



# **Oregon Bureau of Labor and Industries**

## **Wage and Hour Division**

## **Memo**

**DATE:** November 1, 2009

**TO:** Legislators and Interested Persons

**FROM:** Christine Hammond, Administrator  
Wage and Hour Division

**REGARDING:** Proposed Administrative Rule Amendments

The Bureau of Labor and Industries has filed a Notice of Proposed Rulemaking with the Secretary of State proposing amendments to the agency's rules pertaining to civil penalties for violations of certain wage and hour laws. The proposed amendments implement House Bill (HB) 2595 enacted by the 2009 Legislature, which prohibits home health agencies and hospice programs from paying nurses providing home health or hospice services on a per-visit basis. HB 2595 provides civil penalty authority to the Commissioner of the Bureau of Labor and Industries for violations of its provisions. The rule amendments conform existing rules relating to the assessment of civil penalties to this legislation.

In addition, the proposed rules clarify conditions to be met in qualifying for payments from the Wage Security Fund and delete obsolete references in the agency's insurance cancellation notification rules.

Copies of the Notice of Proposed Rulemaking, Statement of Need and Fiscal Impact, and text of the proposed draft rule amendments may be accessed on the bureau's webpage at [www.oregon.gov/boli](http://www.oregon.gov/boli). You may also request copies of these documents by calling me at (971) 673-0837.

The last day for public comment regarding the proposed rule amendments is November 25, 2009.

If you have any questions regarding the proposed rule amendments, please feel free to contact me at the number above or by email at [christie.n.hammond@state.or.us](mailto:christie.n.hammond@state.or.us).

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