
In the Matter of the Compensation of
JANET F. BONNEY, Claimant
Own Motion No. 05-0275M
OWN MOTION ORDER
Welch Bruun & Green, Claimant Attorneys
Liberty NW Ins Corp, Insurance Carrier

Reviewing Panel: Members Langer and Kasubhai.

The insurer has submitted claimant's request for reopening of her Own Motion claim for a worsened condition. ORS 656.278(1)(a) (2001). Claimant's aggravation rights have expired. The insurer recommends reopening of claimant's 1999 claim under ORS 656.278(1)(a) (2001).

Based on the record, we are persuaded that claimant meets the criteria necessary for her claim to be reopened for a "worsening" of her previously accepted right ankle conditions. ORS 656.278(1)(a) (2001); *Jeffrey C. Davis*, 56 Van Natta 3279 (2004). Accordingly, we authorize the reopening of the claim for the insurer to process in accordance with law. When claimant's conditions are medically stationary, the insurer shall close the claim pursuant to OAR 438-012-0055.

Claimant's attorney is allowed an approved fee in the amount of 25 percent of any increased temporary disability compensation resulting from this order, not to exceed \$1,500, payable by the insurer directly to claimant's attorney. *See* OAR 438-015-0080(1).

IT IS SO ORDERED.

Entered at Salem, Oregon on August 17, 2005