



Oregon

Kate Brown, Governor

Department of Consumer and Business Services

Workers' Compensation Division

350 Winter St. NE

P.O. Box 14480

Salem, OR 97309-0405

503-947-7810

Toll free: 800-452-0288

Fax: 503-947-7581

www.wcd.oregon.gov

Industry Notice

Aug. 26, 2020

To: Oregon workers' compensation insurers

Subject: Requests to file proof of coverage and issuance of quarterly proof of coverage penalties

This notice informs insurers that the Workers' Compensation Division (division) will resume mailing proof of coverage orders and issuing quarterly proof of coverage penalties.

Background

In April 2020, the division suspended issuing automated proof of coverage orders (including associated civil penalties) and quarterly proof of coverage penalties due to the impact of COVID-19.

Historically, when there is an indication an employer has coverage, but proof of coverage has not been filed with the division, we will send an order requesting the insurer file proof of coverage. When an insurer does not comply with the request outlined in the order, the division may assess a \$250 civil penalty. For insurers that continue to be noncompliant with the request outlined in the order, the division may assess a \$500 civil penalty. Similarly, quarterly proof of coverage civil penalties have historically been issued to insurers when they fail to timely submit proof of coverage or cancellation filings (after exceeding a 10 percent untimely allowance). These civil penalties are calculated at \$100 for each late filing after the 10 percent untimely allowance is taken into account (rounded to the nearest \$100).

Guidance

To help ensure that insurers appropriately file coverage on behalf of employers and because organizations have become more accustomed to operating in the current business environment, we are resuming the above regulatory processes. Effective **Sept. 14, 2020**, the division will resume mailing proof of coverage orders. The division will also resume issuing quarterly proof of coverage civil penalties for untimely coverage and cancellation filings that exceed the 10 percent untimely allowance **during the fourth quarter of 2020**.

The division will not penalize late filings from January through September 2020 that exceeded the 10 percent untimely allowance.

If you have questions about this notice, please contact Employer Compliance Unit Manager [Barbra Hall](#) at 503-947-7665 or email Barbra.Hall@oregon.gov.

Sally Coen, Administrator
Workers' Compensation Division