

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on August 14, 2009 by the
Date prior to or same as filing date

Oregon Department of Consumer and Business Services	Insurance Division	836
Agency and Division		Administrative Rules Chapter Number

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to become effective August 14, 2009. Rulemaking Notice was published in the July 2009 Oregon Bulletin. **
Date upon filing or later Month and Year

RULE CAPTION

Elimination of use of guaranty contracts as proof of coverage with Workers' Compensation Division.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately (000-000-0000)

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

ADOPT:

AMEND: OAR 836-043-0046 and 836-043-0056

REPEAL:

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 656.427, 656.730 and 731.244

Other Auth.:

Stats. Implemented: ORS 656.419, 656.427, 656.730 and 737.265

RULE SUMMARY

OAR 836-043-0001 to OAR 836-043-0091 govern the operation of the Oregon Workers' Compensation Insurance Plan (WCIP). The WCIP provides workers' compensation coverage for employers who are in good faith entitled to insurance but who are unable to procure coverage in a regular manner. Enrolled Senate Bill 559 (2007 Session) eliminated insurer filing of a guaranty contract as proof of employer coverage with the Workers' Compensation Division effective July 1, 2009. OAR 836-043-0046 and 836-043-0056 include references to filing of a guaranty contract. The Insurance Division is amending the rules to comply with the 2007 legislative changes to the Oregon Workers' Compensation laws.

The proposed amendments eliminate references to a guaranty contract and termination of a guaranty contract. Adoption of these changes will conform ORS 836-043-0001 to ORS 836-043-0091 governing WCIP to the changes made by SB 559 in 2007.

(Signed) _____	Teresa Miller, Insurance Administrator	August 14, 2009
Authorized Signer	Printed Name	Date

*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. **The Oregon Bulletin is published the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings 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, when filings are accepted until 5:00 pm on the preceding workday. ARC 930-2005