
In the Matter of the Compensation of
KEVIN K. KILDE, Claimant
WCB Case No. 11-01408
ORDER ON REVIEW
Unrepresented Claimant
Wallace Klor & Mann PC, Defense Attorneys

Reviewing Panel: Members Lowell and Weddell.

Claimant, *pro se*,¹ requests review of Administrative Law Judge (ALJ) Kekauoha's order that affirmed an Order on Reconsideration that awarded 9 percent whole person impairment for his low back condition. On review, the issue is extent of permanent disability (impairment).

We adopt and affirm the ALJ's order with the following supplementation.

On review, claimant contends that his claim was prematurely and improperly closed. The self-insured employer responds that we are limited to the review of issues raised at hearing.

Claimant did not argue before the ALJ that his claim was prematurely or improperly closed. We decline to deviate from our general practice of not considering issues raised for the first time on review. *See Stevenson v. Blue Cross*, 108 Or App 247 (1991) (Board can refuse to consider issues on review that are not raised at hearing); *Fister v. South Hills Health Care*, 149 Or App 214 (1997) (absent adequate reason, Board should not deviate from its well-established practice of considering only those issues raised by the parties at hearing); *Robert S. Anderson*, 62 Van Natta 1498, 1498 n 1 (2010) (declining to address the insurer's argument regarding the whole person impairment because it was raised for the first time on review).

ORDER

The ALJ's order dated October 12, 2011 is affirmed.

Entered at Salem, Oregon on July 5, 2012

¹ Because claimant is no longer represented, he may wish to consult the Ombudsman for Injured Workers. He may contact the Ombudsman, free of charge, at 1-800-927-1271, or write to:

DEPT OF CONSUMER & BUSINESS SERVICES
OMBUDSMAN FOR INJURED WORKERS
PO BOX 14480
SALEM OR 97309-0405