



June 18, 2026

To: Workers Compensation Division
Fr: Scott Winkels, Policy Director
Re: Opposition to Proposed Amendments to OAR 436-015

OBI is a statewide association representing businesses from a wide variety of industries and from each of Oregon's 36 counties. In addition to being the statewide chamber of commerce, OBI is the state affiliate for the National Association of Manufacturers and the National Retail Federation. More than 75% of our members are small businesses and, together, our members employ approximately 250,000 Oregonians.

Oregon's current workers compensation did not come about by accident. That injured workers in this state can count on receiving quality care while employers enjoy the 38th lowest premium rates in the country is the result of cooperation and compromise by all stakeholders and their continued engagement. The proposed changes to OAR 436-015 will erode the cooperative effort made under the Mahonia Hall Agreement and will be harmful to injured workers and the health of the system as a whole.

Just as managed care is a tenet of Mahonia Hall, so is open communication and cooperative dispute resolution. We do not seek to invalidate the experiences expressed by witnesses at the RAC meeting on June 9th of this year. OBI actively listened to the stories they shared but we left curious as to why existing dispute resolution tools were inadequate for their circumstances. [ORS 656.260](#) gives the director of DCBS wide authority to resolve disputes between injured workers and MCOs. We believe proponents of the proposed changes should demonstrate conclusively why existing means of resolving disputes and complaints is insufficient if the agency elects to proceed with formal rule making.

Parties to the "[Mahonia Hall Report](#)" agreed the state needed to provide managed care to injured workers to both ensure they received quality care and costs were managed. As drafted, the language put forward would create a siloed WC system where the party responsible for coordinating care would be unable to communicate on a patient's ability to return to work, vocational services and other aspects of care. If our goal is to make injured workers well so they may put their injuries behind them and return to their careers, we should allow everyone engaged in that effort to coordinate and work as a team.

Affordable workers compensation rates are one of the few bright spots in Oregon's ability to attract investment to the state. OBI urges the Division to consider the impacts of changes holistically and proceed in a manner consistent with the Mahonia Hall Agreement.