
In the Matter of the Compensation of
FRANCISCO MOLINA, Claimant
WCB Case No. C042770
ORDER DISAPPROVING CLAIM DISPOSITION AGREEMENT
Unrepresented Claimant
Janelle Irving, c/o SAIF Legal Salem, Defense Attorneys

Reviewing Panel: Members Kasubhai and Lowell.

On December 15, 2004 the Board received the parties' claim disposition agreement (CDA) in the above-captioned matter. Pursuant to that agreement, in consideration of the payment of a stated sum, claimant releases certain rights to future workers' compensation benefits, except medical services, for the compensable injury. We disapprove the proposed disposition.

A claim disposition agreement shall not be approved if, within 30 days of submitting the disposition to us, the worker, insurer or self-insured employer requests that we disapprove the disposition. ORS 656.236(1)(c).

Here, the disposition was submitted to us on December 15, 2004. The statutory 30th day following the submission is January 14, 2005. Claimant filed his request for disapproval of the disposition on December 27, 2004.¹ Accordingly, we disapprove the disposition. *Id.*

Inasmuch as the proposed disposition has been disapproved, the insurer or self-insured employer shall recommence payment of any temporary or permanent disability that was stayed by submission of the proposed disposition. OAR 436-060-0150(5)(k).

IT IS SO ORDERED.

Entered at Salem, Oregon on January 6, 2005

¹ Because it does not appear that the parties were provided with claimant's request for disapproval, a copy has been included with SAIF's copy of this order.