



Hearing Officer's Report to Agency on Rulemaking Hearing

Date: 6/5/2025

To: Department of Consumer and Business Services

From: Raven Collins, Hearing Officer

Subject: NCCI Statistical Plan changes related to the Experience Rating Plan Manual for Workers' Compensation and Employers Liability Insurance

Hearing Date/Time: May 22, 2025 at 9:00am

Hearing Location: Hybrid meeting conducted in person at Labor and Industries Building and virtually on Microsoft Teams

Comment Period End: May 29, 2025

Background

ORS 737.205 requires workers' compensation insurers to file copies of rates, rating plans, and rating systems with the director of the Department of Consumer and Business Services (DCBS). It also allows insurers to meet filing obligations by becoming a member of, or a subscriber to, a licensed rating organization, which makes filings on the insurer's behalf. ORS 737.225 states that the director shall prescribe by rule the statistical plan for workers' compensation insurance. The director has done so through the promulgation and amendment of OAR 836-042-0045.

Additionally, ORS 656.508(3) grants the State Accident Insurance Fund (SAIF) the right to use schedule rating, while OAR 836-042-0025 does not. OAR 836-042-0025(2)(b) will be amended to eliminate section (b) as currently written.

Hearing

A public hearing to receive testimony on this rule change was held on May 22, 2025. Notice for the hearing was published in the Oregon Bulletin on May 1, 2025. Public testimony was accepted until 5:00 p.m. on May 29, 2025. Representing DCBS at the public hearing were Raven Collins, Karen Winkel, and several other individuals from the Workers' Compensation Division.

Seven members of the public attended the hearing in person or remotely, and one individual provided verbal testimony.

No public comments were received in writing after the Notice of Proposed Rulemaking was published and before the comment deadline.

Summary of Testimony

The only testimony given during the public hearing was from Todd Johnson of National Council on Compensation Insurance (NCCI), indicating that NCCI did not have any objections to the proposed rules.

Discussion

The division did not receive any public comments recommending changes to the proposed rule; therefore there is no discussion.

Recommendation

Having considered fully the testimony at the hearing, I recommend that the division adopt the proposed rules without any changes.

Raven Collins
Hearing Officer
Division of Financial Regulation

This Summary and Recommendation are reviewed and adopted.

Signed this 19th day of June, 2025.



TK Keen, Administrator
Acting Insurance Commissioner
Division of Financial Regulation