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Supreme Court, Appellate Division, Third Department, New York

In the Matter of the Claim of DOROTA VON MACK, Appellant,

v.

WYCKOFF HEIGHTS MEDICAL CENTER et al., Respondents,

and

WORKERS' COMPENSATION BOARD, Respondent.

October 6, 2016

Facts: The claimant alleged persistent cough and breathing problems due to work activity as a pharmacist. The employer and carrier controverted the claim. After several hearings, the WCLJ disallowed the claim. The Board Panel affirmed. The claimant unsuccessfully applied for reconsideration/Full Board review and she now appeals from the rejection of the application.

Holding: Affirmed.

Discussion: The Board did not behave in an arbitrary or capricious manner nor did it abuse its discretion in denying the claimant's application.