

WORKERS' COMPENSATION  
MANAGEMENT-LABOR ADVISORY COMMITTEE  
Full Committee Meeting

Apr. 03, 2025  
10 a.m.–12 p.m.

***Committee members present via zoom:***

Scott Strickland, Sheet Metal Workers Local #16  
Patrick Priest, Citycounty Insurance Services  
Sara Duckwall, Duckwall Fruit  
Ryan Hearn, Roseburg Forest Products  
Stacy Lewallen, Fortis Construction, Inc.  
Sarah Merrick, City of Salem Fire Department (**Absent**)  
Kim Schlessinger, Samaritan Health Services  
Lorne Bulling, IronWorkers Local 29  
Margaret Weddell, Labor Representative  
Emily Rivas, Oregon Nurses Association  
Andrew Stolfi, DCBS Director, *ex officio*

***Staff:***

Teri Watson, MLAC Committee Administrator  
Megan Parsons, MLAC Assistant  
Baaba Ampah, MLAC Assistant

<b>Agenda Item</b>	<b>Discussion</b>
<b>Opening</b> (00:00:00)	<b>Affirmation and Roll Call</b> Co-Chair Scott Strickland called the meeting to order, and shared an affirmation. Teri Watson called the roll of members. A quorum was present.
(00:1:38)	<b>Public Comments</b> Dr. Vern Saboe, Oregon Chiropractic Association, <a href="#">testified</a> in opposition to HB 3374.
(00:07:26)	To Co-Chair Strickland's question, Dr. Saboe noted that granting full attending physician status to chiropractors outside and within the MCO would make the bill acceptable.
(00:10:47)	Ryan Hearn asked about the appeal timelines to the MCO Board. Dr. Saboe responded that it varies, but could take days or weeks.
(00:11:26)	Sara Duckwall asked about chiropractors role when patients need medication. Dr. Saboe explained that in most cases, in his practice patients do not need medication, noting in his opinion the chiropractors' role is to avoids medication use.

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- (00:13:51) **Review minutes - March 20<sup>th</sup>**  
Minutes were deferred to the next meeting.
- (00:14:12) **Department updates**  
**Workers' Compensation Board case law updates – Lauren Eldridge.**  
There were no case law updates.
- (00:14:25) **Workers' Compensation Division (WCD) updates – Teri Watson**  
There were no division updates.
- (00:14:51) **Unfinished Business:**  
**HB 3374 (SAIF)**  
Ivo Trummer, SAIF, pointed out that the [-3 amendment](#) is available. He asked MLAC to table the bill, acknowledging the need for more stakeholder input, and a suggestion to form a subcommittee for further discussion.
- (00:15:43) Sara Duckwall showed appreciation to SAIF's effort to address the access issue and asked what MLAC could do and include to get a better understanding about the problem. Ivo Trummer was unsure, but is open to suggestions.
- (00:17:00) Sara Duckwall encouraged MLAC to take the issue on. Co-chair Strickland agreed that a robust subcommittee with a lot of stakeholder engagement is needed.
- (00:17:55) Margaret Weddell pointed out that Chip Terhune indicated that administrative burden was a key issue, she asked how administrative burdens on doctors could be lowered. Ivo Trummer responded that the proposed bill was supposed to lead to a solution, but inviting providers to the subcommittee could alleviate pain points.
- (00:19:04) Margaret Weddell asked about ways to get engagement from Oregon Medical Association. Ivo Trummer was unsure, but answered that providers from Oregon Medical Association, Kaiser or Providence would be great to invite to the discussion. Co-chair Strickland added that physician assistants and nurse practitioners have reached out, so they might be willing to participate.
- (00:20:19) Shawn Miller, American Property Casualty Insurance Association (APCIA), although in [opposition](#) to the bill, thanked SAIF for bringing the bill forward as it relates to access to care and encouraged the formation of the subcommittee and offered for APCIA to be a part of that conversation.
- (00:21:26) To Co-chair Priest question, Shawn Miller mentioned that the subcommittee should include all stakeholders, including giving APCIA the opportunity to research other states, exploring provider and access issues. The subcommittee should also include providers, ways to provide access, and a systematic solution.
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- (00:23:08) Thais Lomas, Sedgwick, affirmed Shawn Miller's statement and added that other processors within Oregon are interested in being a part of the subcommittee. She noted that they have access to other state processes and perspectives, and could offer comparative inputs on ways to improve the flow of information and access to medical providers and make discussions more accessible.
- (00:23:56) To Co-chair Priest's question, Thais Lomax answered that the issue is two-fold: because there is a problem with providers across Oregon being comfortable in the workers' compensation system, so education, possibly from WCD, is needed to help providers engage easily. Also, MCO's have a limited list of providers, which injured workers have to stay within.
- (00:25:45) Keith Semple, OTLA, offered OTLA to be part of the subcommittee discussion, agreeing that the system faces significant issues in provider retention and access.
- (00:26:23) It was clarified that healthcare, in general, is having provider issues.
- (00:27:43) A caucus was taken.
- (00:28:16) Co-chair Priest moved for MLAC to table HB 3374 and refer the issue to a MLAC subcommittee, and Co-chair Strickland seconded the motion. Co-chair Strickland noted that it is an urgent issue and wants to find a solution as soon as possible. Sara Duckwall suggested prioritizing it on the workplan. The motion passed unanimously.
- HB 2799 (OTLA)**
- (00:29:43) Keith Semple, OTLA, explained that the formal -2 amendment has been submitted, increasing the soft cap for cost reimbursement from \$1,500 to \$3,500 and index it the state average weekly wage (SAWW). He noted that while the expansion of cost reimbursement into additional types of disputes was proposed, more time is needed to work through that list. He requested a vote on the soft cap increase with the understanding to return in the next session to work out the list of other disputes.
- (00:31:58) To Co-chair Priest question, Keith Semple answered that the SAWW was chosen because it is an inflationary measure already used to index other benefits in the workers' compensation system.
- (00:33:48) Matt West, WCD Administrator, mentioned that the division would look into how changes in the SAWW compare over time to changes in the Consumer Price Index (CPI). He continued that the SAWW is calculated based on Oregon wages in the fourth quarter of the prior year by the Employment Department.
- (00:35:15) Ivo Trummer, mentioned that the -2 amendment was a collaborative process and SAIF is committed to further discuss expanding cost reimbursement to other
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disputes. He will be working with Workers' Compensation Board, during the interim, to ask for some rule making on cost reimbursement to modernize and streamline the process. Ivo encouraged MLAC to support the bill.

(00:36:31) A brief caucus was taken.

(00:37:16) Margaret Weddell moved that MLAC support HB 2799 with the -2 amendments. Ryan Hearn seconded the motion. The motion passed.

**Review Workplan:**

(00:38:08) Teri Watson suggested the coast for the 2025 listening tour and added subcommittee for HB 3374 to the workplan, which is a high priority.

(00:38:38) It was clarified that October was picked because of the Oregon OSHA Safety and Health Conference in southern Oregon, and Co-chair Priest recommended MLAC participating in that conference. Sara Duckwall agreed, mentioning to go someplace with community engagement with participants. Sara Duckwall was appreciative of the MLAC offsite meeting last year, however if the MLAC meeting cannot participate with the in the safety and health conference, or another venue with community engagement, then we shouldn't go offsite for a meeting.

(00:40:42) The committee confirmed establishing a subcommittee for 66 2/3 time loss, SB 705.

(00:42:48) A WCD report was requested on the user statistics on the Spanish Portal QR code.

(00:43:51) Feedback from the Ombuds Office for the Spanish website was requested.

(00:45:22) Barbara Anderson, Ombuds for Oregon Workers, updated that the Ombuds office hosted their first webinar, and it was a huge success. There is a Spanish webinar coming up in the beginning of May. The webinar will start up quarterly and there is a "how to request reimbursement" video in the works. The Ombuds are constantly working on producing videos.

(00:48:43) It was clarified that the Oregon Health Science University (OHSU) reports comes out in October.

(00:49:03) A yearly standard report for both Ombuds offices was put on the workplan.

(00:49:42) A yearly regulatory panel discussion was put on the workplan.

(00:50:45) Focus group listening tour was put on a yearly MLAC report list.

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- (00:51:26) Co-chair Priest suggested MLAC tag along in other related conferences such as labor union conferences, OBI conferences, or League of Cities conference.
- (00:52:35) Members suggested a master calendar for opportunity of engagement.
- (00:53:19) Communications with workers about MCO enrollment was added to the HB 3374 subcommittee discussion. The HB 3374 subcommittee was defined as expanding providers and increasing access.
- (00:56:44) “Inability to capture..” was placed under MLAC’s yearly report in partial complaint box and outreach efforts. “how do we get workers..” was placed in the focus group discussions.
- (00:57:26) “WC education to suggest...” . and “ongoing education..” was noted that an update on best practices and training on middle management from OHSU and the topic can be discussed during business panel discussions.
- (00:59:06) Sara Duckwall noted that a lot of the topics can be added to the master calendar and a list of stakeholder participants.
- (00:59:52) Co-chair Priest asked if open-ended time loss with time loss rate analysis can be tied together. It was clarified that it is depended on how the subcommittee is formed.
- (01:00:43) “Fair system for both management and labor” was removed from the workplan.
- (01:00:54) Margaret Weddell raised concerns about mixing open-ended time loss and 66 2/3 time loss rate in a subcommittee, mentioning that one can overtake the other and the issues are separate.
- (01:01:30) Sara Duckwall noted that the routes for “ the examination of open-ended” was completed, but it needs language.
- (01:02:15) Co-chair Priest agreed that there is a difference in both topics, however part of the discussion on the 66 2/3 time loss is the increase in cost, while open-ended time loss is the reduction of cost. That is why he suggested combining the two topics to consider weighing management and labor cost interests.
- (01:03:20) Margaret Weddell noted that opened-ended time loss seems to be about the communication of claim management and medical decisions, whereas the time loss rate is about the fairness of compensation, which are different focuses.
- (01:06:21) Topics under ongoing updates will be put on the reports master calendar. Also under “educational sessions”, it was noted that members are still waiting on “Annual Premium Assessments Rate Process”, and “Regulatory Tour”.
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(01:07:30) Two Subcommittee are imminent relating to SB 705, and HB 3374.

(01:08:43) **Upcoming meetings –April 17, and May 1, 2025, virtual meetings**  
Ryan Hearn will not be available during the May 1<sup>st</sup> meeting.

(01:09:30) The April 17<sup>th</sup> and May 15<sup>th</sup> meeting were cancelled.

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**Meeting** Co-chair Strickland adjourned the meeting at 12:02 p.m.  
**Adjourned**

\*These minutes include time stamps from the meeting video found here:

<https://www.youtube.com/watch?v=U-BMr4HBaXk>

\*\*Referenced documents can be found on the MLAC Meeting Information page here:

<https://www.oregon.gov/DCBS/mlac/Pages/2025-meetings.aspx>