

DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
WORKERS' COMPENSATION DIVISION



**Electronic Data Interchange;
Proof of Coverage
Oregon Administrative Rules
Chapter 436, Division 162**

Effective Jan. 1, 2011

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All of the rules in this division have been moved in from, or duplicate rules, in OAR 436-160. Rules specific to medical data reporting will remain in OAR 436-160.

NOTE: Revisions are marked as follows:

Text copied in from OAR 436-160 without changes is **bold**.

Text copied in from OAR 436-160 with changes is **bold and underlined**.

Text copied in from OAR 436-160 to show deletions has a “~~strike through~~” style.

(Medical EDI rules, beginning with OAR 436-160-0400, have not been moved here.)

HISTORY LINES: These rules include only the most recent “History” lines. The history line shows when the rule was last revised and its effective date. To obtain a comprehensive history for OAR chapter 436, please call the Workers’ Compensation Division, (503) 947-7717, or visit the division’s Web site:

<http://wcd.oregon.gov/policy/rules/history.html>

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**OREGON ADMINISTRATIVE RULES
CHAPTER 436, DIVISION 162**

General Provisions

436-162-0001 Authority for Rules

These rules are promulgated under the director's authority contained in ORS 656.726(4).

Stat. Authority: ORS 656.264 and ORS 656.726(4)

Stat. Implemented: ORS ~~ch. 84~~, 656.017, ~~ORS-656.407~~, ~~ORS-656.419~~, ~~ORS-656.423~~, and ~~ORS-656.427~~

Hist: Adopted 10/1/10 as Admin. Order 10-058, eff. 1/1/11

436-162-0002 Purpose

The director's purpose is to require workers' compensation proof of coverage and ~~medical data reporting via electronic data interchange.~~

Stat. Authority: ORS 656.264 and ~~ORS-656.726(4)~~; Stat. Implemented: ORS 656.017, ~~ORS 656.407~~, ~~ORS 656.419~~, ~~ORS 656.423~~, and ~~ORS 656.427~~

Hist: Adopted 10/1/10 as Admin. Order 10-058, eff. 1/1/11

436-162-0003 Applicability of Rules

(1) These rules apply to workers' compensation related transactions filed with the director via electronic data interchange on or after the effective date of these rules.

(2) The director may, ~~unless otherwise obligated by statute~~, waive any procedural rules ~~in this rule division as justice so requires~~, unless otherwise obligated by statute.

Stat. Authority: ORS 656.726(4); Stat. Implemented: ORS 656.726(4)

Hist: Adopted 10/1/10 as Admin. Order 10-058, eff. 1/1/11

436-162-0004 Adoption of Standards

(1) ~~For proof of coverage, t~~The director adopts, by reference, *IAIABC EDI Implementation Guide for Proof of Coverage, Release 2.1, dated June 1, 2007* July 1, 2010, including the definition of standards and procedures, unless otherwise provided in these rules. (2) ~~For medical bill data, the director adopts, by reference, *IAIABC EDI Implementation Guide for Medical Bill Payment Records, Release 1.1, dated July 1, 2009*, unless otherwise provided in these rules. (3) Copies of the guide standards described in sections (1) are available from the IAIABC website Web site: <http://www.iaiabc.org/i4a/pages/index.cfm?pageid=3339>.~~

Stat. Authority: ORS 656.264; Stat. Implemented: ORS 656.017, ~~ORS 656.407~~, ~~ORS 656.419~~, ~~ORS 656.423~~, and ~~ORS 656.427~~

Hist: Adopted 10/1/10 as Admin. Order 10-058, eff. 1/1/11

436-162-0005 General Definitions

For the purpose of these rules, unless it conflicts with statute or rule:

(1) "ANSI" means the American National Standards Institute.

(2) "Conditional data element" means an element that becomes mandatory under certain conditions. Once mandatory, a conditional data element will cause a rejection of the

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transaction if the data element is omitted or submitted in a format not capable of being processed by the division's information processing system.

(3) "Director" means the Director of the Department of Consumer and Business Services or the director's designee for the matter.

(4) "Division" means the Workers' Compensation Division of the Department of Consumer and Business Services.

(5) "Electronic Data Interchange" or "EDI" means a computer to computer exchange of information in a standardized electronic format.

(6) "Electronic Record" means information created, generated, sent, communicated, received, or stored by electronic means.

(7) "Establishing document" means an EDI transaction that reports coverage for one or more entities. Establishing document types may include binders, new policies, rewrite/reissue transactions, renewals, reinstatements, add jurisdiction endorsements, or add employer/location endorsements.

(8) "FEIN" means the federal employer identification number or other federal reporting number used by the insurer, insured, or employer for federal tax reporting purposes.

(9) "Header record" means the record that precedes each transmission for the purpose of identifying a sender, the date and time of the transmission, and the transaction set within the transmission.

(10) "IAIABC" means the International Association of Industrial Accident Boards and Commissions, a professional trade association comprised of state workers' compensation regulators and insurance representatives (www.iaiaabc.org).

(11) "Information" means data, text, images, sounds, codes, computer programs, software, databases, or the like.

(12) "Industry code" means the code which indicates the nature of the employer's business, which is contained in the Standard Industrial Classification (SIC) manual published by the Federal Office of Management and Budget, or in the North American Industrial Classification System (NAICS) published by the U.S. Census Bureau.

(13) "Insurer" means the State Accident Insurance Fund Corporation; an insurer authorized under ORS chapter 731 to transact workers' compensation insurance in Oregon; or a self-insured employer.

(14) "Mandatory data element" means an element that will cause a rejection of a transaction if the data element is omitted or submitted in a format not capable of being processed by the division's information processing system.

(15) "Optional data element" means an element that an insurer should report to the director if the information is available to the insurer. Optional data elements will not cause a rejection if missing or invalid.

(16) "Proof of coverage" means an electronic record or set of records identifying an insurer as providing workers' compensation coverage for a specific employer.

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(17) "Record" means electronic record.

(18) "Reprocessed transaction" means a rejected transaction that, at the discretion of the director, has been reprocessed and accepted by the division.

(19) "Sender" means the person or entity reporting electronic data interchange transactions to the division. Sender may include vendors or insurers.

(20) "Trading partner agreement" means the agreement entered into under OAR 436-162-0020 between the director and an insurer to conduct transactions via EDI.

(21) "Trailer record" means the record that designates the end of a transmission and provides a count of transactions contained within the transmission, not including the header and trailer records.

(22) "Transaction" means a set of EDI records, defined according to standards in OAR 436-162-0004.

(23) "Transmission" means a defined set of transactions, including both header and trailer records to be sent to the division or sender via EDI.

(24) "Vendor" means an agent identified by the insurer to submit transmissions to the division on behalf of an insurer. Vendors may include service companies, third party administrators, and managing general agents.

Stat. Authority: ORS 656.264 and ORS 656.726(4); Stat. Implemented: ORS 84.004 and ORS 656.264
Hist: Adopted 10/1/10 as Admin. Order 10-058, eff. 1/1/11

436-162-0006 Administration of Rules

Orders issued by the division in carrying out the director's authority to enforce ORS chapter 656 are considered orders of the director.

Stat. Authority: ORS 656.704 and ORS 656.726(4);
Stat. Implemented: ORS 656.704 and ORS 656.726(4)
Hist: Adopted 10/1/10 as Admin. Order 10-058, eff. 1/1/11

436-162-0010 Security

(1) The sender must ~~will~~ verify that an electronic signature, record, or performance is that of a specific person.

(2) The sender must ~~will~~ utilize anti-virus software to eliminate any viruses on all electronic transmissions. The sender must ~~will~~ maintain the anti-virus software with the most recent anti-virus update files from the software provider. The sender must ~~will~~ notify the director immediately if a virus is detected.

Stat. Authority: ORS 656.264 and ORS 656.726(4); Stat. Implemented: ORS 656.264
Hist: Adopted 10/1/10 as Admin. Order 10-058, eff. 1/1/11

436-162-0020 Trading Partner Agreement

(1) If the director so requires, an insurer must enter into a trading partner agreement with the director before the division will begin testing with or accept production electronic transmissions from the insurer or from a vendor on behalf of that insurer.

(2) The trading partner agreement will include:

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- (a) A statement that the insurer will remain responsible and liable for all electronic records transmitted to the director;
- (b) Transmission protocol between sender and director;
- (c) A specific description of the form, format, and delivery of electronic transmissions under OAR 436-162-0004 and 436-162-0050;
- (d) Specific identifying information for insurer, third party administrator, if any, and vendor, if any;
- (e) Cost allocation of transactions, if any;
- (f) The time frame for the director to submit acknowledgements of transmissions; and
- (g) Any other necessary statements, conditions, or requirements to facilitate EDI.

Stat. Authority: ORS 656.264 and ~~ORS 656.726(4)~~; Stat. Implemented: ORS 84.013 and ~~ORS 656.264~~
Hist: Adopted 10/1/10 as Admin. Order 10-058, eff. 1/1/11

436-162-0030 Retention of Electronic Records

Insurers and self-insured employers must retain workers' compensation records under OAR 436-050-0120, and OAR 436-050-0220, ~~and OAR 436-009-0030~~. Records may be retained in electronic format if the records can be reproduced.

Stat. Authority: ORS 656.726(4); Stat. Implemented: ORS 656.455 and ~~ORS 731.475~~
Hist: Adopted 10/1/10 as Admin. Order 10-058, eff. 1/1/11

436-162-0040 Recognized Filing Date

(1) Unless otherwise stated in the trading partner agreement, an electronic record is sent when it:

- (a) Is addressed or directed properly to an information processing system designated or used by the division to receive electronic records or information;
- (b) Is in a form and format capable of being processed by that system; and
- (c) Enters an information processing system outside the control of the sender or enters a region of the information processing system designated or used by the division and that is under control of the division.

(2) Unless otherwise stated in the trading partner agreement an electronic record is received when it:

- (a) Enters an information processing system designated or used by the division to receive electronic records or information of the type sent and from which the division is able to retrieve the electronic record; and
- (b) Is in a form and format capable of being processed by the division's information processing system.

(3) For the purpose of these rules, an electronic transaction is capable of being processed by the division's information processing system when all the required data elements are in the form and format specified in these rules, in the proper sequence, and in accordance with the terms of the trading partner agreement.

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(4) A reprocessed transaction retains the filing date of the original transaction.

Stat. Authority: ORS 656.264 and ~~ORS 656.726(4)~~; Stat. Implemented: ORS 84.043 and ~~ORS 656.264~~
Hist: Adopted 10/1/10 as Admin. Order 10-058, eff. 1/1/11

436-162-0050 Form, Format, and Delivery for Electronic Data Reporting

The form, format, and delivery of data elements and definitions will conform to the standards specified in OAR 436-162-0004, or as otherwise identified in the trading partner agreement.

Stat. Authority: ORS 656.726(4); Stat. Implemented: ORS 84.013 and ~~ORS 656.264~~
Hist: Adopted 10/1/10 as Admin. Order 10-058, eff. 1/1/11

436-162-0060 Testing Procedures and Requirements**(1) Proof of coverage testing:**

~~(a)~~**(1)** The director adopts the Oregon EDI Implementation Guide for Proof of Coverage as the standard for EDI testing procedures and requirements, available from the division's website: <http://www.cbs.state.or.us/wcd/operations/edi/ediindex.html#bill>.

~~(b)~~**(2)** Senders conducting EDI transactions as of January 1, 2009, do not have to complete EDI testing. Insurers using an approved EDI vendor to submit proof of coverage data to the department do not have to complete testing as provided by this rule.

~~(c)~~**(3)** Senders must obtain director approval to submit proof of coverage data via EDI transactions. Each sender must successfully complete the Secure File Transfer Protocol (SFTP) test and the format and structure test(s) detailed in the Oregon EDI Implementation Guide for Proof of Coverage to demonstrate ability to successfully transmit coverage data in the format specified in OAR 436-162-0004. The director will notify senders once they have successfully completed testing. Insurers must either use an approved sender or be approved as a sender to report proof of coverage via EDI starting July 1, 2009. If an insurer is not an approved sender, it must report through an approved sender until approved by the director for direct reporting of proof of coverage via EDI.

~~(2) Medical bill data testing and transition to production:~~

~~(a) To initiate a test for EDI, the sender must contact the director.~~

~~(b) Each transmission for test purposes must conform to the standards specified in OAR 436-162-0004, or as otherwise identified in the trading partner agreement. Test files will be evaluated in terms of whether the data was sent in the correct, standardized format.~~

~~(c) To gain approval to send production transmissions, the sender must be able to:~~

~~(A) Transmit records via electronic data interchange; and~~

~~(B) Accomplish secure file transfer protocol uploads and downloads.~~

~~(d) The sender must demonstrate the ability to send transmissions to the director that are readable, in the correct format, and can be processed through the division's information processing system. A successful EDI FTP test is determined by the resolution of any consistently recurring fatal technical errors identified by the division such that:~~

~~(A) Transmissions are sent to the director without structural errors;~~

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~~(B) Transmissions are sent to the director without transaction level technical errors; and~~

~~(C) The sender can receive and process the automated EDI acknowledgement transactions.~~

~~(e) To move from test to production, 80 percent of the sender's transactions must have been accepted by the division by the end of the testing period, allowing for corrected and resubmitted transactions. The director will consider the sender's anticipated volume of production transactions to determine the number of transactions per test transmission required.~~

~~(f) Once approved, sender must maintain the accuracy as defined in subsections (d) and (e) of this section. Failure to meet technical requirements may result in additional testing requirements.~~

~~(g) The director will inform the sender and insurer (if different) if accuracy standards for technical requirements fall below standards prescribed in subsections (d) and (e) of this section during production.~~

~~(h) During the EDI test phase, insurer will not be required to file the same medical bill data via Bulletin 220. If the test phase is not completed satisfactorily, as detailed in (e) above, the insurer may be required to submit data for the period covered by the unacceptable test via Bulletin 220 standard, and then complete a new EDI test.~~

Stat. Authority: ORS 656.726(4); Stat. Implemented: ORS 84.013 and ORS 656.264
Hist: Adopted 10/1/10 as Admin. Order 10-058, eff. 1/1/11

436-162-0070 Electronic signature

The sender's federal employer identification number (FEIN) plus its postal code as reported in the header record and stated in the trading partner agreement, if such an agreement is required, is the unique identifier that is the electronic signature for electronic data interchange.

Stat. Authority: ORS 656.726(4); Stat. Implemented: ORS 84.001-84.061 and ORS 656.264
Hist: Adopted 10/1/10 as Admin. Order 10-058, eff. 1/1/11

436-160-0080 — Acknowledgements

~~(1) Proof of Coverage:~~

~~(a) The director will respond to the sender with an electronic transaction accepted or transaction rejected acknowledgement of the insurer's transactions.~~

~~(b) The insurer must correct and resubmit any transactions rejected for which law or rule require filing, reporting, or notice to the director.~~

~~(2) Insurers are not required to resubmit reprocessed transactions.~~

~~(3) Medical Bill Data:~~

~~(a) The sender will receive both TA1 and 997 interchange and functional acknowledgements (as defined by ANSI X12N) for each medical bill batch submitted, unless technical errors in the file prevent 997 processing. In addition, the sender will receive an 824 detailed acknowledgement (as defined by ANSI X12N) for each medical bill batch submitted, if the batch has successfully passed the 997 edits. An 824 detailed acknowledgment will contain~~

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transaction accepted (TA) or transaction rejected (TR) acknowledgement of all of the insurer's transactions in the batch.

(b) ~~The insurer must correct and resubmit any transactions rejected for which law or rule require filing, reporting, or notice to the director.~~

Stat. Authority: ORS 656.726(4); Stat. Implemented: ORS 656.264
Hist: Repealed 10/1/10 as WCD Admin. Order 10-057, eff. 1/1/11

436-162-0090 Address Reporting

The sender will follow the standard United States Postal Service guidelines in reporting all addresses.

Stat. Authority: ORS 656.726(4); Stat. Implemented: ORS 656.264
Hist: Adopted 10/1/10 as Admin. Order 10-058, eff. 1/1/11

Proof of Coverage

436-162-0300 Proof of Coverage Establishing Document Transaction Definitions [Formerly OAR 436-160-0300]

(1) ~~Unless otherwise provided in these rules, the definitions and standards identified in OAR 436-162-0004 and OAR 436-162-0005 apply.~~

(2) ~~For policies effective before July 1, 2009, the establishing document transaction types listed in OAR 436-160-0350(3)(c) can be used to file a guaranty contract under that rule. For policies effective on or after July 1, 2009, the establishing document transaction types listed in OAR 436-160-0355(2)(b) can be used to file proof of coverage. In Oregon, a reinstatement, an add location, and an add employer transaction type can also be an establishing document. A change policy number transaction type is not an establishing document.~~

Stat. Authority: ORS 656.726(4); Stat. Implemented: ORS 656.419, ORS 656.423 and ORS 656.427
Hist: Amended and renumbered from 436-160-0300 10/1/10 as Admin. Order 10-058, eff. 1/1/11

436-162-0310 ~~Proof of Coverage~~ Electronic Filing Requirements [Formerly OAR 436-160-0310]

(1) The chart in [Appendix "A"](#) shows all proof of coverage data elements accepted via EDI in Oregon, and whether the data element is mandatory (M), conditional (C), or optional (O) for each transaction type.

(2) Unless otherwise provided in these rules, the data elements shall have the meaning provided in the data dictionary of the IAIABC EDI Implementation Guide for Proof of Coverage, Release 2.1, dated July 1, 2010, referenced in ~~under~~ OAR 436-162-0004.

(3) Transactions will be rejected if mandatory or required conditional data elements are omitted or submitted in a format that is not capable of being processed by the division's information processing system designated for proof of coverage transactions.

(4) Optional data element(s) in a transaction will be ignored if the optional data element is either omitted, or submitted in a format that is not capable of being processed by the division's information processing system designated for proof of coverage transactions.

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(5) Unless otherwise provided in these rules, an insurer must transmit proof of coverage via EDI. Insurers may not submit paper documents to the director without the director's express permission or as provided in OAR 436-162-0350(7).

(6) Changes or corrections to proof of coverage transactions must be filed within 30 days of insurer knowledge of the change to a required data field.

(7) Professional employee organization (PEO) policies will be accepted via EDI, subject to the same data and transaction editing standards as other policies. A policy filing for a PEO does not eliminate the PEO's requirement to file worker leasing notices under OAR 436-050-0410.

(8) Wrap-up policies will be accepted via EDI, subject to the same data and transaction editing standards as other policies.

Stat. Authority: ORS 656.726(4); Stat. Implemented: ORS 656.264

Hist: Amended and renumbered from 436-160-0310 10/1/10 as Admin. Order 10-058, eff. 1/1/11

436-162-0320 ~~Proof of Coverage Acknowledgement~~ [Formerly OAR 436-160-0320]

(1) The division will respond to submitted transmissions ~~submitted~~ with either a transaction accepted or a transaction rejected acknowledgement. The division may, at its discretion, reprocess transactions.

(2) A transaction rejected acknowledgement will be sent for all transactions incapable of being processed by the division's information processing system, including, but not limited to:

(a) An omitted mandatory data element;

(b) An improperly populated data element field, e.g., numeric data element field is populated with alpha or alphanumeric data, or is not a valid value;

(c) Transactions or electronic records within the transaction which require matching and cannot be matched to the division's database;

(d) Illogical data in mandatory or required conditional field, e.g., termination date is before coverage effective date;

(e) Duplicate transmission or duplicate transaction within the transmission;

(f) Invalid triplicate code; or

(g) Illogical event sequence relationship between transactions, e.g., endorsement transaction submitted before a policy transaction is submitted.

(3) The insurer must correct and resubmit any transactions rejected for which law or rule require filing, reporting, or notice to the director.

(4) Insurers are not required to resubmit reprocessed transactions.

~~(3)~~(5) A transaction accepted acknowledgement will be sent for all transactions that are in a format capable of being processed by the division's information processing system and are not rejected pursuant to section (2) of this rule.

~~(4)~~(6) An insurer's obligation to file proof of coverage for the purposes of this rule is not satisfied unless the director acknowledges acceptance of the transaction.

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Stat. Authority: ORS 656.726(4); Stat. Implemented: ORS 656.264

Hist: Amended and renumbered from 436-160-0320 10/1/10 as Admin. Order 10-058, eff. 1/1/11

436-162-0330 ~~Proof of Coverage~~ Effective Dates [Formerly OAR 436-160-0330]

(1) For policies with effective dates before July 1, 2009:

(a) For all binder or new policy establishing document transactions submitted under OAR 436-162-0350, the coverage effective date will also be the guaranty contract effective date.

(b) For all other establishing document transactions that meet the guaranty contract filing requirements of OAR 436-162-0350, the transaction set type effective date will also be the guaranty contract effective date.

(c) The policy expiration date submitted on a transaction does not terminate liability under a guaranty contract. Liability under a guaranty contract filed by an insurer continues until it is terminated under OAR 436-162-0360 and ORS 656.423 or 656.427.

(2) For policies with effective dates on or after July 1, 2009:

(a) For binder or new policy establishing document transactions, the policy effective date will also be the effective date of the proof of coverage for the reported entity(ies).

(b) For all other establishing document transactions, the transaction set type effective date will also be the effective date of the proof of coverage for the reported entity(ies).

(3) For reinstatement transactions the transaction set type date will determine whether the transaction reinstates the guaranty contract or reinstates proof of coverage shown by the reinstated policy. Transaction effective dates before July 1, 2009, will reinstate the guaranty contract, which will remain in effect until renewed, replaced by new coverage, or terminated by the insurer. Transaction effective dates on or after July 1, 2009, will reinstate the director's required proof of coverage through the reinstated policy, which will remain in effect until the policy expiration date or the date of cancellation, whichever is earlier.

(4) For all other transactions, the effective date will be the transaction set type effective date.

(5) For reissue, renewal, reinstatement, or endorsement transactions, the transaction effective date will be the transaction set type effective date submitted by the insurer.

Stat. Authority: ORS 656.726(4)

Stat. Implemented: ORS 656.264, ~~ORS 656.419, ORS 656.423 and ORS 656.427~~

Hist: Amended and renumbered from 436-160-0330 10/1/10 as Admin. Order 0-058, eff. 1/1/11

436-162-0340 ~~Proof of Coverage~~ Changes or Corrections [Formerly OAR 436-160-0340]

(1) Changes or corrections to proof of coverage information must be submitted pursuant to the standards referenced in OAR 436-162-0004.

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(2) To report changes or corrections of an insured employer's name or address, or other data elements, the insurer must transmit the appropriate transaction to specify what data is being changed or corrected.

(3) The insurer's policy number is used to assist in matching each transaction to the appropriate employer. When an insurer changes a policy number, the insurer must report that change with or prior to the next transaction submitted for that policy. Failure to report a change in the policy number will render future filings incapable of being processed by the division's information processing system and the insurer will receive a transaction rejected acknowledgement.

(4) If changing a partner name of an insured or employer does not change the entity, a new guaranty contract or policy proof of coverage does not need to be filed.

(5) To add or delete coverage for corporate officers, members of a limited liability company, partners, sole proprietors, or other non-subject workers, the insurer must file the appropriate "include" or "exclude" endorsement transaction to the associated policy filing.

Stat. Authority: ORS 656.726(4); Stat. Implemented: ORS 656.264 and ~~ORS~~ 656.419

Hist: Amended and renumbered from 436-160-0340 10/1/10 as Admin. Order 0-058, eff. 1/1/11

436-162-0350 Guaranty Contract Filing Requirements [Formerly OAR 436-160-0350]

(1) This rule applies to coverage effective before July 1, 2009.

(2) For the purpose of these rules, an electronic guaranty contract consists of an executed trading partner agreement containing the guaranty described in subsection (3)(a) of this rule, and an accepted proof of coverage insured and employer electronic record.

(3) An insurer may file a guaranty contract via EDI by:

(a) Entering into a trading partner agreement with the director under OAR 436-162-0020 that contains a statement of assumption of liability and guaranty of payment under ORS 656.419(1);

(b) Transmitting an electronic record of the proof of coverage data elements identified as mandatory or required conditional under OAR 436-162-0310, including a unique FEIN for each legally distinct employer included in the establishing document transaction; and

(c) Transmitting an establishing document transaction: binder, new policy, renew policy, rewrite/reissue policy, reinstatement, add location, add employer, or add jurisdiction. A renew policy, add location, or add employer transaction will only establish a guaranty contract if the data elements have not previously been transmitted, the employer FEIN is not a duplicate per section (4) below, and coverage for that unique employer FEIN has not been previously established by the reporting carrier. A reinstatement transaction will only establish a new guaranty contract if there is a lapse in coverage and the requirements of ORS 656.419 and OAR 436-162-0350 are otherwise met.

(4) A duplicate FEIN or a FEIN previously reported under the same policy will be recorded as an additional employer location or an assumed business name, but will not establish an additional guaranty contract for effective dates of coverage before July 1, 2009.

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(5) Reinstatement, rewrite, and reissue transaction types must follow a cancellation transaction.

(6) If an employer elects to include any non-subject worker(s) under coverage, or subsequently to exclude such workers from coverage, the insurer must submit a transaction with a reason code for including or excluding a corporate officer, partner, member, sole proprietor, or any other person.

(7) Insurers not approved to file guaranty contract information via EDI by December 31, 2008, must continue to file changes to existing guaranty contracts via paper on or after July 1, 2009.

Stat. Authority: ORS 656.726(4); Stat. Implemented: ORS 656.264, ~~ORS 656.419~~, ~~ORS 656.423~~ and ~~ORS 656.427~~
Hist: Amended and renumbered from 436-160-0350 10/1/10 as Admin. Order 10-058, eff. 1/1/11

436-162-0355 Proof of Coverage Filing Requirements [Formerly OAR 436-160-0355]

(1) This rule applies to coverage effective on or after July 1, 2009.

(2) An insurer may file proof of coverage via EDI by:

(a) Transmitting an electronic record of the proof of coverage data elements identified as mandatory or required conditional under OAR 436-162-0310, including a unique FEIN for each legally distinct employer included in the establishing document transaction; and

(b) Transmitting an establishing document transaction: binder, new policy, renew policy, rewrite/reissue policy, reinstatement, add location, add employer, or add jurisdiction.

(3) Reinstatement, rewrite, and reissue transaction types must follow a cancellation transaction.

(4) If an employer elects to include any non-subject worker(s) for coverage, or subsequently to exclude such workers from coverage, the insurer must submit a transaction with a reason code for including or excluding a corporate officer, partner, member, sole proprietor, or any other person.

Stat. Authority: ORS 656.726(4)
Stat. Implemented: ORS 656.264, ~~ORS 656.419~~, ~~ORS 656.423~~ and ~~ORS 656.427~~
Hist: Renumbered from 436-160-0355 10/1/10 as Admin. Order 10-058, eff. 1/1/11

436-162-0360 Guaranty Contract Terminations [Formerly OAR 436-160-0360]

(1) For the purposes of EDI, to terminate a guaranty contract when an insurer receives written notice of cancellation of coverage from an employer pursuant to ORS 656.423, the insurer must:

(a) Provide notice to the director no more than ten calendar days after the effective date of termination by transmitting the transaction type for cancellation by insured or nonrenewal by insured. The "transaction effective date" will be used to report the effective date of termination under ORS 656.423 or ORS 656.427;

(b) Retain the employer's written notice for inspection by the division; and

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(c) Provide written notice to the employer under ORS 656.423 or ORS 656.427(1) and (3), if required.

(2) For the purposes of EDI, to terminate a guaranty contract for any other reason, the insurer must:

(a) Provide notice to the director no more than ten calendar days after the effective date of termination by transmitting the transaction type for cancellation, nonrenewal, or delete jurisdiction; and

(b) Provide written notice to the employer under ORS 656.423 or ORS 656.427(1) and (3), if required.

(3) The date of termination must be included in the written notice to the employer to terminate a guaranty contract. For the purposes of notice to the director, the transaction effective date is the termination effective date.

(4) A delete location transaction can be used to notify the director that one or more locations for an employer are no longer workplaces of the employer. This transaction does not meet the requirements of ORS 656.423 or ORS 656.427 for notice of termination.

Stat. Authority: ORS 656.726(4); Stat. Implemented: ORS 656.264, ~~ORS 656.419, ORS 656.423 and ORS 656.427~~
Hist: Renumbered from 436-160-0360 10/1/10 as Admin. Order 10-058, eff. 1/1/11

436-162-0370 Proof of Coverage Terminations [Formerly OAR 436-160-0370]

For policies effective on or after July 1, 2009, to report a cancellation of a policy before the expiration of the policy term, the insurer must:

(1) Provide notice to the director no more than ten calendar days after the effective date of cancellation by transmitting the transaction type for cancellation, delete jurisdiction, or delete location(s). The "transaction set type effective date" will be used to report the effective date of cancellation under ORS 656.423 or 656.427;

(2) Retain a record of the written notice sent to the employer under ORS 656.427 for inspection by the division; and

(3) Provide written notice to the employer under ORS 656.427(1) and (3).

Stat. Authority: ORS 656.726(4); Stat. Implemented: ORS 656.264, ~~ORS 656.419, ORS 656.423 and ORS 656.427~~
Hist: Renumbered from 436-160-0370 10/1/10 as Admin. Order 10-058, eff. 1/1/11

OAR 436-162-0310 Appendix A Proof of Coverage Data Element Requirement Table

Data element	Data Element Number	Establishing document transactions	Endorsement	Cancellation or Nonrenewal by Insurer	Cancellation or Nonrenewal by Insured	Reinstatement
INSURED RECORD						
Transaction Set ID	DN001	M	M	M	M	M
Record Sequence Number	DN107	M	M	M	M	M
Transaction Set Purpose Code	DN300	M	M	M	M	M
Jurisdiction Designee Received Date	DN302	M	M	M	M	M
Transaction Set Type Code	DN002	M	M	M	M	M
Transaction Reason Code	DN303	M	M	M	M	M
Transaction Set Type Effective Date	DN304	M	M	M	M	M
Insurer FEIN	DN006	M	M	M	M	M
Insurer Name	DN007	M	O	O	O	O
Issuing Office Name	DN305	O	O	O	O	O
Issuing Office Address Line 1	DN306	O	O	O	O	O
Issuing Office Address Line 2	DN307	O	O	O	O	O
Issuing Office City	DN308	O	O	O	O	O
Issuing Office State	DN309	O	O	O	O	O
Issuing Office Postal Code	DN310	O	O	O	O	O
Issuing Agency Name	DN311	O	O	O	O	O
Issuing Agency City	DN312	O	O	O	O	O
Issuing Agency State	DN313	O	O	O	O	O
Insured FEIN	DN314	M	M	M	M	M
Insured Name	DN017	M	M	M	M	M
Insured Address Line 1	DN315	M	O	O	O	O
Insured Address Line 2	DN316	O	O	O	O	O
Insured City	DN317	M	O	O	O	O
Insured State	DN318	M	O	O	O	O
Insured Postal Code	DN319	M	O	O	O	O
Insured Telephone Number	DN320	O	O	O	O	O
Business Market	DN321	M	M	M	O	O
Wrap-Up Indicator	DN322	M	M	M	O	O
Insured Legal Status	DN323	M	O	O	O	O
Employee Leasing Policy Identification	DN333	M	O	O	O	O
Policy Number	DN028	M	M	M	M	M
Policy Effective Date	DN029	M	M	M	M	M
Policy Expiration Date	DN030	M	M	M	O	O
Prior Policy Number	DN324	C	O	O	O	O
Assignment Date	DN325	O	O	O	O	O
Jurisdiction	DN004	M	M	M	M	M
Governing Class	DN326	M	O	O	O	O
Total Payroll	DN327	O	O	O	O	O
Number of Employers	DN328	C	C	C	C	C
Number of Employers Expanded	DN336	C	C	C	C	C
EMPLOYER RECORD						
Transaction Set ID	DN001	M	M	M		
Record Sequence Number	DN107	M	M	M		
Employer FEIN	DN016	M	M	O		
Employer UI Code	DN329	O	O	O		
Employer Name	DN018	M	M	O		
Employer Address Line 1	DN019	M	O	O		
Employer Address Line 2	DN020	O	O	O		
Employer City	DN021	M	O	O		
Employer State	DN022	M	O	O		
Employer Postal Code	DN023	M	O	O		
Industry Code	DN025	O	O	O		
Number of Employees	DN330	O	O	O		
Employer Notification Date	DN331			M		