

# D R A F T

## SUMMARY

Digest: The Act would change when a lump sum payment for permanent partial disability has to be made. (Flesch Readability Score: 65.1).

Requires an insurer to make a lump sum payment of a permanent partial disability award if the worker waives reconsideration of the notice of closure or the award has become final by operation of law.

### A BILL FOR AN ACT

1  
2 Relating to lump sum payments of permanent partial disability awards;  
3 amending ORS 656.230.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 656.230 is amended to read:

6 656.230. (1)(a) When a worker has been awarded compensation for per-  
7 manent partial disability, and the worker requests payment of all or part of  
8 the award in a lump sum payment, the insurer **or self-insured employer**  
9 shall make the payment requested [*unless the*] **if:**

10 [(a)] **(A) The** worker has [*not*] waived the right to [*appeal the adequacy*  
11 *of the award*] **request reconsideration of the notice of closure; or**

12 [(b)] **(B) The** award has [*not*] become final by operation of law[;].

13 **(b) The insurer or self-insured employer is not required to make the**  
14 **payment requested if:**

15 [(c)] **(A)** Payment of compensation has been stayed pending a request for  
16 hearing or review under ORS 656.313; [*or*]

17 [(d)] **(B) The** worker is enrolled and actively engaged in training ac-  
18 cording to rules adopted pursuant to ORS 656.340 and 656.726[.]; **or**

1       **(C) The insurer or self-insured employer timely requests reconsid-**  
2 **eration of the notice of closure under ORS 656.268 (5)(e).**

3       (2) Any unpaid balance of the award **that is** not paid in a lump sum  
4 payment shall be paid pursuant to ORS 656.216.

5       (3) In all cases where **the total amount of** the award for permanent  
6 partial disability does not exceed \$6,000, the insurer or the self-insured em-  
7 ployer shall pay [*all*] **the total amount** of the award to the worker in a  
8 lump sum **payment**.

9

---