
In the Matter of the Compensation of
LILLY M. SPILLMAN, Claimant
WCB Case No. 16-01148
ORDER ON REVIEW
Unrepresented
Terrall & De Villiers, Defense Attorneys

Reviewing Panel: Members Ousey and Curey.

Claimant, *pro se*,¹ requests review of Administrative Law Judge (ALJ) Sencer's order that upheld the self-insured employer's denial of claimant's injury claim for various conditions (including, but not limited to, her back, neck, wrists, left shoulder, headaches, and left big toe). On review, the issue is compensability.

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

In upholding the employer's denial, the ALJ found the opinions of the specialists who examined claimant at the employer's request to be most persuasive; *i.e.*, Dr. Farris (an orthopedic surgeon), as supported by the opinions of Drs. Jones (an orthopedic surgeon), Green (a neurologist), and Toal (an orthopedic surgeon). In contrast, the ALJ concluded that the opinions of Drs. Salaz (a chiropractor), Puziss (an orthopedic surgeon), and Brett (an orthopedic surgeon) were unpersuasive because they: (1) were conclusory; (2) did not rebut the persuasive opinions of Drs. Farris, Green, Toal, and Jones; (3) were inadequately reasoned; and (4) were based on an inaccurate history contrary to security video taken at the time of claimant's work incident.

On review, claimant requests that we review the data pack video, and assess the remaining evidence in light of that information.

We have considered the video information to which claimant refers. Having done so, we agree with the ALJ's analysis that the physicians' opinions that are supportive of a connection between the work incident and some of claimant's

¹ Inasmuch as claimant is unrepresented, she may wish to consult the Ombudsman for Injured Workers. She 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

conditions are not persuasive; *i.e.*, they were conclusory, did not persuasively rebut contrary opinions, were inadequately reasoned, and were based on an inaccurate history. Consequently, we affirm the ALJ's order.

ORDER

The ALJ's order dated August 30, 2018 is affirmed.

Entered at Salem, Oregon on March 25, 2019