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Katz, Friedman, Eagle, Eisenstein, Johnson & Bareck, P.C.

77 W. Washington Street
20th Floor
Chicago, IL 60602-2904

Telephone: 312-263-6330
Fax: 312-372-5555
Toll Free in Illinois: 800-444-1525
National Toll Free: 888-626-5556
Website: www.kfeej.com

Illinois Pre-existing Conditions – Compensable or not?

Posted: June 9th, 2011

The Illinois Worker's Compensation Commission has recently reaffirmed its position that [pre-existing condition](#) can be compensable under the Illinois Worker's Compensation Act if the injured worker can prove that the condition was accelerated, aggravated or exacerbated by the injury at work.

This means that even though you may have a prior injury to a specific body part if you re-injure that body part due to activities at work that requires additional treatment it may be compensable under the Act. Furthermore, if you have a degenerative condition such as arthritis but it is not symptomatic, i.e. not painful, and now it is symptomatic due to the injury at work, the medical treatment required to treat that condition and relieve the symptoms could be covered under the Act.

For example, in the recent claim of *Bushue v. Lutheran Care Center*, the claimant fell and developed pain and symptoms in her left knee. She had never undergone treatment for her left knee in the past. However, the MRI showed there were degenerative changes. The Commission held that as her knee was not painful previously and had been continuously painful since the accident, she had a compensable claim and had suffered an aggravation of a previously asymptomatic knee condition.

If you believe that this may apply to you, contact an Illinois workers compensation attorney to discuss your options. An employer may try to deny your claim based on the pre-existing condition. It is important that you know your rights and know what you need to prove your claim.