

Secretary of State
Certificate and Order for Filing

PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies are true, full and correct copies of the PERMANENT Rule(s) adopted on September 15, 2016 by the

Date prior to or same as filing date

Department of Consumer & Business Services/Workers' Compensation Board	Chapter 438	
Agency and Division	Administrative Rules Chapter Number	
Karen Burton	2601 25 th St. SE, Ste. 150, Salem, OR 97302-1280	(503)934-0123
Rules Coordinator	Address	Telephone

to become effective November 1, 2016. Rulemaking Notice was published in the July 2016 Oregon Bulletin.
Date upon filing or later Month and Year

RULE CAPTION

Amends OAR 438-005-0046(1)(f) (e-mail filing: completed forms – strict compliance not jurisdictional) and OAR 438-006-0100(1) (applies amended ORS 9.320).

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately (000-000-0000)

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND: OAR 438-005-0046; OAR 438-006-0100.

REPEAL:

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 656.726(5).

Other Auth.:

Stats. Implemented: ORS 9.320; ORS 656.283(1), (2); ORS 656.295(1); ORS 656.726(5).

RULE SUMMARY

Amends OAR 438-005-0046(1)(f), which provides for e-mail filing, as follows: (1) Provide that strict compliance with paragraph (B) of this subsection is not jurisdictional and, consistent with OAR 438-005-0035(3), an unrepresented party shall not be held strictly accountable for a failure to comply with Board rules; (2) Delete the specific listing of formats for the attachments and, instead, provide that these attachments must be in a format that can be viewed by the Board; and (3) Provide that, for purposes of this rule, the date of an electronic filing is determined by the date the Board receives the e-mail described in paragraph (A) of this subsection.

Amends OAR 438-006-0100 to apply amendments to ORS 9.320 and replace the word "corporations" with the phrase "parties that are not natural persons" in the list of entities that must be represented by members of the Oregon State Bar.


Authorized Signer

Holly J. Somers
Printed name

9/15/16
Date

Note: Permanent rulemakings must be submitted by the 15th day of the month to be included in the next month's *Oregon Bulletin* and online *OAR Compilation* updates.