

**PROPOSED REGULATION OF THE ADMINISTRATOR OF THE
DIVISION OF INDUSTRIAL RELATIONS OF THE
DEPARTMENT OF BUSINESS AND INDUSTRY**

LCB File No. R163-05

October 26, 2005

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §§1-3, section 2 of chapter 350, Statutes of Nevada 2005, at page 1316.

A REGULATION relating to industrial insurance; establishing a method for the equitable distribution of the money withdrawn each year from the Uninsured Employers' Claim Account for the purpose of making annual payments to certain persons for a permanent total disability; requiring an insurer to provide certain information in connection with these payments; and providing other matters properly relating thereto.

Section 1. Chapter 616C of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. 1. *The Administrator will make an annual payment to each claimant or dependent who is entitled as of July 1 to receive such a payment for a permanent total disability pursuant to chapter 350, Statutes of Nevada 2005, at page 1316. The amount of the payment to each claimant or dependent is equal to two-fifths of the amount the Administrator withdraws from the Uninsured Employers' Claim Account for this purpose divided by the total number of claimants and dependents entitled to be paid and:*

(a) If the claimant or dependent receives compensation of less than \$1,000 per month, an additional amount that is equal to two-fifths of the amount the Administrator withdraws from the Uninsured Employers' Claim Account divided by the total number of claimants and dependents entitled to be paid pursuant to this paragraph; or

(b) If the claimant or dependent receives compensation of \$1,000 per month or more, but less than \$1,500 per month, an additional amount that is equal to one-fifth of the amount the Administrator withdraws from the Uninsured Employers' Claim Account divided by the total number of claimants and dependents entitled to be paid pursuant to this paragraph.

2. As used in this section:

(a) "Claimant" means a person who is entitled to receive compensation pursuant to chapters 616A to 617 of NRS, inclusive, for a permanent total disability and is not entitled to an annual increase in that compensation pursuant to NRS 616C.473.

(b) "Compensation" means compensation a claimant or dependent is entitled to receive pursuant to chapters 616A to 617 of NRS, inclusive, for a permanent total disability.

(c) "Dependent" means a dependent of a claimant.

Sec. 3. *1. An insurer shall provide any information required by the Administrator to carry out the provisions of section 2 of this regulation and section 2 of chapter 350, Statutes of Nevada 2005, at page 1316.*

2. An insurer who violates subsection 1 is subject to administrative action pursuant to NRS 616D.120.