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**WORKERS' COMPENSATION
ONE- LINERS
APRIL, 2006**

Compromise and Release

Fratta v. WCAB (Austin Truck Rental), 892
A.2d 888 (Pa. Commw. 2006)

Commw. Ct. rules Compromise and Release provisions of WC statute do not violate equal protection clause, thereby rejecting argument of widow who contended it was unconstitutionally discriminatory to deprive claimant's estate the opportunity to enforce settlement which was agreed upon but not approved by WC Judge before claimant's death.

Medical

Keystone Coal Mining v. WCAB (Fink), 1487
C.D. 2005 decided 4/14/06

Commw. Ct. affirms WCAB ruling that employer remains liable for medical expenses upon expiration of 500 week partial period; Act contains no time limit on medical and running of 500 weeks is not equivalent to a termination of benefits.

Zuback v. WCAB (Paradise Valley), 892 A.2d
41 (Pa. Commw. Ct. 2006)

While employer is liable for a "one time expenditure" to modify a house as part of its obligation to workers' compensation amputee, Commw. Ct. holds replacement of a stair glide is more akin to a "orthopedic appliance" than a home modification thus ordering employer to pay cost of replacement.

Reinstatement

Sylvania v. WCAB (Wilson), 893 A.2d 186
(Pa. Commw. Ct. 2006)

Commw. Ct. reverses WCAB denying reinstatement of temporary total disability benefits to partially disabled claimant upon mandatory plant shut down as claimant exercised her contractual right to take vacation pay during that period.

Review Petition

Budd Baer, Inc. v. WCAB (Butcher), 892 A.2d
64 (Pa. Commw. Ct. 2006)

Commw. Ct. reverses Board holding statute of limitations barred petition to amend NCP filed more than three years after commutation of benefits; claimant was unable to prove employer was equitably estopped from denying liability for psychiatric injury despite employer's payment of medical bills for that condition for several years.

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