

WORKERS' COMPENSATION**CLOSURE NOTICES****ORS 656.218, 656.268****2015 OREGON LAWS CH. 144 (SB 371)**

Under Senate Bill 371, if a worker is deceased at the time of the closure notice, the insurer (or self-insured employer) may mail copies of the closure notice to any known or potential beneficiaries. The bill then establishes two tiers of appeal rights – 60 days for those who were mailed the closure notice and one year for those who were not.

Additionally, SB 371 requires that if an injured worker seeks to submit a deposition to the reconsideration record, the insurer (or self-insured employer) is required to pay for deposition interpreter services for a non-English-speaking claimant. This new requirement parallels existing requirements that the insurer pay fees for court reporters and transcription costs.

Effective date: May 21, 2015. The amendments apply to notices of closure issued on or after the effective date.

ATTORNEY FEES**ORS CH. 656****2015 OREGON LAWS CH. 521 (HB 2764)**

House Bill 2764 amends various portions of ORS Chapter 656 to modify the circumstances under which attorney fees may be awarded in workers' compensation claims. Specifically, the law allows for attorney fees for some instances of representation before the Director of the Department of Consumer and Business Service.

Additionally, the Workers' Compensation Board is instructed to consider the inherently contingent nature of workers' compensation law when establishing fees and to review the attorney fee schedule for adjustment purposes on a biannual basis.

Effective date: January 1, 2016. The amendments apply to orders issued and attorney fees incurred on or after the effective date, regardless of the date on which the claim was filed.

TEMPORARY DISABILITY COMPENSATION**ORS 656.262****2015 OREGON LAWS CH. 211 (HB 2797)**

House Bill 2797 requires the employer to pay the first installment of temporary disability compensation in workers' compensation claims ("time loss") within 14 days after the employer has notice or knowledge of the claim and of the worker's disability if the medical provider authorizes the temporary disability compensation. Previously, the 14-day timeline was triggered only when the employer had notice or knowledge of the claim.

Effective date: January 1, 2016. The amendment applies to claims filed on or after the effective date.

REJECTION OF HEALTH BENEFIT PLAN CLAIM**ORS 656.265****2015 OREGON LAWS CH. 259 (HB 3114)**

House Bill 3114 amends ORS 656.265

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to give an injured worker whose claim for benefits was rejected by a health benefit plan 90 days (from the date of rejection) to file a workers' compensation claim. If the injured worker's claim is then denied, HB 3114 also provides that the health benefit plan pay benefits in accordance with the plan.

Effective date: January 1, 2016.