

LCB File No. T040-01

NOTICE OF WORKSHOPS TO SOLICIT COMMENTS ON PROPOSED REGULATIONS

March 29, 2001

The Department of Business and Industry, Division of Insurance (Division) is proposing new regulations pertaining to continuing education, retention of records, and dental care. A workshop has been set for 10:00 a.m., on May 3, 2001, at the offices of the Division, 788 Fairview Drive, Suite 300, Carson City, Nevada 89701. The purpose of the workshop is to solicit comments from interested persons on the following general topics addressed in the proposed regulations.

- 1. Continuing Education: The proposed regulation amends current regulations to reduce the minimum hours for a course of continuing education from 2 hours to 1 hour; defines one hour as not less than 50 minutes of instruction; and eliminates the maximum number of hours that may be approved.**
- 2. Retention of Records: The proposed regulation establishes requirements for domestic insurers for the retention of records and includes provisions for micrographic, optical, magnetic and electronic media.**
- 3. Pediatric Dental Care: The proposed regulation requires an insurer that covers anesthesia in medical procedures to also cover anesthesia provided in certain dental procedures.**

Members of the insurance industry, business community, and the public are also invited to comment on any impact the proposed regulations may have on small businesses. The Division has reviewed the proposed regulations and determined that they are not likely to impose a direct or significant impact on a small business, or directly restrict the formation, operation, or expansion of a small business. Neither the regulation on continuing education nor the regulation on retention of records should have any adverse impact on small businesses.

A copy of this notice and the proposed regulations will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the proposed regulations will be available at the offices of the Division, 788 Fairview Drive, Suite 300, Carson City, Nevada 89701, and 2501 East Sahara Avenue, Suite 302, Las Vegas, Nevada 89104, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulations are also available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at www.leg.state.nv.us. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

This Notice of Workshop to Solicit Comments on Proposed Regulations has been sent to all persons on the agency's mailing list for administrative regulations and posted at the following locations:

Department of Business and Industry
Division of Insurance
788 Fairview Drive, Suite 300
Carson City, NV 89701

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

Legislative Counsel Bureau
Capitol Complex
Carson City, NV 89710

Blasdel Building
Capitol Complex
Carson City, NV 89710

State Capitol
Capitol Complex
Carson City, NV 89710

Capitol Press Room
State Capitol Basement
Carson City, NV 89710

County Clerk
Courthouse
Carson City, NV 89710

Nevada State Library & Archives
Capitol Complex
Carson City, NV 89710

Carson City Library
900 North Roop Street
Carson City, NV 89701

Churchill County Library
553 South Maine Street
Fallon, NV 89406

Las Vegas Library
833 Las Vegas Blvd. North
Las Vegas, NV 89101

Douglas County Library
1625 Library Lane
P.O. Box 337
Minden, NV 89423

Elko County Library
720 Court Street
Elko, NV 89801

Goldfield Public Library
Fourth & Cook Street
P.O. Box 430
Goldfield, NV 89013

Eureka Branch Library
10190 Monroe Street
P.O. Box 293

Humboldt County Library
85 East 5th Street
Winnemucca, NV 89445

Eureka, NV 89316
Battle Mountain Branch Library
P.O. Box 141
Battle Mountain, NV 89820

Lincoln County Library
93 Main Street
P.O. Box 330
Pioche, NV 89043

Lyon County Library
20 Nevin Way
Yerington, NV 89447

Mineral County Library
First & A Street
P.O. Box 1390
Hawthorne, NV 89415

Tonopah Public Library
171 Central Street
P.O. Box 449
Tonopah, NV 89049

Pershing County Library
1125 Central Avenue
P.O. Box 781
Lovelock, NV 89419

Storey County Library
95 South R Street
P.O. Box 14

Washoe County Library
301 South Center Street
P.O. Box 2151

Virginia City, NV 89440

Reno, NV 89505

White Pine County Library
950 Campton Street
Ely, NV 89301

Clark County Library
1401 East Flamingo Road
Las Vegas, NV 89119

Members of the public who are disabled and require special accommodations or assistance at the hearing are requested to notify the Commissioner's secretary in writing at 788 Fairview Drive, Suite 300, Carson City, Nevada 89701, or by calling no later than 5 working days prior to the hearing, (702) 687-4270, extension 260.

DATED this _____ day of _____, 2001.

ALICE A. MOLASKY-ARMAN
Commissioner of Insurance

NOTICE OF INTENT TO ACT UPON REGULATIONS

Notice of Hearing for the Adoption of Regulations of the Department of Business and Industry, Division of Insurance

The Department of Business and Industry, Division of Insurance (Division) will hold a public hearing at 10:00 a.m., on May 3, 2001, immediately following a public workshop, at the offices of the Division, 788 Fairview Drive, Suite 300, Carson City, Nevada 89701. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulations pertaining to the provisions in Chapter 683A of the Nevada Administrative Code regarding continuing education.

REGULATIONS CONCERNING CONTINUING EDUCATION

The following information is provided pursuant to the requirements of NRS 233B.060:

1. The proposed regulation is needed to amend the continuing education regulations to allow the Division to participate in the Continuing Education Reciprocity Agreement with other states.
2. The proposed regulation reduces the minimum number of hours for approval of a course of continuing education from 2 hours to 1 hour; defines an hour as not less than 50 minutes of instruction; and eliminates the maximum number of hours that may be approved.
3. Estimated economic effect of the regulation:
On the business which it is to regulate:
The proposed regulation should have neither an immediate nor long-term impact of any significance on the industry.
On the public:
The proposed regulations should have no economic impact on the public.
4. The Division expects to incur some additional expense to enforce the proposed regulation which cannot be measured at this time.
5. The Division is not aware of any overlap or duplication of the regulation with any state, local or federal regulation.
6. The proposed regulation does not establish any new fees or increase an existing fee.

Persons wishing to comment upon the proposed action of the Division may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Division, 788 Fairview Drive, Suite 300, Carson City, Nevada 89701. Written submissions must be received by the Division on or before April 26, 2001. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Division may proceed immediately to act upon any written submissions.

A copy of this notice and the proposed regulation will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended will be available at the offices of the Division, 788 Fairview Drive, Suite 300, Carson City, Nevada 89701, and 2501 East Sahara Avenue, Suite 302, Las Vegas, Nevada 89104, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

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788 Fairview Drive, Suite 300
Carson City, NV 89701

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Division of Insurance
2501 East Sahara Avenue, Suite 302
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Eureka, NV 89316

Winnemucca, NV 89445

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First & A Street
P.O. Box 1390
Hawthorne, NV 89415

Lyon County Library
20 Nevin Way
Yerington, NV 89447

Tonopah Public Library
171 Central Street
P.O. Box 449
Tonopah, NV 89049

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Lovelock, NV 89419

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DATED this _____ day of _____, 2001.

ALICE A. MOLASKY-ARMAN
Commissioner of Insurance

**STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INSURANCE**

REGULATION FOR CONTINUING EDUCATION

AUTHORITY: NRS 679B.130

Section 1. NAC 683A.335 is hereby amended to read as follows:

1. Any person who requests approval for a course for continuing education shall furnish to the commissioner at least 60 days before the beginning of the course:

- (a) An outline of the subject matter;
- (b) The method of presentation;
- (c) The qualifications of the instructor;
- (d) The number of classroom hours or, if for a correspondence course or self-study course, the equivalent of classroom hours, and a written procedure for conducting a supervised final examination; and
- (e) Any other information required by the commissioner.

2. Submission of the information required by subsection 1 must be on an application approved by the commissioner.

3. The course must be designed to increase the knowledge and understanding of the licensee of:

- (a) Principles and coverage of insurance;
- (b) Applicable laws, rules and regulations concerning insurance;
- (c) Recent changes in coverages; and
- (d) The duties, ethics and responsibilities of the licensee.

4. The commissioner will not approve a course that:

(a) Is provided by an insurance agent or an agency licensed to sell insurance in this state unless the insurance agent or agency is a trade association of the insurance industry; or

(b) Teaches:

(1) Prelicensing training;

(2) Motivation or psychology;

(3) Marketing;

(4) Prospecting;

(5) Recruiting;

(6) Sales;

(7) Computer applications that are unrelated to insurance;

(8) Skills for communication; or

(9) The management of personnel or of an office.

The provisions of this subsection do not limit the authority of the commissioner to refuse to approve a course for noncompliance with any other provision of NAC 683A.320 to 683A.370, inclusive.

5. The commissioner will not approve a course if the total number of classroom hours is less than ~~[2 hours or more than 30 hours]~~ ***one hour. One hour of credit will be awarded for each 50 minutes of instruction.***

6. The commissioner will grant or deny approval of each course in writing within 60 days after he receives the information required pursuant to subsection 1.

7. Any material change in the content of a course approved by the commissioner must be submitted for approval before presentation of the course.

8. A course that has been approved by the commissioner is not required to be approved for any subsequent presentation of the course, except that the provider of the course shall submit a notice to the commissioner, not later than 30 days before the course is offered, that includes the following information:

- (a) The name and number of the course;
- (b) The name of the instructor of the course;
- (c) The place where the course will be offered; and
- (d) The date and time when the course will be offered.