

**FILED**

**JUN 29 2005**

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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

June 28, 2005 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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to become effective September 1, 2005. Rulemaking Notice was published in the June 2005 Oregon Bulletin.\*\*  
Date upon filing or later Month and Year

**RULEMAKING ACTION**

List each rule number separately, 000-00-0000.

**ADOPT:**

**AMEND:** OAR 438-007-0020

**REPEAL:**

**AMEND AND RENUMBER:**

Stat. Auth.: ORS 656.726(5)

Stats. Implemented: ORS Chapter 183; ORS Chapter 656; ORS 656.283(8), ORS 656.724(4), and ORS 656.726(2)(c).



**RULE SUMMARY**

Amends OAR 438-007-0020 by adding provisions that: (1) require that individually identifiable health information may be obtained through a subpoena provided that the person whose medical records are being sought receives notice of the subpoena and the opportunity to object to the subpoena; and (2) if the recipient of the subpoena receives a timely objection, it must comply by mailing the information sought to the Workers' Compensation Board and an expedited pre-hearing conference will be conducted under ORS 656.283 to resolve the matter.

  
Maureen Bock, Board Chair

6/29/2005  
Date

\* Copies include a photocopy of this certificate with paper and electronic copies of each rule listed in the Rulemaking Action.

\*\* The Oregon Bulletin is published on the 1<sup>st</sup> of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15<sup>th</sup> day of the month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday. ARC 930-1997.