

# Advocates and Advisory Groups

Injured workers and employers often find the workers' compensation system confusing or inaccessible. Oregon has recognized that the comprehensibility of and access to the system are essential features of success. Therefore, a number of advocates and advisory groups provide services and recommend policy.

## Ombudsman for Injured Workers

The 1987 Legislature created the Office of the Ombudsman for Injured Workers as an independent advocate for injured workers who are seeking to resolve the disposition of their claims. Recognizing the value of the office, the Legislature increased the staff during the 1990 special session. Legislation passed in 2003 clarified the supervision and control of ombudsman services and required that quarterly reports be submitted to the governor. The office consists of the ombudsman and eight staff members.

In 2007, the office recorded more than 11,500 inquiries, down about 6 percent from 2006. About 89 percent of these inquiries were from injured workers. The issues that prompted the most inquiries were claims processing, medical benefits, and accurate and timely benefits.

## Small Business Ombudsman

The Office of the Small Business Ombudsman for Workers' Compensation was created during the 1990 special session to serve as an advocate for and educator of small businesses. The SBO is the resource center for employers needing information about the workers' compensation system. It helps resolve disputes between employers and insurers, provides educational seminars, participates in trade shows, and assists all parties. The office had 3,785 inquiries in 2007, up more than 15 percent from the previous two years.

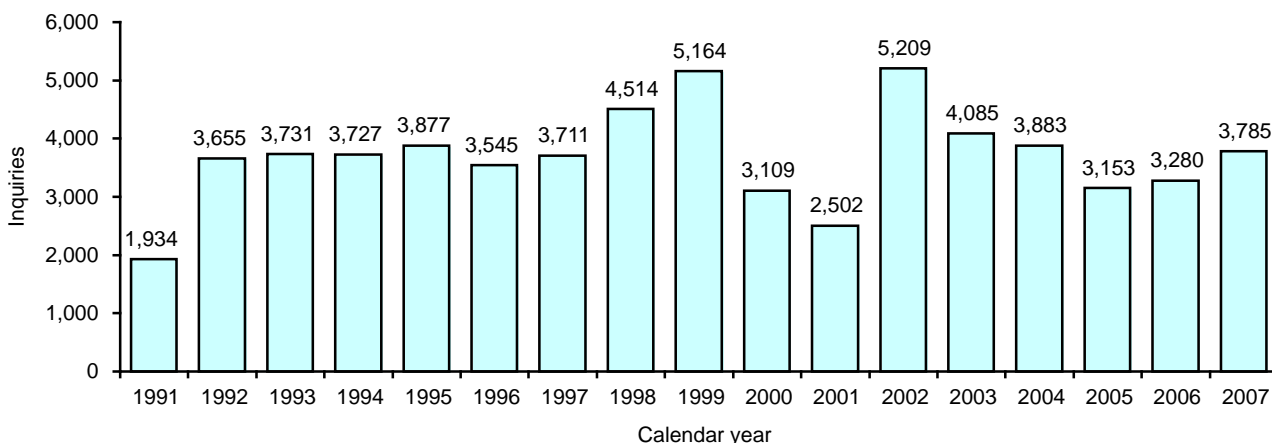
## Medical Advisory Committee

The members advise the director on matters relating to medical care for workers. In 1999, SB 222 revised the composition and duties of this statutory committee. The statute allows the director to appoint medical providers that most represent the health care services provided to injured workers, which may include representatives of insurers, employers, and managed care organizations.

## Management-Labor Advisory Committee

In recognition of the success of the Governor's labor-management committee in crafting the 1990 reforms, the Legislature created the Management-

Figure 10. Small Business Ombudsman inquiries, 1991-2007



Labor Advisory Committee (MLAC). This committee reaffirms that labor and management are the principal parties in the workers' compensation system. The committee advises the department on workers' compensation matters such as administrative rules and legislation. In its 2008 study, "Lessons from the Oregon Workers' Compensation System," the Workers' Compensation Research Institute described MLAC as "unusually effective as a force for orderly system improvement." The study further concluded, "On the whole the Oregon system (through MLAC and other system features) has succeeded in balancing the values of stability and flexibility remarkably well, resulting in a system stable enough to be predictable yet flexible enough to change when necessary. In many states the two values are not compatible."

In 1995, SB 369 reduced the membership of MLAC from 14 members to 10 members and included mandatory reporting on several issues: court decisions having significant impact on the workers'

compensation system, the adequacy of workers' compensation benefits, medical and system costs, and the adequacy of assessments for reserve programs and administrative costs. In 2003, the Legislature removed the requirement that MLAC review temporary rules that establish disability rating standards for individual claims.

In 2007, SB 835 directed MLAC to study death benefits, and a subcommittee was formed to study the topic. The study will include a review of the method of calculating benefits, burial amounts, categories of beneficiaries, and feasibility of providing lump-sum benefit payments. A written report to the 75th Oregon Legislative Assembly is required by Jan. 31, 2009. In addition, MLAC formed subcommittees to review several other areas in detail: significant court cases, supplemental disability benefits for multiple job holders, the claim reconsideration process, and claimant attorney fees.