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# WCDToday

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## WCDToday

*WCD Today* is published twice a year by the Workers' Compensation Division of the Department of Consumer and Business Services.

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If you have questions about the information in *WCD Today*, please call 503-947-7523.

For general information, technical answers, or information about Workers' Compensation Division services, please call 503-947-7585 or toll-free within Oregon, 800-452-0288.







## Administrator's notebook: Adapting to change

*By WCD Acting Administrator Sally Coen*

**Welcome back to *WCD Today*.** Since our previous issue, the Workers' Compensation Division (WCD) has adapted to many changes we have faced because of the COVID-19 pandemic. During these challenging days, we have emphasized keeping our employees safe so we can continue meeting our mission of helping to support a successful workers' compensation system in Oregon.

After Gov. Kate Brown's Executive Order 20-12 directed all state buildings to close to the public, WCD worked with our employees to facilitate telework to the maximum extent possible. This did not mean we closed for business; it just meant that we started doing some things differently.

We still maintained a small, but dedicated, crew at the Labor and Industries Building in Salem whose work required them to be on site so we could continue the important services we provide to Oregonians. However, we have implemented telework for most employees; instituted staggered work schedules; canceled in-person events; restricted on-site audits,



investigations, and consultations; and avoided travel. More recently, with Oregon's phased reopening activities, we also joined a cross-agency committee developing an effective plan for reopening the Department of Consumer and Business Services, while adhering to the direction and guidance from the Department of Administrative Services to keep our employees safe.

COVID-19 not only changed our processes, it also affected many of you, our stakeholders. We received many questions about claims processing and regulatory issues related to COVID-19.

Although we do not have the authority to waive or modify statutory requirements, we continue to review procedural rules to determine where we can be flexible with administrative requirements.

We understand some stakeholders closed their physical work locations and their employees could not access mail or fax to send required information to the division. In these circumstances, we worked with stakeholders to set up a process to transmit information by secure email to WCD. We also created a [COVID-19 webpage](#) to help answer the most common questions we received. Please see [Page 5](#) for more information.

During this uncertain time, we also had several changes in leadership at WCD and DCBS. After former DCBS Director Cameron Smith resigned in November 2019, Gov. Brown appointed WCD Administrator Lou Savage as the acting DCBS director.

In April 2020, Division of Financial Regulation (DFR) Administrator and Insurance Commissioner Andrew Stolfi was named DCBS director.

Lou Savage then moved to DFR as its acting administrator pending an ongoing search for a permanent replacement for that position.

Additional changes in WCD's leadership came when former Building Codes Division (BCD) Administrator Mark Long resigned, and WCD Operations Manager Lori Graham was appointed as the acting administrator for BCD.

Regardless of how difficult and challenging things continue to be – both in the world and with work – some important and positive elements came out of these changes. WCD is now more nimble and adaptable than we used to be, which will help us weather whatever future challenges come our way.

Thank you for being patient and flexible with us as we all work together to keep Oregon's workers' compensation system running smoothly. Stay safe and remember that we are here to help. Please contact me at [sally.c.coen@oregon.gov](mailto:sally.c.coen@oregon.gov) if you have input, feedback, or suggestions to help improve WCD's effectiveness and strengthen Oregon's successful workers' compensation system. ■





# WCD's new COVID-19 webpage

By Senior Policy Advisor Cara Filsinger

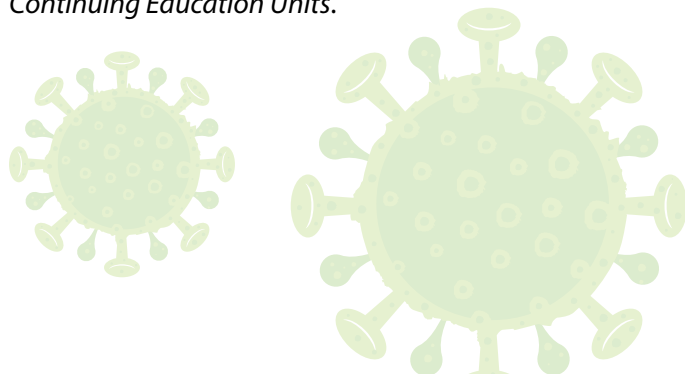


Cara Filsinger

**In an attempt to answer frequently asked questions relating to Gov. Kate Brown's Executive Order 20-12 "Stay Home, Save Lives," the Workers' Compensation Division (WCD) created a COVID-19 webpage to help provide guidance to the industry.**

The division issued several industry notices to provide advice on specific topics and will consider adjusting procedural rules (when possible) to provide flexibility to our stakeholders.

The division also created the COVID-19 webpage to help answer common questions and consolidate division information about COVID-19 issues in one place. You will find frequently asked questions (FAQs) separated into sections that include *General*, *Medical*, *Temporary Disability*, *Medical Arbitrator Examinations*, and *Continuing Education Units*.



Along with the FAQs, WCD posted the following information on the COVID-19 webpage:

- [WCD COVID-19 processes update industry notice](#)
- [WCD COVID-19 claims processing industry notice](#)
- Temporary changes to [OAR 436-009](#), the "Oregon Medical Fee and Payment Rules"
- [WCD COVID-19 Payments to employees of businesses closed due to pandemics industry notice](#)
- [Bulletin No. DFR 2020-9: Rerating businesses that have changed operations in response to the COVID-19 pandemic and suspension of field audits](#)
- [Bulletin No. DFR 2020-10: Payments to employees of businesses closed due to pandemics to be excluded from workers' compensation premium basis](#)

The health of our staff members is important. This is why WCD encouraged employees to work remotely, staggered work schedules, canceled in-person events, avoided nonessential travel, replaced in-person meetings with virtual meetings, and implemented specific workplace guidelines for employees.

The division is also following Gov. Brown's direction to Oregon agencies about reopening, which may be different from other counties' phased directions.

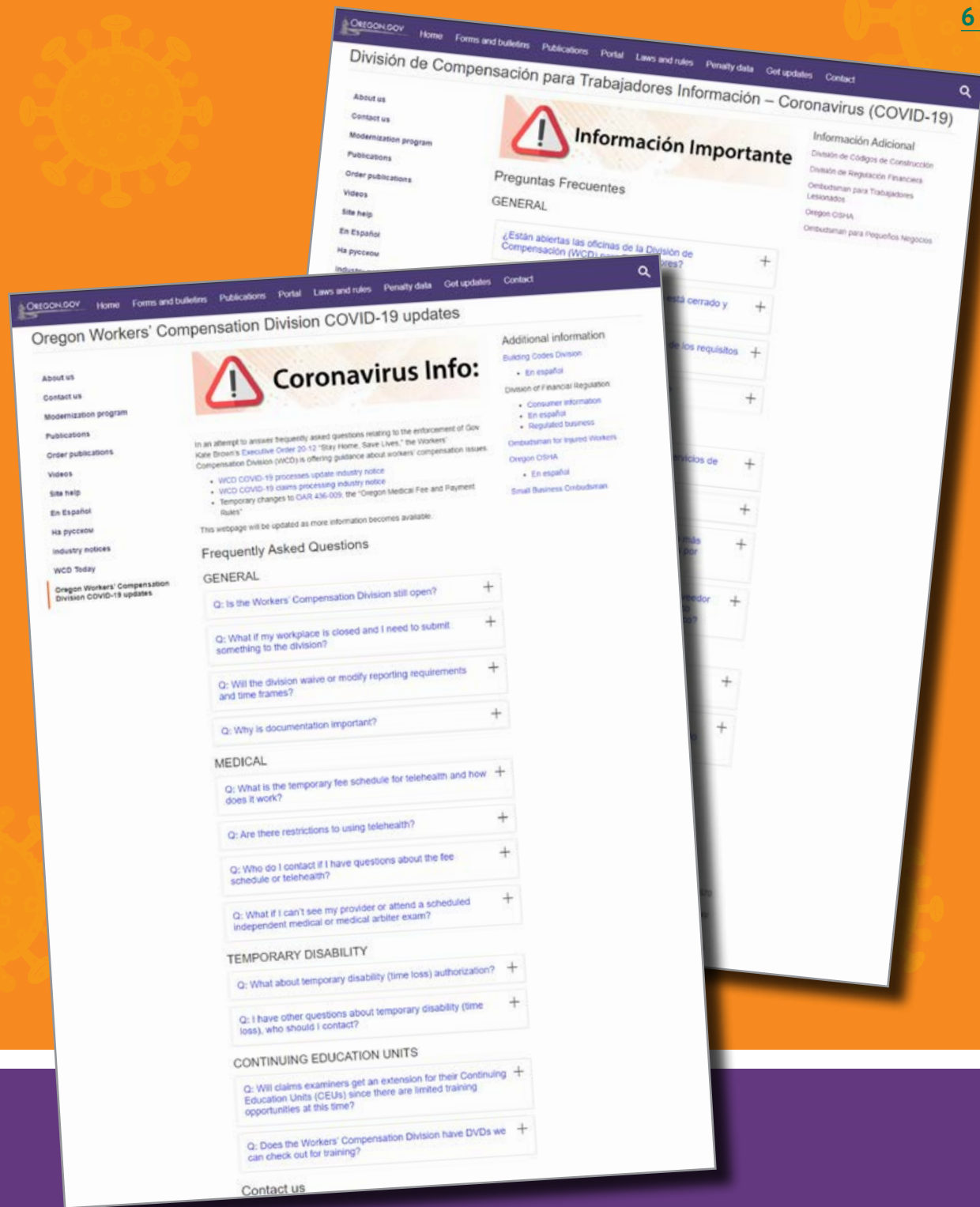
Even though our offices remain closed to the public for now, WCD continues to provide current services with minimal disruption, and our staff members are still available to answer your questions.

Please call or send specific questions about access concerns, inquire about dispute processes, or other issues to:

- Employer Compliance Unit (employer coverage, insurer coverage reporting):  
[wcd.employerinfo@oregon.gov](mailto:wcd.employerinfo@oregon.gov) or 888-877-5670 (toll-free)
- Audit Unit (claims processing, audit questions):  
[wcd.askanauditor@oregon.gov](mailto:wcd.askanauditor@oregon.gov)
- Appellate Review Unit (reconsideration, medical arbiter): 503-947-7816
- Other questions:  
[workcomp.questions@oregon.gov](mailto:workcomp.questions@oregon.gov) or 800-452-0288 (toll-free)

The COVID-19 situation continues to affect all of us and our immediate work. However, WCD is committed to partnering with our stakeholders to navigate these times. Thank you for your patience and understanding. ■

**COVID-19**  
information also  
available in **Spanish.**





# Meet the BCU Team

*By Communications Coordinator Ana Contreras*



*Ana Contreras*

**If you have general questions about workers' compensation issues, we can help.** The Workers'

Compensation Division's

Benefit Consultation Unit (BCU) is used to answering questions from injured workers, insurers, employers, medical providers, and attorneys. The unit also provides information and education to stakeholders about their rights, responsibilities, and benefits, as well as helping to resolve independent medical examination location disputes.

Three benefit consultants – **Torah Skelton**, **Brooke Simon**, and **Tarren Melton** – work in BCU. The trio diligently work to resolve misunderstandings and differences that might otherwise result in sanctions or litigation. They research and analyze information to help clarify issues and resolve problems for the public. They also explain to various stakeholders the laws, rules, or policies relating to particular programs.

# Workers'

## A. General Questions

Proposed Insured's Name:

(Please use capital letters)

Birth Date: 01 January

Address:

Phone Number:

ID Number:

Status: Single Married

Occupation:



## Torah Skelton

Torah Skelton previously worked in the Resolution Section as an administrative support specialist. She was also a substitute English teacher at the Career Technical Education Center in Salem. Besides working as a math tutor at Yoshikai Elementary in Salem, Skelton has held a variety of other jobs. This includes working at Willamette University's College of Law Library and working as a Latin tutor.

"I really enjoy getting to draw upon my background in teaching to help injured workers understand their rights under Oregon law," said Skelton.

"The workers' compensation system can be complex and confusing for someone who has never experienced it. I like being able to use my background to help explain complex concepts in easy-to-understand ways for stakeholders. I also enjoy getting to research more unusual questions, so that I can learn more about rules and statutes and provide better service for stakeholders."

Skelton has tight-knit family unit. Her father works for the Department of Human Services, and her sister works for the Oregon Department of Transportation. Skelton's mother is a medical transcriptionist, and her brother just graduated from Willamette University.

"That's the third graduate from Willamette University in my family, including me," said Skelton. "Go Bearcats!"

Skelton enjoys reading, writing (bad) poetry, watching murder mystery TV shows, and doing yoga with her boyfriend.



RULES



STANDARDS



# COMPENSATION

Date:

No:

## Identification Information

placement Driver license? Yes No

Leamer permit? Yes No

Non-driver ID Card? Yes No

There are lots of places to explore. Places could be urban or suburban. Some people loves to be with nature to free their minds and refresh their souls, but some like to be in the city. You will get lots of benefits such as exploring new culture, meet new people while learning to be adaptive, gain new experiences through things, improve

## ID card number

number it appears on the license, learner permit, or non-driver ID card

Out-of-State License ID No:



## Brooke Simon

Benefit Consultant Brooke Simon previously worked as an administrative support specialist in the Employment Services Team's return-to-work programs. Before that, she worked as a clerical specialist with Greater Albany Public Schools for five years.

"The thing I like best about my job is the satisfaction I feel by being a resource for our stakeholders by helping them navigate the workers' compensation system," said Simon.

"I enjoy making a difference by educating others and providing fair dispute resolution. This position allows me to expand my knowledge every day by researching Oregon's laws to better serve our community."

"Additionally, because this position involves a lot of research, it allows me to meet other people in different units across the division, as well as learn more about those units."

When Simon isn't working, she enjoys frequent family camping trips to the beach. You will also usually find her bouncy boxer dog, Ruger, by her side.



## REQUIREMENTS

# Compensation Claim Form



## Tarren Melton

Tarren Melton previously worked as an administrative support specialist in the Employment Services Team for three-and-a-half years and was on a job rotation in BCU.

“My favorite part of being a benefit consultant is that I learn something new almost every day. In some ways, BCU overlaps with each unit and team in WCD,” said Melton.

“We answer questions from so many different stakeholders. Some questions are tricky, and those are my favorite ones. I love doing research and digging for details. I’m always happy chasing down information and learning as much as I can in the process.”

Another thing Melton loves about her job is that two of her sisters also work at WCD. Melton lives with her fiancé and two dogs. She even has a ferret that runs the house.

“Apart from chasing after my pets in my spare time, I love to make things by hand,” said Melton.

“I’ll spend hours at my sewing machine making projects for my family and friends. I love to crochet, embroider, read, and garden.”

If you need help or have questions about the workers’ compensation system, call BCU at 800-452-0288 (toll-free) or 503-947-7840. You can also send an email to [workcomp.questions@oregon.gov](mailto:workcomp.questions@oregon.gov). ■



POLICIES



REGULATIONS



# Tapping into a new career

By Public Information Officer Aaron Corvin



Aaron Corvin

## Josh Allison's career was set.

As a fish biologist for the Oregon Department of Fish and Wildlife, he enjoyed being outdoors and appreciated the camaraderie of tackling projects with colleagues.

"I loved my job," he said. "I would have gladly retired from that."

But, an on-the-job accident capsized his life requiring the amputation of his right leg below the knee. It closed off his previous career and forced him to figure out another path.

With family and friends in his corner rooting for him, a desire to carve out a new career, and help from Oregon's Preferred Worker Program, Allison unlocked a new job opportunity.

Overseen by the Workers' Compensation Division (WCD), the Preferred Worker Program encourages re-employment of qualified Oregon workers who have permanent disabilities from on-the-job injuries and, because of those injuries, are unable to return to their regular work.

The program focuses on small- to medium-size

businesses. Funded by worker and employer contributions to the Workers' Benefit Fund, the program equips injured workers with the resources to return to safe, productive work.

"I love the process," he said of concocting just the right brew. "Coming up with an idea, a recipe, brewing, the fermentation – and then getting to enjoy that final product."

The Preferred Worker Program further cleared the path for Allison to join Reach Break Brewing. His new job as sales distribution manager removed some, but not all, of the job duties that are outside restrictions from his doctor that include squatting, kneeling, and crawling. He was also limited to lifting a maximum of 50 pounds, 25 pounds if the lifting was frequent.

Allison must travel to bars, brewpubs, and like-minded businesses to market the company's products. That includes lifting and arranging kegs and product samples, and retrieving empty kegs.

The brewery did not have a vehicle for this type of work, which posed challenges to Allison's work restrictions. The Preferred Worker Program remedied the situation, providing a work van and making certain modifications.



Josh Allison



These changes included the program's purchase of a keg hand truck that allows Allison to bring full kegs to and from the work van without lifting outside his restrictions.

Occasionally, Allison must also do other tasks beyond sales, including maneuvering and stacking pallets of kegs inside a small warehouse. The company rented a forklift for this task, but it was not a long-term solution because of the cost.

Under the Preferred Worker Program, a long-term solution emerged: a pallet stacker. It replaced the forklift and saved valuable warehouse space. It allows pallets to be moved with little use of force and runs an electrical motor to stack pallets.

"It is about finding ways to break down barriers for an injured worker," said Brian Nease, worksite modification consultant for the Preferred Worker Program. "Without this new equipment, Josh would have been forced to manually stack the pallet and its contents, which is outside his restrictions."

Other program-led modifications are under way. There is an educational component, too. Allison will attend Portland State University's craft brew business program. The focus is multi-faceted: Sustain Allison's return to the labor market, achieve efficiencies, save money, and – with Allison working on sales and marketing – help Reach Break Brewing grow its business.

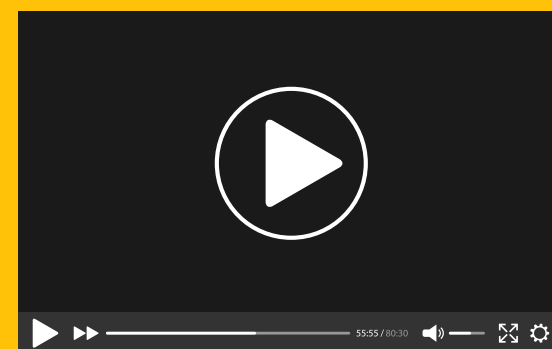
For Allison, it is all part of continuing to move forward with his life. The Preferred Worker Program, he said, "opened up opportunities and helped facilitate a positive transition."





The Preferred Worker Program helps qualified Oregon preferred workers get back in the workforce. If you want to know more about the program and how employers can benefit by hiring preferred workers, contact the Workers' Compensation Employment Services Team at 503-947-7588 or 800-445-3948 (toll-free). You can also email [pwp.oregon@oregon.gov](mailto:pwp.oregon@oregon.gov) or visit [www.oregonpwp.org](http://www.oregonpwp.org). ■

Check out Josh's story in this Preferred Worker Program [video](#).



# Modernization Program update

By Communications Coordinator Ana Contreras



Ana Contreras

**Change is inevitable, and since our last article about modernization, Modernization Program Manager Cecily Warren accepted a new position outside of the Workers' Compensation Division (WCD).**

Performance and Project Portfolio Coordinator Olivia Xiong-Vang is temporarily filling the role of program manager. Olivia has strong project management skills, is experienced with change management, and is a great addition to the program.

The shift from Warren to Xiong-Vang has not slowed down the Modernization Program's progress. The program has established five internal workgroups that are made up of subject matter experts and a project coordinator. Each workgroup has a different focus that will guide the work needed to accomplish the goals of the program.

Some of the most recent accomplishments include the following:

- Documented all of WCD's business processes to better understand how all of our systems work together and how they are used.
- Created a Modernization webpage to provide you with the latest Modernization Program updates, including a "News" page.
- Completed an external survey to better engage with you, our external partners.
- Identified, documented, and organized all of WCD's reports to better understand the use and purpose of each report.
- Reviewed all WCD forms to identify what information is being asked and identify ways we can improve this process.

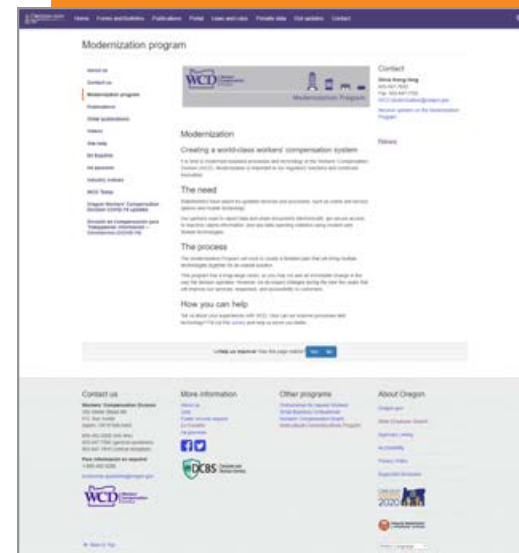
WCD has partnered with Deloitte, an independent company that specializes in modernization processes, to help develop a roadmap for WCD to achieve our goals. With the help of the program manager, Deloitte conducted multiple meetings with staff members, partnering organizations, and external partners to get a better understanding of where we are now. We will be using this information to help build a path to where we are headed. In June, Deloitte recommended some business process improvement opportunities for us to consider and will be delivering a final Modernization roadmap to WCD in mid-July.

Thank you to everyone who participated in the survey and town halls, provided feedback, and shared their thoughts on our future state. Although we still have a lot of work to do, we know we will have a thoughtful and detailed roadmap to help get us there.

The journey ahead will be long with many challenges, particularly in these uncertain times, but we know that with your help, it will be a success. We appreciate you and your continued involvement in modernizing WCD.

Please continue to ask questions and have conversations with us on how we can improve our current systems and processes to help us provide you with the best possible service.

For more information, visit the [Modernization webpage](#). In addition, if you have questions or want to provide input about modernization, email [WCD.Modernization@oregon.gov](mailto:WCD.Modernization@oregon.gov). ■



# Guidance to self-insured employers: Calculating premium assessments

By Coverage and Assessments Policy Analyst Aaron Fellman



Aaron Fellman

**On March 8, 2020, Gov. Kate Brown declared a state of emergency in Oregon to address the spread of COVID-19.** State and federal officials implemented numerous public health measures to slow the spread of COVID-19 and to protect the health and lives of Oregonians.

These measures include the full or partial closure of certain businesses and prohibiting certain types of employees from accessing their places of work.

Some employers have chosen to continue to pay employees who are furloughed or placed on administrative leave as a result of pandemic-related public health measures.

Per the Division of Financial Regulation in [Bulletin No. 2020-10](#), these payments shall be classified as vacation pay.

Under OAR 836-042-0055, vacation pay is not included in the payroll carrier-insured employers report to insurers for premium calculation purposes.

The Workers' Compensation Division (WCD) issued an [industry notice](#) to provide guidance to self-insured employers who are paying employees who are furloughed due to pandemic-related public health measures.

ORS 656.612(2) provides that assessments collected from self-insured employers will be based on the premium they would have paid had they been insured employers.

Accordingly, when completing [Form 900](#) or [Form 937](#) to report payroll for premium assessment purposes, self-insured employers should **exclude** payments to employees who have been furloughed or placed on administrative leave due to pandemic-related public health measures.

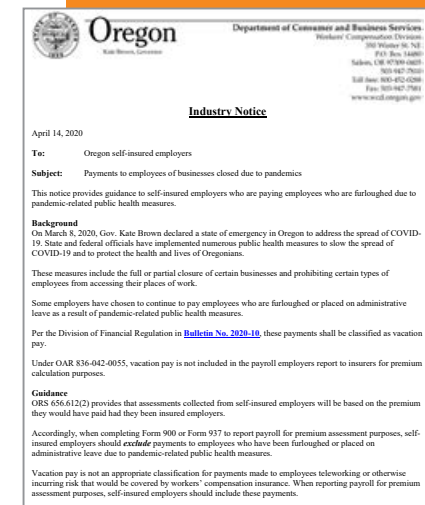
Vacation pay is not an appropriate classification for payments made to employees teleworking or otherwise incurring risk that would be covered by workers' compensation insurance. When reporting payroll for premium assessment purposes, self-insured employers should include these payments.

However, it may be appropriate to report payroll under a different classification code if an employee's scope of work has changed due to reassignment. Self-insured employers should document the time periods in which employees are reassigned and the changes in their scope of work.

Vacation pay is also not an appropriate classification for sick leave payments. When reporting payroll for premium assessment purposes, self-insured employers should include these payments.

For more information on reporting payroll for premium assessment purposes, please see [Bulletin 381](#).

If you have questions, please contact Self-Insurance, Registration, and Reimbursements Manager Jason Cupp at 503-947-7751 or email [jason.t.cupp@oregon.gov](mailto:jason.t.cupp@oregon.gov). ■





# New permanent managers in the Performance Section

*By Communications Coordinator Ana Contreras*



## Barbara Belcher

After a year-long job rotation as the manager of the Employer Compliance Unit (ECU), Barbara Belcher recently returned to her previous role as manager of the Audit Unit in the Performance Section of the Workers' Compensation Division (WCD).

The Audit Unit ensures insurers and self-insured employers' comply with claims processing requirement and validates expenditures from the Workers' Benefit Fund.

Before joining WCD in 2010, Belcher worked for Oregon OSHA for seven years. She also spent eight years in the finance industry before joining state government in 2003.

Outside of work, Belcher enjoys spending time with her granddaughter, loves snowmobiling, and is an active hiker and backpacker.

### **Audit manager**

503-947-7665

[barbara.belcher@oregon.gov](mailto:barbara.belcher@oregon.gov)





## Barbra Hall

Barbra Hall has been named the permanent manager of the Employer Compliance Unit (ECU).

The unit brings employers into compliance with coverage laws, expedites benefits to injured workers whose employers have no coverage, and facilitates a level playing field among all Oregon employers in meeting coverage requirements.

Hall was previously the Self-insurance, Registration, and Reimbursements (SIRR) manager in the Performance Section of WCD. She has been with the division for 20 years.

Hall started as an office specialist in the Investigations and Managed Care Organization Program in 1999. Later, she was promoted to SIRR as a reimbursement specialist. After several years, she transitioned into the lead specialist role before becoming the SIRR manager.

She also spent a year-long rotation as the Audit Unit manager. This means Hall has managed all of the units (SIRR, Audit, and ECU) in the Performance Section, not an easy feat.

Outside of work, Hall spends most of her free time with her dogs and ignoring the fact that her son is old enough to drink. She is always looking for tips for surviving middle school and teen girls, as her tween daughter is a master at eye rolling and slamming doors.

### **Employer Compliance manager**

503-947-7687

[barbra.hall@oregon.gov](mailto:barbra.hall@oregon.gov)





## Jason Cupp

Jason Cupp has been named the permanent Self-Insurance, Registration, and Reimbursements (SIRR) manager.

Cupp spent a year in a rotation as the interim SIRR manager, and his excellent leadership and program management skills are an asset to the Performance Section.

SIRR certifies employers to become self-insured, ensures self-insured employers' claims are valued appropriately, and assesses potential claims liability exposure for the Self-Insured Employer Adjustment Reserve and the Self-Insured Employer Group Adjustment Reserve.

The unit also helps determine the amount of security deposits required for self-insured employers in the event of a default. The unit coordinates and monitors Oregon insurers, self-insured employers, and service companies so they are accurately and timely registered into the agency's data system. Besides verifying coverage, the unit reviews service agreements for compliance and processes reimbursement requests through WCD's various Workers' Benefit Fund programs.

In the private sector, Cupp worked in various positions with Columbia/West Coast Bank as a bank teller and card claims agent. Additionally, Cupp studied accounting at Chemeketa Community College.

Before becoming the SIRR manager, Cupp worked as a self-insurance auditor in the section. He also worked in WCD's Sanctions and Medical Resolution Unit as a sanctions technician.

"I enjoy that the job constantly surprises me with new issues that haven't happened before and that it gives me the opportunity to think of innovative solutions to resolve them," said Cupp.

When Cupp is not working, he enjoys spending time with his family, four cats, and nine guinea pigs.

**Self-Insurance Registration and Reimbursement manager**

503-947-7682

[jason.t.cupp@oregon.gov](mailto:jason.t.cupp@oregon.gov) ■





# Meet WCD Conference and Training Coordinator **Jennifer Hlad**

*By Communications Coordinator  
Ana Contreras*



*Jennifer Hlad*

If you have suggestions or comments, call Conference and Training Coordinator Jennifer Hlad at 503-947-7515 or email [jennifer.l.hlad@oregon.gov](mailto:jennifer.l.hlad@oregon.gov).



Jennifer Hlad is the new conference and training coordinator in the Operations Section of the Workers' Compensation Division (WCD).

Hlad works to coordinate the yearly Workers' Compensation Educational Conference, as well as various trainings, workshops, and presentations. Additionally, she has been active with WCD's Modernization Program and providing change management assistance. Hlad is currently working with three of the modernization workgroups and loves the challenge of creating a cohesive future state.

Besides coordinating, managing, and producing WCD events, Hlad is frequently one of the public faces of WCD. She represents and promotes WCD and seeks out partnerships with associations and organizations to collaborate on information sharing, business processes, training, and other efforts.

Hlad says her favorite part of the job is empowering Oregonians through education, so they can better understand and navigate the workers' compensation system.

Hlad previously worked in WCD as an appellate review specialist. Before joining the division, she worked for Oregon OSHA and the Oregon State Police, where she used her experience in change management, project coordination, event planning, and adult education.

Regardless of the new virtual working environment, Hlad continues to work diligently toward project management; change management; outreach and education coordination; and policy review and development.

"I have committed my professional life to providing excellent public service and creating a safe and healthy environment for Oregonians at work and at home," said Hlad.

When Hlad is not hard at work, she enjoys hiking, yoga, travel, and spending time with her family. While Hlad was disappointed that her trip to Israel was canceled this year, due to the COVID-19 pandemic, she is already planning her next adventure. ■