

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 October 6, 2009 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

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Rules Coordinator Address Telephone

to become effective January 1, 2010. Rulemaking Notice was published in the August 2009 Oregon Bulletin.\*\*  
Date upon filing or later Month and Year

**RULE CAPTION**

Assessed attorney fees – implements amendments to ORS 656.262, ORS 656.308, ORS 656.382, and ORS 656.386 made by HB 3345.

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.

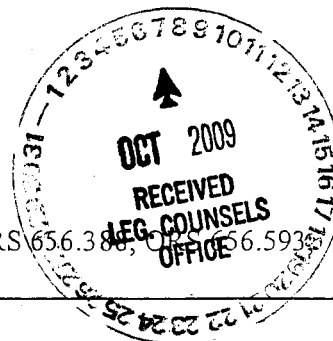
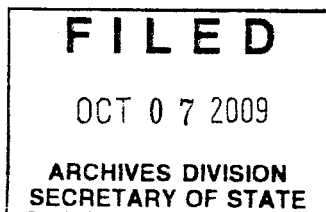
**ADOPT:**

AMEND: OAR 438-005-0055; OAR 438-006-0055; OAR 438-015-0038; OAR 438-015-0055; OAR 438-015-0065;  
OAR 438-015-0070; OAR 438-015-0110.

**REPEAL:**

**RENUMBER:**

**AMEND & RENUMBER:**



Stat. Auth. : ORS 656.283; ORS 656.307; ORS 656.386(1); ORS 656.386(2); ORS 656.386(3); ORS 656.388(3); ORS 656.726(5).

**Other Auth.:**

Stats. Implemented: HB 3345; ORS 656.308(2); ORS 656.262(6); ORS 656.262(11)(a); ORS 656.262(14); ORS 656.262(15); ORS 656.382(2); ORS 656.386(1); ORS 656.386(2); ORS 656.386(3); ORS 656.388(3).

**RULE SUMMARY**

Amends rules to implement House Bill 3345 (HB 3345) that, in relevant part, amends ORS 656.262, ORS 656.308, ORS 656.382, and ORS 656.386, which concern various provisions regarding assessed attorney fees available at hearing and on Board review.

Authorized Signer

Abigail L. Herman  
Printed name

October 6, 2009  
Date

\*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. \*\*The Oregon Bulletin is published the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday. ARC 930-2005