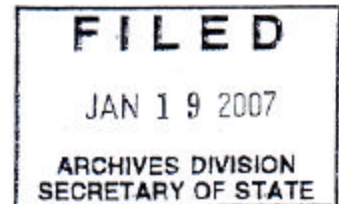


Secretary of State
Certificate and Order for Filing
PERMANENT AND ADMINISTRATIVE RULES



I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on January 19, 2007 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

Vicky Scott 2601 25th St. SE, Suite 150, Salem OR 97302-1280 (503) 378-3308
Rules Coordinator Address Telephone

to become effective March 1, 2007. Rulemaking Notice was published in the November 2006 Oregon Bulletin.**
Date upon filing or later Month and Year

RULE CAPTION

Amendments regarding electronically filed and served requests for hearing/review and rulemaking procedures.
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

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 438-022-0005.

REPEAL:

RENUMBER:

AMEND AND RENUMBER:

Stat. Auth.: ORS 656.726(5).

Other Auth.:

Stats. Implemented: ORS Chapter 183; ORS Chapter 656; ORS 183.341(4); ORS 656.726(5).



RULE SUMMARY

Amends OAR 438-005-0046(1) to permit filing of requests for hearing and Board review by means of e-mail to a single e-mail address with an attached electronic copy of the completed request for hearing or request for Board review form in a specified format (Microsoft Word 2000® (.doc, .txt, .rtf), Adobe Reader® (.pdf), or formats that can be viewed in Internet Explorer® (.tif, .jpg)). Amends OAR 438-005-0046(2) to permit service by e-mail of requests for hearing or Board review, provided that the copy is sent in a format readable by the recipient. These amendments are effective March 1, 2007 and apply to all requests for hearing and Board review filed, and to all services of such requests made on or after March 1, 2007. Amends OAR 438-022-0005 to adopt by reference the Attorney General's Model Rules for Rulemaking adopted by the Department of Justice effective January 1, 2006. This amendment is effective March 1, 2007 and applies to all rulemaking actions initiated on or after March 1, 2007.

Abigail L. Herman Abigail L. Herman, Board Chair January 19, 2007
Authorized Signer Printed name 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