

**WORKERS' COMPENSATION APPEALS BOARD
STATE OF CALIFORNIA**

SYLVIA ESPIRIAN, *Applicant*

vs.

COUNTY OF LOS ANGELES, *Permissibly Self-Insured, Defendant*

**Adjudication Numbers: ADJ1110681 (LAO 0876542), ADJ698188 (LAO 0876540)
Los Angeles District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

We granted reconsideration in this matter to further study the factual and legal issues presented. This is our Opinion and Decision After Reconsideration.

Applicant, Sylvia Espirian, and defendant, County of Los Angeles, each petitioned for reconsideration of the Findings and Award issued by the workers' compensation administrative law judge (WCJ) in this matter on June 15, 2017. In that decision, the WCJ found that applicant, Sylvia Espirian's industrial injury to her neck, back, knees, right hip and psyche while employed by defendant on January 12, 2000 (case ADJ698188) caused permanent total disability.

Defendant contends in its petition for reconsideration that the WCJ erred in finding that applicant's injury caused permanent total disability. Applicant contends in her petition for reconsideration that the WCJ erred in determining the permanent and stationary date of applicant's permanent disability.

It has come to our attention that applicant passed away during the pendency of this matter, and consequently, the issues of applicant's entitlement to any further compensation and defendant's remaining liability are governed by Labor Code section 4700. Therefore, we will rescind the WCJ's decision and return this matter to him for further proceedings, including as appropriate the issues of whether defendant is liable to pay further compensation and recovery by any dependents, a personal representative, or any heirs under section 4700, and for further proceedings as appropriate. Our decision should not be construed as a ruling on the merits of the petitions for reconsideration filed by the parties.

For the foregoing reasons,

IT IS ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Findings and Award issued in these cases on June 15, 2017, be **RESCINDED**, and that this matter be **RETURNED** to the workers' compensation administrative law judge for further proceedings.

WORKERS' COMPENSATION APPEALS BOARD

/s/ JOSÉ H. RAZO, COMMISSIONER

I CONCUR,

/s/ MARGUERITE SWEENEY, COMMISSIONER

/s/ DEIDRA E. LOWE, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

April 26, 2021

SERVICE MADE ON THE ABOVE DATE ON THE PERSONS LISTED BELOW AT THEIR ADDRESSES SHOWN ON THE CURRENT OFFICIAL ADDRESS RECORD.

ROSE, KLEIN & MARIAS

MORSE, GIESLER, CALLISTER, KARLIN & HIURA

DH/ara

I certify that I affixed the official seal of the Workers' Compensation Appeals Board to this original decision on this date. *abs*