

## Latex Allergy: Court Upholds Nurse's Legal Rights.

A nurse is entitled to workers compensation for a latex allergy caused by exposure to latex gloves in the workplace. In this case the Supreme Court of Tennessee Special Workers' Compensation Appeals Panel approved an award of 50% total disability; the nurse was still capable of working in latex-free settings.

In an occupational disease case the worker becomes entitled to workers comp when the worker first has to miss work for the physical complications of the occupational disease. The legal upshot is that that is when the statute of limitations starts to run for filing of a claim. It may also determine which employer will be answerable for the worker's claim, unless there is subsequent exposure to latex at another job which the doctors will say aggravated the condition. Workers comp laws vary from state to state and it is best to see a lawyer. **Huffaker v. St. Mary's Health System, 2006 WL 2522141 (Tenn. Work Comp., September 1, 2006).**