
In the Matter of the Compensation of
JOHN WIHANDOJO, Claimant
WCB Case No. 14-01463
ORDER ON REVIEW
Unrepresented Claimant
SAIF Legal Salem, Unrepresented Claimant

Reviewing Panel: Members Curey and Weddell.

Claimant, *pro se*,¹ requests review of Administrative Law Judge (ALJ) Otto's order that upheld the SAIF Corporation's denial of claimant's injury/occupational disease claim for a skin condition. On review, the issue is compensability.

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

The ALJ concluded that the medical evidence was not sufficient to establish that claimant sustained a compensable injury or occupational disease concerning his skin condition.

On review, we acknowledge claimant's contentions. First, he asserts that a "patch test report" by Dr. Norris, dermatology physician and surgeon who examined claimant at SAIF's request, was "not conclusive." He also asserts that "body photos" of "test result of patch test," which allegedly would have shown "unexplained red spots of ACD (Allergic Contact Dermatitis)," were not presented and that a "Master Safety Data Sheet" referred to "symptom development skin contact of harmful toxic of cleaning agent." Finally, he asserts that he was exposed to cleaning agents and has symptoms that persist and flare.

Nonetheless, due to the conflicting medical opinions, this causation issue presents a complex medical question that must be resolved by expert medical opinion. *Uris v. State Comp. Dep't*, 247 Or 420, 426 (1967); *Barnett v. SAIF*,

¹ Because claimant is unrepresented, 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:

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

122 Or App 279, 283 (1993). In order for claimant to satisfy the statutory burden of proof, he must prove either: (1) that a work injury was the material contributing cause of his disability or need for treatment; or (2) that employment conditions, including work-related injuries and cumulative work activities, were the major contributing cause of an occupational disease. ORS 656.005(7)(a); ORS 656.266(1); ORS 656.802(2)(a).

Yet, the physicians supporting a causal relationship between claimant's work exposure and his condition, need for treatment, or disability have not rebutted or addressed the medical opinions from the other physicians who do not support such a causal relationship. In the absence of such an opinion addressing countervailing theories, those physicians' opinions do not persuasively satisfy claimant's statutory burden of proof. *See Nancy C. Prater*, 60 Van Natta 1552, 1556 (2008) (failure to rebut contrary opinion rendered physician's opinion unpersuasive); *Louise Richards*, 57 Van Natta 80, 81 (2005) (physician's opinion unpersuasive when it did not rebut or respond to contrary opinion).

In conclusion, based on the foregoing reasoning, in addition to those expressed in the ALJ's order, the medical record does not persuasively establish compensability of claimant's skin condition. Accordingly, we affirm.

ORDER

The ALJ's order dated April 29, 2015 is affirmed.

Entered at Salem, Oregon on August 26, 2015