

Workers' Compensation Board
Thursday, August 6, 2026
1:30 p.m.

MEETING MINUTES

In-Person/By Zoom Staff: Joy Dougherty, Board Chair
Kate Caldwell, Board Member
Melissa Douglas, Board Member
Roger Ousey, Board Member
Moisés Ceja, Board Member
Amanda Pletcher, Administrative Services Manager
Kerry Anderson, Project Manager
Nicholas Cordes, Acting Presiding Administrative Law Judge
Lauren Eldridge, Managing Attorney
Cathy Ostrand, Assistant Managing Attorney
Christina Alston, WCB Budget and Policy Analyst
Katelyn Crowe, Transcription Coordinator
Autumn Blake, Board Review Coordinator
Jacqueline Jacobson, Administrative Law Judge
Christo de Villiers, Administrative Law Judge
Rives Clarks, WCB Law Clerk
Carson Boman, WCB Law Clerk

In-Person/By Zoom Attendees:

Elaine Schooler, SAIF Corporation
Ivo Trummer, SAIF Corporation
Sierra Alvernaz, Workers' Compensation Division

Call to Order

Chair Dougherty called the meeting to order. The public and Workers' Compensation Board (WCB) staff members participated in the meeting by Zoom and in person in the Salem office.

Roll Call

Katelyn Crowe, Transcription Coordinator, took roll, reflected in the attendee list above.

Approval of Agenda and Order of Business

Member Caldwell moved for approval of the agenda and order of business. Member Ousey seconded. The Members voted as follows: Dougherty, aye; Ousey, aye; Ceja, aye; Caldwell, aye; Douglas, aye. Motion passed; 5-0.

Approval of Past Minutes

Member Caldwell moved for approval of minutes from the May 12, 2026, meeting. Member Ousey seconded. The Members voted as follows: Dougherty, aye; Ousey, aye; Ceja, aye; Caldwell, aye; Douglas, aye. Motion passed; 5-0.

Division Reports/Updates

Amanda Pletcher, Administrative Services Manager, provided the update for the Administrative Services Division (ASD). ASD will be making updates to facilities to enhance security measures. In particular, the Medford office will install a door between the lobby and the hearing room. The date of installation is yet to be determined. Also, WCB will update its networks in the Pendleton and Bend offices to increase network activity and prepare for modernization.

Nicholas Cordes, Acting Presiding Administrative Law Judge, shared there were no updates from the Hearings Division.

Cathy Ostrand, Assistant Managing Attorney (AMA), provided the update for the Board Review Division. Board Review has hired two new law clerks, Rives Clark and Carson Boman. She stated that Board Review was excited to have them.

Kerry Anderson, Project Manager, provided the update for the System Services Division. She stated that WCB has partnered with the Department of Consumer and Business Services and Department of Administrative Services to purchase a case management system to further WCB's modernization efforts. They had received and were reviewing vendor proposals. Anderson hoped to have more updates soon.

New Business

Possible adoption of proposed rule amendments and consideration of public comments related to OAR 438-015-0019 "Cost Bill Procedures; Assessed Attorney Fees When the Claimant Prevails in a Cost Bill Dispute"

Chair Dougherty provided the following summary leading up to the possible adoption of [proposed amendments](#) to OAR 438-015-0019 related to the submission of cost bills. In August 2025, following discussions related to amendments to ORS 656.386(2) that increased the cap on cost bill reimbursement, the SAIF Corporation and the Oregon Trial Lawyers Association (OTLA) submitted a joint request that the Board review the process for submitting cost bills. In response, the Board appointed an advisory committee that provided a [report](#) in January 2026. At its March 2026, meeting, the Board considered the advisory committee's report, received public comments, and requested that WCB staff draft proposed rules. At its May 2026, meeting, the Board voted to propose amendments to OAR 438-015-0019. Public notice was filed with the Oregon Secretary of State and the public was notified of the proposed amendments via WCB's email and mailing lists. A [copy](#) of the proposed amendments were posted to WCB's website. A public hearing was held July 22, 2026, and no comments were made at that hearing. Public comments were accepted until August 5, 2026, at 5 p.m. Comments were provided to the Board Members and posted to WCB's website. Public comments that were received were [Exhibit 1, a July 28, 2026, memo from Assistant Managing Attorney Ostrand providing a summary of the July 22, 2026, rulemaking hearing; Exhibit 2, a July 29, 2026, memo from Autumn Blake regarding the use of "must" versus "shall" in administrative rules; and Exhibit 3, an August 5, 2026, letter from Elaine Schooler, SAIF Corporation.](#)

Chair Dougherty opened the floor for Board Member discussion of the proposed rule changes.

Member Ousey shared that he is happy with the proposed rule change and would be voting yes.

Member Caldwell thanked SAIF for their August 5 submission. She appreciated the concerns SAIF

raised throughout the rulemaking process. She appreciated the advisory committee's work on the use of "incurred" versus "paid," however, subsequent public comment had changed the discussion regarding that issue. Since the prior meeting, Member Caldwell had done some research. Given the history of the cost bill, there had not been a significant issue up to that point with the use of the word "incurred." She was in favor of keeping the word incurred in the language of the rule. If issues were to arise, she hoped parties would document those and bring them to the Board.

Member Ceja thanked everyone involved for their input. He stated that he would be voting yes on the proposed rule changes.

Member Douglas agreed with Member Caldwell's remarks. She thanked everyone, specifically Autumn Blake for her memo regarding "shall" versus "must."

Chair Dougherty thanked AMA Ostrand for holding the rulemaking hearing, as well as the advisory committee and SAIF for participating throughout the process. She asked for further discussion.

AMA Ostrand suggested an effective date of September 1, 2026, to apply to newly submitted cost bills. Member Ousey, Ceja, and Caldwell agreed to September 1, 2026. Member Douglas asked for clarification on whether the effective date would include cost bills submitted on or after September 1 or assessed on or after September 1. AMA Ostrand responded that it could apply to cost bills submitted on or after the effective date, or to orders issued that award costs on or after the effective date. Chair Dougherty suggested giving parties more time to implement the change and proposed an effective date of October 1, 2026. Member Caldwell agreed. Member Ousey asked if it would be for orders issued awarding costs after October 1. Member Caldwell suggested it be for cost bills submitted on or after October 1. The Members agreed to that language. Chair Dougherty asked for a motion.

Member Caldwell moved to approve the proposed amendments to OAR 438-015-0019, "Cost Bill Procedures; Assessed Attorney Fees When the Claimant Prevails in a Cost Bill Dispute," effective October 1, 2026, to apply to cost bills submitted on or after October 1, 2026. Member Ceja seconded. The Members voted as follows: Dougherty, aye; Ousey, aye; Ceja, aye; Caldwell, aye; Douglas, aye. Motion passed; 5-0.

AMA Ostrand outlined the next steps to implement the rule change. WCB staff would prepare an order of adoption that would lay out the changes decided at that day's meeting. The paperwork will be filed with the Secretary of State. WCB staff will distribute the change through its mailing lists, website, and News & Case Notes.

General Public Comment

Chair Dougherty asked for general comments. There were none from the public.

Announcements

Chair Dougherty announced that the [2025 Attorney Fee Report](#) was available on WCB's website. The Board would also open the biennial attorney fee review under ORS 656.388(4) at its September 24, 2026, meeting; however, practitioners were welcome to start submitting comments and concepts to the Board prior to that date. The Board had scheduled meetings on September 24, October 29, and November 30, 2026, to discuss the biennial attorney fee review.

Chair Dougherty acknowledged Member Douglas's request to capture cost data at the March meeting.

WCB was investigating a way to capture that data for future reports.

Adjournment

Member Ousey moved to adjourn. Member Caldwell seconded. The Members voted as follows: Dougherty, aye; Ousey, aye; Ceja, aye; Caldwell, aye; Douglas, aye. Motion passed; 5-0. Meeting was adjourned.