

**HB 3022 A STAFF MEASURE SUMMARY****Carrier:** Rep. Holvey**House Committee On Rules****Action Date:** 05/01/19**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 6-0-1-0**Yeas:** 6 - Boles, Holvey, Nosse, Smith Warner, Williamson, Wilson**Exc:** 1 - Sprenger**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Josh Nasbe, Counsel**Meeting Dates:** 4/22, 5/1**WHAT THE MEASURE DOES:**

Modifies workers' compensation statutes to describe the circumstances under which diagnostic serves are compensable. Assigns, in specified circumstances, burden to employer to prove that otherwise compensable condition is no longer major cause of need for treatment and disability. Except for provisions related to burden of proof, applies measure retroactively.

**ISSUES DISCUSSED:**

- Management-Labor Advisory Committee

**EFFECT OF AMENDMENT:**

Replaces the measure.

**BACKGROUND:**

Workers' compensation insurance provides medical treatment and lost wages to employees (or their dependents) in the case of employment-related accidents or illnesses. In Oregon, workers' compensation insurance is known as "no-fault" insurance; it essentially bypasses the concept of one party or the other being at fault, which in turn eliminates lawsuits arising out of workplace injuries or illnesses.

Oregon employers are required to carry workers' compensation insurance or be self-insured. Almost all Oregon employees are covered by workers' compensation, but employees are eligible for benefits regardless of whether their employers are in compliance with the law. The law specifies the types of employees who are not required to have workers' compensation insurance coverage, including certain corporate officers, partners, and family-member business owners, as well as independent contractors. Employers can purchase insurance from the State Accident Insurance Fund (SAIF) Corporation (a publicly owned nonprofit company), from a private insurance company, or be self-insured. SAIF has about a 53 percent share of the Oregon workers' compensation insurance market; private insurance companies accounted for about 35 percent of the market. The remaining share of the market is represented by self-insured employers or employer groups.