
In the Matter of the Compensation of
ROBERT H. CARRON, Claimant
Own Motion No. 04-0025M
OWN MOTION ORDER
J Michael Casey, Claimant Attorneys
Radler Bohy et al, Defense Attorneys

Reviewing Panel: Members Langer and Kasubhai.

The self-insured employer submitted a “Carrier’s Own Motion Recommendation,” indicating that claimant sought reopening of his 1996 injury claim for a “worsening” of his previously accepted lumbar strain condition. *See* ORS 656.278(1)(a) (2001). Claimant’s aggravation rights have expired. The insurer recommended against reopening the claim.

On February 10, 2004, we referred this matter to the Hearings Division for consolidation with a pending hearing request regarding the employer’s denial. (WCB Case No. 03-008740).

On April 21, 2004, Administrative Law Judge (ALJ) Davis approved a “Disputed Claim Settlement,” which resolved the parties’ dispute pending before the Hearings Division and dismissed claimant’s hearing request. Pursuant to the settlement, claimant agreed that the employer’s denial of his current lumbar condition, as supplemented in the agreement, “shall remain in full force and effect.”

Under such circumstances, claimant’s current condition is unrelated to his January 1996 compensable injury. Thus, we are without authority to reopen claimant’s 1996 claim for a worsening of his previously accepted lumbar strain condition. ORS 656.278(1)(a) (2001).

Accordingly, claimant’s request for Own Motion relief is denied.

IT IS SO ORDERED.

Entered at Salem, Oregon on May 6, 2004