
In the Matter of the Compensation of
JOAQUIN SANDOVAL, Claimant
WCB Case No: C072644
ORDER DISAPPROVING CLAIM DISPOSITION AGREEMENT
Vick & Conroyd, Claimant Attorneys
Gary Wallmark, SAIF Legal Salem, Defense Attorneys

Reviewing Panel: Members Lowell and Biehl.

On November 5, 2007, 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 proposed to release certain rights to future workers' compensation benefits, except medical services, for his compensable injury. We disapprove the proposed CDA.

A CDA 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)(a)(C).

Here, within the 30-day period after submission, the Board received a request from claimant's attorney, requesting that the Board "not process documents until further notice." We interpret that submission as a request to disapprove the parties' CDA.

Because claimant requested disapproval of the parties' CDA within 30 days of submitting the CDA for approval and because the CDA had not been approved, we conclude that claimant has timely requested disapproval of the parties' CDA.

Inasmuch as the proposed CDA has been disapproved, SAIF shall recommence payment of temporary or permanent disability that was stayed by submission of the proposed disposition. *See* OAR 436-060-0150(5)(k) and (7)(e).

IT IS SO ORDERED.

Entered at Salem, Oregon on December 27, 2007