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**APPEALS BOARD  
UTAH LABOR COMMISSION**

**BRENDA ZACCARDI,**

**Petitioner,**

**vs.**

**COTTONWOOD COUNTRY CLUB,  
WORKERS COMPENSATION FUND and  
EMPLOYERS REINSURANCE FUND,**

**Respondents.**

**ORDER DENYING REQUEST  
FOR RECONSIDERATION**

**Case No. 04-0021**

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Brenda Zaccardi asks the Appeals Board of the Utah Labor Commission to reconsider its prior decision denying Ms. Zaccardi's claim for benefits under the Utah Workers' Compensation Act, Title 34A, Chapter 2, Utah Code Annotated.

The Appeals Board exercises jurisdiction over this matter pursuant to § 63G-4-302 of the Utah Administrative Procedures Act.

**BACKGROUND**

On October 23, 2007, the Appeals Board affirmed Judge La Jeunesse's denial of Ms. Zaccardi's claim for permanent total disability compensation. Ms. Zaccardi based her claim on a back injury that occurred on June 16, 1978, while Ms. Zaccardi was working for Cottonwood Country Club. The decisions of Judge La Jeunesse and the Appeals Board were based on the opinion of an impartial medical panel that Ms. Zaccardi's current problems were not caused by the 1978 work accident.

On December 6, 2007, Ms. Zaccardi filed a request that the Appeals Board reconsider its decision.<sup>1</sup> In her request for reconsideration, Ms. Zaccardi asserts that her doctors have new information about her medical problems. However, Ms. Zaccardi has not provided the referenced medical information or presented any other information or argument to support her claim for benefits.

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<sup>1</sup> Section 63G-4-302 of the Utah Administrative Procedures Act establishes a 20-day period for filing requests for reconsideration. Although Ms. Zaccardi's request for reconsideration was untimely, the Appeals Board has concluded in a separate decision that Ms. Zaccardi had good cause for failing to meet the 20-day time limit. The Appeals Board therefore extended the period for requesting reconsideration and agreed to consider the merits of Ms. Zaccardi's request for reconsideration.

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**DISCUSSION**

The central question regarding Ms. Zaccardi's claim for additional workers' compensation benefits is whether her alleged current problems were medically caused by the work accident that occurred at Cottonwood in 1978. Judge La Jeunesse appointed an impartial medical panel to address that issue. The panel found no causal connection between Ms. Zaccardi's current condition and the prior work accident. Ms. Zaccardi has submitted nothing to convince the Appeals Board that the medical panel's opinion is incorrect. The Appeals Board therefore reaffirms its previous decision denying Ms. Zaccardi's claim for additional workers' compensation benefits.

**ORDER**

The Appeals Board denies Ms. Zaccardi's request for reconsideration. It is so ordered.

Dated this 24<sup>th</sup> day of March, 2009.

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Colleen Colton, Chair

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Patricia S. Drawe

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Joseph E. Hatch

**NOTICE OF APPEAL RIGHTS**

Any party may appeal this Order to the Utah Court of Appeals by filing a Petition For Review with that Court within 30 days of the date of this Order.