

Workers' Compensation Section

Activities and accomplishments:

The section held its annual business meeting on May 8, 2015 at the Salishan Spa and Golf Resort at Gleneden Beach, Oregon. The meeting was chaired by Keith D. Semple. New officers and executive committee members were elected for 2016.

The section sponsored two CLEs this year. The first took place on May 8th and 9th, 2015, at the Salishan Spa and Golf Resort at Gleneden Beach, Oregon, in conjunction with the section's annual meeting. This seminar was approved for 9 general credits.

Our second seminar, the Bench/Bar Professionalism Forum, was held at the Salem Convention Center in Salem, Oregon on October 23, 2015. This seminar was approved for 1 ethics credit, 1 Access to Justice credit and 1 general credit.

Budget:

The section has maintained its budgetary goals for 2015, under Treasurer Ronald Bohy's leadership. The beginning fund balance was \$20,992 and the projected year-end fund balance is \$20,200. The section made contributions to the Campaign for Equal Justice, and the Oregon Minority Lawyers Association.

Legislative issues:

Our Access to Justice sub-committee successfully proposed and lobbied for Senate Bill 371. This legislation allows an insurer or self-insured employer to mail notice of closure of workers' compensation claim to beneficiaries of a deceased worker under certain circumstances, and establishes the date by which beneficiaries of deceased worker must request reconsideration of a notice of closure if notice is not provided. The legislation also mandates that the insurer or self insured employer pay for necessary interpreter services a reconsideration proceeding.

The section also proposed an administrative rule change that would remove a section from the form provided to a workers' attending physician that allows that worker and the provider to request that a condition be accepted as part of the claim.

Matters considered/Matters pending:

The reduction in attorneys practicing workers' compensation law continues to be a concern for the section with regard to access to justice and quality representation for injured workers, especially in those more rural areas of the State of Oregon. Another major concern is access to justice for injured workers who speak English as a second language or not at all.

The section spent a substantial portion of the year trying to complete a redesign of the website, which was to include a searchable section directory that could be used by injured workers looking for an attorney. We have since been informed by OSB leadership that the searchable directory cannot be made available to the public because it might compete with the OSB Lawyer Referral Service. We are in the process of making the necessary revisions to the website.

We also gave a presentation to the Board of Governors in an attempt to obtain adjustments to the fee splitting provisions of the Lawyer Referral Service, with the goal of reducing the fee split to attract more attorney participation. That proposal is still pending.

For the 2017 full session, the section will propose legislation that future appointments to the workers' compensation board be members in good standing with the Oregon State Bar.

Many thanks to all those section members who have devoted their time to assisting with the section's activities this year.

Respectfully submitted: Keith Semple (CH), Tom Harrell (CH-Elect), Jacqueline M. Jacobson (Past CH), Ronald L. Bohy (TR), Jenny Ogawa (SEC), Katherine M. Caldwell, Bin Chen, Linda D. Conratt, Alana C. DiCicco, Christine Coffelt Frost, Allison B. Lesh, M. Kathryn Olney, John M. Oswald, Carol A. Parks, Steven Mark Schoenfeld, Raymond T. Smitke, Geoffrey G. Wren, Timothy L. Williams (BC), Suzanne Cushing (BL).