



Oregon

Theodore R. Kulongoski, Governor

Workers' Compensation Board

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November 30, 2005

TO WHOM IT MAY CONCERN:

Enclosed are copies of rulemaking materials regarding permanent amendments adopted by the Board through the following Orders of Adoption:

1. WCB Admin. Order 2-2005, concerning OAR 438-006-0095 (Change of Administrative Law Judge (ALJ)). These permanent rule amendments became effective upon filing with the Secretary of State (November 3, 2005).
2. WCB Admin. Order 3-2005, concerning Division 005 (Adoption; Definitions; Construction; Notices Required) and Division 012 (Board's Own Motion Jurisdiction). These permanent rule amendments become effective January 1, 2006.

The Board's rules can be found online at:

<http://www.cbs.state.or.us/external/wcb/wcbrule/rules.htm>


Also enclosed is a revised "Carrier's Own Motion Recommendation" form (Form 440-2806 (01/2006/WCB)) and Bulletin 1-2005, effective January 1, 2006. These documents have been revised to address amendments to the Board's Division 012 rules regarding the processing of Own Motion claims. The Board's "Carrier's Own Motion Recommendation" form can be found online at:

http://www.cbs.state.or.us/external/wcb/pdf_file/eform.htm

Of note, WCD has revised its Own Motion forms regarding voluntary reopening, claim closure and reimbursement. Those forms can be found online at:

<http://www.cbs.state.or.us/external/wcd/policy/bulletins/forms.html>

Finally, enclosed are "claim processing" scenarios for "worsened condition" claims under ORS 656.278(1)(a). These scenarios are designed to provide some general guidance concerning a carrier's obligations when processing such claims.


Abigail L. Herman
Board Chair

Enclosures