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In the Matter of the Compensation of  
**WILLIAM E. HANNAH, Claimant**  
Own Motion No. 15-00064OM  
OWN MOTION ORDER REVIEWING CARRIER CLOSURE  
Welch Bruun & Green, Claimant Attorneys  
Radler Bohy et al, Defense Attorneys

Reviewing Panel: Members Lanning and Curey.

Claimant requests review of the September 1, 2015 Notice of Closure that awarded no permanent disability benefits for his “worsened condition.” Claimant seeks a permanent disability award, as well as the appointment of a medical arbiter. We affirm the Notice of Closure.

FINDINGS OF FACT

In February 23, 2000, claimant sustained a compensable left knee injury.

On February 4, 2015, the carrier voluntarily reopened claimant’s Own Motion claim for a “worsened condition” involving his previously accepted left knee medial meniscus tear.<sup>1</sup>

On September 1, 2015, an Own Motion Notice of Closure closed that “worsened condition” claim. Claimant requested Board review, seeking the appointment of a medical arbiter, as well as a permanent disability award.

CONCLUSIONS OF LAW AND OPINION

When a claim has been reopened pursuant to our Own Motion authority for a “worsened condition” under ORS 656.278(1)(a), the subsequent closure of that claim pertains only to the reopened “worsened condition” claim. *Dennis D. Kessel*, 55 Van Natta 3651 (2003); *Clayton L. Sutherland*, 55 Van Natta 2694 (2003); *Ginney E. Etherton*, 55 Van Natta 2216 (2003).

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<sup>1</sup> The February 4, 2015 Notice of Voluntary Reopening was not included in the record that was submitted to us by the carrier. Nonetheless, the Workers’ Compensation Division records confirm that this voluntary claim reopening occurred on that date. In any event, in the future, the carrier is reminded to include relevant documents such as this (as well as any Notices of Acceptance) when submitting the record. *See* OAR 438-012-0060(3).

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Here, the claim was reopened for a “worsened condition” that was in Own Motion status. *See* ORS 656.278(1)(a). Consequently, claimant is not statutorily entitled to a permanent disability award.<sup>2</sup> *See Goddard v. Liberty Northwest Ins. Corp.*, 193 Or App 238 (2004); *Jose C. Moreno*, 63 Van Natta 2242 (2011); *Jimmy O. Dougan*, 54 Van Natta 1213, *recons*, 54 Van Natta 1552 (2002), *aff’d Dougan v. SAIF*, 193 Or App 767 (2004), *vacated*, 339 Or 1 (2005).

Accordingly, we affirm the September 1, 2015 Notice of Closure.

**IT IS SO ORDERED.**

Entered at Salem, Oregon on January 14, 2016

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<sup>2</sup> Likewise, claimant is not entitled to a medical arbiter examination. *See Von D. Bailey*, 59 Van Natta 847, 849 (2007).