

**PROPOSED REGULATION OF
THE COMMISSIONER OF INSURANCE**

LCB File No. R171-08

July 28, 2008

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

AUTHORITY: §1, NRS 679B.130 and 679B.290.

A REGULATION relating to insurance; revising provisions relating to per diem rates that are applicable to the examination of insurers; and providing other matters properly relating thereto.

Section 1. NAC 679B.0335 is hereby amended to read as follows:

679B.0335 ~~1.~~ Reasonable and proper expenses ~~[incurred in an examination conducted pursuant to]~~, *as described in* NRS 679B.290, may include, but are not limited to:

~~1.~~ *1.* For a financial examiner or market conduct examiner, a daily salary as defined in the *Examiners Handbook* published by the National Association of Insurance Commissioners, which has been adopted by reference in NAC 679B.033.

~~2.~~ *2.* For expert assistants, a daily salary based upon the rate established in the contract approved by the State Board of Examiners.

~~3.~~ *3.* The maximum per diem rate for the location of the examination as set forth in the Federal Travel Regulation System of the General Services Administration, 41 C.F.R. ~~[chapters]~~ *chapter* 301 . ~~[to 304, inclusive.]~~

~~—(d)]~~ *A current schedule of the maximum per diem rates as set forth in the Federal Travel Regulation System of the General Services Administration, 41 C.F.R. chapter 301, is available at no cost on the Internet at <http://www.gsa.gov/perdiem>.*

4. Expenses for transportation, including, but not limited to, the cost of airfare, rail fare, taxicab fare and automobile rental and the reimbursement of any personal automobile expenses necessary to reach the location of the examination. The calculation of expenses for transportation may include expenses for transportation incurred by virtue of the length of time necessary to complete the examination.

~~[(e)]~~ 5. Upon approval of the Commissioner, miscellaneous expenses incurred by the examiner and assistants while performing an examination. Miscellaneous expenses may include, but are not limited to, expenses for telephone calls, facsimile transmissions and postal charges relating to the examination.

~~[(f)]~~ 6. An administrative charge, expressed as a percentage of the daily salary of the examiner or assistant, as provided in ~~[paragraphs (a) and (b) of this subsection]~~ **subsections 1 and 2** and as provided in the division budget approved by the Nevada Legislature.

~~[2. — A copy of the Federal Travel Regulation System, stock number 922-002-00000-2, may be obtained from the Superintendent of Documents, U.S. Government Bookstore, Room 118, Federal Building, 1000 Liberty Avenue, Pittsburgh, Pennsylvania 15222, at a price of \$347.]~~