
In the Matter of the Compensation of
REBECCA L. WYNIA, Claimant
WCB Case No: 16-01028
ORDER APPROVING CLAIM DISPOSITION AGREEMENT
Philip H Garrow, Claimant Attorneys
Reinisch Wilson Weier, Defense Attorneys

Reviewing Panel: Lanning and Johnson.

On April 28, 2016, the Board received the parties' claim disposition agreement (CDA). In consideration of the payment of a stated sum, claimant releases certain rights to future workers' compensation benefits, except medical services-related benefits, for her compensable injury. We approve the proposed disposition.

The CDA provides, in part: "Claimant agrees to the dismissal of any and all disputes pending before the Workers' Compensation Division (WCD) upon approval of the CDA." (Page 2, Line 26 through Page 3, Line 3).

The function of a claim disposition agreement is to dispose of an accepted claim, with the exception of medical services, as the claim exists at the time the Board received the CDA. *See* ORS 656.236(1). It is not the function of a claim disposition agreement to accomplish claim processing functions. *See Kenneth D. Chalk*, 48 Van Natta 1874 (1996); *Kenneth R. Free*, 47 Van Natta 1537 (1995). Further, we lack authority to dismiss any disputes pending before WCD. *Andrew D. Johnson*, 65 Van Natta 59 (2013).

Here, we do not interpret the CDA as resolving a medical services dispute or accomplishing a claim processing function. Rather, we interpret the CDA as fully releasing claimant's right to "non-medical-services-related" benefits. Accordingly, we interpret the aforementioned provision as confirmation that, upon our approval of the CDA, the parties will seek the dismissal of any WCD matters. Based on that interpretation, we do not consider the CDA to be unreasonable as a matter of law.

The agreement, as clarified by this order, is in accordance with the terms and conditions prescribed by the Board. *See* ORS 656.236(1). Accordingly, the parties' claim disposition agreement is approved.

Should the parties disagree with our interpretation of the CDA, they may move for reconsideration by filing a motion for reconsideration within 10 days of the date of mailing of this order. OAR 438-009-0035.

IT IS SO ORDERED.

Entered at Salem, Oregon on May 10, 2016