

Senate Bill 801

Sponsored by Senator GORSEK

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Department of Consumer and Business Services to study issues relating to workers' compensation claims processing and report to appropriate committee or interim committee of Legislative Assembly on or before September 15, 2022.

Sunsets January 2, 2023.

A BILL FOR AN ACT

1
2 Relating to processing procedures for workers' compensation claims.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The Department of Consumer and Business Services shall conduct a**
5 **study that examines claims processing procedures and results for workers' compensation**
6 **claims in this state and present the department's findings in a report to an appropriate**
7 **committee or interim committee of the Legislative Assembly in the manner provided under**
8 **ORS 192.245 on or before September 15, 2022.**

9 (2) In the study described in subsection (1) of this section, the department shall:

10 (a) Investigate whether significant disparities exist between how quickly or cooperatively
11 self-insured employers respond to workers' compensation claims and how quickly or
12 cooperatively workers' compensation insurers respond to workers' claims;

13 (b) Determine the rate and frequency at which self-insured employers approve or deny
14 workers' compensation claims compared with the rate and frequency at which workers'
15 compensation insurers approve or deny workers' claims; and

16 (c) Identify, to the extent possible, the likely causes and sources of any differences or
17 disparities that the department uncovers in examining the data from investigations under
18 paragraphs (a) and (b) of this subsection.

19 (3) If the department finds significant disparities as a result of the department's inves-
20 tigation under subsection (2) of this section, the department in the report described in
21 subsection (1) of this section shall recommend changes in statutes, administrative rules,
22 internal policies or enforcement measures that may be necessary to reduce or correct the
23 disparities.

24 (4) In conducting investigations under subsection (2) of this section, the department may
25 interview witnesses, require the production of documents and records and otherwise take
26 actions necessary to develop information to complete the study described in subsection (1)
27 of this section.

28 (5) An insurer or self-insured employer that is subject to ORS chapter 656 shall cooperate
29 with the department in the department's investigations under subsection (2) of this section.
30 The department may impose a civil penalty under ORS 183.745 upon an insurer or self-

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 insured employer that fails to give the department adequate cooperation under this sub-
2 section.

3 **SECTION 2. Section 1 of this 2021 Act is repealed on January 2, 2023.**

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