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Supreme Court, Appellate Division, Third Department, New York

In the Matter of William RYBKA, Appellant,

v.

CENTRAL NEW YORK PSYCHIATRIC CENTER et al., Respondents.

and

Workers' Compensation Board, Respondent

November 12, 2020

Facts: Claimant previously injured his left knee and was awarded a 17.5% SLU of the left leg. The claimant sustained a subsequent accident to his left hip. He was found to have 30% SLU due to the left hip injury. The Board deducted the prior 17.5% SLU from the subsequent 30% SLU concluding that claimant was entitled to an additional SLU award of 12.5% for his left leg.

Holding: *Affirmed.*

Discussion: The Court found the Board's interpretation and application of *Matter of Genduso* to be sound.