



# Oregon

Kate Brown, Governor

## Department of Consumer and Business Services

Workers' Compensation Division

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To: Workers' compensation attorneys and claims processors

Subject: Attorney fees issued by the director

### **INDUSTRY NOTICE**

The Workers' Compensation Division wants to ensure you are aware of upcoming changes in the division's processes regarding attorney fees.

The rules related to attorney fees awarded by the director are in OAR chapter 436, division 001, rules 0400 through 0440. The rules have been amended, and the new rules to go into effect April 1, 2018.

Under amended OAR 436-001-0400(2), if time devoted is a factor in determining the amount of the fee, the attorney *should* submit a statement of the numbers of hours spent on the case. The division's reviewer may request the attorney to submit additional information to support or clarify the statement of hours. If the attorney does not submit a statement of hours or other information as requested *before* an order is issued, the reviewer will presume the attorney spent one to two hours on the case. The reviewer will not solicit a statement of hours, and the Medical Resolution Team (MRT) will no longer provide a courtesy contact 72-hours before issuing an order.

We encourage practitioners to become familiar with the division's attorney fee rules. You can access the new rules at <http://wcd.oregon.gov/laws/Pages/index.aspx>.

If you have questions about this notice, contact the legal issues coordinator at 503-947-7723.

Louis Savage, Administrator  
Workers' Compensation Division

Distribution: Attorneys, insurers, self-insured employers, and service companies