The court does not reweigh evidence or independently select among reasonable inferences.
PRECEDENTIAL VALUE	Published precedential opinion of the Supreme Court of Utah
PARTIES	Provo City, Workers Compensation Fund v. Utah Labor Commission, Duane Serrano

TOPICS

workers compensation

agency adjudication

judicial review of agency action

standard of review

preservation of error

PRACTICE AREAS

workers compensation

administrative law

appellate procedure

municipal law

QUESTIONS PRESENTED

1. Whether substantial evidence supported the Labor Commission's findings that Serrano satisfied the statutory elements of permanent total disability.
2. What standards of review apply to the various elements of a permanent total disability claim under Utah's Administrative Procedures Act.
3. Whether the administrative law judge abused her discretion by reaching a different result after remand and consideration of a medical panel report.
4. Whether the delay in adjudicating Serrano's claim warranted modifying the onset date or amount of benefits.
5. Whether an industrial accident that aggravates a preexisting condition can constitute the direct legal cause of permanent total disability.

HOLDINGS

1. The Labor Commission's award of permanent total disability benefits was supported by substantial evidence, and the Workers Compensation Fund failed to show reversible error.
2. Whether an employee's impairments limit the ability to perform basic work activities, prevent performance of former work, or prevent performance of other reasonably available work are questions of fact reviewed for substantial evidence.
3. The significant-impairment element presents a mixed question of law and fact; factual findings concerning impairment severity are reviewed for substantial evidence, while legal questions are reviewed for correctness.
4. An industrial accident that aggravates a preexisting condition may be the direct cause of permanent total disability; the claimant must establish medical and legal causation, and a preexisting condition does not categorically defeat compensability.
5. The administrative law judge did not abuse her discretion by awarding benefits after initially denying the claim because the medical-panel report constituted new evidence and no legal authority prohibited a different result after remand.
6. The delay in adjudicating Serrano's claim did not justify shifting the burden of the delayed award to Serrano or modifying the onset date of benefits.

KEY QUOTATIONS

“To meet the legal causation requirement, a claimant with a preexisting condition must show that the employment contributed something substantial to increase the risk he already faced in everyday life because of his condition.” (¶ 21)

“Just because a person suffers a preexisting condition, he or she is not disqualified from obtaining compensation.” (¶ 36)

FACTUAL BACKGROUND

Duane Serrano was injured in a motor-vehicle accident while driving a truck within the scope of his employment with Provo City. The accident aggravated a congenital spinal condition, causing chronic pain and other impairments. After continuing to work for more than four years, Serrano quit when Provo City could not provide a less physically demanding position and then sought permanent total disability benefits. Medical and vocational evidence conflicted, but the Labor Commission found that his impairments prevented him from performing his prior work and other reasonably available work.

PROCEDURAL HISTORY

An administrative law judge initially denied Serrano's permanent total disability claim. The Utah Labor Commission set aside that decision and remanded for appointment of a medical panel and reconsideration of the record. On remand, the administrative law judge awarded benefits, and the Labor Commission affirmed. The Workers Compensation Fund appealed, and the court of appeals certified the case to the Utah Supreme Court, which affirmed.

DISPOSITION

affirmed

CASES CITED

- Murray v. Utah Labor Commission, 2013 UT 38, 308 P.3d 461
- Becker v. Sunset City, 2013 UT 51, 309 P.3d 223
- Martinez v. Media-Paymaster Plus, 2007 UT 42, 164 P.3d 384
- State v. Pena, 869 P.2d 932 (Utah 1994)
- In re Adoption of Baby B., 2012 UT 35, 308 P.3d 382
- Jeffs v. Stubbs, 970 P.2d 1234 (Utah 1998)
- Drake v. Industrial Commission, 939 P.2d 177 (Utah 1997)
- Allen v. Industrial Commission, 729 P.2d 15 (Utah 1986)
- Ivory Homes, Ltd. v. Utah State Tax Commission, 2011 UT 54, 266 P.3d 751
- Tschaggeny v. Milbank Insurance Co., 2007 UT 37, 163 P.3d 615
- Employers' Reinsurance Fund v. Labor Commission, 2012 UT 76, 289 P.3d 572