

STEWART, GREENBLATT, MANNING & BAEZ

ATTORNEYS AT LAW

6800 JERICHO TURNPIKE

SUITE 100W

SYOSSET, NY 11791

516-433-6677

FAX 516-433-4342

DONALD R. STEWART (RET.)
MADGE E. GREENBLATT
ROBERT W. MANNING
RICARDO A. BAEZ
DAVID J. GOLDSMITH
PETER MICHAEL DeCURTIS
LAURETTA L. CONNORS
JOHN K. HAMBERGER

LISA LEVINE
ANDREA L. De SALVIO
KRISTY L. BEHR
LUKE R. TARANTINO
THOMAS A. LUMPKIN
JONATHAN SO

KAFI WILFORD (2003-2010)
MICHAEL H. RUINA (1992-2016)

RAYMOND J. SULLIVAN
MONICA M. O'BRIEN
MARY ELLEN O'CONNOR
OF COUNSEL

SUPREME COURT, APPELLATE DIVISION, THIRD DEPARTMENT, NEW YORK

Matter of Angela Page, Appellant

v.

Liberty Central School District, Respondent

Decided December 21, 2017

Facts: This case previously appeared before the court (131 AD3d 1291 (3rd Dept., 2015) regarding the claimant's failure to timely perfect her appeal from a decision of the Board finding no further causally related disability. The claimant requested a hearing on the issue of a consequential psychiatric condition and while a finding was entered of prima facie medical evidence the Board reversed and denied further development of the record based upon its earlier finding that there was no further disability and as such there could be no consequential condition.

Holding: Reversed.

Discussion: The earlier finding of there being no further physical disability does not preclude the claimant from raising the issue of a psychiatric condition.