

**PROPOSED AMENDMENTS TO
HOUSE BILL 2211**

1 In line 3 of the printed bill, after “656.745” insert “and 656.780”.

2 In line 12, delete “or” and insert a comma.

3 In line 13, after “ganization” insert “or service company”.

4 Delete lines 18 through 20 and insert:

5 “(3) Except as specified in ORS 656.780, the director may assess a penalty
6 against a service company only for claims processing performance deficien-
7 cies revealed in annual audits associated with claims processing perform-
8 ance. The director may assess only one penalty for each separate violation
9 by an employer, insurer or service company for deficiencies revealed in an-
10 nual audits associated with claims processing performance.”.

11 In line 23, after “violation” delete the rest of the line and delete lines 24
12 and 25.

13 After line 27, insert:

14 “**SECTION 2.** ORS 656.780 is amended to read:

15 “656.780. (1) The Director of the Department of Consumer and Business
16 Services shall:

17 “(a) Adopt by rule standards for certification of workers’ compensation
18 claims examiners that shall be administered by workers’ compensation
19 insurers, self-insured employers and [*third party administrators*] **service**
20 **companies**; and

21 “(b) Develop or approve any training curriculum used by insurers, self-
22 insured employers and [*third party administrators*] **service companies** that

1 is related to interactions with independent medical examination providers
2 required under ORS 656.325.

3 “(2)(a) Each insurer, self-insured employer and [*third party*
4 *administrator*] **service company** shall maintain records of the certification
5 and training of their workers’ compensation claims examiners. These records
6 are subject to inspection and review by the director.

7 “(b) The director may impose a civil penalty against any insurer, self-
8 insured employer or [*third party administrator*] **service company** that fails
9 to:

10 “(A) Maintain or produce certification and training records as required
11 by the rules of the director; or

12 “(B) Provide training based on a curriculum approved by the director re-
13 lated to interactions with independent medical examination providers re-
14 quired under ORS 656.325.

15 “(3) Insurers, self-insured employers and [*third party administrators*] **ser-**
16 **vice companies** may employ only certified workers’ compensation claims
17 examiners to process workers’ compensation claims. The director may impose
18 a civil penalty against any insurer, self-insured employer or [*third party ad-*
19 *ministrator*] **service company** that violates this subsection.”.

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