

**PROPOSED REGULATION OF
THE COMMISSIONER OF INSURANCE**

LCB File No. R204-08

September 9, 2008

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

AUTHORITY: §1, NRS 616B.732 and 616B.737.

A REGULATION relating to industrial insurance; providing that an employee of a contractor or subcontractor who is covered under a consolidated insurance program that is established before July 1, 2007, by the owner or principal contractor of certain construction projects is an employee of the owner or principal contractor for the purpose of determining the loss experiences of the owner, principal contractor, contractor and subcontractor; providing that an employee of a contractor or subcontractor who is covered under a consolidated insurance program that is established on or after July 1, 2007, by the owner or principal contractor of certain construction projects is an employee of the contractor or subcontractor for the purpose of determining the loss experiences of the owner, principal contractor, contractor and subcontractor; and providing other matters properly relating thereto.

Section 1. Chapter 616B of NAC is hereby amended by adding thereto a new section to read as follows:

If an owner or principal contractor establishes and administers a consolidated insurance program pursuant to NRS 616B.710, each employee of a contractor or subcontractor who is covered under the consolidated insurance program:

- 1. If the consolidated insurance program is established before July 1, 2007, shall be deemed to be an employee of the owner or principal contractor for the purpose of determining the loss experience of the owner or principal contractor.*
- 2. If the consolidated insurance program is established on or after July 1, 2007:*

(a) Is an employee of the contractor or subcontractor for the purpose of determining the loss experience of the contractor or subcontractor.

(b) Shall not be deemed to be an employee of the owner or principal contractor for the purpose of determining the loss experience of the owner or principal contractor.