Senate Bill 801
Sponsored by Senator GORSEK

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Directs Department of Consumer and Business Services to study issues relating to workers' compensation claims processing and report to appropriate committee or interim committee of Legislative Assembly on or before September 15, 2022. Sunsets January 2, 2023.

A BILL FOR AN ACT

Relating to processing procedures for workers' compensation claims.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) The Department of Consumer and Business Services shall conduct a study that examines claims processing procedures and results for workers' compensation claims in this state and present the department's findings in a report to an appropriate committee or interim committee of the Legislative Assembly in the manner provided under ORS 192.245 on or before September 15, 2022.

(2) In the study described in subsection (1) of this section, the department shall:

(a) Investigate whether significant disparities exist between how quickly or cooperatively self-insured employers respond to workers' compensation claims and how quickly or cooperatively workers' compensation insurers respond to workers' claims;

(b) Determine the rate and frequency at which self-insured employers approve or deny workers' compensation claims compared with the rate and frequency at which workers' compensation insurers approve or deny workers' claims; and

(c) Identify, to the extent possible, the likely causes and sources of any differences or disparities that the department uncovers in examining the data from investigations under paragraphs (a) and (b) of this subsection.

(3) If the department finds significant disparities as a result of the department's investigations under subsection (2) of this section, the department in the report described in subsection (1) of this section shall recommend changes in statutes, administrative rules, internal policies or enforcement measures that may be necessary to reduce or correct the disparities.

(4) In conducting investigations under subsection (2) of this section, the department may interview witnesses, require the production of documents and records and otherwise take actions necessary to develop information to complete the study described in subsection (1) of this section.

(5) An insurer or self-insured employer that is subject to ORS chapter 656 shall cooperate with the department in the department's investigations under subsection (2) of this section. The department may impose a civil penalty under ORS 183.745 upon an insurer or self-
insured employer that fails to give the department adequate cooperation under this sub-
section.

SECTION 2. Section 1 of this 2021 Act is repealed on January 2, 2023.