

**STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INDUSTRIAL RELATIONS**

**SMALL BUSINESS IMPACT STATEMENT
AS REQUIRED BY NRS 233B.0608 AND 233B.0609
LCB FILE NO. R136-14**

December 8, 2014

Note: Small Business is defined as “a business conducted for profit which employs fewer than 150 full-time or part-time employees.” (NRS 233B.0382).

1. Describe the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.

ANSWER: To determine whether these regulatory matters are likely to have an impact on small businesses, the Division considered the purpose and scope of the proposed and potential regulation changes in conjunction with existing regulations. This statement addresses the fiscal impact of the proposed change to NAC 616C.490 to comply with the Nevada Supreme Court decision in Public Agency Compensation Trust (PACT) v. Blake, 127 Nev. Adv. Op. 77, 265 P.3d 694 (2011); plus a repeal of NAC 616A.500 and NAC 616A.510. Based on this review, the Division determined that this regulation will have no effect on small businesses, either adverse or beneficial.

Section 1 of these proposed regulations aligns the language of NAC 616C.490 with the Nevada Supreme Court holding in PACT v. Blake, *supra*, which struck down subsection 4. Section 2 of these proposed regulations repeals NAC 616A.500 and NAC 616A.510, to comply with Sections 1.7 and 3.5 of Chapter 521, Statutes of Nevada 2011, at pages 3589 and 3592-93, amending NRS 244.33505 and NRS 268.0955, respectively.

2. The manner in which the analysis was conducted.

ANSWER: As noted in Answer 1, above, there will be no affect from the adoption of these regulations, which will align the language of NAC 616C.490 with existing law in Nevada as determined by the Supreme Court and will repeal NAC 616A.500 and 616A.510 because of the amendment to NRS 244.33505 and NRS 268.0955. The Division determined that this regulation will have no effect on small businesses, either adverse or beneficial.

3. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

- (a) Both adverse and beneficial effects; and**
- (b) Both direct and indirect effects.**

ANSWER: The Division anticipates no adverse or beneficial effects, both direct and indirect, on small businesses as the result of the adoption of this regulation.

4. Describe the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.

ANSWER: Because there will be no impact on small businesses, there are no methods available to reduce the impact the Division could have considered.

5. The estimated cost to the agency for enforcement of the proposed regulation.

ANSWER: There is no additional cost to the agency for enforcement of this regulation.

6. If the proposed regulation provides 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.

ANSWER: The proposed regulation does not provide for a new fee or increase an existing fee.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.

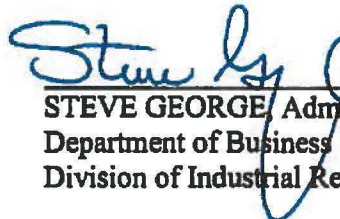
ANSWER: The proposed regulation does not include any provisions which duplicate or are more stringent than existing federal, state or local standards.

8. The reasons for the conclusions of the agency regarding the impact of a regulation on small businesses.

ANSWER: The Division complied with NRS 233B.0608 by considering the purpose and scope of the proposed and potential regulation changes in conjunction with existing regulations and making a concerted effort to determine whether the proposed regulation imposes a direct or significant economic burden upon small businesses, or directly restricts the formation, operation or expansion of a small business. The Division determined that the effect of these regulations, if any, will be solely on private workers' compensation insurance carriers and will have no effect on small businesses.

I, STEVE GEORGE, Administrator of the Division of Industrial Relations, certify that, to the best of my knowledge or belief, the information contained in the statement was prepared properly and is accurate.

DATED this 8 day of December, 2014.


STEVE GEORGE, Administrator
Department of Business and Industry
Division of Industrial Relations