

**ADOPTED REGULATION OF THE  
COMMISSIONER OF INSURANCE**

**LCB File No. R032-12**

Effective September 14, 2012

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

AUTHORITY: §1, NRS 616B.300 and 679B.130.

A REGULATION relating to insurance; revising the price for purchasing a copy of a publication with which certain governmental employers that are self-insured for purposes of workers' compensation must comply; and providing other matters properly relating thereto.

**Section 1.** NAC 616B.427 is hereby amended to read as follows:

616B.427 1. To determine whether a governmental employer has the financial ability to qualify as a self-insured employer, the Commissioner will consider the use of fund accounting and waive the requirement for a tangible net worth found in NAC 616B.424. All other requirements for qualification apply to the governmental entity.

2. In addition to the deposit required by NRS 616B.300, a governmental entity that does not meet the requirements of subsection 1 shall:

(a) Comply with the requirements of Statement No. 10 of the Governmental Accounting Standards Board, which may be obtained from the Governmental Accounting Standards Board, 401 Merritt 7, P.O. Box 5116, Norwalk, Connecticut 06856-5116, or on the Internet at <http://www.gasb.org>, at a cost of ~~[\$18.50;]~~ **\$22.50;** or

(b) Set aside, in a special reserve account, an amount equal to the deposit it made with the Commissioner to assure payment of claims. This account must be held in trust for the payment of

claims, and all interest and income earned must be credited to that account. If securities are used for this account, then the form of the securities must be submitted to the Commissioner for approval.

## INFORMATIONAL STATEMENT--R032-12

A workshop was held on June 5, 2012, and a hearing was held on June 14, 2012, at the offices of the Department of Business and Industry, Division of Insurance (“Division”), 1818 East College Parkway, Carson City, Nevada 89706, with a simultaneous videoconference conducted at the Bradley Building, 2501 East Sahara Avenue, 2<sup>nd</sup> Floor Conference Room, Las Vegas, Nevada 89104, in regard to adoption of the regulation concerning the cost of a GASB publication.

Public comment was solicited by posting notices of the workshop and hearing in the following public locations: the Division’s Web site, the Division’s Carson City and Las Vegas offices, Carson City Courthouse, Office of the Attorney General, Capitol Building Lobby, Capitol Building Press Room, Blasdel Building, and Legislative Counsel Bureau; and by providing the notices of the workshop and hearing to: the Donald W. Reynolds Press Center, Nevada State Library, Carson City Library, Churchill County Library, Clark County District Library, Douglas County Library, Elko County Library, Esmeralda County Library, Eureka Branch Library, Humboldt County Library, Lander County Library, Lincoln County Library, Lyon County Library, Mineral County Library, Pershing County Library, Storey County Library, Tonopah Public Library, Washoe County Library, and White Pine County Library.

The Division maintains a list of interested parties, comprised mainly of insurance companies, agencies and other persons regulated by the Division. These persons were notified of the workshop and hearing and that a copy of the regulation could be obtained from or examined at the offices of the Division.

The workshop was attended by one interested member of the public in Carson City and one in Las Vegas. The proposed regulation was presented orally by Kim Germain, on behalf of the Division. The Division did not receive any written comments.

The hearing was attended by one interested member of the public in Las Vegas, and no one from the public attended in Carson City. The proposed regulation was presented orally by Kim Germain, on behalf of the Division. The Division did not receive any written comments.

After considering the record and the recommendation of the hearing officer, the Commissioner has issued an order adopting the regulation, LCB File No. R032-12, as proposed, as a permanent regulation of the Division.

The economic impact of the regulation is as follows:

- (a) On the business it is to regulate: \$4.00 more per publication that it purchases.
- (b) On the small businesses: \$4.00 more per publication that it purchases.
- (c) On the public: None.

The Division will not incur any additional expense to enforce this regulation.

The Division is not aware of any overlap or duplication of the regulation with any state, local or federal regulation.

STATE OF NEVADA  
DEPARTMENT OF BUSINESS AND INDUSTRY  
DIVISION OF INSURANCE

IN THE MATTER OF THE

CAUSE NO. **12.0190**

LCB FILE NO. **R032-12**

**REGULATION CONCERNING  
GASB PUBLICATION COST**

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**SUMMARY OF PROCEEDINGS  
AND ORDER**

**SUMMARY OF PROCEEDINGS**

A public workshop, as required by Nevada Revised Statute (“NRS”) 233B.061, on the proposed regulation which updates the cost of certain publications of the Governmental Accounting Standards Board (“GASB”) was held before Amy L. Parks, Esq. (“Hearing Officer”), on June 5, 2012, in the hearing room of the Nevada Division of Insurance (“Division”) in Carson City, Nevada, and videoconferenced to the conference room located on the 2<sup>nd</sup> floor of the Bradley Building in Las Vegas, Nevada. A public hearing on the proposed regulation was also held before the Hearing Officer, on June 14, 2012, in the hearing room of the Division’s Carson City office, and videoconferenced to the Bradley Building conference room in Las Vegas. The regulation was proposed under the authority of NRS 616B.300 and NRS 679B.130.

The workshop was attended by one member of the public in Carson City and one member of the public in Las Vegas. The hearing was attended by one member of the public in Las Vegas. No written comments were received, nor was there any testimony from the public during the workshop or hearing.

At the workshop, the proposed regulation was presented by Ms. Kim Germain, Management Analyst II of the Self-Insured Workers’ Compensation Section of the Division. Ms. Germain testified that the regulation, if adopted, will amend paragraph (a) of subsection 2 of NAC 616B.427, as follows:

The cost of Statement No. 10 will be amended from \$18.50 to \$22.50 to reflect a recent change in the cost of this publication.

At the hearing, Ms. Germain again presented the regulation, LCB File No. R032-12, and summarized the proceedings of the workshop. There being no testimony from the public, the Hearing Officer closed the hearing.

**RECOMMENDED ORDER OF THE HEARING OFFICER**

Based upon the testimony received at the workshop and hearing, and the written comments received, if any, it is recommended that the proposed regulation concerning GASB Publication Cost, LCB File No. R032-12, be adopted, as proposed, as a permanent regulation of the Division. See Exhibit A.

SO RECOMMENDED this 3rd day of July, 2012.

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/s/  
AMY L. PARKS  
Hearing Officer

**ORDER OF THE COMMISSIONER**

Having reviewed the record in this matter and the recommendation of the Hearing Officer, it is hereby ordered that the proposed regulation concerning GASB Publication Cost, LCB File No. R032-12, be adopted, as proposed, as a permanent regulation of the Division. See Exhibit A.

SO ORDERED this 5th day of July, 2012.

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/s/  
SCOTT J. KIPPER  
Commissioner of Insurance