

SUMMARY STATEMENT

Austin v. Bio Tech Nutrients, LLC, Docket No. 46081

The Idaho Supreme Court affirmed an Idaho Industrial Commission decision that held Brent Austin filed a timely complaint for additional benefits with the Commission even though it was filed more than a year after his employer, Bio Tech Nutrients, and its surety, Employers Compensation Insurance Company, (collectively “Defendants”) stopped paying worker’s compensation benefits. The Court held that the Defendants failure to send a Notice of Claim Status (“NOCS”) when they submitted Austin’s final permanent partial impairment payment tolled the one-year statute of limitations to file a complaint.