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Supreme Court, Appellate Division, Third Department, New York

Matter of BRIAN HAUGHTON, respondent,
v
VICTORIA SECRET. et. al, Appellants,
and
WORKERS' COMPENSATION BOARD, Respondent.

Decided June 14, 2018

Facts: Claimant failed to disclose a prior slip and fall accident which had resulted in injury. At a hearing, the case was amended to include consequential depression, and the case was continued for further findings as to whether claimant had violated WCL §114-a by failing to disclose the prior slip and fall as well as a 1996 MVA. The carrier appealed and the Board affirmed.

Holding: *Dismissed*

Discussion: The Board's interlocutory decision directing further development of the record did not dispose of the 114-a issue before it, and therefore, is more appropriately reviewed upon an appeal from a final decision resolving this issue. Accordingly, the appeal is dismissed.