

February 7, 2022

TO: Chair Holvey, Vice-Chair Bonham, and House Committee on Business and Labor
FR: Meghan Moyer, Public Policy Director
RE: Support HB 4138

When a worker experiences a serious injury on the job, it can be unclear for weeks or months to what degree their injuries will cause permanent disability. It is often unclear if they will be able to return to the job they had or even work at all. Experiencing a permanent disability can be an end to the life you know and the start of a life you never thought you would have. This experience can be physically, emotionally and financially stressful.

A dramatic change in physical ability can require home modifications, occupational therapy, counseling, and training to build a new career. Worker's compensation insurance is the life line workers count on when they experience a permanent disability as a result of a work place injury. We must not allow insurance companies to use tricks and loop holes to lower the compensation these workers need to adjust and move on with their new lives.

Hearing the news that you will not regain the use of a part of your body is traumatic enough but to then be told that your doctor who has not been without day-to-day as you work toward maximizing your recovery has concluded in hindsight that your recovery was actually stationary months before, which enables the insurer to subtract all payments made after the stationary date from the workers' impairment compensation. This can unexpectedly deprive workers with a serious disability of the funds they were counting on to rebuild their lives. Stop this practice and protect people who experience permanent disability as a result of a work place injury.

About Disability Rights Oregon

Since 1977 Disability Rights Oregon has been the State's Protection and Advocacy System.¹ We are authorized by Congress to protect, advocate, and enforce the rights of people with disabilities under the U.S. Constitution and Federal and State laws, investigate abuse and neglect of people with disabilities, and "pursue administrative, legal, and other appropriate

¹ See ORS 192.517.

remedies".² We are also mandated to "educate policymakers" on matters related to people with disabilities.³

IF you have any questions regarding DRO's position please call Meghan Moyer at 503-432-5777 or mmoyer@droregon.org

² See 42 U.S.C. § 15041 et seq; 42 U.S.C. § 10801 et seq.

³ See 42 U.S. Code § 15043(a)(2)(L).