

## **HB 3026**

**SUBJECT:** Task Force on Counseling Services for Injured Workers

**SPONSOR:** Committee on Business and Labor

**Existing Law:**

- Does not specifically address “counseling services” for injured workers.
- Defines “occupational disease” to include “any mental disorder, whether sudden or gradual in onset, which requires medical services or results in physical or mental disability or death...”

**This bill:**

- Establishes Task Force on Counseling Services for Injured Workers; specifies membership and appointing authorities.
- Requires task force to study the need for and processes for providing counseling services for injured workers suffering from specific conditions that are not part of an accepted workers’ compensation claim.
- Requires task force to make recommendations for legislation regarding counseling services for injured workers.
- Requires that the Department of Consumer and Business Services (DCBS) provide staff support to the task force.
- Sets operational guidelines for the task force (voting, membership, vacancies, meetings).
- Allows non-legislator task force members to be reimbursed for travel expenses for participation in the task force from the funds appropriated to DCBS to staff the task force.
- Requires task force to submit report and its recommendations to Legislative Assembly by September 15, 2016.
- Sunsets task force on December 31, 2016.
- Declares emergency, effective on passage.

**Analysis:**

1. Except for accepted occupational disease claims relating to mental disorders, there are currently no specific provisions in workers’ compensation law that requires counseling services be provided to injured workers suffering from situational anxiety or depression.
2. The bill establishes the Task Force on Counseling Services for Injured Workers. It has 11 members, with a chairperson elected by its members: One Oregon Senator (appointed by the President of the Senate); one member of the House of Representatives (appointed by the Speaker of the House); nine additional members (appointed by the Director of DCBS). Of the nine public members three represent Oregon injured workers, three

represent Oregon employers, two represent mental health professionals, and one represents the interests of the public.

3. The task force will meet regularly and collect and synthesize information related to the need for and processes for providing counseling services to injured workers suffering from situational anxiety or depression, that is not part of an accepted claim, and make recommendations regarding the necessary legislation to provide for such services. The bill specifies that the legislation must address the provision of services in a manner that ensures the integrity of the workers' compensation system.
4. The task force shall submit a report along with any recommendations to an interim committee of the Legislative Assembly related this issue, no later than September 15, 2016.

**Questions and/or suggested amendments:** None.

**Fiscal Impact to DCBS:** The bill language states that "... the Department of Consumer and Business Services shall provide staff support to the task force ...." This would most likely be in the form of both technical and administrative support, including staff working on projects that involve the collection of information related to assessing the need for the provision of counseling services to injured workers suffering from situational anxiety or depression and researching and analyzing possible outcomes. The bill also requires reimbursement to task force membership for travel and other expenses to be paid out of funds transferred to the agency for the purpose of the task force. The bill does not specifically authorize funds for this purpose, but we assume the costs will be minimal and that the agency can absorb the workload with existing funds. It is also assumed that existing staff can support the task force work.

**Other Economic Impact:** Unknown

**Support:** Unknown

**Opposition:** Unknown

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