This opinion is nonprecedential except as provided by Minn. R. Civ. App. P. 136.01, subd. 1(c).

STATE OF MINNESOTA
IN COURT OF APPEALS
A25-1549

In the Matter of a Public Safety Officer Kent Michael Vnuk (Deceased).

Filed April 27, 2026
Affirmed
Bratvold, Judge

Office of Administrative Hearings
File No. 22-2400-40473

Daniel B. Harrison, Joshua M. Harrison, Meuser, Yackley & Rowland, P.A., Eden Prairie, Minnesota (for relator Karen Vnuk)

Keith Ellison, Attorney General, Cory J. Marsolek, Assistant Attorney General, St. Paul, Minnesota (for respondent Minnesota Department of Public Safety)

Considered and decided by Worke, Presiding Judge; Ross, Judge; and Bratvold, Judge.

NONPRECEDENTIAL OPINION

BRATVOLD, Judge

A 52-year-old lieutenant passed away while on a medical leave of absence from his employment with the sheriff's office. Relator, the lieutenant's sister, applied to respondent agency for the death benefit established for public safety officers who are "killed in the line of duty," as provided in Minn. Stat. § 299A.44 (2024). After respondent denied the application, relator petitioned for a writ of certiorari, challenging a summary disposition by the administrative-law judge (ALJ) in favor of respondent. Relator argues that the lieutenant was killed in the line of duty when he died by drowning and heart attack while on medical leave from his duties. Because he was not killed in the line of duty as provided in the heart-attack provision set out in Minn. Stat. § 299A.41, subd. 3 (2024), we affirm.

FACTS

The following summarizes the undisputed facts along with the exhibits in the administrative record as relevant to this appeal.

Kent Michael Vnuk began working as a deputy for the Hennepin County Sheriff's Office in 1997 after successfully completing preemployment physical and psychological exams. Vnuk became a lieutenant. While working for the sheriff's office, Vnuk responded to emergencies and worked as a member of the undercover narcotics unit, the water patrol unit, the special weapons and tactics team, and as the commander of the weapons of mass destruction unit.

During his employment with the sheriff's office, Vnuk developed coronary artery disease and stenosis and he sought psychotherapy to address his severe depression, anger/irritability, and suicidal ideation. In October 2020, Vnuk went on a medical leave of absence. In March 2021, Vnuk was diagnosed with post-traumatic stress disorder (PTSD) caused by incidents he experienced at work.

In August 2021, family members found Vnuk unresponsive in about four feet of water where he had been clearing weeds behind his parents' pontoon boat in a lake. Emergency responders pronounced Vnuk dead at the scene. Police reports prepared by responding law enforcement officers described Vnuk as "a very experienced certified diver" who was "very familiar with the water and [the] lake because he visits often," based on an interview with Vnuk's brother. Police reports also stated that the lake's "water temperature was 76.9 degrees" and the "air temperature was in the 80's." "There was no significant wave action," and the lakebed "appeared to be solid and not 'mucky.'"

The medical examiner's final autopsy protocol included these diagnoses: "[d]rowning in fresh water" and "[a]therosclerotic cardiovascular disease" with 80% focal non-calcified narrowing of the left anterior descending and right coronary artery and 99% narrowing of the first diagonal coronary artery. Vnuk's certificate of death stated that "drowning in freshwater" was the immediate cause of death; "atherosclerotic cardiovascular disease" and "diabetes mellitus" were other contributing conditions.[1]

In December 2021, the district court approved the application of relator Karen Vnuk, as Vnuk's sister, to be appointed administrator of the estate. In July 2023, relator applied for public safety officer's line-of-duty death benefits under Minn. Stat. §§ 299A.41-.47 (2024).[2]

Relator's application included an expert report by a medical doctor who reviewed Vnuk's job description, medical records, and psychological evaluations and the police

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[1] The certificate of death also stated that Vnuk's "manner of death" was "accident." Relator does not claim that Vnuk's death was "caused by accidental means" as stated in Minn. Stat. § 299A.41, subd. 3, which provides that "killed in the line of duty includes the death of a public safety officer caused by accidental means while the officer is acting in the course and scope of duties as a public safety officer."

[2] We cite the most recent version of sections 299A.41 and 299A.44 because, as relevant to the issue in this appeal, these statutes have not been amended since 2016. *See* 2016 Minn. Laws ch. 189, art. 14, § 3, at 1100; *Interstate Power Co. v. Nobles Cnty. Bd. of Comm'rs*, 617 N.W.2d 566, 575 (Minn. 2000) (stating that generally "appellate courts apply the law as it exists at the time they rule on a case"). A 2023 amendment to Minn. Stat. § 299A.41, subd. 3, added provisions related to public safety officer deaths by suicide that are not relevant to our analysis. *See* 2023 Minn. Laws ch. 52, art. 5, § 14, at 877-78.

reports on Vnuk's death. The report stated that "Mr. Vnuk sustained an occupational disease in the nature of coronary sclerosis which is also called atherosclerosis. The plaque in his heart arteries developed due to substantial contribution from occupational factors" including "longstanding chronic stress and sleep deprivation" and "consistent work stress and sleep disturbances."

The expert report explained that "coronary sclerosis or atherosclerosis" is the "process by which heart arteries become calcified and diseased" and that "[t]he process of atherosclerosis (plaque build-up) is very slow, up to the point where plaque in the arteries can destabilize/rupture, causing a heart attack." The report also stated that "Mr. Vnuk's employment with Hennepin County Sheriff's Department substantially contributed to his hypertension, increased wall stress, plaque build-up, and ultimately heart attack" and that "the occupational disease of coronary sclerosis was a substantial cause of [Vnuk's] fatal myocardial infarction."

Respondent Minnesota Department of Public Safety denied relator's application "because Lt. Vnuk did not die in the line of duty as a peace officer at the time of his death, as defined by Minn. Stat. § 299A.41, subd. 3." Relator requested a contested case hearing to challenge the denial of death benefits. Both parties moved for summary disposition.

The ALJ concluded that "Vnuk was not killed in the line of duty as that term is defined under Minn. Stat. § 299A.41, subd. 3," because "Vnuk was not acting in the course and scope of duties of a public safety officer, nor was his death close enough in time to the performance of hazardous duties to have been caused by the physical and emotional stress of performing that duty." The ALJ granted the department's motion for summary disposition and denied relator's cross-motion.

This certiorari appeal followed.

DECISION

Relator contends that, based on the administrative record, there was "no dispute that Mr. Vnuk performed hazardous duties" for the sheriff's department and "no dispute that because of these hazardous duties, Mr. Vnuk developed occupational diseases including coronary sclerosis," which, according to uncontested expert opinion, "caused his death by drowning." Thus, according to relator, there is "no dispute that Mr. Vnuk's death was due to his hazardous exposures with" the sheriff's department, and therefore, "his death meets the Minnesota Supreme Court definition of 'killed in the line of duty'" and relator is entitled to statutory death benefits. Relator asks us to reverse the ALJ's decision and grant summary disposition in relator's favor.

"Summary disposition is the administrative equivalent of summary judgment." *Pietsch v. Minn. Bd. of Chiropractic Exam'rs*, 683 N.W.2d 303, 306 (Minn. 2004). Summary disposition is appropriate only when there is no genuine issue as to any material fact and the moving party is entitled to judgment as a matter of law. *See* Minn. R. Civ. P. 56.01; *Pietsch*, 683 N.W.2d at 306. We review an ALJ's grant of summary disposition de novo to determine whether any genuine issues of material fact exist and whether the ALJ erred in applying the law to the facts. *Pietsch*, 683 N.W.2d at 306. In doing so, we view the evidence in the light most favorable to the nonmoving party. *See Henson v. Uptown Drink, LLC*, 922 N.W.2d 185, 190 (Minn. 2019) (applying this standard in an appeal from summary judgment). In the context of this summary disposition for the department, relator is the nonmoving party.

Chapter 299A establishes public safety officer and survivor benefits, including a death benefit: upon certification by the commissioner of public safety, the state "shall pay $100,000 from the public safety officer's benefit account" to the survivors or estate of "a public safety officer employed within this state [who] has been killed in the line of duty." Minn. Stat. § 299A.44, subd. 1. It is undisputed that Vnuk was a public safety officer at the time of his death. But the parties dispute whether Vnuk was killed in the line of duty. Because the facts related to Vnuk's death are undisputed, whether Vnuk was killed in the line of duty presents a question of law, which we review de novo. *Pietsch*, 683 N.W.2d at 306.

To resolve the disputed issue, we begin by examining the relevant statutory provisions along with caselaw interpreting and applying those provisions. Next, we consider whether the issue is determined by applying statutory language or existing caselaw. After concluding that we must apply statutory language, we do so and conclude that Vnuk was not killed in the line of duty and relator is not entitled to the death benefit.

Relevant Statutory Provisions

Minnesota Statutes section 299A.41 provides definitions for the statutory death benefit found in section 299A.44. The parties disagree about how to interpret and apply subdivision 3 of section 299A.41, which describes "killed in the line of duty." Caselaw guides our initial understanding because this court has already concluded that "[t]he phrase 'killed in the line of duty' is *not* defined" in section 299A.44, but the legislature provided a "related definitional provision" that is "a partial definition" of the phrase in section 299A.41, subdivision 3. *In re Pub. Safety Officer Death Benefit for Lannon*, 984 N.W.2d 575, 582 (Minn. App. 2022) (emphasis added). Subdivision 3 "contains language *excluding* coverage for deaths from natural causes (except those caused by a heart attack, stroke, or vascular rupture, as long as certain work-related conditions are met) and *including* coverage for deaths caused by accidental means." *Id*.

The first sentence in subdivision 3, the natural-causes exclusion, states: "'Killed in the line of duty' does not include deaths from natural causes, except as provided in this subdivision." Minn. Stat. § 299A.41, subd. 3(a). The third sentence of subdivision 3, the heart-attack provision, specifically addresses heart-attack deaths and states that "[k]illed in the line of duty also means if a public safety officer dies as the direct and proximate result of a heart attack . . . that officer shall be presumed to have died as the direct and proximate result of a personal injury sustained in the line of duty" if the following criteria are met:

> (1) that officer, while on duty:
>
> (i) engaged in a situation, and that engagement involved nonroutine stressful or strenuous physical law enforcement, fire suppression, rescue, hazardous material response, emergency medical services, prison security, disaster relief, or other emergency response activity; or
>
> (ii) participated in a training exercise, and that participation involved nonroutine stressful or strenuous physical activity;
>
> (2) *that officer died as a result of a heart attack*, stroke, or vascular rupture suffered:
>
> (i) while engaging or participating under clause (1);
>
> (ii) while still on duty after engaging or participating under clause (1); or
>
> (iii) *not later than 24 hours* after engaging or participating under clause (1); and

(3) the presumption is not overcome by competent medical evidence to the contrary.

Id. (emphasis added).

The parties' arguments focus on subdivision 3's natural-cause exclusion and heart-attack provision. Relator contends that the phrase killed in the line of duty "has not been statutorily defined." She argues that, "[b]ecause the legislature did not define 'killed in the line of duty,' the Minnesota Supreme Court had to define the phrase," which "remains the operative definition." Relator relies on supreme court caselaw from 1986 and 1988 and maintains that Vnuk was killed in the line of duty.

The department responds that the heart-attack provision "plainly requires" that a heart-attack death must satisfy "three circumstances" or criteria for the death "to be eligible for benefits." The department focuses on the second criterion in the heart-attack provision and contends that Vnuk was not killed in the line of duty "because [Vnuk's] heart attack was not within twenty-four hours of him performing law enforcement."[3]

The parties' arguments present a threshold question: whether relator's claim that Vnuk was "killed in the line of duty" is controlled by supreme court caselaw or the heart-attack provision. We therefore turn to supreme court caselaw.

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[3] Alternatively, the department argues that Vnuk's death by drowning was an accidental death that does not qualify for the death benefit under the second sentence of subdivision 3(a). *See* Minn. Stat. § 299A.41, subd. 3(a) ("[K]illed in the line of duty includes the death of a public safety officer caused by accidental means while the public safety officer is acting in the course and scope of duties as a public safety officer."). Relator does not contend that her application for benefits should be granted under the accidental-death provision. Thus, subdivision 3's provision that includes coverage for accidental death is not an issue in this appeal.

Caselaw Interpreting and Applying "Killed in the Line of Duty"

The supreme court interpreted and applied "killed in the line of duty" to rule on death benefits in two decisions. First, in *Kramer v. State, Peace Officers Benefit Fund*, the supreme court interpreted "killed in the line of duty" to mean "death resulting from the performance of those duties peculiar to a peace officer that expose the officer to the hazard of being killed." 380 N.W.2d 497, 501 (Minn. 1986) (determining that an officer who was performing administrative duties when he suffered his first heart attack was not killed in the line of duty).

Second, in *Johnson v. City of Plainview*, the supreme court considered whether a firefighter "who dies from a heart attack or complications related to a heart attack, suffered while engaged in the hazards of firefighting," is killed in the line of duty. 431 N.W.2d 109, 111 (Minn. 1988). The statute in effect when *Johnson* was decided provided that "'[k]illed in the line of duty' does not include deaths from natural causes," but it did not contain the other provisions in the current version of section 299A.41, subdivision 3. Minn. Stat. § 352E.04 (Supp. 1985).

In *Johnson*, the supreme court focused on the natural-causes exclusion in effect at the time and determined that death by heart attack was not from natural causes, and therefore qualified as killed in the line of duty, "if firefighting efforts were a substantial contributing cause of" the firefighter's death. 431 N.W.2d at 111 (concluding that two firefighters who suffered heart attacks at the scene of fires—one who was attaching a 55-pound hose to a tank and a second who was disabling downed electrical lines—were killed in the line of duty). The supreme court differentiated the facts in *Johnson* from those in *Kramer* because "at the time of their heart attacks both men [in *Johnson*] were involved in fire-fighting duties which exposed them to the risk of being killed." *Id.* at 114.

This court has analyzed the continued applicability of the *Kramer* and *Johnson* decisions to the meaning of killed in the line of duty. In *Lannon*, this court concluded that "the supreme court's definition of 'killed in the line of duty' in *Kramer* and *Johnson* controls, *except as to deaths specifically included or excluded* by the legislature in Minn. Stat. § 299A.41, subd. 3." *Lannon*, 984 N.W.2d at 584-85 (emphasis added).

This court's analysis is helpful. Lannon died by suicide because of work-related PTSD, and the department denied death benefits because he was not killed in the line of duty. *Id.* at 579. On appeal, this court applied supreme court caselaw to determine whether Lannon's estate was entitled to an administrative hearing to determine death benefits. *Id.* at 585. In concluding that supreme court caselaw controlled the issue, this court noted that subdivision 3 was adopted after *Johnson* and "clarified the exclusion of deaths from natural causes." *Id.* We reasoned that subdivision 3 "did not provide a complete definition of 'killed in the line of duty' or supersede the overarching interpretation adopted by the supreme court." *Id.* And we concluded that subdivision 3 "neither includes nor excludes death by suicide." *Id.*[4]

Applying the same reasoning used in *Lannon*, we conclude that the heart-attack provision controls our analysis of this appeal because the heart-attack provision "specifically includes" heart-attack deaths as killed in the line of duty *if* they meet the three

[4] After *Lannon*, the legislature revised subdivision 3 to adopt a death-by-suicide provision. *See supra* note 2.

criteria set out in the provision. Minn. Stat. § 299A.41, subd. 3; *see Lannon*, 984 N.W.2d at 584-85. Vnuk's death is not within the definition provided in the heart-attack provision under the second of the three criteria, and relator does not claim otherwise. *See* Minn. Stat. § 299A.41, subd. 3(a)(2). Vnuk's heart attack did not occur within 24 hours of Vnuk's participation in "nonroutine stressful or strenuous" activities "while on duty" as required by the heart-attack provision. *Id.*, subd. 3(a)(1), (2)(iii). Vnuk was therefore not killed in the line of duty, and relator is not eligible for death benefits under section 299A.44.[5]

Relator makes three arguments to persuade us otherwise. First, as discussed above, relator contends that the phrase killed in the line of duty "has not been statutorily defined" and that this court therefore should apply the definition provided in *Kramer* and *Johnson*. Relator argues that, under *Kramer* and *Johnson*, because Vnuk "performed hazardous duties" for the sheriff's department that caused "occupational diseases including coronary sclerosis" that in turn caused Vnuk's death, "his death meets the Minnesota Supreme Court definition of 'killed in the line of duty.'" This argument is not persuasive because, as discussed above, the heart-attack provision controls our analysis and Vnuk's death does not meet the second criterion. *See Lannon*, 984 N.W.2d at 584-85.

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[5] This court reached a similar conclusion in a nonprecedential opinion, *In re Denial of Duty Death Benefits for Jones*, No. A25-0443, 2025 WL 2752621, at *3-5 (Minn. App. Sept. 29, 2025) (concluding that the language of the heart-attack provision controlled our analysis of the relator's claim that a firefighter who died of a heart attack was "killed in the line of duty" and determining that his estate was not entitled to death benefits), *rev. granted* (Minn. Dec. 17, 2025). Nonprecedential opinions are not binding authority but may be persuasive. Minn. R. Civ. App. P. 136.01, subd. 1(c).

Also, *Kramer* and *Johnson* were issued before the adoption of subdivision 3 and the heart-attack provision and therefore did not interpret that provision. *See* 2016 Minn. Laws ch. 189, art. 14, § 3, at 1100. Appellate courts presume that "the Legislature intends to change the law when it amends a statute." *Friedlander v. Edwards Lifesciences, LLC*, 900 N.W.2d 162, 166 (Minn. 2017). In adopting the heart-attack provision, the legislature clarified the circumstances under which a heart-attack death is in the line of duty to determine statutory death benefits. We therefore apply the provision adopted by the legislature.

Second, relator contends that heart-attack deaths are not "inherently 'natural cause' deaths." According to relator, a heart-attack death that meets the supreme court's definition of killed in the line of duty from *Kramer* and *Johnson* is *not* a natural-cause death. The department responds that heart-attack deaths are deaths by natural causes unless they meet the criteria set out in the heart-attack provision. The department argues that the natural-causes exclusion in subdivision 3 contains both an exclusion and an exception: "'Killed in the line of duty' does not include deaths from natural causes, *except as provided in this subdivision*." Minn. Stat. § 299A.41, subd. 3(a) (emphasis added). The department argues that, if heart-attack deaths are *not* deaths from natural causes, "there would be no natural cause deaths" to which the exception would apply.[6] The department contends that

[6] The heart-attack provision also covers deaths by stroke and vascular rupture. For simplicity and because relator claims eligibility based on Vnuk's death by heart attack, this opinion refers only to heart attacks.

"[s]uch a reading must be rejected" because it would render the phrase "except as provided" superfluous.

We need not decide whether heart-attack deaths are "inherently" a natural cause of death because our conclusion rests on the record showing that Vnuk's heart attack did not meet the second criterion set out in the heart-attack provision. In other words, even if we concluded that the general natural-cause exclusion does *not* apply to all heart-attack deaths, we would apply the specific heart-attack provision. *See Mumm v. Mornson*, 708 N.W.2d 475, 492 (Minn. 2006) ("Widely-accepted rules of construction dictate that specific provisions control over general provisions.").

Third, relator emphasizes that the heart-attack provision creates a *presumption* of eligibility for heart-attack deaths that occur "not later than 24 hours after engaging or participating" in "nonroutine stressful or strenuous physical activity." Relator contends that failure to meet the criteria for the presumption "does not mean that the family of a public safety officer is barred from proving that the officer's death was the result of the performance of hazardous duties" and thus not eligible for benefits under the supreme court definition of killed in the line of duty.

We agree that a death that meets the criteria in the heart-attack provision is killed in the line of duty only if "the presumption is not overcome by competent medical evidence to the contrary"—which is the third criterion. Minn. Stat. § 299A.41, subd. 3(a)(3). Thus, the heart-attack provision is a rebuttable presumption. But the heart-attack provision specifically covers when a heart-attack death qualifies for the statutory death benefit. Subdivision 3 provides death benefits for a public service officer's heart-attack death that is "sustained in the line of duty." A heart-attack death is sustained in the line of duty if the death meets the three criteria set out in the heart-attack provision. We cannot go beyond the plain language of subdivision 3 to determine whether Vnuk was killed in the line of duty when he died by heart attack.[7]

Finally, we acknowledge relator's argument that the legislative history of the 2016 amendment creating the natural-causes exclusion supports broader eligibility for line-of-duty death benefits. Citing a bill summary of the Minnesota Senate research department, relator contends that the legislature intended to expand eligibility for heart-attack deaths by adopting the natural-causes exclusion. *See* Minn. S. Rsch. Dep't, B. Summary of S.F. No. 2743 (Mar. 23, 2016) (stating that the inclusion of the heart-attack provision "*expands* the definition of 'killed in the line of duty'" (emphasis added)). Relator also contends that, before 2016, "it was well settled law that officers who died from . . . heart attacks . . . qualified as 'killed in the line of duty'" if the heart attack was "caused by the performance of hazardous duties." Therefore, excluding heart-attack deaths that occur more than 24 hours after stressful or strenuous physical activity would be a "radical contraction of eligibility."

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[7] In a nonprecedential opinion, this court has reasoned that the heart-attack provision is a rebuttable presumption and does not "alter the meaning of the phrase 'natural causes' in the natural-causes exclusion" or show any intent to "alter the supreme court's interpretation of 'natural causes'" as stated in *Kramer* and *Johnson*. *In re Denial of Line of Duty Death Benefits for Edeburn*, No. A25-0661, 2026 WL 144842, at *6 (Minn. App. Jan. 20, 2026), *rev. granted* (Minn. Apr. 15, 2026). As stated *supra* note 5, nonprecedential opinions of this court are not binding authority but may be persuasive. Minn. R. Civ. App. P. 136.01, subd. 1(c). While *Edeburn*'s analysis of the heart-attack provision differs from the analysis in this opinion, the opinions may be distinguished factually. The public safety officer's cause of death in *Edeburn* was "myocarditis." *Id.* at *2.

We are not persuaded by relator's argument on this point. The bill summary is weak evidence because it does not purport to express the intention of any legislator, much less the legislature as a whole. More fundamentally, legislative history does not guide our analysis because the relevant statute is unambiguous. Neither party contends that the heart-attack provision is ambiguous, and we agree that its language is plain. We give effect to unambiguous statutory language because it expresses the legislature's intent. *Engfer v. Gen. Dynamics Advanced Info. Sys., Inc.*, 869 N.W.2d 295, 300 (Minn. 2015).

We also disagree with relator's understanding of what was "well settled" before 2016. The cases relator cites involved firefighters who suffered a heart attack *during* firefighting activities. *Johnson*, 431 N.W.2d at 111-12; *Dependents of Ondler v. Peace Officers Benefit Fund*, 289 N.W.2d 486, 487 (Minn. 1980).[8] Allowing benefits for heart-attack deaths up to 24 hours after stressful or strenuous physical activity does not contract eligibility established by *Johnson* and *Ondler*. The supreme court in *Johnson* stated that "at the time of their heart attacks both men were involved in firefighting duties." 431 N.W.2d at 114. We therefore do not agree that the heart-attack provision's criteria contract eligibility for the death benefit, nor do they alter settled expectations. Even if these were fair characterizations of the effect of the heart-attack provision, it is our obligation to apply unambiguous statutory language as written.

[8] Relator also cites an ALJ order that involved a paramedic's death from lymphocytic myocarditis, not a heart attack, that occurred within 24 hours of stressful active duty. We do not find the order helpful or persuasive. *In re Pub. Safety Death Benefit for Sorek*, OAH 15-2400-19393-2, 2008 WL 3046437, at *3 (July 11, 2008).

The death benefit for public service officers who are killed in the line of duty is awarded "in recognition of the unusual risks peace officers face in their work" and their "supreme sacrifice while performing hazardous work in protection of the public." *Kramer*, 380 N.W.2d at 501 (quotation omitted). While we recognize and deeply appreciate Kent Vnuk's service and sacrifice throughout his career in law enforcement, we are bound by the statutory language that applies to relator's application for death benefits. Minn. Stat. §§ 299A.41, .44.

Affirmed.