

Meeting Minutes

Workers' Compensation Management-Labor Advisory Committee (MLAC) Meeting

Date

August 6, 2026

Time

10:00 a.m. to 12:00 p.m.

Location

<https://www.zoomgov.com/j/1618760074?pwd=QWUPKQy59evl3LVg9g0GcpHydV9t3V.1> /
Labor & Industries Building, Basement, CR F, 350 Winter Street NE, Salem, Oregon

Committee members (present via zoom)

MLAC member	Organization
Scott Strickland, co-chairperson	Sheet Metal Workers Local 16
Margaret Weddell	
Sarah Merrick (in-person)	City of Salem Fire Department
Emily Cronan	Oregon Nurses Association
Fiona Yau-Luu	UFCW-555
Stacy Lewallen	Fortis Construction Inc.
Sara Duckwall	Duckwall Fruit
Ryan Hearn	Anduril Industries
Kim Schlessinger	Samaritan Health Services
Sean O'Day, (<i>Ex-Officio</i>)	DCBS Director

Committee members absent

MLAC member	Organization
Patrick Priest, co-chairperson	CIS Trust

Staff

- Teri Watson, MLAC Committee administrator
- Baaba Ampah, MLAC assistant

Meeting presentation

Time	Discussion
	Roll call and affirmation
0:00:00	Co-chair Strickland called the meeting to order and shared a brief affirmation. Teri Watson called the roll of members.
	Public comment
0:01:27	There were no public comments.
	Review minutes from May 7, 2026 and June 16, 2026
00:02:02	Stacy Lewallen moved to approve the meeting minutes from May 7, and June 16, 2026, and Emily Cronan seconded the motion. Kim Schlessinger noted her absence during the May 7 meeting and abstained from approving those minutes.
	Department updates:
	Workers' Compensation Board case law updates – Lauren Eldridge
00:03:05	Lauren Eldridge, Workers' Compensation Board, briefed the committee on Andrew F. Venetucci – 78 Van Natta 251 regarding the 2022 amendment to ORS 656.268(1)(a), which limits retroactive medically stationary of a worker to 60 days prior to the date of the determinants. The Board found the 2022 amendment applicable because the claim remained open on January 1, 2024 without a final determination. The Board concluded that the amendment restricts backdating rather than invalidating determinations and therefore set the medically stationary date at the 60th day prior to the April 6, 2023 determination. Two Board members dissented, raising concerns about the timeliness of claim closure and whether the determination should have been invalidated. The decision was not appealed and is now final.
00:08:01	Margaret Weddell asked if this was an en banc case and whether there were any concurring or dissenting opinions. Lauren explained that Members Ousey and Ceja dissented, finding the claim closure premature and believing the statutory amendment should have invalidated the medically stationary determination.
	Workers' Compensation Division (WCD) updates – Teri Watson
00:09:09	Teri Watson updated rulemaking hearings for OAR 436-100, Workers' Compensation Offset, and House Bill 4040 were completed in July, with permanent rules scheduled for filing in September. A rulemaking hearing for House Bill 2800 will be held today, and the permanent rules will be filed in October with an effective date of July 1, 2027. WCD acknowledged and thanked stakeholders for their extensive cooperation throughout these rulemaking processes.
	SB 533 MCO “come-along” report – Katie Bruns, WCD Deputy Administrator

00:10:50	Katie Bruns gave the annual SB 533 report on denials and termination of “come longs” providers for calendar year 2025. In 2025, three managed care organizations (MCOs) operated in Oregon, and in GSA 4 (Portland), one chiropractic physician was terminated, affecting one worker, due to non-compliance with MCO service utilization process.
	Draft 2027 MLAC schedule
00:13:20	Teri Watson presented the 2027 MLAC calendar, noting that in-person and virtual meetings will be held on the first-floor meeting room at the Department of Revenue, and that the meeting platform will transition from Zoom to Microsoft Teams. She added that legislative meetings will be cancelled if not needed. Meeting invites will be sent out.
	OSFFC Informational Presentation: Update on Fire Fighter Presumption, Dr. Danny Whu, IAFF, and Alan Ferschweiler, OSFFC
00:15:41	Emerald Bogue, Chief of Staff to Governor Tina Kotek, highlighted the significant health issues firefighters face, noting cancer as their leading cause of death. She mentioned that firefighters are exposed to PFAS (Per - and Polyfluoroalkyl Substances) in their turnouts, a well-known carcinogen also used in firefighting foam and cited the World Health Organization’s classification of firefighting as carcinogenic to humans. Emerald Bogue stressed that federal cancer coverage for firefighters has expanded to include conditions like mesothelioma and thyroid cancers, while Oregon’s coverage has not yet been done. She urged honoring firefighters by recognizing the science and inherent risk firefighters face. Emerald Bogue concluded that the Governor’s office looks forward to supporting the ongoing discussion and encouraged follow-up with the Governor’s office for any questions.
00:17:41	Alan Ferschweiler, representing 3,700 paid firefighters in Oregon and a 25-year veteran at a large municipal department, described the increasing dangers firefighters face as climate change intensifies fire activity, including the Centennial Mills fire where 100 firefighters were fighting that fire in Portland. The asbestos risk will not be known for years, yet we had 88 firefighters exposed. He noted that Oregon firefighters experience an increased cancer risks from wildfires to houseless encampment fires, everything that they do on a day-to-day basis. Alan indicated the cancer coverage gaps in Oregon compared to 15 states with full cancer presumptions, highlighting from the data received that the 66 percent acceptance rate of presumed cancer claims under Oregon’s statute. He explained that proactive health screening has revealed significant concerns, with 650 firefighters receiving life scans that produced 450 actionable findings, including multiple thyroid cancers and surgeries, underscoring the need for early detection. Ferschweiler shared personal examples of occupational health injuries, including the need to wear hearing aids and two precancerous polyps, emphasizing the need for proactivity, and referenced the ongoing exposure to carcinogens in turnout gears that are supposed to protect firefighters from heat but in turn create cancer risks. He concluded that these issues are complex, and that he is seeking early engagement with MLAC to address rising occupational cancer risks.
00:21:48	Mike Caven, a 24-year Oregon firefighter and current fire chief, provided testimony , describing being diagnosed with a rare blood cancer biologically related to leukemia, not covered under Oregon’s presumptive laws. He had to prove occupational causation himself by compiling 17 pages of scientific literature on firefighting carcinogen exposures, and 24 years as a firefighter. The

	independent medical examiner was not allowed to accept the evidence. Mike Caven stated that his opportunity to prove causation in his case will not go before a medical officer, but rather a judge. He noted there are three related biological cancers cases within his department's training division and shared that firefighters with similar diagnosis in other states with cancer-for-all presumptions couldn't advise him because they have not had to fight the system. Mike Caven urged Oregon to adopt a cancer-for-all presumption while retaining employers' right to challenge claims, so firefighters do not have to battle both cancer and the claims process.
00:26:59	Alan Ferschweiler emphasized that the three related rare cancer cases Mike Caven mentioned were all assigned to the same training division, and he believes it points to an occupational causation. He also highlighted the emotional burden firefighters face fighting to prove causation while dealing with health issues.
00:29:57	Sara Duckwall asked if employers have been engaged in this process and collaboration and what is the thought from their perspective. Alan Ferschweiler answered that there are active conversations with the Oregon Fire Chief Association and individual fire districts, but no formal position from those groups have been made yet. There also has not yet been an open discussion with the League of Oregon Cities or other organizations.
(00:31:01)	Dr. Dan Whu, MD, MPH, FACPM, FAAMA, ABOIM< DNBPS, CFP, PMD-T, IAFF Chief Medical Officer, gave testimony in support of expanding presumptive cancer coverage for Oregon firefighters, and stated that current Oregon presumptive cancer laws do not reflect the full scope of occupational cancer risks faced by firefighters. Dr. Whu cited the 2022 IARC reclassification of firefighting as a Group 1, Known Human Carcinogen. He referenced key research, including a 2006 meta-analysis and a 2025 PFAS-related study, linking firefighting exposures to multiple cancers not covered under Oregon law. He explained that epidemiological studies often underestimate cancer risk due to biases and data limitations specific to firefighter populations. Dr. Whu recommended adopting a cancer-for-all presumptive model, similar to Louisiana's statute, to modernize coverage and reduce inequities in claim outcomes. He emphasized that the current reactive legislative model delays coverage and creates inconsistent results. He stated that expanding coverage would align Oregon with other U.S. states and Canadian provinces moving toward broader presumptive cancer laws.
(00:50:56)	Ryan Hearn recognized all the testimony and showed appreciation for the Firefighters' services and suggested MLAC explore subrogation strategies especially towards manufactures of PFAS.
(00:51:43)	Sara Duckwall suggested more visuals, such as pie charts, alongside testimonies. Scott Strickland added that written summaries and follow-ups, including research studies and case citations would be helpful. He also expressed appreciation for firefighters' service and the presenters' materials, highlighting the issue's complexity.
(00:54:12)	Alan Ferschweiler thanked the committee and stated they plan to return in October and noted that Dr. Whu will attend to address in-depth medical questions.
	Division Presentations: DCBS, Department of Financial Regulation (DFR), TK Keen, Administrator, Alex Cheng, Deputy Administrator

(00:55:06)	Eric Bredeson, DFR Property & Casualty Product Regulation manager, and Paul Throckmorton, DFR chief analyst, presented DFR's responsibilities, its intersections with workers' compensation, and its regulation of the workers' compensation insurers . They emphasized DFR's focus on the insurance market's accessibility, choices of insurance, and affordability, contrasted with WCD's focus on employer/worker compliance and benefit administration. Paul explained the process for authorizing workers' compensation insurers. Eric described the assigned risk market and the pure premium ratemaking process. Alex Cheng, DFR deputy administrator, was able to join towards the end of the presentation.
(01:14:59)	Co-Chair Strickland thanked DFR for the overview which helped clarify DFR's placement under DCBS and its connection to workers' compensation, noting it complements previous regulatory perspective presentations.
(01:16:25)	Upcoming meetings – • September 3, 2026, 10:00a.m.- 12:00p.m., Oregon OSHA training room, 1st floor, 16760 SW Upper Boones Ferry Rd., Suite 200, Tigard, OR In-person • October 1, 2026, 10:00a.m.- 12:00p.m., virtual meeting • November 5, 2026, 10:00a.m.- 12:00p.m., virtual meeting
(01:17:04)	Co-Chair Strickland showed his appreciation to participants and the information presented at the meeting. Co-Chair Strickland adjourned the meeting at 11:17 a.m.

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

<https://www.youtube.com/watch?v=p5Vp3s9cCUE>

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

<https://www.oregon.gov/dcbs/mlac/Pages/2026-meetings.aspx>