

CASE NO. 6382 CRB-5-20-3
CLAIM NO. 300065180 : COMPENSATION REVIEW BOARD

JOSEPH PROTO
CLAIMANT-APPELLEE : WORKERS' COMPENSATION
COMMISSION

v.

NOVICKI ELECTRIC : MARCH 31, 2020
EMPLOYER

and

CONNECTICUT INSURANCE
GUARANTY ASSOCIATION
INSURER
RESPONDENTS-APPELLANTS

REMAND ORDER

Respondents-Appellants filed a Petition for Review on March 13, 2020, resulting from the trial commissioner's February 26, 2020 Order for a "One-time evaluation with Mark Altman, M.D. for the right wrist/hand." No transcripts or exhibits exist; therefore, it appears no record was created upon which the board can reach a determination on the issues presented in this appeal. Due process requires an evidentiary hearing at which a record can be created. The Compensation Review Board cannot review or consider this appeal under General Statutes Section 31-301 (a).

The matter is therefore remanded to the trial commissioner acting for the Fifth District for a formal hearing or other appropriate action. See Terracciano v. Learn, 6325 CRB-2-19-5 (May 29, 2019).

Stephen M. Morelli, Chairman
Compensation Review Board
Workers' Compensation Commission