

SUPREME COURT OF MONTANA

Hinman v. Montana State Fund

175 P.3d 304 (Mont. 2007) · No. DA 07-0053 · Decided October 30, 2007

SUMMARY

The Montana Supreme Court affirmed the Workers' Compensation Court's denial of Richard D. Hinman's claim for benefits for chronic obstructive pulmonary disease. The court held that substantial evidence supported the finding that Hinman failed to establish that chemical exposure during his three-month employment caused his COPD, particularly in light of medical evidence attributing the condition to smoking. The memorandum decision was designated noncitable under the Montana Supreme Court's internal operating rules.

CASE DETAILS

COURT	Supreme Court of Montana
WRITING FOR THE COURT	Brian Morris; Karla M. Gray; James C. Nelson; Jim Rice; John Warner
JURISDICTION	Montana
DECIDED	October 30, 2007
DOCKET	DA 07-0053
DISPOSITION	affirmed
PROCEDURAL POSTURE	Hinman appealed the Montana Workers' Compensation Court's judgment denying his claim for workers' compensation benefits.
STANDARD OF REVIEW	The court reviews Workers' Compensation Court findings and conclusions for substantial evidence, does not substitute its judgment regarding the weight of evidence on factual questions, and reviews legal conclusions for correctness.
PRECEDENTIAL VALUE	nonprecedential memorandum decision
PARTIES	Richard D. Hinman v. Montana State Fund

TOPICS

- workers compensation
- standard of review
- appellate procedure
- insurance

PRACTICE AREAS

- workers compensation
- insurance
- appellate procedure

QUESTIONS PRESENTED

1. Whether substantial evidence supported the Workers' Compensation Court's finding that Hinman failed to prove that his employment-related chemical exposure caused his COPD.
2. Whether the Workers' Compensation Court correctly denied Hinman's claim for workers' compensation benefits.

HOLDINGS

1. The Workers' Compensation Court's findings and judgment denying benefits were supported by substantial evidence and were affirmed.
2. The Workers' Compensation Court correctly interpreted and applied settled Montana law to deny Hinman's claim.

KEY QUOTATIONS

“We will not overturn a decision of the Workers' Compensation Court where substantial evidence supports it.” (§6)

“We affirm the Judgment of the Workers' Compensation Court.” (§7)

FACTUAL BACKGROUND

Hinman worked as an auto mechanic, body repairer, welder, and painter for Specialized Automotive from May through August 2003. He was diagnosed with chronic obstructive pulmonary disease in January 2005 and attributed the condition to chemical exposure at work. His treating doctors did not opine on causation, while an independent medical examiner concluded that Hinman's approximately two-pack-per-day, twenty-year smoking history was the proximate cause of his COPD and that imaging showed no objective evidence of another cause.

PROCEDURAL HISTORY

Hinman sought workers' compensation benefits based on his claim that exposure to chemicals during approximately three months of employment caused his COPD. The Workers' Compensation Court entered findings of fact, conclusions of law, and judgment denying the claim on January 5, 2007. The Montana Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- Wood v. Consolidated Freight Ways, Inc., 248 Mont. 26, 808 P.2d 502 (1991)
- Stordalen v. Ricci's Food Farm, 261 Mont. 256, 862 P.2d 393 (1993)