



Oregon

Theodore R. Kulongoski, Governor

Department of Consumer and Business Services

Workers' Compensation Division

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To: Workers' compensation community

Subject: Extension of time frames for flood victims

On Dec. 3, 2007, Governor Kulongoski declared a state of emergency in areas of the state that were affected by severe weather that caused high winds and flooding. The Governor has directed all state agencies to provide reasonable waivers or extensions of timelines and deadlines, and waivers of penalties or fees associated with missed timelines or deadlines, for persons and businesses located in areas affected by the storm.

The Workers' Compensation Division (WCD) will grant reasonable waivers or extensions of time frames set by rule to persons living in and businesses located in affected areas in Clatsop, Columbia, Lincoln, Tillamook, and Yamhill counties. A listing of the affected areas by zip code is available online at <http://insurance.oregon.gov/>.

The following is a non-exhaustive list of waivers and extensions:

- ♦ **Appeals of administrative orders.** The appeal period for WCD administrative orders issued in December 2007, where the appeal period is set by rule, will be extended for 30 days or until Feb. 1, 2008, whichever is later. (For example: administrative orders in medical disputes, orders regarding reemployment assistance.)
- ♦ **License/certification renewals.** License and certification renewals due in December 2007 and January 2008 will be extended to Feb. 1, 2008. (For example: worker leasing license renewals, vocational counselor or provider certification renewals.)
- ♦ **Worker failure to attend medical examination.** If a worker missed a required examination in December 2007, the director will not suspend benefits. Insurers and workers are expected to work together to meet everyone's needs in rescheduling appointments.
- ♦ **Worker failure to cooperate.** If a worker failed to respond to an insurer's inquiry related to a claim investigation, if the inquiry was sent in December 2007, the worker will be granted an additional 30 days to respond.

The division will review any time frames not described above to determine whether an extension or waiver should be granted on a case-by-case basis. Waivers and extensions of time will only be granted to persons living in and businesses located in affected areas.

Workers' compensation insurance companies, self-insured employers, and service companies are also expected to be flexible and cooperative if workers or providers have been unable to comply with time frames because of the storm.

If you would like more information or have a question about waivers or extensions in specific circumstances, contact Ed Lanssens in the Policy & Communications Section at (503) 947-7805 or by e-mail to ed.c.lanssens@state.or.us. The Governor's Executive Orders can be accessed from the Governor's Web site: <http://governor.oregon.gov/>

John Shilts, Administrator
Workers' Compensation Division