



Oregon

Tina Kotek, Governor

Workers' Compensation Board

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December 22, 2025

PERMANENT CHANGES TO WORKERS' COMPENSATION BOARD RULES

Caption: Implementing HB 2799 (2025) to increase the cap on expenses and costs.

WCB Admin. Order 2-2025

The Workers' Compensation Board amends OAR 438-015-0019 (Cost Bill Procedures; Assessed Attorney Fees When the Claimant Prevails in a Cost Bill Dispute) to increase the amount a claimant may recover for expenses and costs after finally prevailing against a claim denial, consistent with House Bill (HB) 2799 (2025).

At the Board's October 23, 2025, meeting, the Members voted to propose to amend the rule as recommended by staff in a memo dated October 13, 2025. Notice of Proposed Rulemaking, including Statement of Need and Fiscal Impact, was filed with the Secretary of State on October 29, 2025, and published in the November Oregon Bulletin. In addition, notice was sent to interested persons and legislators in accordance with OAR 438-022-0010 and published on the Board's website.

No public hearing was scheduled. The deadline for written comments was December 18, 2025, at 10:30 a.m.

One written comment was received in favor of amending the rule. The comment is marked as Exhibit 1 and posted on the Board's website at

<https://www.oregon.gov/wcb/legal/Pages/laws-and-rules.aspx>.

At the Board's December 18, 2025, meeting, the Members voted to adopt the amended rule as proposed, to be effective January 1, 2026, and to apply to orders issued on or after January 1, 2026.

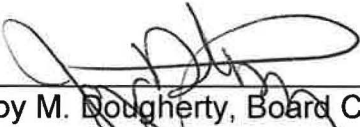
The Board approves the permanent rule to be filed with the Secretary of State in the Oregon Administrative Rules database (OARD).

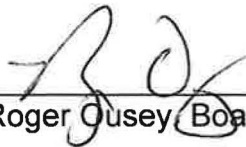
The full text of the permanent rule is available on the Board's website at

<https://www.oregon.gov/wcb/legal/Pages/laws-and-rules.aspx>.

Questions about this rulemaking can be directed to Autumn Blake, Rules Coordinator, at 503-934-0123 or autumn.k.blake@wcb.oregon.gov.

Workers' Compensation Board



Joy M. Dougherty, Board Chair

Roger Ousey, Board Member

Moisés R. Ceja, Board Member

Melissa Douglas, Board Member

Katherine M. Caldwell, Board Member