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Supreme Court, Appellate Division, Third Department, New York

Matter of SACAJAWEA WHITE, Respondent

v

BETHANY HOUSE, Appellant

and

WORKER'S COMPENSATION BOARD

Decided February 9, 2017

Facts: The claimant sustained a compensable injury to the left shoulder and subsequently made a claim for a consequential injury to the right shoulder due to overuse. The claim was established for same and the carrier appealed

Holding: Affirmed

Discussion: The Court noted that it will uphold the Board's decision on factual issues if supported by substantial evidence. The carrier argued that the claimant failed to submit competent medical evidence on this issue. The Court referenced the testimony of the claimant's doctor who concluded the right shoulder condition was based upon "years of compensating with the right shoulder..."