

**PROPOSED AMENDMENTS TO
HOUSE BILL 2764**

1 On page 6 of the printed bill, line 44, after the period insert “If the in-
2 jured worker is represented by an attorney, the insurer or self-insured em-
3 ployer shall pay the attorney a reasonable attorney fee based upon an hourly
4 rate for all efforts related to the personal or telephonic interviews or depo-
5 sitions process under this subsection. After consultation with the Board of
6 Governors of the Oregon State Bar, the Workers’ Compensation Board shall
7 adopt rules for the establishment, assessment and enforcement of the hourly
8 attorney fee rate specified in this paragraph.”.

9 Delete line 45.

10 On page 7, delete lines 1 through 5.

11 In line 6, delete “(c)” and insert “(b)”.

12 On page 8, lines 28 and 29, delete the boldfaced material and restore the
13 bracketed material.

14 In line 29, before “shall” insert “including attorney fees, penalties and
15 costs”.

16 On page 10, line 1, after “fee” insert “to compensate for the efforts of the
17 claimant’s attorney in defending those issues on which the insurer or self-
18 insured employer did not fully prevail,”.

19 In line 8, after “disallowed” insert “in all respects as requested by the
20 employer or the insurer”.

21 In lines 17 and 18, delete the boldfaced language.

22 On page 12, line 11, after “claimant’s attorney” insert a period.

1 Delete line 12.

2 Delete lines 43 through 45.

3 On page 13, delete lines 1 through 3 and insert:

4 “(5) In establishing attorney fees, the board shall consider, among other
5 factors, the contingent nature of the practice, allowing the broadest access
6 to attorneys by injured workers regardless of the amount at issue and the
7 attorney fees earned by attorneys representing insurers and employers.”.

8
