

**ADOPTED REGULATION OF THE
COMMISSIONER OF INSURANCE**

LCB File No. R010-02

September 13, 2002

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1-6, NRS 679B.130.

Section 1. Chapter 679B of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this regulation.

Sec. 2. *As used in sections 2 to 6, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3, 4 and 5 of this regulation have the meanings ascribed to them in those sections.*

Sec. 3. *“Health care plan” has the meaning ascribed to it in NRS 679B.520.*

Sec. 4. *“Insured” has the meaning ascribed to it in NRS 679B.530.*

Sec. 5. *“Insurer” has the meaning ascribed to it in NRS 679B.540.*

Sec. 6. *An insurer that issues a health care plan shall not:*

1. Delay or deny the payment of any claim for pharmacy benefits solely on the basis that the person who wrote the prescription does not have a valid registration number issued by the Drug Enforcement Administration; or

2. Use a false registration number to process such a claim.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R010-02

The Commissioner of Insurance adopted regulations assigned LCB File No. R010-02 which pertain to uniform prescription drug cards (chapter 679B of the Nevada Administrative Code) on September 13, 2002.

Notice date: 1/23/2002
Hearing date: 2/20/2002

Date of adoption by agency: 7/24/2002
Filing date: 9/13/2002

INFORMATIONAL STATEMENT

A hearing was held on February 20, 2002, at the offices of the Department of Business and Industry, Division of Insurance (Division), 788 Fairview Drive, Suite 300, Carson City, Nevada 89701, with a simultaneous video-conference conducted at the Bradley Building, 2501 E. Sahara Avenue, Manufactured Housing Division Conference Room, 2nd Floor, Las Vegas, Nevada 89104, regarding the adoption of the regulation relating to the uniform prescription drug card.

Public comment was solicited by posting notice of the hearing in the following public locations: 788 Fairview Drive, Legislative Counsel Bureau, Capitol Building Lobby, Blasdel Building, Carson City Courthouse, State Library, Clark County Library, Capitol Press Room and the Division's Las Vegas Office.

In addition, the Division maintains a list of interested parties, comprised mainly of insurance companies, agencies and other persons regulated by the Division. These persons were notified of the hearing and that copies of the regulation could be obtained from or examined at the offices of the Division in Carson City.

Oral testimony was received by the Division. Copies of any comments received by the Division can be obtained from the Division at 788 Fairview Drive, Suite 300, Carson City, Nevada 89701, (775) 687-4270.

Considering the comments by those attending the hearing, the Commissioner has issued an order adopting the regulation as a permanent regulation of the Division.

Changes to the regulation were made by deleting Section 6 that required the filing for approval of the prescription drug card with the Commissioner prior to use.

The economic impact of the regulation is as follows:

- (a) Regulated Industry: Minimal.
- (b) Public: None.

The regulation imposes no direct costs upon members of the public at large. The regulation imposes no direct cost upon the agency to enforce the regulation.

This regulation does not duplicate or overlap any other regulation.