

# House Bill 2802

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Tina Kotek for Department of Consumer and Business Services)

## 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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act would change when a lump sum payment for permanent partial disability has to be made. (Flesch Readability Score: 65.1).

Requires an insurer to make a lump sum payment of a permanent partial disability award if the worker waives reconsideration of the notice of closure or the award has become final by operation of law.

## A BILL FOR AN ACT

1  
2 Relating to lump sum payments of permanent partial disability awards; amending ORS 656.230.

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

4 **SECTION 1.** ORS 656.230 is amended to read:

5 656.230. (1)(a) When a worker has been awarded compensation for permanent partial disability,  
6 and the worker requests payment of all or part of the award in a lump sum payment, the insurer  
7 **or self-insured employer** shall make the payment requested [*unless the*] **if:**

8 [*(a)*] **(A) The** worker has [*not*] waived the right to [*appeal the adequacy of the award*] **request**  
9 **reconsideration of the notice of closure; or**

10 [*(b)*] **(B) The** award has [*not*] become final by operation of law[;].

11 **(b) The insurer or self-insured employer is not required to make the payment requested**  
12 **if:**

13 [*(c)*] **(A)** Payment of compensation has been stayed pending a request for hearing or review un-  
14 der ORS 656.313; [*or*]

15 [*(d)*] **(B) The** worker is enrolled and actively engaged in training according to rules adopted  
16 pursuant to ORS 656.340 and 656.726[.]; **or**

17 **(C) The insurer or self-insured employer timely requests reconsideration of the notice**  
18 **of closure under ORS 656.268 (5)(e).**

19 (2) Any unpaid balance of the award **that is** not paid in a lump sum payment shall be paid  
20 pursuant to ORS 656.216.

21 (3) In all cases where **the total amount of** the award for permanent partial disability does not  
22 exceed \$6,000, the insurer or the self-insured employer shall pay [*all*] **the total amount** of the award  
23 to the worker in a lump sum **payment**.

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**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.