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In the Matter of the Compensation of  
**NIKKI S. HAALAND, Claimant**  
Own Motion No. 04-0189M  
OWN MOTION ORDER  
Claimant Unrepresented  
Special Districts Assoc Of Ore, Insurance Carrier

Reviewing Panel: Members Kasubhai and Langer.

The insurer has submitted a “Carrier’s Own Motion Recommendation” form, indicating that claimant requests that it reopen her 1995 injury claim for a “worsening” of her previously accepted condition (“right knee torn medial meniscus”). *See* ORS 656.278(1)(a) (2001). The insurer recommends against reopening the claim.

Claimant sustained a compensable right knee injury on November 10, 1995. Claimant’s aggravation rights have expired. The insurer issued a denial on May 11, 2004. No hearing has been requested regarding that denial. Thus, the denial is final by operation of law. ORS 656.319(1). Consequently, claimant’s medical services claim for her accepted right knee condition remains in denied status.

Under such circumstances, we are unable to authorize the reopening of the claim for a worsening of her previously accepted condition under ORS 656.278(1)(a) (2001). *James J. Kemp*, 54 Van Natta 491 (2002). Accordingly, the request for claim reopening is denied.<sup>1</sup>

IT IS SO ORDERED.

Entered at Salem, Oregon on July 26, 2004

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<sup>1</sup> Inasmuch as claimant is unrepresented, she may wish to consult the Workers’ Compensation Ombudsman, whose job it is to assist injured workers in such matters. She may contact the Workers’ Compensation Ombudsman, free of charge, at 1-800-927-1271, or write to:

WORKERS’ COMPENSATION OMBUDSMAN  
DEPT OF CONSUMER & BUSINESS SERVICES  
PO BOX 14480  
SALEM, OR 97309-0405