

SB 418 A STAFF MEASURE SUMMARY

Carrier: Sen. Bonham

Senate Committee On Labor and Business

Action Date: 03/28/23

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 5-0-0-0

Yeas: 5 - Bonham, Hansell, Jama, Patterson, Taylor

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Whitney Perez, LPRO Analyst

Meeting Dates: 2/7, 3/7, 3/28

WHAT THE MEASURE DOES:

Modifies provision allowing injured worker with accepted disabling compensable injury to receive temporary disability benefits when injured worker is required to leave work for specified reason by removing requirement that injured worker must be required to leave work for minimum of four hours. Allows insurer to require worker to confirm period that worker is absent from work. Exempts this provision from specified insurer or self-insured employer temporary disability benefit notice requirements. Operative on January 1, 2024. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Circumstances where measure would provide paid time off
- Discussions of measure before Management-Labor Advisory Committee
- Workers' compensation system as exclusive remedy

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

The Workers' Compensation Board (board) is located within the Department of Consumer and Business Services (DCBS). The board is composed of five members appointed by the Governor. In part, the board is responsible for reviewing appealed workers' compensation claims, exercising motion jurisdiction, and providing policy advice to the director of DCBS.

Workers' compensation law is intended to provide medical treatment to injured workers and reasonable income benefits to injured workers and their dependents. "Compensable injury" is defined in law and, broadly, includes an accidental injury arising out of and in the course of employment requiring medical services or resulting in disability or death. "Occupational disease" is also defined in law. "Subject workers" is defined as including all workers except for those specifically excluded. Examples of specifically excluded workers are workers employed as a domestic servant in a private home, certain city firefighter and police employees, and certain sole proprietors. "Subject employer" includes every employer with one or more subject workers in Oregon.

Senate Bill 418 A allows injured workers with an accepted disabling compensable injury to receive temporary disability benefits when the injured worker is required to leave work for specified reasons and permits an insurer to require the worker to confirm the period that the worker is absent from work.