

Unsupported Factual Findings for a Workers' Comp Case

In the case, City of Pittsburgh v. Workers' Compensation Appeal Board (Wilson), the judge granted a review petition to expand the work injury to include an aggravation of a [pre-existing degenerative cervical condition](#) and relied upon a prior independent medical examination (IME) report. The Court held that the judge's determination was not supported by the evidence, because the medical expert testified that the sentence in the report that read "I do feel that this work injury caused an aggravation of the preexisting degenerative condition" was a typographical error and should have read "I do not feel this work injury caused an aggravation." Since the uncorrected IME report was only evidence that the claimant suffered an aggravation, there the judge's decision to amend the NCP was unsupported.