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In the Matter of the Compensation of  
**MARK A. WILLIAMS, Claimant**  
Own Motion No. 05-0150M  
OWN MOTION ORDER  
J Michael Casey, Claimant Attorneys  
Liberty NW Ins Corp, Defense Attorneys

Reviewing Panel: Members Kasubhai and Lowell.

The insurer has submitted claimant's request for reopening of his 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 1993 claim under ORS 656.278(1)(a) (2001).

Based on the record, we are persuaded that claimant meets the criteria necessary for his claim to be reopened for a "worsening" of his previously accepted low back 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 condition is 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 May 4, 2005