

# House Bill 2127

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for Department of Human 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**.

Permits Department of Human Services to serve contested case notice by regular mail. Allows contested case notice served by department to become final order if specified criteria are met.

## A BILL FOR AN ACT

1  
2 Relating to notices in contested cases.

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

4 **SECTION 1. (1) The Department of Human Services may serve a notice required by ORS**  
5 **183.415 by regular mail.**

6 **(2) When the department issues a contested case notice in accordance with ORS 183.415**  
7 **(3), the contested case notice automatically becomes a final order, as defined in ORS 183.310,**  
8 **against a party if:**

9 **(a) The party fails to request a hearing within the time allowed; or**

10 **(b) The department or the Office of Administrative Hearings issues an order dismissing**  
11 **the hearing request because:**

12 **(A) The party withdraws the request for hearing; or**

13 **(B) Neither the party nor the party's representative appears on the date and at the time**  
14 **set for hearing.**

15 **(3) A contested case notice that becomes a final order pursuant to this section is not**  
16 **subject to ORS 183.470 (2).**

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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.