

No Federal RICO Option for Failed State Worker's Compensation Claims

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Plaintiffs who failed in their state worker's compensation claim cannot sue their employers and their medical experts under federal civil racketeering laws, the *en banc* 6th U.S. Circuit Court of Appeals has ruled.

The court overruled a 2012 6th Circuit panel's decision that allowed plaintiffs to sue their employer, worker's compensation claims administrator and their medical expert under the Racketeer and Influenced and Corrupt Organizations Act (RICO), alleging that the defendants conspired to deny their worker's compensation claims.

The *en banc* court ruled that plaintiffs' expectation of benefits isn't a sufficient property interest under RICO, which requires an "injur[y] to his business or property." The court said the plaintiff's losses are no different than their personal injury claims that were denied in the state administrative proceedings. The court said Congress didn't choose to enact RICO to supplant the state workers' compensation system, thus, declined to do so.

>> Read the 6th Circuit's decision in *Jackson v. Sedgwick Claims Management*.

>> Read our news release about the *Jackson* decision.