
In the Matter of the Compensation of
DARLENE CLEGG-CARTER, Claimant
Own Motion No. 08-0057M
OWN MOTION ORDER OF DISMISSAL
Unrepresented Claimant
ESIS, Carrier

Reviewing Panel: Members Weddell and Langer.

The self-insured employer submitted claimant's request for claim reopening for a worsening of her previously accepted shoulder and wrist conditions. *See* ORS 656.278(1)(a). Claimant's aggravation rights have expired. The employer recommended claim reopening for a "worsened condition."

In response to an inquiry from a Board staff member, the employer noted that record does not support a "worsening" of claimant's previously accepted conditions. Rather, the employer issued a Notice of Acceptance for a March 14, 2008 injury claim, and claimant has been receiving benefits under that new injury claim.

Thereafter, the Board's staff requested that claimant confirm her intentions regarding her Own Motion claim. In the absence of a timely response, the parties were advised that it would be assumed that they did not object to dismissal of the Own Motion matter.

Having received no timely response from either party, we conclude that they have no objection to dismissing the Own Motion matter.¹ Accordingly, this matter is dismissed.²

IT IS SO ORDERED.

Entered at Salem, Oregon on July 22, 2008

¹ Alternatively, lacking an argument or further documentation from claimant, the record does not establish that the statutory requirements for reopening of claimant's "worsened condition" claim have been satisfied. ORS 656.278(1)(a).

² Finally, inasmuch as claimant is unrepresented, she may wish to consult the Workers' Compensation Ombudsman, whose job it is to assist injured workers. 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