

DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIRECTOR'S OFFICE

In the Matter of the Amendment of)
Oregon Administrative Rules (OAR)) ORDER OF ADOPTION
OAR Chapter 440-045 Premium Assessment)

The Director of the Department of Consumer and Business Services, pursuant to rulemaking authority under ORS 705.135 and ORS 656.612, and in accordance with the procedure provided by ORS 183.335, amends Oregon Administrative Rules Chapter 440, Division 045, relating to the workers' compensation premium assessment.

On July 9, 2007, the Director filed the Notice of Proposed Rulemaking Hearing with the Secretary of State. A Statement of Need and Fiscal Impact accompanied the notice. The notice was published in the August 1, 2007 Oregon Bulletin. Copies of the notice and the statement were mailed to interested persons and legislators in accordance with ORS 183.335(1) and OAR 440-001-0000.

A hearing was held on September 24, 2007, and the record was held open through September 24, 2007. The presiding officer considered all information received into record at the hearing and recommended that the assessment rates be adopted as proposed.

RULE SUMMARY

OAR Chapter 440-045-0020, 440-045-0025: The director adopts by rule the workers' compensation premium assessment rate that is paid by all employers based on their workers' compensation premium and is collected by the insurer at the time the employer pays the premium. This assessment is used to fund workers' compensation related programs and workplace safety and health programs that serve Oregon employers and workers. In addition, the rule adopts the rate for an additional assessment percentage amount that is collected from all self-insured employers as well as all self-insured employer groups to fund the Self-Insured Employers Adjustment Reserve and the Self-Insured Employer Group Adjustment Reserve. These reserves are established to assure benefits are available in the event of a financial failure of a self-insured employer or self-insured employer group. This rulemaking adopts the assessment percentage that will be in effect from January 1, 2008 to December 31, 2008. The recommendation for the 2008 premium assessment rate was announced on September 18, 2007. The Agency requested public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

IT HEREBY ORDERED THAT

- (1) Amendments to OAR 440-045-0020 and 440-045-0025, attached hereto and incorporated by reference herein, are adopted on this 1st day of October, 2007 to be effective January 1, 2008.
- (2) The amended rules adopted herein shall be filed with the Secretary of State.
- (3) A copy of the amended rules with revision marks shall be filed with the Legislative Counsel pursuant to ORS 183.715 within ten (10) days after filing with the Secretary of State.

Department of Consumer and Business Services

(Signed by Cory Streisinger)
Cory Streisinger, Director

10/2/2007
Date