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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 July 8, 2003 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, 2003. Rulemaking Notice was published in the April 2003 Oregon Bulletin.\*\*  
Date upon filing or later Month and Year

**RULEMAKING ACTION**

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

**ADOPT:** OAR 438-012-0024; 438-012-0070; 438-012-0075; 438-012-0080; 438-012-0085; 438-012-0090; 438-012-0095; 438-012-0100

**AMEND:** OAR 438-012-0001; 438-012-0018; 438-012-0020; 438-012-0030; 438-012-0035; 438-012-0050; 438-012-0060; 438-012-0061; 438-012-0062; 438-015-0080

**REPEAL:**

**AMEND AND RENUMBER:**

Stat. Auth.: ORS 656.278; 656.726(5)

Stats. Implemented: ORS 656.005(30); 656.262(4); 656.267(1), (3); 656.268(4); 656.278(1), (1)(b), (2), (5), (6); 656.386(1), (2); 656.388(3); 656.726(5)

**RULE SUMMARY**

Permanent amendments to Rules of Practice and Procedures under the Workers' Compensation Law related to the Board's "Own Motion" authority under OAR 438, Division 012, and OAR 438-015-0080 (Attorney Fees in Own Motion Cases) to provide an efficient, effective, and expeditious method for the processing and resolution of "post-aggravation rights" new or omitted medical condition claims, for prescribing procedures for the payment of and suspension of temporary disability benefits, for the referral of certain Own Motion requests for an evidentiary hearing (OAR 438-012-0060(6) and 438-012-0061(4)), for prescribing procedures regarding Board review of insurer closure (OAR 438-012-0060(3) and (4)), and for awarding attorney fees for legal services performed regarding certain Own Motion claims.

Maureen Bock  
Maureen Bock, Board Chair

9 July 2003  
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.

