

NOTICE OF PROPOSED RULEMAKING HEARING*

A Statement of Need and Fiscal Impact accompanies this form.

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| Department of Consumer and Business Services- Director's Office | OAR CHAPTER 440 |
| Agency and Division | Administrative Rules Chapter Number |
| Kristen I. Miller | 350 Winter Street NE, P.O. Box 14480, Salem Oregon 97309-0405 |
| Rules Coordinator | Address |
| | 503-947-7866 |
| | Telephone |

RULE CAPTION**2009 Workers' Compensation Premium Assessment Rates****Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.**

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|--------------------|-----------|--|------------------|
| September 22, 2008 | 2:00 p.m. | Labor & Industries Building, 350 Winter Street NE, Conf. Rm. F | Fred Bruyns |
| Hearing Date | Time | Location | Hearings Officer |

Auxiliary aids for persons with disabilities are available upon advance request.

A hearing regarding 2009 Workers' Compensation Premium Assessment Rates will be held on Monday, September 22, 2008 from 2:00 p.m. to 5:00 p.m. Written testimony will be accepted if received no later than 5:00 p.m., September 22, 2008 by the Director's Office of the Department of Consumer and Business Services, 350 Winter Street NE, P. O. Box 14480, Salem, OR 97309-0405.

RULEMAKING ACTION

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

AMEND: OAR 440-045-0020, 440-045-0025

Stat. Auth. : ORS 705.135; ORS 656.726, 656.612

Other Auth.:

Stats. Implemented: ORS 656.612, ORS 656.614

RULE SUMMARY

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 will adopt the assessment percentage that will be in effect from January 1, 2009 to December 31, 2009. Before recommending the 2009 premium assessment rate, the department must analyze financial data that is not available until late July 2008, review the data, and authorize or disapprove a proposed workers' compensation pure premium insurance rate filing filed by the National Council on Compensation Insurance. We expect the recommendation for the 2009 premium assessment rate to be announced between September 15 and September 19, 2008.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing any negative economic impact of the rule on business.

Text of the proposed rule as well as the other rulemaking documents can be found at:
<http://www.oregon.gov/DCBS/DIR/rules.shtml>

Address questions to: Kristen I. Miller, Rules Coordinator; phone 503-947-7866; fax 503-947-6444; or e-mail kristen.i.miller@state.or.us

September 22, 2008 at 5:00 p.m.

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator)

Greg Malkasian, Deputy Director

7/2/2008

Signature

Printed name

Date

*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005