

LCB File No. R080-07

**PROPOSED REGULATION OF THE  
COMMISSIONER OF INSURANCE**

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

AUTHORITY: NRS 679B.130

A REGULATION relating to the procedural processes available to the hearing officer upon the failure of a party to appear for an administrative hearing

**Section 1.** NAC 679B.321 is hereby amended to read as follows:

**Sec. 2.** NAC 679B.321 Hearings: Failure of ~~requesting~~ party to appear. (NRS 679B.130, 679B.310)

*1. If a party requesting a hearing fails to appear at the time and place set for the hearing, the hearing officer may, if satisfied that the party was duly noticed of the time and place of the hearing pursuant to NRS 679B.320 :*

1. Proceed with the hearing without the party;
2. Dismiss the proceeding with or without prejudice; or
3. Recess the hearing to a time set by him to enable the party to attend.

*2. If a party is ordered to appear at a hearing by written order of the Commissioner or by issuance of a notice of hearing, and fails to appear at the hearing, the hearing officer may, if satisfied that the party was duly noticed of the time and place of the hearing pursuant to NRS 679B.320 :*

- 1. Proceed with the hearing without the party;*
- 2. Recess the hearing to a time set by him to enable the party to attend; or*
- 3. Refer the failure to appear matter to the Office of the Attorney General in accordance with NRS 679B.180 for appropriate action in the courts.*