

Defending the Heart Attack Case in Pennsylvania

A supervisor holds a meeting with his employee to discuss his relatively poor attendance record. The purpose of the meeting is not to discipline the employee, but to advise that further attendance problems will lead to the first level of discipline, per company policy. Both before and during the meeting, the employee is very angry and distressed over the questioning of his attendance record. At the conclusion of the heated meeting, as the employee is leaving, he begins to feel pain in his neck, back and shoulder, and he asks to be taken to the hospital where it is determined that the employee is suffering a heart attack. Subsequently, the employee files a claim petition against his employer, alleging a work-related heart attack and seeking wage loss and medical benefits. The claimant's physician issues a report stating that the confrontation between the employee and his supervisor directly contributed to the claimant's heart attack. Is the employer liable for workers' compensation benefits? The answer, according to the Pennsylvania Commonwealth Court, is yes.

In Pennsylvania cases in which a purely physical injury results from a work-related mental stimulus, claimants only must show that (1) they suffered from an objectively verifiable injury; and (2) the injury arose in the course of employment and was related to employment. If the employee has an unequivocal medical opinion that relates the objectively verifiable physical injury (e.g. a heart attack) to a stimulus on the job, whether it is a mental stimulus or physical stimulus, the claimant's prima facie burden is met. This is a lesser standard than in cases in which a psychological injury is alleged, and the claimant must not only prove that he suffered from a psychological injury, but that the injury was more than a mere subjective reaction to normal working conditions or was caused by an abnormal working condition. When a psychological injury is not alleged, it is enough for the employee to show that a stimulus at work caused the heart attack suffered, whether the employee was operating under abnormal working conditions. Even preexisting diseases of the heart that are aggravated by exertion at work are compensable if an actual heart attack occurs or the employee suffers other disabling symptoms due to the underlying heart disease.

When defending a heart attack claim, it is the employer's burden to show that the heart attack was not related to the employee's employment. To this end, it is often important for the employer to produce both medical and factual evidence that relate the heart attack to a cause unrelated to the employment. Perhaps the employee was not even working at the time of the heart attack, as the claimant may have testified. Perhaps the circumstances surrounding the alleged stimulus did not at all happen as the claimant described. While medical evidence is certainly important, a thorough investigation of a claimant's factual and medical claims will give the employer the best chance of establishing its defense to a heart attack claim in Pennsylvania.

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