



Oregon

Kate Brown, Governor

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BULLETIN NO. 345 Sept. 3, 2020

TO: Workers' compensation insurers and self-insured employers

SUBJECT: Employer-reimbursed medical service costs

EFFECTIVE: Jan. 1, 2021

This bulletin instructs insurers and self-insured employers on how to apply employer-reimbursed medical service costs for individual claims and provides updated maximum reimbursement amounts. This bulletin replaces Bulletin No. 345 dated Aug. 20, 2019.

Oregon Administrative Rule ([OAR](#)) [436-060-0055](#) allows Oregon employers the option to reimburse medical service costs up to the maximum set by the director on *accepted, nondisabling claims*.

Before the beginning of each policy year, insurers *must* send insured or prospective insured employers a notice advising of the employer's right to reimburse medical service costs on accepted, nondisabling claims up to the maximum amount set by the director. [OAR 436-060-0055](#)(2) outlines the information that insurers must provide in the notice. Insurers that do not comply with these requirements may be subject to civil penalties. An employer may choose this reimbursement option regardless of which workers' compensation carrier insures the employer or whether the insurance policy addresses the reimbursement option. Reimbursed medical service costs cannot in any way be used to affect the employer's experience rating modification or otherwise be charged against the employer.

Self-insured employers must maintain records of all amounts paid for medical service costs on accepted, nondisabling claims under [OAR 436-050-0220](#). When reporting loss data for experience rating purposes, the self-insured employer may exclude costs for medical services paid on accepted, nondisabling claims in an amount not to exceed the lesser of the medical service costs on the claim or the maximum reimbursement amount.

For calendar year 2021, the maximum reimbursement amount increases to \$2,300. Employers will **base the reimbursement amount on the date of injury, regardless of the effective date of the policy.**

Insurers reporting to the National Council on Compensation Insurance, Inc., under the Unit Report Expansion (URE) Workers' Compensation Statistical Plan approved by the director, may use up to \$2,300 per accepted, nondisabling claim if the injury date is on or after Jan. 1, 2021. If the injury date is before Jan. 1, 2021, refer to the chart on page 2 of this bulletin for reimbursement amounts in effect at that time.

If you have questions about this bulletin, contact a Benefit Consultant at 503-947-7585, or toll-free, 800-452-0288.

/s/ Sally Coen

Sally Coen, Administrator
Workers' Compensation Division

Distribution: WCD-LY, GovDelivery electronic mailing lists

Maximum medical reimbursement amount*			
Date of injury	CPI-U medical care July annual % change	CPI-adjusted base amount, prior to rounding	Maximum medical reimbursement amount
Prior to 1/1/06	N/A	N/A	\$500
1/1/06 – 12/31/08	N/A	N/A	\$1,500
1/1/09 – 12/31/09	.03500	\$1,552.50	\$1,600
1/1/10 – 12/31/10	.03200	\$1,602.18	\$1,600
1/1/11 – 12/31/11	.03200	\$1,653.45	\$1,700
1/1/12 – 12/31/12	.03200	\$1,706.36	\$1,700
1/1/13 – 12/31/13	.04400	\$1,781.44	\$1,800
1/1/14 – 12/31/14	.02600	\$1,827.76	\$1,800
1/1/15 – 12/31/15	.02500	\$1,873.45	\$1,900
1/1/16 – 12/31/16	.02300	\$1,916.54	\$1,900
1/1/17 – 12/31/17	.04100	\$1,995.12	\$2,000
1/1/18 – 12/31/18	.02300	\$2,041.01	\$2,000
1/1/19 – 12/31/19	.02300	\$2,087.95	\$2,100
1/1/20 – 12/31/20	.03300	\$2,156.85	\$2,200
1/1/21 – 12/31/21	.05900	\$2,284.10	\$2,300

*See ORS 656.262(5) for a more complete description.