

Ceases:

ORS 656.266(2)(b): For denials issued under ORS 656.262(6)(c) or 656.262(7)(b), the employer shall bear the burden of proof to establish that the otherwise compensable condition and any other objective medical findings **materially caused by the** industrial accident are no longer the major contributing cause of the need for treatment and disability of the combined condition.

Effective upon passage and applicable only to denials issued after date of passage.

Diagnostics:

(b) In addition to the other benefits allowed under this chapter, after the industrial accident or occupational disease has been determined compensable, diagnostic services are compensable when they are reasonable and necessary to identify the nature or extent of a medical condition that may be related to the industrial accident or occupational exposure.

Surgery and surgical procedures are compensable diagnostic services only if other diagnostic services are inadequate to identify nature and extent of the effects of the industrial accident or occupational exposure and **sufficient to establish appropriate a treatment plan.** For purposes of this subsection, diagnostic injections are not considered surgery or surgical procedures.

Effective upon passage and intended to be fully retroactive regardless of the date of injury.