



Legislative Fiscal Office
83rd Oregon Legislative Assembly
2025 Regular Session

Prepared by: Michael Graham
Reviewed by: John Borden, Michelle Deister
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Bill Title: Relating to the administration of the family and medical leave insurance program; prescribing an effective date.

Government Unit(s) Affected: Employment Department, Judicial Department

Summary of Fiscal Impact

Costs related to the measure are anticipated to be minimal - see explanatory analysis.

Measure Description

The measure specifies actions that an authorized agent may take on behalf of a deceased or incapacitated person within the Paid Leave Oregon program, including submitting a claim for benefits or requesting a hearing to obtain review of a final decision. An authorized agent may only submit a claim or request a hearing if the claimant was deceased or incapacitated before submitting a claim for Paid Leave Oregon benefits, or before the director of the Oregon Employment Department had made a final decision regarding a pending or existing claim for benefits. The measure also makes technical changes to administrative provisions of Paid Leave Oregon.

Fiscal Analysis

The measure is anticipated to have a minimal fiscal impact on the Oregon Employment Department and the Oregon Judicial Department.

Employment Department

The measure clarifies that an authorized agent may file claims and appeals on a behalf of a claimant who is deceased or incapacitated. Under current law, Paid Leave Oregon allows a designated representative to file claims and appeals on behalf of claimants in most situations, including claimants who are incapacitated. However, Paid Leave Oregon does not currently allow authorized agents to file claims or appeals on behalf of claimants who are deceased. As a result, Paid Leave Oregon may have a slight increase in the number of claims filed and approved, which in turn may increase the benefits paid out of the Paid Leave Oregon Trust Fund. While the Oregon Employment Department (OED) is unable to estimate the number of individuals in the state who are incapacitated or deceased and who would possibly qualify for benefits under this measure, there were 26 applications that were denied in 2023 because the claimant was deceased out of 170,000 total claims submitted. In addition, OED estimates it will receive 20 claims per year on behalf of incapacitated claimants out of an estimated 149,000 total claims in 2025. Assuming the annual actual number of newly allowable claims under this measure is similarly small, the measure is anticipated to have a minimal fiscal impact on the ending balance of the Paid Leave Oregon Trust Fund, which had a balance of \$471 million as of January 16, 2025. The measure is also anticipated to have a minimal fiscal impact on OED to administer Paid Leave Oregon.

Judicial Department

The measure is anticipated to have a minimal fiscal impact on the Oregon Judicial Department.

Relevant Dates

The measure takes effect 91 days after adjournment sine die.

Section 1 of the measure, which specifies that employees are not eligible for Paid Leave Oregon benefits if they receive unemployment benefits, becomes operative on January 1, 2026.