

**NOTICE OF PUBLIC MEETING  
WORKERS' COMPENSATION  
MANAGEMENT-LABOR ADVISORY COMMITTEE  
NOTICE OF CLAIM SUBCOMMITTEE**

June 19, 2009  
11:00 a.m. – 12:00 noon  
Conference Room 260, Labor & Industries Building  
350 Winter Street NE, Salem, Oregon

***Committee Members Present:***

Greg Miller, Gunderson LLC, Portland  
Kathy Nishimoto, Duckwall-Pooley Co., Hood River  
Mike O'Rourke, Plumbing and Steamfitters UA 290, Tualatin  
Jeri Ray, Timber Products Company, Springfield  
Sheri Sundstrom, Hoffman Construction Company, Portland  
Tracy Brill, Portland Fire Fighters Association, Portland  
Lon Holston, Laborers' International, Local 483, Portland

***Committee Members Excused:***

Cory Streisinger, Ex-Officio Member, Department of Consumer and Business Services, Salem  
John Kirkpatrick, IUPAT District Council, Portland  
Bob Shiprack, Oregon Building Trades Council, Portland  
Linda Barno, ESIS, Inc., Portland

**VOLUNTEERS SUBCOMMITTEE**

Sheri Sundstrom, subcommittee chair, called the meeting to order at 11:11 a.m.

There was unanimous consent by the subcommittee that the minutes from February 6, 2009 be adopted with small corrections.

**COMMITTEE DISCUSSION**

Ms. Sundstrom requested to see something in a time line form, for both occupational disease and injury, that shows what is in the statute, how it has been interpreted, and what has been changed over the years.

Ms. Sundstrom further requested examples of what other states are doing similarly and if they are seeing the same changes that MLAC is seeing. Ms. Sundstrom asked for a comparison of other states.

Lou Savage noted it is important for the division to know what specific issues need to be resolved.

Ms. Sundstrom noted the main focus areas the committee is looking at are timeframes and whether it is occupational disease or occupational injury. Ms. Sundstrom wants to make sure MLAC is sensitive to some of the egregious cases.

Ms. Sundstrom emphasized she would like to see a clear definition of "Notice of Claim." Ms. Sundstrom also would like to see clarification of the responsibility issue and how does that fit into these timelines.

Mike O'Rourke noted he would like to see where the injury starts and what are the specific steps.

Jennifer Flood, Ombudsman for Injured Workers, asked if the subcommittee is focusing only on the initial or new and omitted conditions and timeliness?

Ms. Sundstrom pointed out the subcommittee needs to narrow the focus if it is to be done for the next legislative session and asked DCBS to provide areas of focus so the subcommittee does not lose track.

Mr. Savage noted the next meeting will be in July and the subcommittees will be combined, including the Interpreters subcommittee.

Cara Filsinger asked for clarification of the timeline issue.

Ms. Sundstrom explained that the subcommittee would like the timeline to focus on what has changed, whether case law or statutes, since 1990.

Ms. Filsinger asked Ms. Sundstrom to also clarify what would the subcommittee like to see on the "other states" issue.

Ms. Sundstrom responded that the subcommittee would like to see what other states are doing with the time in filing the claim.

John Shilts, Administrator of Workers' Compensation Division, clarified that the subcommittee is asking to see what is the timeframe for filing a claim in other states, what other states are considering to be a notice of a claim, and how workers file claims in other states.

Ms. Sundstrom noted that notice of an injury is different than notice of a claim. Ms. Sundstrom asked Mr. Shilts to look into the three areas he listed above for both occupational injury and occupational disease.

Meeting adjourned at 11: 27