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Supreme Court, Appellate Division, Third Department, New York

Matter of DANNA NOVAK, Appellant

v

ST. LUKE'S ROOSEVELT HOSPITAL, Respondent

and

WORKERS' COMPENSATION BOARD

Decided March 30, 2017

Facts: Claimant, a nurse, filed a claim for insomnia, depression, post-traumatic stress disorder and severe social phobia after she was wrongfully terminated, reinstated and then allegedly purportedly harassed by coworkers. The claim was disallowed and the Board Panel Affirmed. The claimant now appeals.

Holding: *Affirmed.*

Discussion: The claimant failed to demonstrate that the stress that caused the injury was greater than that experienced by similarly situated workers. The Board was free to credit evidence as being credible or not. In this case the Board's determination was based on substantial evidence and must be affirmed.