

SUMMARY STATEMENT

Aikele v. City of Blackfoot and Idaho State Insurance Fund, Docket No. 42742

In a case arising out of the Idaho Industrial Commission (the Commission), the Idaho Supreme Court affirmed the Commission's Order denying Appellant Kurt Aikele's claim for workers' compensation and death benefits.

The Commission found that Aikele failed to prove that his occupation as a firefighter caused him to develop lung cancer and he was thus not entitled to compensation. On appeal, Aikele made three primary arguments: (1) the Commission's factual findings were inaccurate and clearly erroneous; (2) the Commission's decision was not supported by substantial and competent evidence; and (3) the Commission applied the incorrect statutory burden of proof.

The Idaho Supreme Court affirmed the Commission, holding that the Commission's factual findings were not clearly erroneous, its decision was based on substantial and competent evidence, and the Commission applied the correct legal standard in Idaho Code section 72-438(12).