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BENEFITS - MINNESOTA

Ekdahl v. Independent School District #213

Supreme Court of Minnesota - August 13, 2014 - N.W.2d - 2014 WL 3932770

Employer sought to offset its permanent total disability benefits payment to workers' compensation claimant by amount of claimant's retirement pension. The Workers' Compensation Court of Appeals (WCCA) reversed compensation judge's denial of requested offset. Claimant petitioned for review by certiorari.

The Supreme Court of Minnesota held that under workers' compensation statute providing offset against permanent total disability benefits when claimant receives any old age and survivor insurance benefits, phrase "old age and survivor insurance benefits" refers only to federal social security benefits.

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