

**REVISED PROPOSED REGULATION OF  
THE ADMINISTRATOR OF THE DIVISION OF  
INDUSTRIAL RELATIONS OF THE DEPARTMENT OF  
BUSINESS AND INDUSTRY**

**LCB File No. R069-13**

November 18, 2013

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

AUTHORITY: §1, NRS 616A.400.

A REGULATION relating to industrial relations; requiring an insurer or third-party administrator to pay for telemedicine services under certain circumstances; and providing other matters properly relating thereto.

**Section 1.** Chapter 616C of NAC is hereby amended by adding thereto a new section to read as follows:

*1. An insurer or third-party administrator shall pay for telemedicine services if:*

*(a) The telemedicine services were:*

*(1) Authorized, in writing, by the insurer or third-party administrator at least 5 business days before the date of the appointment at which the telemedicine services were provided, unless the injured employee and the insurer or third-party administrator agreed in writing to a shorter period; and*

*(2) Approved, in writing, by the injured employee at least 5 business days before the date of the appointment, unless the injured employee and the insurer or third-party administrator agreed in writing to a shorter period; and*

*(b) The injured employee was present throughout the appointment.*

*2. Unless the insurer or third-party administrator, as applicable, determines otherwise, the physician or chiropractor who is at the medical facility where the injured employee is located during the appointment at which telemedicine services are provided shall be considered the treating physician or chiropractor.*

*3. Payment for telemedicine services will be made in accordance with the schedule of reasonable fees and charges allowable for accident benefits adopted for this State pursuant to subsection 2 of NRS 616C.260 or, if the insurer has contracted with an organization for managed care or with providers of health care pursuant to NRS 616B.527, the amount that is allowed for the telemedicine services under that contract.*

*4. As used in this section, “telemedicine services” means medical and health care services which are provided:*

*(a) To an injured employee at a medical facility, commonly referred to as the originating site, by a physician or chiropractor located at another medical facility, commonly referred to as the distant site; and*

*(b) By the physician or chiropractor located at the distant site using real-time simultaneous interactive audio and video communication equipment between the two medical facilities.*