

STATE OF MAINE
WORKERS' COMPENSATION BOARD

DOCKET NO.: WCB-213-26-01
DECISION OF BOARD OF DIRECTORS

For the Employee:

Samuel Rudman, Esq.
Lambert Rudman
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Portland, Maine 04101

For the Employer/Insurer:

James McCormack, Esq.
Taylor, McCormack & Frame
267 Commercial Street
Portland, Maine 04101

RE: *Lena Vasquez v. Southern Maine Medical Center*
§213 (1) (B) Petition For Extension of Benefits
Date of Injury: 03/10/2015

Issuance Date: *June 9, 2026*

Mail Date: *June 9, 2026*

LENA VASQUEZ
(EMPLOYEE)

V.

SOUTHERN MAINE MEDICAL CENTER
(EMPLOYER)

and
SYNERNET, INC.
(Insurer)

BEFORE: EXECUTIVE DIRECTOR ROHDE, CHAIR; AND DIRECTORS BURROUGHS,
GAUDETTE, GREEN AND PICARD

Pending before the Board of Directors is a Petition for Extension of Benefits Due To Extreme Financial Hardship Pursuant To 39-A MRSA §213(1)(B) ("Hardship Petition"), which was filed by Lena Vasquez against Southern Maine Medical Center (SMMC). Ms. Vasquez is represented by Samuel Rudman, Esquire, and SMMC is represented by James McCormack, Esquire, both of Portland.

On June 9, 2026, the Maine Workers' Compensation Board of Directors convened a hearing to decide whether to delegate to an administrative law judge ("ALJ") the authority to decide the above-captioned Hardship Petition. This delegation of authority is authorized by §213(1)(B). Counsel for the parties did not appear although they communicated with Richard Hewes, General Counsel to the Workers' Compensation Board, before the hearing.

Lena Vasquez v. Southern Maine Medical Center
Petition for Extension of Benefits Due To Extreme Financial Hardship
WCB-213-26-01

Based on the pleadings on file at the Board, Ms. Vasquez alleges that she sustained an injury on March 10, 2015, while working at SMMC. She received lost wage benefits until payments were discontinued on January 9, 2026, because the 520-week durational limit was reached under §213(1)(B). She filed the pending Hardship Petition pursuant to §213(1)(B), which is before the Board of Directors. Ms. Vasquez also filed a Petition for Restoration of Benefits under §212, which is pending in front of ALJ Stovall. Through these petitions, Ms. Vasquez makes alternative arguments that she is entitled to benefits for the same injury.

Section 213 of the Act allows the directors to delegate their authority to decide hardship petitions to administrative law judges. Attorneys for Ms. Vasquez and SMMC have both communicated to General Counsel Hewes that they support transferring this Hardship Petition to ALJ Stovall.

On August 12, 2025, the Board of Directors convened a hearing to determine whether authority to decide the Hardship Petition should be delegated to ALJ Stovall. Both petitions involve similar issues and arise out of the same injury. But they are set to be decided by different tribunals within the Workers' Compensation Board. The decisions could contain inconsistent findings and bring about conflicting results. Given the uncertainty of outcomes, the hardship petition and the petition for review should be decided by a single administrative law judge.

MOTION PRESENTED by Director Green:

Move to refer Ms. Vasquez's Petition for Extension of Benefits Due To Extreme Financial Hardship to Administrative Law Judge J. Michael Stovall as allowed by 39-A MRSA §213 (1) (B).

MOTION SECONDED by Director Burroughs

VOTE by directors: 5 in favor; 0 opposed.

MOTION PASSED

WHEREFORE, pursuant to 39-A MRSA §213(1)(B), the authority to hear and decide Ms. Vasquez's Hardship Petition is hereby delegated to ALJ Stovall.

Lena Vasquez v. Southern Maine Medical Center
Petition for Extension of Benefits Due To Extreme Financial Hardship
WCB-213-26-01

WORKERS' COMPENSATION BOARD

June 9, 2026
Date

John D. Rohde
John Rohde, Executive Director

June 9, 2026
Date

Glenn Burroughs
Glenn Burroughs, Director

June 9, 2026
Date

Penny Picard
Penny Picard, Director

June 9, 2026
Date

Lynne Gaudette
Lynne Gaudette, Director

June 9, 2026
Date

Ronnie Green
Ronnie Green, Director