

July 20, 2023

JENNY OGAWA, ACTING BOARD CHAIR
WORKERS' COMPENSATION BOARD
2601 25TH ST. SE, STE. 150
SALEM, OR 97302

Re: Request for Proposed Rulemaking regarding denial language

Dear Acting Board Chair Ogawa and Board Members:

SAIF Corporation and the Oregon Trial Lawyers Association jointly request the Workers' Compensation Board utilize its rulemaking process to consider simplifying and improving the readability of the board's required denial language in OAR 438-005-0055. Both parties participated in an advisory committee meeting with the Workers' Compensation Division regarding simplification of workers' compensation correspondence. During the course of that meeting, the denial language contained in the board's rules was noted as an area that could be improved. The parties see this work as a timely opportunity to request a review and simplification of the denial language required by the board's rules.

In addition, the Access to Justice Committee and Executive Committee of the Workers' Compensation section of the Oregon State Bar drafted potential language to simplify the required denial language and improve its readability. A copy is attached.

The parties appreciate the board's consideration of this topic when planning its next quarterly meeting and look forward to offering our ideas for ways to improve the denial language.

Sincerely,

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August 9, 2023

JENNY OGAWA, ACTING BOARD CHAIR
WORKERS' COMPENSATION BOARD
2601 25TH ST. SE, STE. 150
SALEM, OR 97302

Re: Request for proposed concept regarding denial language

Dear Acting Board Chair Ogawa and Board Members:

SAIF Corporation received a request for clarification regarding the parties July 20, 2023 request for proposed rulemaking regarding mandatory denial language. Please consider the parties July 20, 2023 letter a proposed concept for the board's consideration.

Thank you for your time and attention to this matter. Please notify the parties if additional information is needed.

Sincerely,

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