

Significant laws passed in 2023 affecting workers' compensation

[HB 3412](#) increases the time that a physician assistant (PA) may be an attending physician. A PA may be the attending physician for a cumulative total of 180 days from the first visit on the initial claim. The PA may also authorize temporary disability benefits for up to 180 days from the date of the first visit on the initial claim. A PA who is not a member of a managed care organization (MCO) will be able to provide continued care for workers under their care if they maintain the worker's medical records, have a documented history of treatment with the worker, agree to refer the worker to the MCO for specialized treatment, and agree to comply with all of the rules, terms, and conditions of the MCO. A PA who is authorized to provide medical services to a worker enrolled in an MCO may provide medically appropriate treatment according to the service utilization review process of the MCO and may authorize the payment of temporary disability benefits for a period not to exceed 180 days from the date of the first visit on the initial claim. MCOs may authorize PAs to provide medical services and authorize temporary disability payments for longer periods.

Effective Jan. 1, 2024.

[HB 2696](#) establishes the State Board of Sign Language Interpreters. The bill authorizes the Health Licensing Office to issue sign language interpreter licenses, including supervisory, provisional, educational, medical, and legal sign language interpreter licenses. Except in limited circumstances, only a licensed person may provide signed language interpreter services. Only a licensed medical sign language interpreter may provide signed language interpretation services in a medical setting as defined by the board. Only a licensed legal sign language interpreter may provide signed language interpretation services in a legal setting as defined by the board. Signed language interpretation service providers may not employ or contract with an individual who is not licensed to provide signed language interpretation services.

Effective Jan. 1, 2024.

[HB 3471](#) makes it unlawful for an employer to make an offer to negotiate a settlement agreement conditional upon a worker also entering into an agreement that includes a no-rehire provision. The bill also makes it unlawful for an employer to make an offer for settlement agreement conditional upon the worker also entering into an agreement that includes a no-rehire provision unless:

- Before the offer, the worker has given the employer written confirmation of the worker's willingness to enter into an agreement that includes a no-rehire provision as a condition of entering into the settlement agreement, and
- The settlement offer affirmatively states that entering into the settlement agreement is conditional upon the worker also entering into an agreement that includes a no-rehire provision. A worker may file a complaint for violations of these provisions and may bring a civil action and recover a civil penalty of up to \$5,000.

Effective July 27, 2023

[SB 418](#) removes the minimum four-hour period that a worker must be absent from work for compensable medical services before the worker may receive temporary disability benefits for the absence. An insurer may require a worker to confirm the period during which the worker is absent from work to receive compensable medical services. Payment of these benefits will not

trigger the requirement for advance notice that temporary disability benefits are ending under ORS 656.262(4)(j).
Effective Jan. 1, 2024.