

**BOISE, MONDAY, DECEMBER 5, 2022, AT 11:10 A.M.**

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

**VERONICA ARREOLA,** )  
 )  
 **Claimant-Appellant,** )  
 )  
 **v.** )  
 )  
 **SCENTSY, INC., Employer; and GRANITE** )  
 **STATE INSURANCE CO., Surety,** )  
 )  
 **Defendants-Respondents.** )  
 )

**Docket No. 49511**

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Appeal from the Idaho Industrial Commission.

Goicoechea Law Offices, Chtd., Boise, for Appellant.

Bowen & Bailey, LLP, Boise, for Respondents.

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This case asks the Court to determine if the Idaho Industrial Commission erred when it released an order denying an injured worker’s motion for reinstatement of disability benefits and denying a Judicial Rule of Procedure 15 petition for declaratory ruling. In its denial, the Commission reasoned that the worker should have filed a complaint to the Commission under Idaho Code § 72-706(2) and that, in the absence of this administrative procedure, it did not have jurisdiction to hear the injured worker’s claims. Further, the injured worker questions whether her employer’s surety acted unreasonably throughout the Independent Medical Examination scheduling process that resulted in the termination of her benefits and whether her due process rights were violated throughout that same process.

In May 2021, Veronica Arreola sustained a shoulder injury while working for Scentsy, Inc. in Boise, Idaho. Scentsy’s surety (“surety”) initially granted Arreola’s request for benefits. When Arreola’s doctor recommended surgery, the surety scheduled an Independent Medical Examination for Arreola and gave her notice of the appointment. Through council, Arreola alerted surety to her scheduling limitations and her inability to attend the appointment, and surety responded by rescheduling the appointment at a later date for half an hour after the original appointment was scheduled. Again through council, Arreola alerted the surety that she was unable to make it, and when she missed the appointment, surety suspended Arreola’s disability benefits entirely. Arreola filed a Motion for Reinstatement of Disability benefits or alternatively, a Judicial Rule of Procedure Petition for Declaratory Ruling to the Idaho Industrial Commission for the reinstatement of her benefits. On January 14, 2022, the Commission denied her request. This appeal follows that denial.