



Oregon

Theodore R. Kulongoski, Governor

Department of Consumer and Business Services
Workers' Compensation Division
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To: Oregon workers' compensation insurers and claims processors

Subject: Insurer notice to employers and injured workers regarding the Employer-at-Injury Program

Industry Notice

The Workers' Compensation Division recently investigated an insurer for failure to notify employers and injured workers about the Employer-at-Injury Program (EAIP) as required in Oregon Administrative Rule (OAR) 436-105-0500. We want to remind all Oregon claims processors of their responsibilities under this rule.

EAIP offers Oregon businesses an opportunity to reduce claims costs, while at the same time helping qualified injured workers continue employment in their job-at-injury, or return to work early in a light duty job. The program pays for worksite modifications and special purchases that enable early return to work, and employers may also be eligible for reimbursement of up to half of the worker's gross wages for up to 66 days.

Insurers are required to notify all injured workers *and* the employer-at-injury of the assistance available from EAIP upon acceptance or reopening of a claim, and within five days of a worker's first release for work after claim opening unless the release is for regular work. The notices must contain bold-face language as described in OAR 436-105-500. Insurers are also required to administer EAIP as specified in the Division 105 rules.

The Workers' Compensation Division will include notification requirements in our future focused audits to ensure that employers and workers are properly advised of potential benefits.

For information regarding insurer notice responsibilities, contact Bob Hamre, Investigations and Sanctions Unit manager, at robert.hamre@state.or.us, or call 503-947-7654.

For information on EAIP, contact Jake Forrey, Employment Services Team Assistant manager, at jacob.p.forrey@state.or.us, or call 503-947-7575.

John Shilts, Administrator
Workers' Compensation Division