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In the Matter of the Compensation of  
WCB Case No. 15-00934  
**BRUCE DAHLBERG**, Claimant  
ORDER ON REVIEW  
Jodie Phillips Polich, Claimant Attorneys  
SAIF Legal, Defense Attorneys

Reviewing Panel: Members Johnson and Weddell.

Claimant requests review of Administrative Law Judge (ALJ) Kekauoha's order that affirmed an Order on Reconsideration that did not award permanent impairment for his left knee and low back conditions. On review, the issue is permanent disability (impairment).

We adopt and affirm the ALJ's order.<sup>1</sup>

ORDER

The ALJ's order dated August 28, 2015 is affirmed.

Entered at Salem, Oregon on March 8, 2016

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<sup>1</sup> A footnote in *Magana-Marquez v. SAIF*, 276 Or App 32, 34 n 2 (2016), suggests that, based on *Brown v. SAIF*, 262 Or App 640, *rev allowed*, 356 Or 397 (2014), the proper focus for assessing a claimant's entitlement to a permanent disability award is whether the permanent impairment or work disability is related to the compensable injury/occupational disease, rather than the accepted conditions. However, we have considered that footnote to be *dicta*. *William Snyder*, 68 Van Natta 199, 200 n 1 (2016). Further, we have concluded that the most administratively judicious approach to this subject is to continue to adhere to the *Yekel* rationale unless the court rules to the contrary.