



Mr. Fred Bruyns
Policy Analyst/Rules Coordinator
Department of Consumer and Business Services
Workers' Compensation Division
350 Winter St. NE
Salem, OR 97309-0405

Via Electronic Mail: WCD.Policy@dcbs.oregon.gov

Re: Proposed Amendments to Workers' Compensation Rules on Claims Processing Location and Claims Recordkeeping

Dear Mr. Bruyns:

The American Property Casualty Insurance Association (APCIA)¹ appreciates the opportunity to comment on the Department of Consumer and Business Services' proposed changes to the rules governing claims processing location and claims recordkeeping. APCIA supports most of the proposed changes and believes they will help modernize and improve efficiency in the processing of workers' compensation claims.

APCIA has concerns with the proposed definition of "date stamp" in OAR 436-060-0005(5). The proposed rule defines "date stamp" as "to stamp or display the initial receipt date **and the recipient's name** on a paper or electronic document, regardless of whether the document is printed or displayed electronically" (emphasis supplied). As a practical matter, date stamping claims documents does not include inserting the recipient's name on the stamp. The majority of insurers receive documents in a mailing center and the insurer automatically scans the documents electronically. The scanner will add the date stamp to the document. However, there is no "person" who receives the documents and the scanning does not include a recipient's name on the date stamp.

The legislature enacted HB 2039 to modernize claims processing in workers' compensation and to make it a more efficient process. The majority of the proposed rule is consistent with the language and the intent of HB 2039. However, the proposed language requiring the insurer to date stamp documents with the name of the recipient is inconsistent with the intent of the legislation and will add unnecessary costs and delays to workers' compensation claims processing.

¹ APCIA represents nearly 60 percent of the U.S. property casualty insurance market and the broadest cross-section of home, auto, and business insurers of any national trade association. APCIA members represent all sizes, structures, and regions, protecting families, communities, and businesses in the U.S. and across the globe.

APCIA suggests the following modification to proposed OAR 436-060-0005(5):

“(5) “Date stamp” means to stamp or display the initial receipt date ~~and the recipient’s name~~ on a paper or electronic document, regardless of whether the document is printed or displayed electronically.”

APCIA thanks you for your consideration of these issues.

Sincerely,

A handwritten signature in black ink, appearing to read "S. A. Bennett", with a long horizontal flourish extending to the right.

Steven A. Bennett
Assistant Vice President, Workers Compensation Programs & Counsel
American Property Casualty Insurance Association