

**PROPOSED AMENDMENTS TO
HOUSE BILL 2764**

1 On page 1 of the printed bill, line 2, after the second semicolon insert
2 “and”.

3 In line 3, delete the semicolon and insert a period and delete the rest of
4 the line and delete line 4.

5 In line 24, after “practicable” insert “while providing for access to ade-
6 quate representation for injured workers when needed”.

7 Delete line 25.

8 On page 2, delete line 1.

9 In line 2, restore the bracketed material and delete the boldfaced material.

10 In line 4, restore the bracketed material and delete the boldfaced material.

11 In line 7, restore the bracketed material and delete the boldfaced material.

12 Delete lines 14 through 16.

13 On page 6, line 10, delete the boldfaced material.

14 In line 11, after “liable” insert “to the worker”.

15 In line 14, restore the bracketed material and delete the boldfaced mate-
16 rial.

17 In lines 16 through 19, restore the bracketed material.

18 On page 7, line 2, after “in” delete the rest of the line and insert “at-
19 tending a formal personal or telephonic interview if an attorney representing
20 the insurer or self-insured employer is conducting, or is present during, the
21 interview.”

22 In line 3, delete “subsection.”

1 On page 8, line 2, delete “a reasonable assessed attorney fee” and insert
2 “a fee proportionate to the benefit pursuant to rules adopted under ORS
3 656.385”.

4 In line 28, delete the boldfaced material.

5 In line 29, delete the boldfaced material, restore the bracketed material
6 and insert “, as well as attorney fees and costs under ORS 656.386,”.

7 On page 9, lines 30 through 45, restore the bracketed material and delete
8 the boldfaced material.

9 In line 38, after “that” insert “all or part of”.

10 In line 40, after “or” insert “all or part of”.

11 On page 10, delete lines 1 through 8.

12 In lines 14 through 45, restore the bracketed material and delete the
13 boldfaced material.

14 In line 27, after “department” insert “and the Workers’ Compensation
15 Board under ORS 656.704 (3)(b)”.

16 On page 12, line 8, restore the bracketed material and delete the boldfaced
17 material.

18 Delete lines 9 through 12.

19 In line 13, restore the bracketed material and delete the boldfaced mate-
20 rial.

21 In line 24, after the period insert “An attorney fee may not be approved
22 or allowed for representation of the claimant before the managed care or-
23 ganization.”

24 In lines 40 through 45, delete the boldfaced material and insert “The
25 board shall review all attorney fee schedules biennially for adjustment.”.

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

27 “(5) In establishing the schedule of attorney fees awarded under this
28 chapter, the board shall consider the contingent nature of the practice of
29 workers’ compensation law and the necessity of allowing the broadest access
30 to attorneys by injured workers and shall also give consideration to fees

1 earned by attorneys representing insurers and self-insured employers.”

2 Delete lines 22 through 26 and insert “to disputes initiated on or after
3 January 1, 2016.”.

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