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In the Matter of the Compensation of  
**DIANE HUNTER, Claimant**  
Own Motion No. 05-0164M  
OWN MOTION ORDER  
Unrepresented Claimant  
Safeway Stores Inc, Self-insured Employer

Reviewing Panel: Members Biehl and Lowell.

The self-insured employer 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 employer recommends reopening of claimant's 1989 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 condition. ORS 656.278(1)(a) (2001); *Jeffrey C. Davis*, 56 Van Natta 3279 (2004). Accordingly, we authorize the reopening of the claim for the employer to process in accordance with law. When claimant's condition is medically stationary, the employer shall close the claim pursuant to OAR 438-012-0055.<sup>1</sup>

IT IS SO ORDERED.

Entered at Salem, Oregon on May 11, 2005

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<sup>1</sup> Finally, 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