



Robert E. Beloten
Chair

STATE OF NEW YORK
WORKERS' COMPENSATION BOARD
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State of New York - Workers' Compensation Board

In regard to [REDACTED]

NOTICE OF DECISION

keep for your records

At the Workers' Compensation hearing held on 04/22/2014 involving the claim of [REDACTED] at the Menands hearing location, Judge Cherie M. Burke made the following decision, findings and directions:

DECISION: Medical treatment and care, as necessary, for established sites of injury and/or conditions, is authorized. Treatment rendered to one of the body parts covered by the Medical Treatment Guidelines must be consistent with those Guidelines. I find that WCL sec 114-a(1) applies and that the mandatory and discretionary penalties of disqualification from indemnity benefits after February 18, 2014 is warranted.

I find the claimant's testimony regarding his work status, his work ability and his operation of a snow plow business in February 2014 incredible. I find that the claimant, when confronted with evidence that he was seeking snow plowing business by his Facebook posts, denied seeking customers and business with explanations that were not believable and not credible. I find that the claimant also misrepresented his work ability to Dr. Aronowitz in order to make a claim for temporary total disability awards. I find claimant knowingly made false statements or representations as to material facts for the purpose of influencing a determination regarding his compensation benefits and that the mandatory and discretionary penalties are applicable. Claimant is disqualified from receiving future indemnity benefits in this case after 2/19/14. No further action is planned by the Board at this time.

Claimant -	[REDACTED]	Employer -	[REDACTED]
Social Security No. -	[REDACTED]	Carrier -	Ins Co of State of Penn
WCB Case No. -	[REDACTED]	Carrier ID No. -	[REDACTED]
Date of Accident -	08/15/2012	Carrier Case No. -	[REDACTED]
District Office -	Albany	Date of Filing of this Decision -	04/25/2014

ATENCION:

Puede llamar a la oficina de la Junta de Compensacion Obrera, en su area correspondiente, cuyo numero de telefono aparece al principio de la pagina y pida informacion acerca de su reclamacion(caso).