OFFICE OF THE SECRETARY OF STATE
SHEMIA FAGAN
SECRETARY OF STATE

CHERYL MYERS
DEPUTY SECRETARY OF STATE

ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

STATUTORY MINOR CORRECTION

FILED
03/15/2022 12:34 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

WCB 16-2022
CHAPTER 438
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
WORKERS' COMPENSATION BOARD

FILING CAPTION: Changing language to reflect inclusion of “nonbinary” designations

CONTACT: Katy Gunville
503-934-0123
katy.e.gunville@wcb.oregon.gov

2601 25th St. SE, Ste. 150
Salem,OR 97302

Filed By:
Katy Gunville
Rules Coordinator

AGENCY ATTESTS THE FOLLOWING CHANGES HAVE BEEN MADE, ACCORDING TO ORS 183.335(7):

Changing the name of a program, office or division within an agency as long as the change in name does not have a substantive effect on the functions of the program, office or division

AMEND: 438-013-0035

RULE TITLE: Postponements and Continuances

RULE SUMMARY: Postponements and Continuances

RULE TEXT:

(1) A hearing under the Expedited Claims Service shall not be postponed except upon a showing of extraordinary circumstances beyond the control of the party requesting the postponement. “Extraordinary circumstances” shall be as defined in OAR 438-006-0081 except that unavailability of an individual who represents an insurer shall not be a reason to postpone a hearing under any circumstances and unavailability of an individual who represents a claimant shall not be a reason to postpone a hearing under the Expedited Claims Service unless the Administrative Law Judge finds that the claimant is physically or mentally incapable of representing themself at the hearing.
(2) A hearing under the Expedited Claims Service may be continued for further proceedings only if the Administrative Law Judge finds and states on the oral record that a continuance is required to achieve substantial justice.

STATUTORY/OTHER AUTHORITY: ORS 656.307, 656.388, 656.593, 656.726(4)

STATUTES/OTHER IMPLEMENTED: ORS 656.291(3)(b), 656.291(4)