

**HB 2799 A    STAFF MEASURE SUMMARY**

**Carrier:** Rep. Ruiz

**House Committee On Labor and Workplace Standards**

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**Action Date:** 04/07/25

**Action:** Do pass with amendments. (Printed A-Eng.)

**Vote:** 7-0-0-0

**Yeas:** 7 - Boshart Davis, Elmer, Fragala, Grayber, Munoz, Nelson, Scharf

**Fiscal:** Has minimal fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Erin Seiler, LPRO Analyst

**Meeting Dates:** 2/12, 4/7

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**WHAT THE MEASURE DOES:**

The measure increases limit on witness fees, expenses, and costs to no more \$3,500 unless the claimant demonstrates extraordinary circumstances justifying payment of a greater amount. It provides methodology for adjusting the amount that may not be exceeded without demonstrating extraordinary circumstances. Amount shall be adjusted annually on July 1 by the percentage increase, if there is any, in the average weekly wage as most recently computed by the Oregon Employment Department and rounded to the nearest multiple of \$100.

**ISSUES DISCUSSED:**

- Reasons for raising the cap for reimbursement of expenses
- Types of costs a worker incurs during workers' compensation claims process
- Impact to workers
- Amendments
- Impact of eliminating the cap for reimbursement and expanding application
- Management-Labor Advisory Committee (MLAC) process
- Amount of costs incurred by worker

**EFFECT OF AMENDMENT:**

Replaces the measure.

**BACKGROUND:**

Currently, if a claimant prevails against the denial of a workers' compensation claim, the court, board or Administrative Law Judge may order payment of the claimant's reasonable expenses and costs for records, expert opinions, and witness fees. Payments for witness fees, expenses, and costs ordered are made by the insurer or self-insured employer. The payments may not exceed \$1,500 unless the claimant demonstrates extraordinary circumstances justifying payment of a greater amount.

House Bill 2799 A increases the \$1,500 limit on reimbursable attorney costs that an insurer or self-insured employer may pay if claimant prevails against the denial of a workers' compensation claim to \$3,500.