

SUMMARY STATEMENT

Gary R. Corgatelli v. Steel West, Inc., and State of Idaho, Industrial Special Indemnity Fund –
Docket No. 41012

In a case arising out of Idaho Industrial Commission (the Commission), in Bannock County, the Idaho Supreme Court vacated in part the Commission's award of a credit to Steel West, Inc., for previously paid permanent physical impairment benefits to the claimant, Gary R. Corgatelli. The Idaho Supreme Court held that there is no statutory basis in Idaho's worker's compensation law to credit an employer for permanent physical impairment benefits paid to the claimant before the award of total and permanent disability benefits. In addition, the Idaho Supreme Court reversed the Commission's finding that the Industrial Special Indemnity Fund (ISIF) was liable for Corgatelli's total and permanent disability benefits. The Idaho Supreme Court held that the Commission's finding was not supported by substantial and competent evidence. The Idaho Supreme Court remanded this case for further proceedings consistent with its opinion.