

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS
INFORMATIONAL STATEMENT AS REQUIRED BY NRS 233B.066**

LCB FILE NO. R119-16

The following statement is submitted by the State of Nevada, Department of Business and Industry, Division of Insurance (“Division”) for adopted amendments to Nevada Administrative Code (“NAC”) Chapter(s) 686A.

1. A clear and concise explanation of the need for the adopted regulation.

The Commissioner of Insurance is required to promulgate regulations to require the use of uniform claim forms. NRS 679B.138.1. Nevada Administrative Code (“NAC”) 686A.288 prescribes the claims form that claims payers must use. In 2015, SB 137 was enacted requiring the coordination of benefits between dental insurance and health insurance. In order to maintain claim form uniformity and ensure the coordination of benefits, claim forms must be added or updated to accommodate the use of the American Dental Association’s Code on Dental Procedures and Nomenclature.

2. A description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

- (a) A description of how public comment was solicited:

Public comment was solicited by e-mailing the proposed regulation, notice(s) of workshop, notice(s) of intent to act upon the regulation, and small business impact statement to persons on the Division’s mailing list requesting notification of proposed regulations. The documents were also made available on the website of the Division, <http://doi.nv.gov/>, mailed to the main library for each county in Nevada, and posted at the following locations:

*Department of Business and Industry
Division of Insurance
1818 East College Parkway, Suite 103
Carson City, Nevada 89706*

*Department of Business and Industry
Division of Insurance
2501 East Sahara Avenue, Suite 302
Las Vegas, Nevada 89104*

*Legislative Building
401 South Carson Street
Carson City, Nevada 89701*

*Grant Sawyer Building
555 East Washington Avenue
Las Vegas, Nevada 89101*

*Blasdel Building
209 East Musser Street
Carson City, Nevada 89701*

*Capitol Building
101 North Carson Street
Carson City, Nevada 89701*

*Nevada Department of Employment,
Training and Rehabilitation
2800 E. Saint Louis Avenue
Las Vegas, Nevada 89104*

Public comment was also solicited at the workshop(s) held on September 21, 2016, and at the hearing(s) held on October 11, 2016 and December 12, 2016. The public meetings took place at the offices of the Division, 1818 East College Parkway, Carson City, Nevada 89706, with simultaneous videoconferencing to the Bradley Building, 2501 East Sahara Avenue, Las Vegas, Nevada 89104.

(b) A summary of the public response:

The Division received both written and oral comments. The comments centered on two areas:

- 1) Claim processing and whether requiring the use of a standardized form improved the claim process. A comment was received that stated the current process was appropriate and did not cause delays in claim processing. The comments indicated that the information submitted was more important than the form it was submitted on.*
- 2) The CDT 2016: Dental Procedure Codes adopted by reference. A comment was received that indicated that the referenced codes can change annually and that the reference should be to the most current version to avoid making the regulation out of date.*

(c) An explanation of how other interested persons may obtain a copy of the summary:

The summary in part 2(b) above reflects the comments and testimony that transpired with regard to regulation R119-16. A copy of said summary may be obtained by contacting Kim Everett, Acting Chief Insurance Examiner for the Life and Health Section, at (775) 687-0700 or keverett@doi.nv.gov. This summary will also be made available by e-mail request to insinfo@doi.nv.gov.

3. The number of persons who:

- | | | |
|-----|----------------------------|------------------------------|
| (a) | Attended each hearing: | <i>September 21, 2016: 3</i> |
| | | <i>October 11, 2016: 0</i> |
| | | <i>December 12, 2016: 1</i> |
| (b) | Testified at each hearing: | <i>September 21, 2016: 3</i> |
| | | <i>October 11, 2016: 1</i> |
| | | <i>December 12, 2016: 1</i> |

(c) Submitted to the agency written statements: 2

4. A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented, for each person identified above in #3 (b) and (c), as provided to the agency:

September 21, 2016 Workshop – Persons who testified:

Name	Entity/Organization Represented	Business Address	Telephone No./ Business Telephone No.	E-Mail Address
<i>Jeremey Gladstone</i>	<i>Nevada Division of Insurance</i>	<i>1818 College Pkwy. Carson City, NV 89706</i>	<i>775-687-0729</i>	<i>jgladstone@doi.nv.gov</i>
<i>Joanna Jacob</i>	<i>Ferrari Public Affairs for NV Dental Association</i>	<i>4741 Caughlin Parkway Suite 2 Reno, NV 89519</i>	<i>775-351-8978</i>	<i>joanna@ferraripa.com</i>
<i>James L. Wadhams</i>	<i>Fennemore Craig</i>	<i>300 S. Fourth Street Suite 1400 Las Vegas, NV 89101</i>	<i>702-692-8039</i>	<i>jwadhams@fclaw.com</i>

October 11, 2016 Hearing – Persons who testified:

Name	Entity/Organization Represented	Business Address	Telephone No./ Business Telephone No.	E-Mail Address
<i>Jeremey Gladstone</i>	<i>Nevada Division of Insurance</i>	<i>1818 College Pkwy. Carson City, NV 89706</i>	<i>775-687-0729</i>	<i>jgladstone@doi.nv.gov</i>

December 12, 2016 Hearing – Persons who testified:

Name	Entity/Organization Represented	Business Address	Telephone No./ Business Telephone No.	E-Mail Address
<i>Jeremey Gladstone</i>	<i>Nevada Division of Insurance</i>	<i>1818 College Pkwy. Carson City, NV 89706</i>	<i>775-687-0729</i>	<i>jgladstone@doi.nv.gov</i>

Persons who provided written statements:

Name	Entity/Organization Represented	Business Address	Telephone No./ Business Telephone No.	E-Mail Address
<i>Tracy Woods</i>	<i>Anthem Blue Cross Blue Shield</i>	<i>9133 W. Russel Road Las Vegas, NV 89148</i>	<i>(775) 386-3725</i>	<i>Tracey.Woods@anthem.com</i>
<i>Sunshine Moore</i>	<i>America's Health Insurance Plans (AHIP)</i>	<i>601 Pennsylvania Ave., NW Suite 500 Washington, DC 20004</i>	<i>(916) 996-2376</i>	<i>smoore@ahip.org</i>

5. A description of how comment was solicited from affected businesses, a summary of their responses, and an explanation of how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses in the same manner as they were solicited from the public. Please see the description, summary and explanation provided above in response to question #2.

6. If after consideration of public comment the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The Division received a comment requesting more general language in adopting the CDT codes referenced in the regulation; however, the Division concluded that under Nevada state law more specificity is required when referencing an external document within a regulation.

7. (a) The estimated economic effect of the adopted regulation on the business which it is to regulate:

(1) Both adverse and beneficial effects: *Health insurers who also provide dental insurance will be able to review dental claims and coordinate the coverage with the health coverage to provide timely payment of claims. The forms also allow insurers to meet timelines for processing and paying claims. Dental providers will benefit from improved coordination as compensation for their services will be more timely processed. There is no anticipated adverse impact created by this regulation.*

(2) Both immediate and long-term effects: *Medical and dental claims will be handled in a more efficient manner allowing insurers to settle claims promptly. Health insurers who also provide dental insurance will be able to review dental claims and coordinate the coverage with the health coverage to provide timely payments for claims. The forms also allow insurers to meet timelines for processing and paying claims.*

(b) The estimated economic effect of the adopted regulation on the public:

(1) Both adverse and beneficial effects: *Consumers can clearly identify the forms permitted for dental claims. Consumers' dental claims will be more timely processed and paid as the forms provide for better coordination with health insurance. There is no anticipated adverse impact created by this regulation.*

(2) Both immediate and long-term effects: *Consumers can clearly identify the forms permitted for dental claims. Consumers' dental claims will be more timely processed and paid as the forms provide for better coordination with health insurance. In the long-term the health insurance system will benefit as the coordination of claims adjudication and payment will be more efficient.*

8. The estimated cost to the agency for enforcement of the adopted regulation.

The Division does not anticipate additional cost for enforcement of the adopted regulation.

9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates, and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

There are no other regulations that overlap or duplicate the proposed amendments to the existing regulations.

10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of those provisions.

There are no federal regulations that address the requirements in the proposed amendments to the existing regulations.

11. If the regulation establishes a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

The regulation does not create a new fee or increase an existing fee.