



Oregon

Kate Brown, Governor

Department of Consumer and Business Services

Workers' Compensation Division

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INDUSTRY NOTICE

March 26, 2019

To: Workers' compensation attorneys and other interested parties

Subject: Exhibits for director hearings

The Workers' Compensation Division wants to make sure parties are aware of rule changes that will affect the preparation and submission of exhibits for hearings within the director's jurisdiction under Oregon Revised Statute (ORS) 656.704(2)(a) and Oregon Administrative Rule (OAR) 436-001. These hearings generally relate to disputes regarding medical services; medical treatment; medical fees; managed care organizations; vocational assistance benefits; or penalties and fees under ORS 656.262(11).

Beginning April 1, 2019, the division will no longer prepare an exhibit index when a party requests a hearing on the director's administrative order. When a hearing is requested, the division will provide the parties with all of the documents in the director's record. The insurer or self-insured employer will be responsible to number and index exhibits for hearing, and the other parties will be responsible to prepare any additional exhibits. The new requirements and time frames are in OAR 436-001-0240.

Also, beginning April 1, 2019, the insurer or self-insured employer will no longer be required to index and number the record packet it submits to the Medical Resolution Team for certain types of disputes. Those requirements are in OAR 436-009-0008(3)(c)(A) and 436-010-0008(3)(c)(A).

All of the rule changes are available on the division's [website](#).

If you have questions regarding hearings, please call WCD Hearings at 503-947-7822.

If you have questions regarding review by the Medical Resolution Team, please call 503-947-7606.

Louis Savage, Administrator
Workers' Compensation Division

Distribution: GovDelivery (attorneys, insurers, self-insured employers, and other interested parties)