

SUMMARY STATEMENT

Marquez v. Pierce Painting, Inc., Docket No. 45415

The Idaho Supreme Court reversed an Idaho Industrial Commission (the “Commission”) decision that held Elfego Marquez was entitled to pursue a claim for permanent disability benefits without reference to his status as an undocumented immigrant. Marquez filed a workers’ compensation claim after he sustained an impairment from an industrial accident while employed at Pierce Painting, Inc. (“Pierce Painting”). Pierce Painting through its surety, the State Insurance Fund (“SIF”), paid Marquez’s medical bills, total temporary disability benefits, and permanent partial impairment benefits. However, SIF did not pay Marquez’s permanent disability benefits, claiming that Marquez was not eligible for permanent disability due to his status as an undocumented immigrant. The Commission disagreed, holding that Marquez could pursue a claim for permanent disability without reference to his status as an undocumented immigrant.

On appeal, the Idaho Supreme Court reversed the Commission’s decision, declining to hold that a claimant’s undocumented immigration status alone is an absolute bar to the receipt of permanent disability benefits. Instead, the Court held that a claimant’s undocumented immigration status is a pertinent nonmedical factor that must be weighed on a case-by-case basis in evaluating a claim for permanent disability; thus, the case was remanded for further proceedings.