



Oregon

Kate Brown, Governor

Workers' Compensation Board

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July 8, 2020

TO WHOM IT MAY CONCERN:

Enclosed are copies of rulemaking materials concerning a hearing that is scheduled for July 31, 2020, at 10 a.m., at the Board's Salem office. These materials have been filed with the Secretary of State's office. Due to the Governor's mandates regarding the coronavirus pandemic, the hearing will be conducted by telephone conference. Instructions for attending the hearing and providing testimony will be posted on the Board's website. The proposed rule changes are described in the attached "Notice of Proposed Rulemaking Hearing." The proposed amendments concern:

- Adopting a rule regarding the voluntary bifurcation of the attorney fee determination from the merits of the underlying litigation in certain cases on Board review. (OAR 438-015-0125).
- Adopting a rule amendment, which provides for the submission of information concerning a "contingent hourly rate and the basis for its calculation" in determining a reasonable assessed attorney fee, if such information is provided by the claimant's attorney. (OAR 438-015-0010(6)).

The Board welcomes your comments regarding these proposed rule changes. Any written comments filed on or before the July 31, 2020, hearing, as well as any oral comments presented at the hearing, will be considered by the Board Members before deciding whether adoption of the proposed rule changes is appropriate.

Constance L. Wold
Board Chair

Enclosures