

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass and Be Placed on the Consent Calendar
Vote:	9 - 0 - 1
Yeas:	Barton, Cameron, Esquivel, Holvey, Kennemer, Matthews, Thatcher, Witt, Schaufler
Nays:	0
Exc.:	Edwards C.
Prepared By:	Theresa Van Winkle, Administrator
Meeting Dates:	2/2, 2/11

WHAT THE MEASURE DOES: Eliminates function of the Department of Consumer and Business Services (DCBS) to authorize vocational provider organizations. Requires vocational provider organizations to register with DCBS. Allows insurers and self-insured employers to voluntarily extend temporary disability payments to 21 months for injured workers receiving vocational rehabilitation services. Clarifies statutory language relating to rights for appealing vocational assistance disputes.

ISSUES DISCUSSED:

- Recommendation from the Workers' Compensation Management-Labor Advisory Committee (MLAC)
- How vocational provider organizations present information to the Department of Consumer and Business Services
- Typical work and academic experience of the average vocational counselor

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The Department of Consumer and Business Services' (DCBS) Workers' Compensation Division currently certifies individual vocational counselors and authorizes the provider organizations that hire them. Required information to be submitted for certification/authorization includes education, training, experience, and a plan of operation. Provider organizations can only use certified vocation counselors; thus, the statutory requirement that organizations submit separate and duplicative information already provided by counselors is of little regulatory value. House Bill 2195 removes the statutory requirement for provider organizations to be authorized by DCBS, and instead requires organizations to register with the department.

Current statute allows a worker who is participating in a vocational training program to receive up to 16 months of temporary disability payments. If a training plan includes payments beyond the 16 month time period, DCBS must approve the extension, possibly delaying extended assistance benefits to the injured worker. House Bill 2195 allows the maximum amount of payments to be extended to 21 months if the insurer or self-insured employer voluntarily wishes to make additional payments.

The measure also re-structures statutory language regarding the appeal rights for vocational assistance to ensure that it is in an appropriate location within ORS chapter 656 (workers' compensation) as well as making the language easier to read.