



CONNECTICUT WORKERS' COMP UPDATE

The law firm of **Strunk Dodge Aiken Zovas (SDAZ)** is pleased to provide our **SUMMER 2026 WORKERS' COMPENSATION LAW UPDATE**. Please feel free to share this update with your colleagues. If someone has inadvertently been left off our email list and would like to receive future updates, please contact **Jason Dodge** at jdodge@ctworkcomp.com or 860-785-4503.

STRUNK DODGE AIKEN ZOVAS NEWS

On June 6, 2026 the Connecticut Bar Association held the Connecticut Legal Conference at the Connecticut Convention Center in Hartford. At the conference **Attorney Chris Buccini of SDAZ** in his role as Chairman of the Workers' Compensation Section spoke at the seminar "Recent Developments in CT Workers' Compensation." Also, **Attorney Katie Dudack of SDAZ** gave a presentation to the workers' compensation bar regarding recent cases at the Compensation Review Board, Connecticut Appellate and Supreme Court. **Chief Administrative Law Judge Morelli** gave his annual speech as well. Judge Morelli noted that it is hoped that soon the computer system for the workers' compensation commission will be upgraded. He also stated that the Commission is concerned that there are not many choices for treating doctors in the fields of psychiatry and neurology; the Commission is actively trying to bring more physicians in those specialties into the worker's compensation system. **Attorneys Rick Aiken, Jason Dodge, Courtney Stabnick, Heather Porto, Phil Markuszka, Chris D'Angelo, Nancy Berdon, Lucas Strunk, Kylee Santos, Ariel MacPherson, Matthew Sacco and Maribeth McGloin of SDAZ** all attended the event.

WORKERS' COMPENSATION FRAUD ARREST!

Attorney Ariel MacPherson of SDAZ successfully defended a Connecticut workers' compensation claim where the claimant was arrested for workers' compensation fraud and larceny in the second degree. The file was referred to Attorney MacPherson to draft a settlement agreement negotiated directly between the claimant and the adjuster. The claimant was pro se. As usual, Attorney MacPherson checked the

workers' compensation website to confirm the DOI provided by our client. Upon reviewing the website, Attorney MacPherson determined that while the claimant was receiving benefits from our client she sustained a work injury with another employer. An investigation revealed the claimant was collecting workers' compensation while working with the second employer. Our client confirmed that the employment activity was never disclosed to them. The file was referred to the prosecutor who decided to press charges. Please remember that the charges are merely accusations and the claimant is presumed innocent unless and until proven guilty.

Attorneys Anne Zovas, Lucas Strunk, Richard Aiken, Heather Porto, Philip Markuszka, Courtney Stabnick, and Jason Dodge of SDAZ have been selected by their peers for recognition of their professional excellence in Workers' Compensation—Employers in the 2027 edition of *The Best Lawyers in America*. **Attorney Stabnick** has also been recognized by her peers in the area of Personal Injury Litigation - Plaintiffs, Personal Injury Litigation - Defendants, and Litigation – Insurance. Congratulations to all for this prestigious and well-deserved honor!

Strunk Dodge Aiken Zovas has been named by Best Lawyers as a 2026 Tier 1 “Best Law Firm” in Workers' Compensation Law—Employers and Personal Injury Litigation—Defendants. Best Lawyers is the oldest and most respected lawyer ranking service in the world. The U.S. News–Best Lawyers® “Best Law Firms” rankings are based on a rigorous evaluation process that includes client and lawyer evaluations, peer review from leading attorneys in the field, and review of additional information provided by law firms as part of the formal submission process.

Heather Porto of SDAZ was named 2026 “Lawyer of the Year” by Best Lawyers for Workers' Compensation Law—Employers in the Hartford region. Congratulations to Heather on this prestigious honor! Other SDAZ attorneys who have received “Lawyer of the Year” recognition include **Courtney Stabnick** (2024, 2020, Litigation—Insurance), **Jason Dodge** (2023, Workers' Compensation Law—Employers), and **Lucas Strunk** (2019, 2014, 2016) Workers' Compensation Law—Employers).

On August 31, 2026 the **28th Annual Verilli-Belkin Workers' Compensation Charity Golf Event** took place at the Farms Country Club in Wallingford, Connecticut. This annual outing is run each year by **SDAZ partner Richard Aiken** and is an enjoyable day long event where both claimant and respondent attorneys get together for a friendly golfing competition. Proceeds from the event will benefit Connecticut Foodshare.

Attorney Katie Dudack of SDAZ has been appointed to serve as Vice President of the Hartford County Bar Foundation (HCBF). The Foundation is the charity arm of the Hartford County Bar Association and provides grants to assist the poor, disabled and homeless in the greater Hartford area. Attorney Dudack is dedicated to the work of the Foundation as a means for lawyers in the Hartford area to give back to the community. The Foundation holds fundraising events throughout the year including a road race in the Spring which Atty Dudack co-chairs with Attorney Anne Zovas and an upcoming Battle of the Bands to be held in the Fall.

On July 18, 2026 SDAZ senior partners **Lucas Strunk, Jason Dodge, Rick Aiken and Anne Zovas** traveled to Troon, Scotland to attend the wedding of Jason's son Matthew and his bride, Victoria Smith. The wedding was a traditional Sottish affair with bagpipes, Scottish dances and, of course, kilts. Attorney Dodge's entire clan wore kilts. A good time was had by all.



Attorneys Luke Strunk, Anne Zovas, Jason Dodge and Rick Aiken

Attorney Ariel MacPherson of SDAZ was the author of an article "Connecticut Paid Family Medical Leave Act and Chapter 568" for the Winter 2026 edition of the Connecticut Bar Association newsletter *Compensation Quarterly*. The article discusses the interplay between workers compensation in Connecticut and the Family Medical Leave Act.

Attorney Christopher Buccini of SDAZ is the outgoing Chairman of the Workers' Compensation Section of the Connecticut Bar Association. The new Chairman is Attorney Frank Costello. **Attorney Maribeth M. McGloin of SDAZ** will now be .the Vice-Chair of the Section.

Attorneys Richard Aiken, Jason Dodge, Lucas Strunk, Anne Zovas, Heather Porto and Philip Markuszka were named Super Lawyers for 2025 in the field of workers' compensation law. **Attorneys Ariel MacPherson, and Matthew Sacco of SDAZ** were named "Rising Stars" in workers' compensation law.

Attorneys Anne Zovas, Richard Aiken, Lucas Strunk, and Jason Dodge of SDAZ have received an AV rating by Martindale-Hubbell. Martindale-Hubbell states that the AV rating is the highest peer rating standard. This is given to attorneys who are ranked at the highest level of professional excellence for their legal expertise, communication skills, and ethical standards by their peers.

Kids Chance of Connecticut will hold its annual golf outing on Monday, September 28 at Glastonbury Hills Country Club, 239 Country Club Rd., South Glastonbury, Connecticut. The format is a four-person scramble. The prices are \$250 for individual golfers or \$900 for a foursome. There are sponsorship opportunities available as well. Please see the link below for registration. **Kids' Chance of Connecticut** provides scholarships to the children of Connecticut workers who are catastrophically injured or killed on the job. **Attorney Phil Markuszka of SDAZ** serves as a board member of KCOC and **Jason Dodge** was a founding member of the charity.



[LINK TO REGISTRATION FOR KCOC GOLF EVENT](#)

The Connecticut Workers' Compensation Treatise Supplement has just been issued. The treatise is authored by **Attorneys Lucas Strunk and Jason Dodge of SDAZ**, along with **Attorneys Robert Carter, Donna Civitello, and James Pomeranz**. It is an excellent resource for understanding how workers' compensation claims are administered and adjudicated in Connecticut, covering topics such as jurisdiction, injuries arising out of and in the course of employment, affirmative defenses, occupational diseases and repetitive trauma, the Second Injury Fund, and appeals to the Compensation Review Board. The treatise is fully indexed and includes citations to applicable statutes and cases, with annual updates. Copies are available on Amazon.

Strunk Dodge Aiken Zovas has been named the Connecticut representative of the National Workers' Compensation Defense Network. The NWCDN is a nationwide network of workers' compensation defense law firms that partner with other attorneys to provide clients with expertise, education, and guidance in the field of workers' compensation. Only one firm per state is selected for this prestigious organization. If representation is needed in a state outside of Connecticut, the NWCDN network provides a vetted list of law firms that can provide excellent legal assistance to clients of **SDAZ**.

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You can now follow us on Facebook at <https://www.facebook.com/Strunk-Dodge-Aiken-Zovas-709895565750751/>

SDAZ can provide your company with seminars regarding Connecticut Workers' Compensation issues. Please contact us about tailoring a seminar to address your needs.

We do appreciate referrals for workers' compensation defense legal work. When referring new files to SDAZ for workers' compensation defense please send them to one of the attorneys' email: azovas@ctworkcomp.com, raiken@ctworkcomp.com, lstrunk@ctworkcomp.com, jdodge@ctworkcomp.com, hporto@ctworkcomp.com, nberdon@ctworkcomp.com, cstabnick@ctworkcomp.com, cbuccini@ctworkcomp.com, pmarkuszka@ctworkcomp.com, cdangelo@ctworkcomp.com, amacpherson@ctworkcomp.com, mmcgloin@ctworkcomp.com, ksantos@ctworkcomp.com or by regular mail. We will respond acknowledging receipt of the file and provide you with our recommendations for defense strategy.

Please contact us if you would like a copy of our laminated "Connecticut Workers' Compensation at a glance" that gives a good summary of Connecticut Workers' Compensation law to keep at your desk.

CONNECTICUT WORKERS' COMPENSATION COMMISSION NEWS

LEGISLATIVE NEWS

The signature bill of the legislative session is Public Act 26-12 focusing on improving workplace conditions. The relevant sections for our purposes focus on changes effective 10/1/26. Please see link below to the new statute.

[Public Act 26-12](#)

Teachers and healthcare workers or other employees of a healthcare facility or institution will now receive 100% of their AWW for injuries that result from “any physical or negligent assault.” This applies to TT and TP. As the benefit is outlined in 31-307, 31-308(a), it will be non-taxable.

In addition, to such weekly compensation, the amended language borrows in part from 31-236a and includes payment for 1) “any expenses reasonably incurred by such healthcare provider or other employee for medical or other services necessary as a result of such assault.” (“Other services necessary” does not appear to have been construed previously by the Courts, but would appear to open the door for a variety of non-medical services.)

The group also qualifies for continued full salary continuation during the time spent in court proceedings. It is noted that the employee cannot be charged for personal time, vacation time, or sick leave for such absences.

The definition of “healthcare provider” includes any individual directly or indirectly employed or volunteering for a healthcare facility or institution. The new law goes on to identify those involved in direct patient care or direct contact with the patient or patient’s family when either collecting or processing information for patient’s forms of records or escorting or directing a patient or patient’s family on healthcare employers’ premises. This appears to cover almost everyone in the facility.

“Healthcare facility or institution” means a hospital, nursing home, rest home, home healthcare agency, home health, paid agency, emergency medical services, organization, assisted living services agency, outpatient clinic, outpatient surgical facility, community health center, urgent care facility, medical office owned or operated exclusively by a person or persons licensed pursuant to Section 20–13 (all physicians), dental office, and infirmary operated by an educational institution for the care of students enrolled in and faculty and employees of such institution.

Healthcare facility or institution does not include any facility or institution operated by the State of Connecticut, except the University of Connecticut Health Center. We expect this covers employees beyond what some legislators may have anticipated.

The legislature had apparently expressed its concern relative to the shortage of workers in some professions. We believe they were also concerned with being certain that private industry would take steps to reduce on the job assaults. There does not appear to be much concern, however, with providing the system of compensation for a benefit that is 100% of salary and non-taxable.

The concept of negligent assault will likely be closely examined. The usual definition is that associated with an extreme recklessness or carelessness, and one would hope that the term will be construed accordingly. We of course are faced with the court's interpretation of remedial legislation and the stated policy that the Act's provisions need to be interpreted broadly.

The use of "or" between physical assault and negligent assault may also cause issue. Must a physical assault still be intentional? Again, it seems the legislature was attempting to remove the need for intent by referencing negligent assault.

MEMORANDUM NO. 2026-01

All payments for Commission Medical Examinations (CMEs) and/or CME no-show fees are due within 45 days of receipt of a properly submitted bill. **Failure to make such a timely payment will result in an additional \$450 charge.**

Bills for CMEs are not required to be submitted on HCFA (CMS-1500) forms and have no specific CPT code requirement. "Properly submitted" means that the bill, accompanied by the report, is submitted to the responsible party indicated on the ALJ's original order.

CMEs are not subject to discounts, including PPO discounts. The rate for a CME is \$900 unless a higher amount is approved by the ordering ALJ. Timely payment of a discounted amount will not negate the additional charge.

Respondents should timely pay any CME no show fee that has been billed pursuant to Commission guidelines. They may then request a hearing to determine whether reimbursement and/or a credit is warranted.

MEMORANDUM NO. 2026-03

Briefs to the Compensation Review Board will now have a page limitation of 35 pages exclusive of party appendices, the cover page, table of contents, table of authorities, or attachments, if any.

MEMORANDUM 2025-04

Memorandum 2025-04 has been issued by Chief Administrative Law Judge Morelli regarding maximum compensation rates. The Chairman has ordered that the maximum total disability rate for injuries occurring after October 1, 2025 is **\$1,716.00** (based on the estimated average weekly wage of all employees in Connecticut). The maximum temporary partial/permanent partial disability rate for accidents after October 1, 2025 is **\$1,220.00** (based on the average weekly earnings of production and related workers in manufacturing in Connecticut).

BURIAL EXPENSES

As of January 1, 2026, the burial fee for deaths covered under the Workers' Compensation Act is \$14,816.74 based on the overall 2025 CPI-W increase for the northeast of 3.1%. Connecticut General Statutes Section 31-306 was amended in 2021 to reflect that the compensation for burial benefits will be adjusted by the percentage increase in the consumer price index for urban wage earners and clerical workers in the Northeast as defined in the United States Department of Labor's Bureau of Labor Statistics.

MILEAGE REIMBURSEMENT

As of January 1, 2026 the mileage reimbursement rate is 72.5 cents per mile.

Previously on January 1, 2025 the mileage reimbursement rate was 70 cents per mile, on January 1, 2024, 67 cents per mile, on January 1, 2023 65.5 cents per mile and as of July 1, 2002 the rate was at 62.5 cents per mile.

WORKERS' COMPENSATION PORTAL

The Commission does have a website where you can look up such information as to whether a hearing is assigned, list of all claims for an employee, status of a Form 36, and interested parties. This is quite a useful site and is a different website than the Commission's main site. It can be found at:

<http://stg-pars.wcc.ct.gov/Default.aspx>

NEW COMPENSATION REVIEW BOARD PANEL

The new CRB panel beginning January 1, 2026 will be Administrative law Judges Colette Griffin and Michael Anderson along with Chief Administrative Law Judge Morelli.

CASE LAW

ACADIA INSURANCE COMPANY A/S/O BAYBROOK REMODELERS, INC. V. MAHNOOR SHAHID, ET. AL, (DOCKET NO. NNH-CV24-6142777-S)

In this case **Attorney Courtney Stabnick of SDAZ** initiated a direct action against a third-party tortfeasor pursuant to C.G.S., Sec. 31-293(a) to recover workers' compensation benefits paid to and on behalf of the employer's injured worker as a result of a motor vehicle accident. The injured worker, who was represented, made his intention to file an underinsured motorist claim clear, as the underlying tortfeasor's policy was limited. The workers' compensation lien exceeded the amount of the underlying tortfeasor's policy. Rather than wait for the injured worker to initiate suit, the employer elected to proceed on its own so as to avoid the statutory 1/3 lien reduction, should the injured worker initiate suit first. The injured worker moved to intervene in the employer's direct action and later filed his own direct action against the third-party. The matters were consolidated and the underlying policy was tendered. The injured worker argued that by initiating his own action, even if the employer initiated suit first, the injured worker and his counsel had priority over the claims of the employer. Under that argument, the employer would only be entitled to 2/3 of the settlement balance after the deduction of the injured worker's attorney's fee and costs. The employer argued that by bringing a direct action against the tortfeasor first, it was entitled to all of the proceeds from the underlying action. In a lengthy decision, the Court (Papastavros, J.) agreed that the employer was entitled to the entire settlement. Because the employer initiated suit first, regardless of whether the injured worker joined in that action or immediately thereafter filed his own action, the employer's claim took priority over that of the injured worker and his counsel. Arguing that the statute does not specifically state that the injured worker must initiate suit *first*, counsel for the injured worker next argued that his fee should be based upon the entire settlement and should come first, with the balance to the employer. The Court found otherwise, noting that counsel's fee is contingent upon a recovery to the injured worker and the amount of said fee would typically be based upon a percentage of the injured workers' recovery, of which there was none in this case

DODGE V. COMMISSIONER OF MOTOR VEHICLES, 354 CONN. 383 (2026)

The claimant died due to diagnosis of mesothelioma which resulted from asbestos exposure in his employment. The Administrative Law Judge found the case compensable. The widow was determined to be entitled to dependency benefits under

Section 31-306 but the Judge allowed a credit/moratorium as a result of third party recoveries. The widow argued that the moratorium should be based solely on recoveries due to occupational exposure to asbestos and not non-occupational exposures. The Judge and CRB disagreed and awarded the respondents the full moratorium for third party recoveries due to asbestos exposure regardless if the exposure was occupational or non-occupational. The Appellate Court upheld the decision below that the respondents' lien applied to both the work and at home exposures and recoveries.

ELLSWORTH V. PROSPECT MEDICAL HOLDINGS/WATERBURY HOSPITAL, 6573 CRB-5-25-3 (May 1, 2026)

The claimant, a psychiatric nurse, was attacked at work by a patient and sustained physical injuries to her neck, back, and head. She treated with Dr. Waynik, a psychiatrist. A psychiatric RME was conducted by Dr. Herzog, who later also became a treating physician. Dr. Herzog opined that the claimant sustained a 15% permanent impairment of the brain due to her psychiatric injury. The respondents obtained an RME with neuropsychiatrist Dr. Pier, who determined that the claimant had no cognitive loss and no ratable permanent impairment of the brain. The trial judge credited Dr. Pier's opinion and found no permanency of the brain. The claimant appealed, arguing that Dr. Pier was not a physician and that his rating opinion could not form the basis for the trial judge's finding regarding permanency. The CRB affirmed, holding that the neuropsychiatrist's rating opinion could provide the basis for the trial judge's finding.

HASSELT V. LUFTHANSA GERMAN AIRLINES, 6575 CRB-7-25-4 (April 24, 2026)

The claimant sustained a compensable lumbar injury in 1994 and remained on temporary total disability (TT) benefits until his death in 2024. After his death, the claimant's spouse sought permanency benefits for a 25% lumbar spine rating pursuant to Connecticut General Statutes § 31-308(d). A respondent's medical examiner and a treating physician each assigned a 25% back rating in 1995 and 1996, but no voluntary agreement was issued for that rating. The trial judge found there was no "meeting of the minds" prior to the claimant's death regarding a permanency award and dismissed the claim for permanency. The CRB reversed, finding that the parties stipulated to the ratings at the formal hearing and that the permanency award had vested. The CRB remanded the matter for a determination of the award and whether the respondents are entitled to a credit against permanency for benefits previously paid to the decedent.

DESIMONE V GRIFFIN HEALTH SERVICES, 6584 CRB-4-25-7 (March 6, 2026)

The Claimant was employed by Griffin Health Services as an environmental services aide/housekeeping for 25 years. She had an accepted August 17, 2010 left knee claim. She underwent a diagnostic arthroscopy with partial meniscectomy on November 22, 2010 and was paid a 3% permanent partial impairment to the left leg. In 2018, the Claimant sought treatment for her left knee, asserting that the need for treatment, including a total knee replacement surgery on July 23, 2018, was related to the August 17, 2010 date of injury, but also for her right knee alleging a causal relationship due to overuse due to the left knee injury. She also filed a new March 8, 2018 date of injury for a repetitive trauma injury to the bilateral knees. During the Formal Hearings, the Respondents accepted that the left knee replacement surgery was compensable as related to the August 17, 2010 date of injury, although contested the extent of indemnity benefits the Claimant was entitled to following that surgery. The Respondents also denied any liability for the right knee and maintained that the right knee issues and need for treatment were personal in nature and were not related to either a sequela of the August 17, 2010 date of injury or to a March 8, 2018 repetitive trauma claim. The Trial Judge found that the Claimant-Appellant was totally disabled and entitled to temporary total disability benefits from the date of the surgery 2018 until she was rated on September 23, 2019 and that she was entitled to a 31% impairment with a credit for the 3% previously paid. The Trial Judge found credible the Respondents' Medical Examiner's opinion regarding the right knee, determined that her issues were personal in nature and dismissed the right knee claims under both dates of injury. The Claimant filed an appeal to the Compensation Review Board arguing that the Trial Judge erred in denying the right knee claims and should have credited the opinions of the treating physicians over the Respondents' Medical Examiner. On appeal, the Board held that the Trial Judge properly weighed the medical evidence, that the Trial Judge had the discretion to determine which parts of the medical opinions were more credible and that there was sufficient expert testimony supporting the finding that the right knee condition was not caused by repetitive trauma work activities or due to altered gait. The Board therefore affirmed the Finding and Decision. **Attorney Maribeth McGloin of SDAZ successfully defended this case.**

BRIERLEY V. TARGET, 6574 CRB-1-125-3 (March 13, 2026)

In this case the CRB affirmed an administrative law judge's finding that a claim was filed timely based on the "totality of the circumstances." The claimant was a store director. On September 13, 2022 when conducting an inventory the employee was struck in the face by a microwave oven causing him to hyperextend his neck. A supervisor came to his help the claimant but injured worker continued to work his full shift. No initial report of the incident was made. The claimant did not receive immediate medical treatment although he did receive some massage therapy. The worker was first seen for medical treatment by an APRN on April 5, 2023 for neck pain. He was thereafter seen by an orthopedic surgeon who suggested PT but also discussed a possible neck fusion. None of the treatment was paid by the employer or the administrator. In May/June 2023 the

claimant requested that a leader at the employer file an incident report; since he did not receive a positive response the claimant contacted the supervisor of the leader seeking to obtain workers' compensation. The supervisor said the leader was handling it. There was evidence of text messages between the leader and the claimant about workers' compensation. The claimant in August 2023 reached out to Sedgwick, the TPA for the employer, and requested to file a report of injury. On September 1, 2023 an incident report was filed electronically with the employer. A video of the incident was uploaded to Sedgwick on September 7, 2023. In September 2023 the claimant had further conversations with the adjuster at Sedgwick who denied the claim. Form 43's were filed on September 26, 2023 and August 12, 2024 by Sedgwick; no Form30c was filed within one year of the incident. The first informal hearing was held on December 4, 2023. In affirming the Judge's finding that the claim was timely filed the CRB determined that under the "totality of the circumstances" the claimant's case was filed correctly under General Statutes Section 31-294c. In distinguishing a similar factual decision that found a claim not timely filed, *Izikson v. Protein Science Corporation*, 156 Conn App. 700 (2015), the CRB noted that in the present case the claimant within one year of the incident had conversations with the adjuster at Sedgwick, something that had not occurred in *Izikson* notwithstanding that the claimant had been advised to reach out to the adjuster.

PERRELLA V. FUEL CELL ENERGY INC., 6577 CRB-7-25-5 (March 27, 2026)

The Compensation Review Board considered whether an administrative law judge properly apportioned liability among multiple insurers for a claimant's occupational disease (renal cancer) caused by long-term exposure to trichloroethylene (TCE) during employment. The judge had initially found the claim compensable and later apportioned liability using a weighted apportionment with carrier prior to a certain date being liable for 60% and carriers for employment after that date being liable for 40%. That decision was not appealed. The carrier went to a subsequent formal hearing over how to re-apportionment time periods for bankrupt carriers. The judge used a pro rata calculation and one of the apportionment respondents appealed. The Board reversed the judge's decision and stated that the case was bound by *res judicata* and that the judge erred by deviating from that established apportionment method. Accordingly, the Board reversed the decision and remanded the matter for recalculation of liability consistent with the prior 60/40 allocation across all relevant periods of exposure.

FERRUA V. NAPOLI FOODS, INC., 237 CONN. APP. 23 (2025).

In this case, a claimant and his spouse filed a civil action against the employer, an attorney for the workers' compensation insurer and the attorney's law firm, alleging

abuse of process and loss of consortium based on a report of the RME. The plaintiff alleged that the attorney had improperly shown surveillance evidence of the plaintiff to the RME as well as a treating physician. The Appellate Court affirmed the dismissal of the action based on their conclusion that the claim was barred by the workers' compensation exclusivity provision of General Statutes Section 31-284(a). The Court noted: "the plaintiffs have not stated any claim in their statement of issues that the trial court incorrectly concluded that their action was barred by the workers' compensation exclusivity provision." Since the plaintiffs did not address the exclusivity issue on appeal to the Appellate Court the dismissal was affirmed on appeal.

BIOS FOR SDAZ ATTORNEYS

We have recently updated the bios for the following SDAZ attorneys:

LUCAS D. STRUNK

Lucas D. Strunk, a graduate of the College of the Holy Cross, is a partner in the firm Strunk Dodge Aiken Zovas, LLC of Rocky Hill, Connecticut. Attorney Strunk focuses on the defense of workers' compensation matters. He graduated from the University of Connecticut School of Law and was admitted to the Connecticut Bar.

Attorney Strunk is a member of the Mashantucket Pequot Bar Association. He is a member of the Connecticut Bar Association and serves on the executive committee of the Workers' Compensation Section. He was the Committee's Legislative Liaison from 1994 to 2022. Attorney Strunk has argued successfully on numerous occasions before the State's Supreme and Appellate Courts.

Attorney Strunk also practices under the Longshore and Harbor Workers' Compensation Act and is admitted to practice in the Second Circuit Court of Appeals. He is further authorized to practice before the United States Supreme Court.

Attorney Strunk has contributed articles to the Workers' Compensation Quarterly and has spoken on issues associated with workers' compensation at various seminars, including those sponsored by the Connecticut Bar Association. He regularly presents to

clients on topical issues associated with the substance and procedures of the workers' compensation system.

Attorney Strunk takes a special interest in occupational disease claims. He focuses on issues associated with proof of causation and the application of burden of proof under the Workers' Compensation Act.

Attorney Strunk is certified by the Connecticut Bar Association as a specialist in Workers' Compensation. He has an AV preeminent rating by Martindale Hubbell and has been named to the peer nominated Best Lawyers and New England Super Lawyers. Further, he was named Lawyer of the Year for employers in 2014, 2016, and 2019 by the peer nominated Best Lawyers. Attorney Strunk is a fellow in the National College of Workers' Compensation Lawyers and is a contributing author to the continuing Connecticut Practice Series, "Workers' Compensation Law." (Thomson-West 2008).

PHILIP T. MARKUSZKA

Philip T. Markuszka received his Bachelor of Science degrees in Finance and Management and minors in English and Legal Studies from Bryant University in 2006. He graduated from the University of Connecticut School of Law with his Juris Doctor Degree in 2011. He earned his L.L.M. in Insurance from the University Of Connecticut School of Law in 2013, earning the CALI in the Law of Marine Insurance and the L.L.M. programs Insurance Award. Attorney Markuszka is admitted to practice in Connecticut, Massachusetts, and the United States District Court of Connecticut.

Prior to practicing in the area of workers' compensation, Attorney Markuszka represented clients in wrongful termination, liquor, general, and premises liability matters. Attorney Markuszka also worked at The Hartford Insurance Company while attending law school in the Complex Claims Group. He managed claims and accounts involving asbestos, welding rod, lead paint, workers' compensation, multiple chemicals, diacetyl, cell phones, construction defect, environmental, and surplus lines. During this time, Attorney Markuszka earned his Associate Degree in Claims, Associate Degree in Insurance Services, Senior Claim Law Associate Award, Senior Claim Law Associate Silver Award, and Senior Claim Law Associate Gold Award.

Attorney Markuszka was named The Best Lawyers in America, Workers' Compensation for 2024, 2025 and 2026 and by Super Lawyers to their Rising Stars list for workers' compensation in 2015 through 2025. He is a member of the Town of Glastonbury Plan and Zoning Commission, Vice Chair of the Glastonbury Insurance Advisory Committee, serves on the Board of Directors of Kids' Chance of Connecticut, is co-chair of the scholarship Committee for the Hartford County Bar Association and is a member of the Glastonbury Rotary Club.

KATHERINE E. DUDACK

Attorney Katherine E. Dudack received her Juris Doctorate from the University of Connecticut School of Law in 2005 and Bachelor of Arts degree in Political Science with a minor in Criminal Justice, *summa cum laude*, from the University of Connecticut in 2001 (member, Phi Beta Kappa). Attorney Dudack has practiced in the area of Workers' Compensation since 2013. Prior to that time she practiced civil litigation defense which primarily involved title insurance claims.

Attorney Dudack is Board Certified by the Connecticut Bar Association as a Workers' Compensation Specialist and is a member of the Workers' Compensation Certification Examining Committee. She is also currently a member of the Workers' Compensation Section Executive Committee of the Connecticut Bar Association. Attorney Dudack presented at the Connecticut Bar Association's legal conference in 2025 and 2026.

Attorney Dudack is President of the Hartford County Bar Foundation, an organization that provides funds to organizations in Hartford County dedicated to assisting the poor, disabled and homeless. Attorney Dudack is also a Board Member of South Park Inn, a homeless shelter and homelessness services organization serving the greater Hartford community.

Attorney Dudack is admitted to practice law in Connecticut, Massachusetts, the United States District Court for the District of Connecticut and the United States Court of Appeals for the Second Circuit.

ACRONYMS USED IN CONNECTICUT WORKERS' COMPENSATION:

ACRONYMS/ABBREVIATIONS	MEANING OR USE
ALJ	Administrative Law Judge.
AOE	Arising from employment.
App Ct	Appellate Court.
AWW	Average weekly wage. Generally, the average wage we use based on the gross earnings from 52 weeks of wages before work accident.
AX	Abbreviation of accident in medical or adjuster notes.
CHIRO	Abbreviation for chiropractor.

CME	Commission Medical Exam. An exam scheduled by the Judge to address issues re diagnosis, work capacity, mmi and causation. Usually scheduled after conflicting doctor opinions are produced by the parties.
CMS	Centers for Medicare and Medicaid Services. Amongst other things, CMS reviews Medicare set aside accounts (MSA's) to determine if they properly protect Medicare's interest in settlement of workers' compensation claims.
COE	Course of employment.
CR	Compensation Rate. The actual rate on weekly basis paid to an injured worker. Calculated based on the injured worker's tax filing status and applying that to the average weekly wage.
CRB	Compensation Review Board. Three-member board that reviews on appeal workers' compensation decisions from Judges.
DEPO	An oral statement under oath where attorneys on both sides are allowed to pose questions to the deponent.
DJD	Degenerative joint disease.
DOI	Date of injury.
EE	Employee
ER	Employer
ESI	Epidural Steroid Injection. Used by pain management specialists to treat spine injuries.
FCE	FUNCTIONAL CAPACITY EVALUATION: Generally, an examination performed by a physical therapist to determine what restrictions an injured worker has regarding work capacity.

FD	Full duty.
FROI	First report of injury.
HX	Abbreviation for history in medical notes.
IND	Indemnity: the weekly wage loss payment made to an injured employee.
LD	Light duty.
MBB	Medial Branch Block. Injection to spine by pain management specialist. Usually, a precursor to RFA procedure.
MCP	Medical Care Plan. A list of doctors that have been approved by the Chairman office for an employer; injured workers for an approved MCP must treat with only the doctors in the MCP. In general, most employers do not have an approved MCP.
MMI	Maximum medical improvement. The point where functionally there is likely not going to be improvement in the future. It is our goal to get the employee to this point as early as possible.
MSA	Medicare Set-aside account. The amount of money set aside for future medical treatment at the time of settlement of a work injury. Often, the MSA is reviewed and approved by CMS.
NCM	Nurse case manager. A nurse assigned by an insurance carrier to assist the injured worker in scheduling tests, exams, PT and surgery.
NOA	Notice of appearance: generally filed by counsel with commission and all parties when they enter the case.
OH	Occupational health.

OTC	Over the counter, generally refers to non-prescription medications
OTC	Occupational therapy.
PA	Physician Assistant
PPD	Permanent partial disability. The level of ratable impairment to a particular body part; usually only given at mmi.
PT	Physical Therapy
RFA	Radiofrequency Ablation. Surgical procedure using radiofrequency waves to create heat and kill tissues. Can be used for spine pain.
RME	Respondent medical examination (used to be called Independent medical Examination: IME). An examination scheduled by the respondents/employers/carriers to address work capacity, causation, permanency, maximum medical improvement etc.
RPI/Rep Trauma	Repetitive trauma injury such as carpal tunnel or hearing loss claim.
SED	Sedentary duty.
SOL	Statute of Limitations, generally referring to the time period within which a civil claim in superior court can be filed.
SSDI	Social Security Disability (not regular retirement benefits). A federal program for disabled individuals. Generally, people receiving this benefit are on Medicare and receive monthly indemnity payments.
STIP	Abbreviation for stipulation: generally, refers to full and final settlement document approved by the Administrative Law Judge.

Sup Ct	Supreme Court
SX	Abbreviation for surgery.
TKR	Total knee replacement.
TP	Temporary partial disability. Paid to injured employee when they are capable of light or sedentary work and not their regular job.
TT	Temporary Total disability. Paid when an injured employee cannot perform any work.
WCC	Workers' Compensation Commission