

# **Board for the Administration of the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers**

## **Nevada Revised Statutes (NRS) 616B.563 through 616B.581:**

**Board members (NRS 616B.569):** The Board for the Administration of the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers, Division of Industrial Relations (DIR), Department of Business and Industry, consists of five members appointed by the Governor. The members of the Board shall be members of an association of self-insured public or private employers.

### **Operations of the Board (NRS 616B.569 and 616B.572):**

- The members of the Board shall elect a Chair and Vice Chair from among the members for terms of two years;
- A legal counsel, appointed by or contracted with the DIR, shall serve as counsel to the Board;
- The Board may meet throughout the year;
- The Board may prescribe its own rules and regulations for its own management;
- If a member of the Board submits a claim, that member shall not vote or otherwise participate in the decision of the Board concerning the claim; and
- The Board shall administer the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers.

### **The Subsequent Injury Account for Associations of Self-Insured Public or Private Employers (NRS 616B.575 through 616B.581):**

- The Account is created in the Fund for Workers' Compensation and Safety in the State Treasury;
- The State Treasurer may disburse money from the Account only upon written order of the Board;

#### **EXHIBIT M - SUNSET**

Document consists of 52 pages.

Due to size limitations, pages 1-14 provided.

A copy of the complete document is available through the Research Library (775/684-6827 or e-mail [library@lcb.state.nv.us](mailto:library@lcb.state.nv.us))

Meeting Date: 03-15-16

- The Board shall adopt regulations for rates, payments, and penalties. Assessment rates must result in an equitable distribution of costs among the associations of self-insured employers and must be based upon expected annual expenditures for claims;
- The Commissioner of Insurance shall assign an actuary to review the rates;
- The Administrator of the DIR shall evaluate any claim submitted to the Board and recommend any appropriate action; and
- Money in the Account may be used only to make payments in accordance with the provisions of NRS 616B.578 and 616B.581.

## **Background**

**Legislation:** Senate Bill 458 (Chapter 587, *Statutes of Nevada 1995*), establishing the Board and a trust fund, was introduced by the Senate Committee on Commerce and Labor. The measure made various changes relating to industrial insurance, including establishing separate boards to administer the subsequent injury funds for self-insured employers and associations of self-insured employers.

The Subsequent Injury Fund was established with the passage of S.B. 548 (Chapter 642, *Statutes of Nevada 1981*). Until the establishment of the Board, the Administrator of the DIR administered the fund. The Board would make its own rules and regulations to govern its processes and procedures.

**Legislative history:** A legislative history of S.B. 458 has been compiled and is available here:

Part 1:

<http://www.leg.state.nv.us/Division/Research/Library/LegHistory/LHs/1995/SB458,1995pt1.pdf>;

Part 2:

<http://www.leg.state.nv.us/Division/Research/Library/LegHistory/LHs/1995/SB458,1995pt2.pdf>; and

Part 3:

<http://www.leg.state.nv.us/Division/Research/Library/LegHistory/LHs/1995/SB458,1995pt3.pdf>.

**Members:** The members are listed on the review form.

**Reports to the Legislature:** No reports to the Legislature are required pursuant to Chapter 616B (“Industrial Insurance: Insurers; Liability for Provision of Coverage”) of NRS.

**Records:**

- Research Library holdings:
  - *A Study of Subsequent Injury Fund: Background Paper 01-1*
- State Library holdings: none
- State Archives holdings: none

**Contact:** Bryan Wachter, Chair  
Charles R. Zeh, Esq., Counsel  
Steve George, Administrator, DIR

**Website:** none

W161253

**Associations of Self-Insured Public or Private Employers**

**NRS 616B.563 "Board" defined.** As used in NRS 616B.563 to 616B.581, inclusive, unless the context otherwise requires, "Board" means the Board for the Administration of the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers created pursuant to NRS 616B.569.

(Added to NRS by 1995, 2125; A 2001, 2760)

**NRS 616B.569 Board for Administration of Subsequent Injury Account for Associations of Self-Insured Public or Private Employers: Creation; membership; officers; vacancies; members serve without compensation; legal counsel.**

1. There is hereby created the Board for the Administration of the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers, consisting of five members who are members of an association of self-insured public or private employers. The members of the Board must be appointed by the Governor.

2. The members of the Board shall elect a Chair and Vice Chair from among the members appointed. After the initial election of a Chair and Vice Chair, each of those officers shall hold office for a term of 2 years commencing on July 1 of each odd-numbered year. If a vacancy occurs in the office of the Chair or Vice Chair, the members of the Board shall elect a replacement for the remainder of the unexpired term.

3. Vacancies on the Board must be filled in the same manner as original appointments.

4. The members of the Board serve without compensation.

5. A legal counsel that has been appointed by or has contracted with the Division pursuant to NRS 232.660 shall serve as legal counsel of the Board.

(Added to NRS by 1995, 2125; A 2001, 2760)

**NRS CROSS REFERENCES.**

Terms of office, vacancies, residency requirements, NRS 232A.020

**NRS 616B.572 Board for Administration of Subsequent Injury Account for Associations of Self-Insured Public or Private Employers: Meetings; regulations; quorum; administration of Account.**

1. The members of the Board may meet throughout each year at the times and places specified by a call of the Chair or a majority of the Board. The Board may prescribe rules and regulations for its own management and government. Three members of the Board constitute a quorum, and a quorum may exercise all the power and authority conferred on the Board. If a member of the Board submits a claim against the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers, that member shall not vote on or otherwise participate in the decision of the Board concerning that claim.

2. The Board shall administer the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers in accordance with the provisions of NRS 616B.575, 616B.578 and 616B.581.

(Added to NRS by 1995, 2125; A 1997, 593; 2001, 2760)

**ADMINISTRATIVE REGULATIONS.**

Administration of Account, NAC 616B.7752

Subsequent Injury Account for Associations of Self-Insured Public or Private Employers, NAC 616B.773-616B.779

**NRS 616B.575 Creation and administration of Subsequent Injury Account for Associations of Self-Insured Public or Private Employers; assessment rates, payments and penalties.**

1. There is hereby created in the Fund for Workers' Compensation and Safety in the State Treasury the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers, which may be used only to

make payments in accordance with the provisions of NRS 616B.578 and 616B.581. The Board shall administer the Account based upon recommendations made by the Administrator pursuant to subsection 8.

2. All assessments, penalties, bonds, securities and all other properties received, collected or acquired by the Board for the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers must be delivered to the custody of the State Treasurer.

3. All money and securities in the Account must be held by the State Treasurer as custodian thereof to be used solely for workers' compensation for employees of members of Associations of Self-Insured Public or Private Employers.

4. The State Treasurer may disburse money from the Account only upon written order of the Board.

5. The State Treasurer shall invest money of the Account in the same manner and in the same securities in which the State Treasurer is authorized to invest State General Funds which are in the custody of the State Treasurer. Income realized from the investment of the assets of the Account must be credited to the Account.

6. The Board shall adopt regulations for the establishment and administration of assessment rates, payments and penalties. Assessment rates must result in an equitable distribution of costs among the associations of self-insured public or private employers and must be based upon expected annual expenditures for claims for payments from the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers.

7. The Commissioner shall assign an actuary to review the establishment of assessment rates. The rates must be filed with the Commissioner 30 days before their effective date. Any association of self-insured public or private employers that wishes to appeal the rate so filed must do so pursuant to NRS 679B.310.

8. The Administrator shall:

(a) Evaluate any claim submitted to the Board for payment or reimbursement from the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers and recommend to the Board any appropriate action to be taken concerning the claim; and

(b) Submit to the Board any other recommendations relating to the Account.

(Added to NRS by 1995, 2126; A 1997, 128; 1999, 1773; 2001, 2450, 2761)

#### ADMINISTRATIVE REGULATIONS.

Assessments, NAC 616B.680-616B.740

Assessments, NAC 616B.7755-616B.7767

Subsequent Injury Account for Associations of Self-Insured Public or Private Employers, NAC 616B.773-616B.779

#### ATTORNEY GENERAL'S OPINIONS.

Board does not have authority to impose filing fee for filing claim against the former subsequent injury fund. The board for the administration of the subsequent injury fund for self-insured employers (now the board for the administration of the subsequent injury account for self-insured employers) does not have the authority to adopt a regulation imposing a nonrefundable filing fee upon the filing of claims against the fund by members of associations of self-insured public or private employers (see NRS 616B.575). AGO 98-05 (2-18-1998)

**NRS 616B.578 Payment of cost of additional compensation resulting from subsequent injury of employee of member of association of self-insured public or private employers. Except as otherwise provided in NRS 616B.581:**

1. If an employee of a member of an association of self-insured public or private employers has a permanent physical impairment from any cause or origin and incurs a subsequent disability by injury arising out of and in the course of his or her employment which entitles the employee to compensation for disability that is substantially greater by reason of the combined effects of the preexisting impairment and the subsequent injury than that which would have resulted from the subsequent injury alone, the compensation due must be charged to the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers in accordance with regulations adopted by the Board.

2. If the subsequent injury of such an employee results in his or her death and it is determined that the death would not have occurred except for the preexisting permanent physical impairment, the compensation due must be charged to the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers in

accordance with regulations adopted by the Board.

3. As used in this section, "permanent physical impairment" means any permanent condition, whether congenital or caused by injury or disease, of such seriousness as to constitute a hindrance or obstacle to obtaining employment or to obtaining reemployment if the employee is unemployed. For the purposes of this section, a condition is not a "permanent physical impairment" unless it would support a rating of permanent impairment of 6 percent or more of the whole person if evaluated according to the American Medical Association's *Guides to the Evaluation of Permanent Impairment* as adopted and supplemented by the Division pursuant to NRS 616C.110.

4. To qualify under this section for reimbursement from the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers, the association of self-insured public or private employers must establish by written records that the employer had knowledge of the "permanent physical impairment" at the time the employee was hired or that the employee was retained in employment after the employer acquired such knowledge.

5. An association of self-insured public or private employers must submit to the Board a claim for reimbursement from the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers.

6. The Board shall adopt regulations establishing procedures for submitting claims against the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers. The Board shall notify the Association of Self-Insured Public or Private Employers of its decision on such a claim within 120 days after the claim is received.

7. An appeal of any decision made concerning a claim against the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers must be submitted directly to the district court.

(Added to NRS by 1995, 2126; A 2001, 2761; 2007, 393)

#### ADMINISTRATIVE REGULATIONS.

Submission and review of claims, NAC 616B.777-616B.779

#### **NRS 616B.581 Reimbursement of Association of Self-Insured Public or Private Employers for cost of additional compensation resulting from subsequent injury.**

1. An association of self-insured public or private employers that pays compensation due to an employee who has a permanent physical impairment from any cause or origin and incurs a subsequent disability by injury arising out of and in the course of his or her employment which entitles the employee to compensation for disability that is substantially greater by reason of the combined effects of the preexisting impairment and the subsequent injury than that which would have resulted from the subsequent injury alone is entitled to be reimbursed from the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers if:

(a) The employee knowingly made a false representation as to his or her physical condition at the time the employee was hired by the member of the Association of Self-Insured Public or Private Employers;

(b) The employer relied upon the false representation and this reliance formed a substantial basis of the employment; and

(c) A causal connection existed between the false representation and the subsequent disability.

↪ If the subsequent injury of the employee results in his or her death and it is determined that the death would not have occurred except for the preexisting permanent physical impairment, any compensation paid is entitled to be reimbursed from the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers.

2. An association of self-insured public or private employers shall notify the Board of any possible claim against the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers pursuant to this section no later than 60 days after the date of the subsequent injury or the date the employer learns of the employee's false representation, whichever is later.

(Added to NRS by 1995, 2127; A 2001, 2762)



## Information Concerning Board or Commission Subject to Review by the Sunset Subcommittee of the Legislative Commission

as required by *Nevada Revised Statutes* 232B.230



**Board or commission name:**

Response No. 1. Board for the Administration of the Subsequent Injury Account for Associations of

**Members' names with expiration date of term, and indicate the number of vacancies:**

Response No. 2. The Board members are: Bryan Wachter, Chairman, Emilia Hooks, Vice-chairman, Richard Iannone, member and Joyce Smith, member. June of 2016 is the date that all the Board members' terms expire. There is one vacancy on the Board.

**Physical address:**

The Board has no offices of its own. However, applications for reimbursement are s

**Mailing address:**

Response No. 4. See, Response No. 3.

**Web site address (if any):**

Response No. 5. N/A

**Web site developer** (if not EITS, please indicate if EITS approved the web site):

Response No. 6. N/A

**Executive director's name and contact information:**

Response No. 7. There is no executive director. However, the Board's Chairman is Bryan Wachter, 6423 Button Quail Street, North Las Vegas, Nevada 89084-2816. Also, Board counsel is another point of contact. See, Response Nos. 2 and 3, above.

**Staff members' names including titles and status as full-time or part-time** (attach additional pages as necessary):

Response No. 8. There are no staff persons employed by or assigned to the Board. However, the liaison between the Administrator, DIR, and the Board is Jacque Everhart, Administrator's Office, DIR, State of Nevada, 1301 North Green Valley Parkway, Suite 200,

**Days and hours of operation:**

Response No. 9. The Board has no office and, thus, no office hours. However, Board

**Created by what authority:**

Response No. 10. The Board is defined and created by NRS 616B.563 and NRS 616B.569. Members are appointed by the Governor.

**Authority to adopt regulations (NRS) and citation to regulations (NAC), if applicable:**

Response No. 11. The Board has authority to adopt regulations by virtue of NRS 616B.572 (1)(2); NRS 616B.575(6); NRS 616B.578(6); NRS 233B.040(1)(4); NRS 233B.050; NRS 233B.100; and NRS 233B.120.

**Information Concerning Board or Commission  
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List by LCB File No. and date of adoption the five regulations most recently adopted by the board or commission, with any applicable deadline for the adoption of any such regulation:

Response No. 12. NAC 616B.773 through NAC 616B.7752. LCB File Nos. R215-97 and R216-97, effective 8-19-99.

List any required regulations that have not been adopted, with any applicable deadline for the adoption of any such regulation. Please identify each such regulation by LCB File No., if available, or by reference to the provision of NRS or Statutes of Nevada requiring adoption of the regulation:

Response No. 13. Proposed regulations were submitted to Ms. Brenda J. Erdoes, Legislative Counsel, on November 20, 2015, and have been assigned LCB file number R132-15.

Governing structure of the board or commission pursuant to statute:

Response No. 14. The Board consists of a Board Chairman, Bryan Wachter, a Vice-chairman, Emilia Hooks, and three other members, although there is currently one vacancy on the Board. The Board also has its own legal counsel. See, NRS 616B.569(2)(5). A quorum consisting of three members of the Board must be present to conduct business.

Duties of the board or commission:

Response No. 15. "The Board shall administer the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers in accordance with the provisions of NRS 616B.575, 616B.578 and 616B.581." See, NRS 616B.572(2). In addition, Nevada's Subsequent Injury Account for Associations of Self-Insured Public or Private Employers (Account) was created to encourage self-insured employers to hire or retain workers with preexisting disabling conditions by providing economic relief to those employers who knowingly accept the risk associated with the employment of already impaired workers, should they sustain a subsequent industrial injury. Crystal M. McGee, Background Paper

Statement of the objectives and programs of the board or commission:

Response No. 16. The Board administers the Subsequent Injury Account as directed by NRS 616B.572(2), primarily as a quasi-judicial body administering claims submitted to it for reimbursement from the Account pursuant to NRS 616B.578 and NRS 616B.581. It also dispenses claims for reimbursement according to the Nevada Administrative Procedures Act, NRS 233B.010, et. seq. Decisions of the Board may be appealed to the District Courts of Nevada, and from there, to the Nevada Supreme Court. See, NRS 616B.578(7). See also, Response No. 15, above.

**Information Concerning Board or Commission  
Subject to Review by the  
Sunset Subcommittee of the Legislative Commission**

**Itemized list of services offered  
by the board or commission:**

Response No. 17. See, Response Nos. 15 and 16, above.

**Dates of the immediately  
preceding six meetings:**

Response No. 18. The dates of the seven preceding meetings are as follows: February 11, 2016, January 21, 2016; November 12, 2015; July 15, 2015; June 18, 2015; May 21, 2015; and February 12, 2015.

**Statutory tax exemptions,  
abatements, or money set aside  
for the board or commission:**

Response No. 19. N/A.

**Description of the manner in  
which the board or commission  
is funded, including all funding  
sources:**

Response No. 20. The Board is funded through a transfer from the Workers' Compensation and Safety Fund, Fund 210, by annual assessments to all insurers. See, NAC 616B.7755 through 7767. See also, NRS 616B.575.

**Please identify any forms  
required by the board or  
commission to be used by  
members of the public which  
are not available for  
downloading from the web site  
of the board or commission:**

Response No. 21. The Board has no forms but the Administrator, in regulations approved by the Board, requires completion of form D-37, prescribed in NAC 6161B.773(2)(b), available free of charge, on the Internet.

**Information Concerning Board or Commission  
Subject to Review by the  
Sunset Subcommittee of the Legislative Commission**

Does the board or commission have any recommendations for consolidation with another board or commission? If so, which one(s) could be revised to include the charge to the board or commission that is the subject of this review?

Response No. 22. None. This Board is a creation of statute. Any change, moreover, in its structure, scope or authority would require an amendment to the statutory framework that creates the Board and the Subsequent Injury Account.

Does the board or commission believe that its objectives and programs have been effective in accomplishing the purposes for which the board or commission was created? Please explain the response with any information the board or commission believes is relevant:

Response No. 23. Yes. The Board has no staff to conduct studies of its impact upon employment. That being said, anecdotally, as one Board member observed, it is of considerable comfort for employers in the construction industry, where back injuries are prevalent, to know that the Subsequent Injury Account is available to support the hiring or retention of employees with back issues.

Any recommendations for statutory changes which are necessary for the board or commission to carry out its objectives and programs:

Response No. 24. None. The Board has submitted draft regulations to the Legislative Counsel Bureau, which the Board believes will help standardize and streamline its processes to help expedite the disposition of claims. During the past calendar year, ending December 31, 2015, the Board decided claims with a face value of \$187,700.10, and approved claims with verified costs in the amount of \$152,605.32. The previous year the Board awarded \$634,231.55 to Associations. In addition, there is a tail of claims that cannot be tracked. Injured employees have life-time re-opening rights and, thus, they

If additional space is necessary, please attach additional pages and refer to the attachments on the form.

Please include with this form:

1. The operating budget of the board or commission.
2. A statement setting forth the income and expenses of the board or commission for at least 3 years immediately preceding the date on which the board or commission submits this form, including the balances of any fund or account maintained by or on behalf of the board or commission.
3. The most recent legislative audit or other audit of the board or commission, and any efficiency studies or constituent or staff surveys conducted in the past 3 years.
4. Any reports required to be filed with the Legislative or Executive Branch over the past 3 years. Please indicate if any reports were filed late or have not been filed.
5. Copies of the minutes of the immediately preceding six meetings of the board or commission.
6. A copy of the organizational chart showing the governing structure of the board or commission and its staff.
7. A copy of the most recent strategic plan of the board or commission.

Please submit this form electronically to: [cstonefield@lcb.state.nv.us](mailto:cstonefield@lcb.state.nv.us). Submit additional documents electronically in a .pdf format.

If the file is too large for emailing, please submit hard copies to:

Carol Stonefield  
Research Division  
Legislative Counsel Bureau  
401 South Carson Street  
Carson City, NV 89701

# **Board for the Administration of the Subsequent Injury Account for Associations of Self-Insured Public and Private Employers (attachment to the Review Form)**

## Page 1, Physical address:

The Board has no offices of its own. However, applications for reimbursement are submitted to the Administrator, DIR, State of Nevada, attention Subsequent Injury Coordinator, 1301 North Green Valley Parkway, Henderson, Nevada, 89074. *See*, NRS 616B.575(8), and NAC 616B.7773(2).

Also, pleadings and requests for hearings and all other documents related to the administrative proceedings before the Board are to be filed with Board legal counsel, Charles R. Zeh, Esq., The Law Offices of Charles R. Zeh, Esq., 575 Forest Street, Suite 200, Reno, Nevada 89509. *See*, NAC 616B.7779, 616B.7783 and 616B.7785.

## Page 1, Executive director's name and contact information:

There is no executive director. However, the Board's Chairman is Bryan Wachter, 6423 Button Quail Street, North Las Vegas, Nevada 89084-2816. Also, Board counsel is another point of contact.

## Page 1, Staff members' names including titles and status as full-time or part-time:

There are no staff persons employed by or assigned to the Board. However, the liaison between the Administrator, DIR, and the Board is Jacque Everhart, Administrator's Office, DIR, State of Nevada, 1301 North Green Valley Parkway, Suite 200, Henderson, Nevada 89074.

Board counsel is Charles R. Zeh, Esq.

Board officers are Bryan Wachter, Chairman, and Vice-chairman, Emilia Hooks, 2073 Dover Ridge Court, Henderson, Nevada 89704.

## Page 1, Days and hours of operation:

The Board has no office and, thus, no office hours. However, Board counsel's office hours are 8:30 a.m., through 5:00 p.m., Monday through Friday, and Ms. Everhart's office hours are 7:30 a.m., through 4:30 p.m., Monday through Friday.

Page 2, Governing structure of the board or commission pursuant to statute:

The Board consists of a Board Chairman, Bryan Wachter, a Vice-chairman, Emilia Hooks, and three other members, although there is currently one vacancy on the Board. The Board also has its own legal counsel. See, NRS 616B.569(2)(5). A quorum consisting of three members of the Board must be present to conduct business. See, NRS 616B.572(1).

Board meetings are scheduled by the Board. Typically, the Board meets monthly to administer claims due to statutory time constraints. See, NRS 616B.578(6). The Board is a quasi-judicial administrative body, hearing claims for reimbursement from the Account pursuant to the Nevada Administrative Procedures Act, NRS 233B.010, et. seq.

The Board reviews applications for reimbursement for subsequent industrial injuries suffered by the insured's employee. The Board administers the account, see, NRS 616B.572(2), and reviews claims pursuant to NRS 616B.578 and NRS 616B.581.

Page 2, Duties of the board or commission:

"The Board shall administer the Subsequent Injury Account for Associations of Self-Insured Public or Private Employers in accordance with the provisions of NRS 616B.575, 616B.578 and 616B.581." See, NRS 616B.572(2). In addition, Nevada's Subsequent Injury Account for Associations of Self-Insured Public or Private Employers (Account) was created to encourage self-insured employers to hire or retain workers with preexisting disabling conditions by providing economic relief to those employers who knowingly accept the risk associated with the employment of already impaired workers, should they sustain a subsequent industrial injury. Crystal M. McGee, Background Paper 01-1, A Study of Subsequent Injury Funds, Research Division Legislative Counsel Bureau (September 2000), p.1.

For eligible claims, an Association, on behalf of the self-insured public or private employer, who hires or retains the injured worker with knowledge of the worker's preexisting permanent physical impairment, is reimbursed from the Account by decision of the Board. The reimbursement consists of the compensation (Compensation includes the benefits paid as disability compensation as well as the cost of medical treatment and care) paid to the claim as a result of the subsequent industrial injury.

Page 4, Any recommendations for statutory changes which are necessary for the board or commission to carry out its objectives and programs:

None. The Board has submitted draft regulations to the Legislative Counsel Bureau, which the Board believes will help standardize and streamline its processes to help expedite the disposition of claims. During the past calendar year, ending December 31, 2015, the Board decided claims with a face value of \$187,700.10, and approved claims with verified costs in the amount of \$152,605.32. The previous year the Board awarded \$634,231.55 to Associations.

In addition, there is a tail of claims that cannot be tracked. Injured employees have life-time re-opening rights and, thus, they have the opportunity of submitting requests for additional assistance which, if provided by the insured for a claim that has already been accepted for reimbursement, the Association may then submit an application for supplemental reimbursement. Similarly, for on-going claims that are continuing to generate costs for treatment, care and disability benefits, the Association may return to the Board with a supplemental request for reimbursement, and if the claim had previously been accepted and the costs can be verified, supplemental reimbursement may be had.

**Please include with this form:**

**1. The operating budget of the board or commission.**

The Board has no operating budget. Board membership is voluntary.

**2. A statement setting forth the income and expenses of the board or commission for at least 3 years immediately preceding the date on which the board or commission submits this form, including the balances of any fund or account maintained by or on behalf of the board or commission.**

*See, No. 1, the Board has no income nor does it have expenses.*

**3. The most recent legislative audit or other audit of the board or commission, and any efficiency studies or constituent or staff surveys conducted in the past 3 years.**

N/A

**4. Any reports required to be filed with the Legislative or Executive Branch over the past 3 years. Please indicate if any reports were filed late or have not been filed.**

The Board is not required to file any reports.

**5. Copies of the minutes of the immediately preceding six meetings of the board or commission.**

Copies of minutes for the last seven meetings are attached.

**6. A copy of the organizational chart showing the governing structure of the board or commission and its staff.**

The Board is a creation of statute. The Board's structure is described above.

**7. A copy of the most recent strategic plan of the board or commission.**

The Board does not have a strategic plan. Its duties and responsibilities are established by statute as explained above.