

In the ORS 656.260 Managed Care Dispute of

Robin Hlobeczy, Claimant

Contested Case No: 06-159H

FINAL ORDER

June 4, 2007

ROBIN HLOBECZY, Petitioner

SAIF CORPORATION, Respondent

Before John L. Shilts, Workers' Compensation Division Administrator

Claimant, through attorney Brent Wells, timely filed exceptions to Workers' Compensation Board Administrative Law Judge (ALJ) Steve Rissberger's March 23, 2007 Proposed and Final Order.¹ This matter comes before the director for a final order. The issues are admissibility of new medical evidence and approval of palliative care. I adopt and affirm the Proposed and Final Order in its entirety with the following modification.

ALJ Rissberger excluded exhibits 21, 23, 24, and 25. The Proposed and Final Order, however, in the second paragraph on the first page, states that exhibits 1 through 25 are admitted into evidence. While the excluded exhibits are part of the record, see OAR 436-001-0240(4), they are not admitted into evidence. The order is modified to state that exhibits 1 through 20, and exhibit 22, are admitted into evidence.

IT IS HEREBY ORDERED the March 23, 2007 Proposed and Final Order is adopted and affirmed as modified.

¹ Insurer, through attorney Julene M. Quinn, filed a response on May 23, 2007. OAR 436-001-0246(2)(b) requires a written response to exceptions to be filed within 20 days of the date the exceptions were filed. Claimant's exceptions were filed April 20, 2007. To be timely, a response must have been filed by May 10, 2007. Insurer's response was therefore not timely and has not been considered.