

**BEFORE THE DIRECTOR OF THE
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
OF THE STATE OF OREGON**

PUBLIC RULEMAKING HEARING

In the Matter of the Amendment of OAR:)	
• 436-001, Procedural Rules, Attorney Fees, and General Provisions,)	TRANSCRIPT OF TESTIMONY
• 436-030, Claim Closure and Reconsideration, and)	
• 436-060, Claims Administration)	

The proposed amendment to the rules was announced in the Secretary of State’s Oregon Bulletin dated March 1, 2022. On March 15, 2022, a public rulemaking hearing was held as announced at 9 a.m. via telephone and videoconference from the Labor & Industries Building, 350 Winter Street NE, Salem, Oregon. Fred Bruyns, from the Workers’ Compensation Division, was the hearing officer. The record will be held open for written comment through March 21, 2022.

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No testimony given at hearing	NA

TRANSCRIPT OF PROCEEDINGS

Fred Bruyns:

Good morning and welcome. This is a public rulemaking hearing. My name is Fred Bruyns, and I’ll be the presiding officer for the hearing.

The time is now 9:02 a.m. on Tuesday, March 15, 2022. We are conducting this hearing from the Labor & Industries Building in Salem Oregon. However, we are doing so virtually, by video and telephone conferencing. We are making a digital recording of the hearing.

The Workers’ Compensation Division of the Department of Consumer and Business Services proposes to amend chapter 436 of the Oregon Administrative Rules, primarily rules relevant to attorney fees in OAR chapter 436:

- Division 1, Procedural Rules, Attorney Fees, and General Provisions,
- Division 30, Claim Closure and Reconsideration, and
- Division 60, Claims Administration.

The department has:

- Summarized the proposed rule changes and prepared an estimate of fiscal and economic impacts in the notice of proposed rulemaking filed with the Oregon Secretary of State on Feb. 17, 2022;

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- Distributed the notice to its postal and electronic mailing lists;
- Notified Oregon legislators as required by ORS chapter 183; and
- Posted public notice and the proposed rules to its website.

The Oregon Secretary of State published the hearing notice in its *Oregon Bulletin* dated March 1, 2022.

This hearing gives the public the opportunity to provide comment about the proposed rules. In addition, the division will accept written comment through and including March 21, 2022, and will make no decisions until all of the testimony is considered.

We are ready to receive public testimony. Is there anyone else who would like to testify at this time? ... Hearing no one, in a moment I will recess the hearing, but we will resume for additional testimony, or testimony, if anyone wishes to testify before 10 a.m.

Again, the record remains open for written testimony through and including March 21, 2022. You may submit testimony in any written form. I encourage you to submit your testimony by email or as attachments to email. However, you may also use US mail. I will acknowledge all testimony received.

This hearing is recessed at 9:04 a.m.

This hearing is resumed at 9:59 a.m.

Is there anyone with us who would like to testify today?

Hearing no one, the time is now 10 a.m. Thank you for coming. This hearing is adjourned.

Transcribed from a digital audio recording by Fred Bruyns, March 15, 2022.