

Requested by Senator GORSEK

**PROPOSED AMENDMENTS TO
SENATE BILL 801**

1 On page 1 of the printed bill, line 2, before the period insert “; and pre-
2 scribing an effective date”.

3 Delete lines 4 through 30 and delete page 2 and insert:

4 **“SECTION 1. (1) The Task Force on Workers’ Compensation Claim
5 Processing Procedures is established.**

6 **“(2) The task force consists of 12 voting members and not more
7 than five nonvoting members appointed as follows:**

8 **“(a) The President of the Senate shall appoint:**

9 **“(A) Two members from among members of the Senate;**

10 **“(B) One member who represents a labor organization or an or-
11 ganization that is the exclusive representative of workers who are
12 covered by workers’ compensation;**

13 **“(C) One member who represents employers in this state;**

14 **“(D) One member who represents workers who are not otherwise
15 represented by a labor organization or other exclusive representative;
16 and**

17 **“(E) Not more than two nonvoting members who represent workers.**

18 **“(b) The Speaker of the House of Representatives shall appoint:**

19 **“(A) Two members from among members of the House of Repre-
20 sentatives;**

21 **“(B) One member who represents a labor organization or an or-**

1 **ganization that is the exclusive representative of workers who are**
2 **covered by workers' compensation;**

3 **“(C) One member who represents employers in this state;**

4 **“(D) One member who represents workers who are not otherwise**
5 **represented by a labor organization or other exclusive representative;**
6 **and**

7 **“(E) Not more than two nonvoting members who represent workers.**

8 **“(c) The Governor shall appoint the co-chairs of the Workers’**
9 **Compensation Management-Labor Advisory Committee as voting**
10 **members of the task force.**

11 **“(d) The Director of the Department of Consumer and Business**
12 **Services shall appoint the ombudsman for injured workers as a non-**
13 **voting member of the task force.**

14 **“(3) The task force shall examine the workers’ compensation claims**
15 **processing procedures that insurers and self-insured employers use in**
16 **this state in order to answer and develop conclusions and recommen-**
17 **dations concerning the following inquiries:**

18 **“(a) Whether disparities exist in the outcome of workers’ compen-**
19 **sation claims depending on whether an insurer processes the claim or**
20 **a self-insured employer processes the claim and, if so, why the dis-**
21 **parities exist;**

22 **“(b) Whether workers in general or specific individual workers or**
23 **groups of workers feel comfortable submitting workers’ compensation**
24 **claims to employers for processing and feel confident that the claim**
25 **will be considered and processed appropriately;**

26 **“(c) Whether employers, insurers, claims processors or other actors**
27 **have undertaken any specific actions to dissuade workers from filing**
28 **workers’ compensation claims and, if so, whether the actions have**
29 **decreased the likelihood that workers will submit workers’ compen-**
30 **sation claims; and**

1 “(d) Any other issues that are reasonably related to the issues de-
2 scribed in paragraphs (a) to (c) of this subsection that the task force
3 deems relevant or necessary to examine or that emerge in the course
4 of the task force’s operations.

5 “(4) The task force may call and take testimony from witnesses,
6 compel the production of documents and records and otherwise take
7 any action that is reasonably related to and necessary to enable the
8 task force to carry out the tasks set forth in subsection (3) of this
9 section.

10 “(5) A majority of the voting members of the task force constitutes
11 a quorum for the transaction of business.

12 “(6) Official action by the task force requires the approval of a
13 majority of the voting members of the task force.

14 “(7) The task force shall elect one of its members to serve as
15 chairperson.

16 “(8) If there is a vacancy for any cause, the appointing authority
17 shall make an appointment to become immediately effective.

18 “(9) The task force shall meet at times and places specified by the
19 call of the chairperson or of a majority of the voting members of the
20 task force. The task force may meet and conduct business remotely
21 or by electronic means.

22 “(10) The task force may adopt rules necessary for the operation
23 of the task force.

24 “(11) The task force shall submit a report in the manner provided
25 by ORS 192.245, and may include recommendations for legislation, to
26 an interim committee of the Legislative Assembly related to workers’
27 compensation no later than July 1, 2022.

28 “(12) The Department of Consumer and Business Services shall
29 provide staff support to the task force.

30 “(13) Members of the task force who are not members of the Leg-

1 **islative Assembly are not entitled to compensation or reimbursement**
2 **for expenses and serve as volunteers on the task force.**

3 **“(14) All agencies of state government, as defined in ORS 174.111,**
4 **are directed to assist the task force in the performance of the duties**
5 **of the task force and, to the extent permitted by laws relating to**
6 **confidentiality, to furnish information and advice the members of the**
7 **task force consider necessary to perform their duties.**

8 **“SECTION 2. Section 1 of this 2021 Act is repealed on December 31,**
9 **2022.**

10 **“SECTION 3. This 2021 Act takes effect on the 91st day after the**
11 **date on which the 2021 regular session of the Eighty-first Legislative**
12 **Assembly adjourns sine die.”.**

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