

***USE OF THE NOTICE OF TEMPORARY COMPENSATION PAYABLE TO LIMIT
PAYMENT OF DISABILITY BENEFITS WITHOUT PENALTY***

Barbara Parker v. Brian's House

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TIME LINE AND PROCEDURAL HISTORY

- Injury: July 27, 2004
- NTCP Filed: August 11, 2004
- Panel Physician Cleared Claimant for Return to Work with Restrictions: October 15, 2004.
- Insurer Sent LIBC-757, Notice of Ability to Return to Work, to Claimant: October 26, 2004.
- Employer Tendered Modified Job to Claimant: October 26, 2004
- Insurer also sent LIBC-502, Notice Stopping Temporary Compensation, as of October 26, 2004 with Agreement for Compensation, LIBC-336, and disability check.
- Notice Stopping Temporary Compensation accepted responsibility and stopped disability benefits as of October 26, 2004.
- Agreement for Compensation stated under
“Further matters agreed upon.”
“Claimant has been paid TTD from 7-28-04 to 10-26-04 pursuant to NTCP and NSTC. Compensation is suspended effective 10-26-04 as Claimant was able to return to work on 10-26-04 at wages equal to or greater than those at the time of injury.”
- Claimant returned to work on November 1, 2004. Claimant did not sign and return it.
- Claimant left work: November 10, 2004
- Claimant filed Penalty Petition on November 12, 2004.
- Judge Liddy Dismissed Penalty Petition: June 30, 2005
- Board Affirmed – Commissioner Fergus
- Commonwealth Court Affirmed: August 11, 2006 – Judge Leadbetter
- Motion for Publication Denied

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