

LCB File No. R210-97

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

In the Matter of Amendment of Regulations
pertaining to the Establishment of
Standards of Care for the Provision of Accident
Benefits to Injured Employees

DIR Proposed Reg. 98-13

PROPOSED REGULATIONS

AUTHORITY: NRS 616C.250

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

Section 1. *Chapter 616C of NAC is hereby amended by adding thereto the provisions set forth as section 2 of this regulation.*

Sec. 2. *“Guidelines” mean the American College of Occupational and Environmental Medicine’s “Occupational Medicine Practice Guidelines” as adopted pursuant to Section 3 of this regulation.*

Sec. 3. NAC 616C.123 is hereby amended to read as follows:

1. The [*“1991 Nevada Standards for Medical Treatment of Injured Workers,” published by the Nevada State Medical Association,*] *American College of Occupational and Environmental Medicine’s “Occupational Medicine Practice Guidelines”* is hereby adopted by reference as standards for the provision of [medical] *health care* treatment to employees who have suffered industrial injuries or occupational diseases. The [*“1991 Nevada Standards for Medical Treatment of Injured Workers”*] *American College of Occupational and Environmental Medicine’s “Occupational Medicine Practice Guidelines”* is available[, free of charge,] from [the Division of Industrial Relations, Industrial Insurance Regulation Section:

1. At 400 W. King Street, Suite 400, Carson City, Nevada 89710, telephone number (702) 687-3033; or

2. At 2500 West Washington Avenue, Suite 102, Las Vegas, Nevada 89106, telephone number (702) 486-5001.] *OEM Health Information, Inc., 8 West Street, Beverly Farms, MA 91915, Telephone number (800) 533-8046, at a cost of \$150.00 for ACOEM members, or \$180.00 for non-members.*

2. *Insurers and providers of health care shall use the Guidelines as minimal guides for evaluating and ensuring the quality of programs of health care treatment to injured*

employees with accepted claims. A determination not to authorize health care treatment pursuant to the Guidelines must be made by a physician or chiropractor who:

(a) Is licensed to practice in the State of Nevada pursuant to chapter 630, 633 or 634 of NRS;

(b) Possesses the education, training and expertise to evaluate the medical condition of the injured employee; and

(c) Has reviewed the available medical documentation, notes of the treating physician or chiropractor, test results and other relevant health care records of the injured employee.

The physician or chiropractor may consult with other providers of health care in determining whether to authorize health care treatments.

3. The insurer may authorize health care treatments to injured employees which exceeds the Guidelines upon written justification from the health care provider.

Sec. 4. Sections 1 through 3 become effective May 1, 1998 unless specifically precluded by statute or regulation.