

SUPREME COURT OF IDAHO

Leticia M. Salinas v. Bridgeview Estates

162 Idaho 91 (2017) · No. 44186 · Decided May 9, 2017

SUMMARY

The Idaho Supreme Court reviewed an Idaho Industrial Commission award of attorney fees to Leticia M. Salinas in a workers' compensation dispute involving Bridgeview Estates and Old Republic Insurance Company. The Court held that Idaho Code section 72-804 requires compensation to have been justly due and owing before attorney fees may be awarded under the provision concerning discontinuation of payment, and therefore vacated the fee award. A dissent argued that the Commission had found Salinas was entitled to medical treatment during the relevant period and would have affirmed.

CASE DETAILS

COURT	Supreme Court of Idaho
WRITING FOR THE COURT	Jones, Justice; Eismann, Justice; Horton, Justice; Burdick, Chief Justice; Brody, Justice
JURISDICTION	Idaho
DECIDED	May 9, 2017
DOCKET	44186
DISPOSITION	vacated
PROCEDURAL POSTURE	Employer and surety appealed the Idaho Industrial Commission's award of attorney fees under Idaho Code section 72-804.
STANDARD OF REVIEW	The court reviews statutory interpretation freely because it presents a question of law, applying the statute's plain language and giving effect to clear legislative intent.
PRECEDENTIAL VALUE	Published Idaho Supreme Court opinion; precedential.
PARTIES	Bridgeview Estates, Employer, Old Republic Insurance Company, Surety v. Leticia M. Salinas, Claimant

TOPICS

workers compensation

statutory interpretation

appellate procedure

standard of review

PRACTICE AREAS

workers compensation

employment law

administrative law

appellate procedure

QUESTIONS PRESENTED

1. Whether the Idaho Industrial Commission erred in awarding attorney fees under Idaho Code section 72-804 when it found that Salinas was not entitled to payment of compensation.

HOLDINGS

1. Under the third ground for attorney-fee awards in Idaho Code section 72-804, the Commission must find that the employer or surety discontinued payment of compensation that was provided by law and justly due and owing. Because the Commission found that Salinas was not entitled to payment of compensation, it could not award attorney fees under that provision, even though it found the surety's conduct unreasonable.

KEY QUOTATIONS

“The plain language of the statute is clear: there must be payment that is justly due and owing to allow an award of attorney’s fees, no matter how unreasonably an employer or surety acted.” (162 Idaho at 94)

FACTUAL BACKGROUND

Salinas injured her back while working as a registered nurse for Bridgeview Estates and received medical treatment for approximately six weeks. Old Republic temporarily discontinued her workers' compensation medical benefits while investigating her medical history and then stopped communicating with her. Salinas did not receive further treatment until April 2013, when she pursued reimbursement for medical costs and future care. The Commission found that she failed to prove entitlement to compensation but awarded attorney fees based on the surety's unreasonable conduct.

PROCEDURAL HISTORY

Salinas sought reimbursement for previously denied medical expenses and future medical care arising from a workplace back injury. The Idaho Industrial Commission found that she failed to prove entitlement to compensation but nevertheless awarded attorney fees based on the surety's unreasonable discontinuation of medical benefits. After denying reconsideration, the Commission's order was appealed to the Idaho Supreme Court.

DISPOSITION

vacated

CASES CITED

- State v. Taylor, 160 Idaho 381, 385, 373 P.3d 699, 703 (2016)
- State v. Owens, 158 Idaho 1, 3, 343 P.3d 30, 32 (2015)

- *Clevenger v. Potlatch Forests, Inc.*, 85 Idaho 193, 199, 377 P.2d 794, 798 (1963)
- *Page v. McCain Foods, Inc.*, 155 Idaho 755, 760, 316 P.3d 671, 676 (2014)

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