

SUPREME COURT OF MINNESOTA

William Monson v. White Bear Mitsubishi, and Western National Insurance Co.

663 N.W.2d 534 (Minn. 2003) · No. CX-03-235 · Decided June 12, 2003

SUMMARY

The Supreme Court of Minnesota reviewed the denial of a petition to vacate a workers' compensation settlement award. The court held that the medical records and settlement agreement established a prima facie showing of sufficient cause based on newly discovered evidence and mistake concerning the extent of the employee's disability, reversed the denial, and remanded for a hearing.

CASE DETAILS

COURT	Supreme Court of Minnesota
WRITING FOR THE COURT	Gilbert, Justice
JURISDICTION	Minnesota
DECIDED	June 12, 2003
DOCKET	CX-03-235
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Petition for review by certiorari of the Workers' Compensation Court of Appeals' denial of a petition to vacate an award on a workers' compensation settlement agreement.
STANDARD OF REVIEW	The Workers' Compensation Court of Appeals has broad but not unlimited discretion in determining whether to vacate a workers' compensation award. Refusal to vacate is an abuse of discretion when undisputed new evidence establishes substantial additional disability sufficient to justify reopening.
PRECEDENTIAL VALUE	Published precedential opinion of the Supreme Court of Minnesota
PARTIES	William Monson v. White Bear Mitsubishi, Western National Insurance Co.

TOPICS

- workers compensation
- writ of certiorari
- appellate procedure
- remedies

PRACTICE AREAS

workers compensation

administrative law

appellate procedure

remedies

QUESTIONS PRESENTED

1. Whether the workers' compensation settlement award could be reopened based on newly developed facts and medical evidence showing that Monson's spinal fusion had failed and that his disability was substantially greater than understood at the time of settlement.
2. Whether the medical records and settlement agreement established sufficient cause under Minn. Stat. § 176.461 to vacate the award for mutual mistake of fact, newly discovered evidence, or substantial change in medical condition.
3. Whether the Workers' Compensation Court of Appeals abused its discretion by denying Monson's petition to vacate the award.

HOLDINGS

1. A workers' compensation award, including an award based on a negotiated settlement, may be vacated when facts developing after the award or previously unknown facts establish substantial additional disability or a genuine mistake concerning the nature and severity of the injury.
2. The Workers' Compensation Court of Appeals abused its discretion by denying the petition because the medical records and settlement agreement made a prima facie showing of cause sufficient to justify reopening the award.

KEY QUOTATIONS

“workers' compensation, on the other hand, is social legislation, providing a measure of security to workers injured on the job, with the burden of that expense considered a proportionate part of the expense of production.” (539)

“We believe the medical records and settlement agreement establish a prima facie showing of cause sufficient to justify reopening the award.” (541)

FACTUAL BACKGROUND

William Monson injured his lower back while working as an auto technician for White Bear Mitsubishi and underwent two spinal fusion surgeries. Although he continued to experience significant pain, he was released to full-time restricted work and settled his workers' compensation claims in 1998. After losing his job and experiencing substantially worsened symptoms, later surgery revealed pseudoarthrosis and loose spinal cages; physicians ultimately concluded that he was permanently totally disabled. Monson then sought to vacate the settlement award.

PROCEDURAL HISTORY

Monson sustained a work-related back injury and entered into a workers' compensation settlement with White Bear Mitsubishi and Western National Insurance Company. The settlement was approved and an award issued on

December 14, 1998. After later medical evidence showed that his spinal fusion had not healed and that he was permanently totally disabled, Monson petitioned to vacate the award based on substantial change in condition, mistake, and newly discovered evidence. The Workers' Compensation Court of Appeals denied the petition, and the Minnesota Supreme Court granted review by certiorari, reversed, and remanded for the award to be set aside and a hearing held.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Set aside the workers' compensation award and grant Monson a hearing on his petition to vacate. The court also awarded Monson \$1,200 in attorney fees.

CASES CITED

- Franke v. Fabcon, Inc., 509 N.W.2d 373, 376-77 (Minn. 1993)
- Stewart v. Rahr Malting Co., 435 N.W.2d 538, 539-40 (Minn. 1989)
- Krebsbach v. Lake Lillian Coop. Creamery Ass'n, 350 N.W.2d 349, 353 (Minn. 1984)
- Turner v. Fed. Reserve Bank of Minneapolis, 298 Minn. 161, 166-67, 213 N.W.2d 414, 417-18 (1973)
- Ericson v. Lenertz, Inc., 387 N.W.2d 430, 431 (Minn. 1986)
- Maurer v. Braun's Locker Plant, 298 N.W.2d 439, 441 (Minn. 1980)
- Heath v. Airtex Indus., 297 N.W.2d 269, 272 (Minn. 1980)
- Dudansky v. L.H. Sault Constr. Co., 244 Minn. 369, 372, 70 N.W.2d 114, 116 (1955)
- Guptill v. Conlon Const. Co., 239 Minn. 185, 189, 58 N.W.2d 264, 267 (1953)
- Bomersine v. Armour & Co., 225 Minn. 157, 161, 30 N.W.2d 526, 529 (1947)
- Leland v. St. Olaf Lutheran Church, 213 Minn. 34, 37, 4 N.W.2d 769, 771 (1942)
- Mattson v. Abate, 279 Minn. 287, 292, 156 N.W.2d 738, 741 (1968)
- Cassem v. Crenlo, Inc., 470 N.W.2d 102, 105 (Minn. 1991)
- Radzak v. Mercy Hosp., 291 Minn. 189, 194-95, 190 N.W.2d 86, 89 (1971)
- Soderquist v. McGough Bros., 210 Minn. 123, 125, 297 N.W. 565, 566 (1941)