

# An unusual twist on attempted murder

When a person thinks of the workers' compensation system, he or she rarely considers attempted murder. However, a woman who was attacked by her own son can actually receive workers' compensation benefits, according to a ruling from Commonwealth Court.

The woman was caring for her son via a state compensation agreement. According to records, the son had significant health issues due to a lengthy history of drug abuse. In fact, one of his legs had been amputated. As a result, the son moved into the mother's home under a state care contract.

In 2009, the son crept into the woman's bedroom while she was sleeping and attempted to take her life with a knife. The woman's husband ended the assault.

So, how did this attempted murder turn into a workers' compensation claim for benefits? The woman and her son "had a business relationship." This allowed her to pursue benefits for the psychological and physical injuries received as a result of the incident, which were considered to be on the job.

The woman initiated her lawsuit, and won; however, she lost her matter in the second attempt for benefits. A judge granted the mother \$460 per week because her harm was connected with her occupation as the son's caregiver. However, the son subsequently challenged the award.

In 4-2 decision, the Worker's Compensation Appeal Board sided with the son and denied the woman pay. The board felt as though the woman's injuries were not work-related. However, the Commonwealth Court flipped the decision and found that the woman was, in fact, harmed in the "course of employment." This

was especially true because she was required by the contract to live in the same home as the son, especially considering the terms of her state-sponsored position.

## **A unique workers' compensation case**

Attempted murder brings to mind criminal charges and jail time. The typical person considers handcuffs and orange suits. While this did result from the matter, workers' compensation was also a crucial issue and odd consequence of the horrific episode.

If you have been injured on the job, it helps to retain the help of a qualified legal professional. Some workplace accidents are very unusual and unexpected. Nevertheless, if you were technically working in course of employment, you could be entitled to important recovery benefits under the workers' compensation system. To learn more, speak to a local workers' compensation attorney about your particular case.