

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS
INFORMATIONAL STATEMENT AS REQUIRED BY NRS 233B.066

LCB FILE NO. R095-17

The following statement is submitted by the State of Nevada, Department of Business and Industry, Division of Insurance (“Division”) for adopted amendments to Nevada Administrative Code (“NAC”) Chapter 616B.

1. A clear and concise explanation of the need for the adopted regulation.

The proposed regulation cleans up, clarifies and repeals several regulations that pertain to self-insured employers and associations of self-insured employers.

Section 1 revises NAC 616B.403 to change the regulations referenced by eliminating a regulation that is repealed in Section 10.

Section 2 revises NAC 616B.406 by eliminating the term “fiscal year” and replacing it with the term “12-month period.”

Section 3 revises NAC 616B.412, the definition of Expected Annual Incurred Cost of Claims, by eliminating obsolete language and replacing it with a clear and easily understood definition.

Section 4 revises NAC 616B.424 to provide the required contents of evidence of excess insurance coverage required of self-insured employers.

Section 5 revises NAC 616B.436 by eliminating obsolete language and clarifying the use of securities when posting a security deposit with the Division.

Section 6 revises NAC 616B.513 by eliminating the term “fiscal year” and replacing it with the term “12-month period.”

Section 7 revises NAC 616B.522, the definition of Expected Annual Incurred Cost of Claims for associations of self-insured employers, by eliminating obsolete language and replacing it with a clear and easily understood definition.

Section 8 revises NAC 616B.540 by adding a provision allowing for the use of securities when posting a security deposit with the Division.

Section 9 revises NAC 616B.609 by eliminating a requirement for Associations to remit forms unique to the National Association of Insurance Commissioners in conjunction with the requirement to submit annual audited financial statements.

Section 10 repeals NAC 616B.409, 616B.421, NAC 616B.469, NAC 616B.570 and NAC 616B.606.

2. A description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

(a) A description of how public comment was solicited:

Public comment was solicited by e-mailing the proposed regulation, notice of workshop, notice(s) of intent to act upon the regulation, and small business impact statement to persons on the Division's mailing list requesting notification of proposed regulations. These notices were also sent by email to all self-insured employers and associations of self-insured employers currently licensed in Nevada. The documents were also made available on the website of the Division, <http://doi.nv.gov/>, mailed to the main library for each county in Nevada, and posted at the following locations:

*Nevada Division of Insurance
1818 East College Parkway, Suite 103
Carson City, Nevada 89706*

*Nevada Division of Insurance
3300 West Sahara Avenue, Suite 275
Las Vegas, Nevada 89102*

*Legislative Building
401 South Carson Street
Carson City, Nevada 89701*

*Nevada State Business Center
3300 West Sahara Avenue
Las Vegas, Nevada 89102*

*Blasdel Building
209 East Musser Street
Carson City, Nevada 89701*

*Grant Sawyer Building
555 East Washington Avenue
Las Vegas, Nevada 89101*

*Capitol Building
101 North Carson Street
Carson City, Nevada 89701*

*Nevada Department of Employment,
Training and Rehabilitation
2800 E. Saint Louis Avenue
Las Vegas, Nevada 89104*

Public comment was also solicited at the workshop held on November 1, 2017 and at the hearing held on January 22, 2018. The public meetings took place at the offices of the Division of Insurance, 1818 East College Parkway, Carson City, Nevada 89706, with simultaneous videoconferencing to the Division of Insurance offices in Las Vegas at 3300 West Sahara Avenue, Las Vegas, Nevada 89102.

(b) A summary of the public response:

The Division received no written comments. Two (2) oral comments in favor of the regulation were received at the workshop and at the hearing.

(c) An explanation of how other interested persons may obtain a copy of the summary:

The summary in part 2(b) above reflects the comments and testimony that transpired with regard to regulation R095-17. A copy of said summary may be obtained by contacting Terri Chambers at (775) 687-0777, or tchambers@doi.nv.gov. This summary will also be made available by e-mail request to insinfo@doi.nv.gov.

3. The number of persons who:

(a) Attended the hearing: 7

(b) Testified at the hearing: 2

(c) Submitted to the agency written statements: 0

4. A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented, for each person identified above in #3 (b) and (c), as provided to the agency:

Testified at the hearing:

Name	Entity/ Organization Represented	Business Address	Telephone/ Business Telephone Number	E-Mail Address
<i>Robert Vogel</i>	<i>Pro Group Management</i>	<i>575 S. Saliman Rd. Carson City, NV 89701</i>	<i>775- 887-2480</i>	<i>robertvogel@pgmnv.com</i>
<i>Wayne Carlson</i>	<i>Public Agency Compensation Trust (PACT)</i>	<i>201 S. Roop St. #102 Carson City, NV 89701</i>	<i>775- 885-7475</i>	<i>waynecarlson@poolpact.com</i>

Submitted to the agency written statements:

Name	Entity/ Organization Represented	Business Address	Telephone No./ Business Telephone No.	E-Mail Address
<i>None</i>				

5. A description of how comment was solicited from affected businesses, a summary of their responses, and an explanation of how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses in the same manner as they were solicited from the public. Please see the description, summary and explanation provided above in response to question #2.

6. If after consideration of public comment the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The regulation was adopted without change, as there were no unfavorable comments received.

7. (a) The estimated economic effect of the adopted regulation on the business which it is to regulate:

- (1) Both adverse and beneficial effects: *None.*
- (2) Both immediate and long-term effects: *None.*

(b) The estimated economic effect of the adopted regulation on the public:

- (1) Both adverse and beneficial effects: *None.*
- (2) Both immediate and long-term effects: *None.*

8. The estimated cost to the agency for enforcement of the adopted regulation.

None.

9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates, and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

Not applicable, as there is no overlap or duplication.

10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of those provisions.

Not applicable, as there are not more stringent provisions.

11. If the regulation establishes a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

Not applicable, as this regulation does not establish a new fee or increase an existing fee.