

SENATE BILL NO. 164—SENATOR SCHNEIDER

FEBRUARY 17, 2011

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Revises provisions relating to claims examiners for third-party administrators and vocational rehabilitation counselors. (BDR 57-232)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

~

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

AN ACT relating to persons involved in the administration of insurance; requiring claims examiners for third-party administrators to be licensed; requiring vocational rehabilitation counselors for third-party administrators to be licensed; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law requires a third-party administrator for an insurer to have a
- 2 certificate of registration issued by the Commissioner of Insurance. (NRS
- 3 616B.500, 616B.503, 683A.085)
- 4 **Section 7** of this bill prohibits a claims examiner or a vocational rehabilitation
- 5 counselor from working for a third-party administrator without a license. **Sections**
- 6 **8 and 9** of this bill provide the application process for such a license. **Section 10** of
- 7 this bill provides that such a license expires after 3 years and may be renewed.
- 8 **Sections 1 and 2** of this bill provide the fees for the application for and the renewal
- 9 of such a license. **Section 11** of this bill provides for disciplinary action against a
- 10 licensee. **Section 12** of this bill provides a penalty for working without such a
- 11 license. **Section 13** of this bill provides a penalty for a third-party administrator for
- 12 hiring or retaining an unlicensed claims examiner or vocational rehabilitation
- 13 counselor or for failing to conduct a reasonable investigation as to whether a
- 14 prospective employee is licensed.
- 15 **Section 17** of this bill requires the Administrator of the Division of Industrial
- 16 Relations of the Department of Business and Industry to prescribe by regulation the
- 17 qualifications for a claims examiner or vocational rehabilitation counselor.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 680B.010 is hereby amended to read as
2 follows:
3 680B.010 The Commissioner shall collect in advance and
4 receipt for, and persons so served must pay to the Commissioner,
5 fees and miscellaneous charges as follows:
6 1. Insurer's certificate of authority:
7 (a) Filing initial application.....\$2,450
8 (b) Issuance of certificate:
9 (1) For any one kind of insurance as defined in
10 NRS 681A.010 to 681A.080, inclusive.....283
11 (2) For two or more kinds of insurance as so
12 defined.....578
13 (3) For a reinsurer.....2,450
14 (c) Each annual continuation of a certificate.....2,450
15 (d) Reinstatement pursuant to NRS 680A.180, 50
16 percent of the annual continuation fee otherwise required.
17 (e) Registration of additional title pursuant to
18 NRS 680A.240.....50
19 (f) Annual renewal of the registration of additional
20 title pursuant to NRS 680A.240.....25
21 2. Charter documents, other than those filed with an
22 application for a certificate of authority. Filing
23 amendments to articles of incorporation, charter, bylaws,
24 power of attorney and other constituent documents of the
25 insurer, each document.....\$10
26 3. Annual statement or report. For filing annual
27 statement or report.....\$25
28 4. Service of process:
29 (a) Filing of power of attorney.....\$5
30 (b) Acceptance of service of process.....30
31 5. Licenses, appointments and renewals for producers
32 of insurance:
33 (a) Application and license.....\$125
34 (b) Appointment fee for each insurer.....15
35 (c) Triennial renewal of each license.....125
36 (d) Temporary license.....10
37 (e) Modification of an existing license.....50
38 6. Surplus lines brokers:
39 (a) Application and license.....\$125
40 (b) Triennial renewal of each license.....125



1 7. Managing general agents' licenses, appointments
2 and renewals:
3 (a) Application and license.....\$125
4 (b) Appointment fee for each insurer 15
5 (c) Triennial renewal of each license 125
6 8. Adjusters' licenses and renewals:
7 (a) Independent and public adjusters:
8 (1) Application and license\$125
9 (2) Triennial renewal of each license 125
10 (b) Associate adjusters:
11 (1) Application and license 125
12 (2) Triennial renewal of each license 125
13 9. Licenses and renewals for appraisers of physical
14 damage to motor vehicles:
15 (a) Application and license.....\$125
16 (b) Triennial renewal of each license 125
17 10. Additional title and property insurers pursuant to
18 NRS 680A.240:
19 (a) Original registration.....\$50
20 (b) Annual renewal25
21 11. Insurance vending machines:
22 (a) Application and license, for each machine\$125
23 (b) Triennial renewal of each license 125
24 12. Permit for solicitation for securities:
25 (a) Application for permit.....\$100
26 (b) Extension of permit.....50
27 13. Securities salespersons for domestic insurers:
28 (a) Application and license.....\$25
29 (b) Annual renewal of license 15
30 14. Rating organizations:
31 (a) Application and license.....\$500
32 (b) Annual renewal500
33 15. Certificates and renewals for administrators
34 licensed pursuant to chapter 683A of NRS ~~§~~ *and licenses*
35 *and renewals for claims examiners and vocational*
36 *rehabilitation counselors licensed pursuant to chapter*
37 *683A of NRS:*
38 (a) Application and certificate of registration *for*
39 *administrators*\$125
40 (b) *Application and license for claims examiners and*
41 *vocational rehabilitation counselors*..... *125*
42 (c) Triennial renewal *of certificate of registration or*
43 *license*..... *125*
44 16. For copies of the insurance laws of Nevada, a fee
45 which is not less than the cost of producing the copies.



1	17. Certified copies of certificates of authority and	
2	licenses issued pursuant to the Code	\$10
3	18. For copies and amendments of documents on file	
4	in the Division, a reasonable charge fixed by the	
5	Commissioner, including charges for duplicating or	
6	amending the forms and for certifying the copies and	
7	affixing the official seal.	
8	19. Letter of clearance for a producer of insurance or	
9	other licensee if requested by someone other than the	
10	licensee	\$10
11	20. Certificate of status as a producer of insurance or	
12	other licensee if requested by someone other than the	
13	licensee	\$10
14	21. Licenses, appointments and renewals for bail	
15	agents:	
16	(a) Application and license	\$125
17	(b) Appointment for each surety insurer	15
18	(c) Triennial renewal of each license	125
19	22. Licenses and renewals for bail enforcement	
20	agents:	
21	(a) Application and license	\$125
22	(b) Triennial renewal of each license	125
23	23. Licenses, appointments and renewals for general	
24	agents for bail:	
25	(a) Application and license	\$125
26	(b) Initial appointment by each insurer	15
27	(c) Triennial renewal of each license	125
28	24. Licenses and renewals for bail solicitors:	
29	(a) Application and license	\$125
30	(b) Triennial renewal of each license	125
31	25. Licenses and renewals for title agents and escrow	
32	officers:	
33	(a) Application and license	\$125
34	(b) Triennial renewal of each license	125
35	(c) Appointment fee for each title insurer	15
36	(d) Change in name or location of business or in	
37	association	10
38	26. Certificate of authority and renewal for a seller of	
39	prepaid funeral contracts	\$125
40	27. Licenses and renewals for agents for prepaid	
41	funeral contracts:	
42	(a) Application and license	\$125
43	(b) Triennial renewal of each license	125



1	28. Licenses, appointments and renewals for agents	
2	for fraternal benefit societies:	
3	(a) Application and license.....	\$125
4	(b) Appointment for each insurer	15
5	(c) Triennial renewal of each license	125
6	29. Reinsurance intermediary broker or manager:	
7	(a) Application and license.....	\$125
8	(b) Triennial renewal of each license	125
9	30. Agents for and sellers of prepaid burial contracts:	
10	(a) Application and certificate or license	\$125
11	(b) Triennial renewal	125
12	31. Risk retention groups:	
13	(a) Initial registration.....	\$250
14	(b) Each annual continuation of a certificate of	
15	registration.....	250
16	32. Required filing of forms:	
17	(a) For rates and policies	\$25
18	(b) For riders and endorsements	10
19	33. Viatical settlements:	
20	(a) Provider of viatical settlements:	
21	(1) Application and license	\$1,000
22	(2) Annual renewal.....	1,000
23	(b) Broker of viatical settlements:	
24	(1) Application and license	500
25	(2) Annual renewal.....	500
26	(c) Registration of producer of insurance acting as a	
27	viatical settlement broker.....	250
28	34. Insurance consultants:	
29	(a) Application and license.....	\$125
30	(b) Triennial renewal	125
31	35. Licensee's association with or appointment or	
32	sponsorship by an organization:	
33	(a) Initial appointment, association or sponsorship, for	
34	each organization.....	\$50
35	(b) Renewal of each association or sponsorship	50
36	(c) Annual renewal of appointment.....	15
37	36. Purchasing groups:	
38	(a) Initial registration and review of an application	\$100
39	(b) Each annual continuation of registration	100
40	37. In addition to any other fee or charge, all	
41	applicable fees required of any person, including, without	
42	limitation, persons listed in this section, pursuant to	
43	NRS 680C.110.	



1 **Sec. 2.** NRS 680C.110 is hereby amended to read as follows:
2 680C.110 1. In addition to any other fee or charge, the
3 Commissioner shall collect in advance and receipt for, and persons
4 so served must pay to the Commissioner, the fees required by this
5 section.

6 2. A fee required by this section must be:

7 (a) If an initial fee, paid at the time of an initial application or
8 issuance of a license, as applicable;

9 (b) If an annual fee, paid on or before March 1 of every year;

10 (c) If a triennial fee, paid on or before the time of continuation,
11 renewal or other similar action in regard to a certificate, license,
12 permit or other type of authorization, as applicable; and

13 (d) Deposited in the Fund for Insurance Administration and
14 Enforcement created by NRS 680C.100.

15 3. The fees required pursuant to this section are not refundable.

16 4. The following fees must be paid by the following
17 persons to the Commissioner:

18 (a) Associations of self-insured private employers, as
19 defined in NRS 616A.050:

20 (1) Initial fee.....\$1,300

21 (2) Annual fee\$1,300

22 (b) Associations of self-insured public employers, as
23 defined in NRS 616A.055:

24 (1) Initial fee.....\$1,300

25 (2) Annual fee\$1,300

26 (c) External review organizations, as provided for in
27 NRS 616A.469 or 683A.371, or both:

28 (1) Initial fee.....\$60

29 (2) Annual fee\$60

30 (d) Insurers not otherwise provided for in this
31 subsection:

32 (1) Initial fee.....\$1,300

33 (2) Annual fee\$1,300

34 (e) Producers of insurance, as defined in
35 NRS 679A.117:

36 (1) Initial fee.....\$60

37 (2) Triennial fee.....\$60

38 (f) Accredited reinsurers, as provided for in
39 NRS 681A.160:

40 (1) Initial fee.....\$1,300

41 (2) Annual fee\$1,300

42 (g) Intermediaries, as defined in NRS 681A.330:

43 (1) Initial fee.....\$60

44 (2) Triennial fee.....\$60



1	(h) Reinsurers, as defined in NRS 681A.370:	
2	(1) Initial fee.....	\$1,300
3	(2) Annual fee	\$1,300
4	(i) Administrators, as defined in NRS 683A.025 [±] ,	
5	<i>claims examiners, as defined in section 5 of this act, and</i>	
6	<i>vocational rehabilitation counselors, as defined in</i>	
7	<i>section 6 of this act:</i>	
8	(1) Initial fee.....	\$60
9	(2) Triennial fee.....	\$60
10	(j) Managing general agents, as defined in	
11	NRS 683A.060:	
12	(1) Initial fee.....	\$60
13	(2) Triennial fee.....	\$60
14	(k) Agents who perform utilization reviews, as defined	
15	in NRS 683A.376:	
16	(1) Initial fee.....	\$60
17	(2) Annual fee	\$60
18	(l) Insurance consultants, as defined in	
19	NRS 683C.010:	
20	(1) Initial fee.....	\$60
21	(2) Triennial fee.....	\$60
22	(m) Independent adjusters, as defined in	
23	NRS 684A.030:	
24	(1) Initial fee.....	\$60
25	(2) Triennial fee.....	\$60
26	(n) Public adjusters, as defined in NRS 684A.030:	
27	(1) Initial fee.....	\$60
28	(2) Triennial fee.....	\$60
29	(o) Associate adjusters, as defined in NRS 684A.030:	
30	(1) Initial fee.....	\$60
31	(2) Triennial fee.....	\$60
32	(p) Motor vehicle physical damage appraisers, as	
33	defined in NRS 684B.010:	
34	(1) Initial fee.....	\$60
35	(2) Triennial fee.....	\$60
36	(q) Brokers, as defined in NRS 685A.030:	
37	(1) Initial fee.....	\$60
38	(2) Triennial fee.....	\$60
39	(r) Eligible surplus line insurers, as provided for in	
40	NRS 685A.070:	
41	(1) Initial fee.....	\$1,300
42	(2) Annual fee	\$1,300
43	(s) Companies, as defined in NRS 686A.330:	
44	(1) Initial fee.....	\$1,300
45	(2) Annual fee	\$1,300



* S B 1 6 4 *

1	(t) Rate service organizations, as defined in	
2	NRS 686B.020:	
3	(1) Initial fee.....	\$1,300
4	(2) Annual fee	\$1,300
5	(u) Brokers of viatical settlements, as defined in	
6	NRS 688C.030:	
7	(1) Initial fee.....	\$60
8	(2) Annual fee	\$60
9	(v) Providers of viatical settlements, as defined in	
10	NRS 688C.080:	
11	(1) Initial fee.....	\$60
12	(2) Annual fee	\$60
13	(w) Agents for prepaid burial contracts subject to the	
14	provisions of chapter 689 of NRS:	
15	(1) Initial fee.....	\$60
16	(2) Triennial fee.....	\$60
17	(x) Agents for prepaid funeral contracts subject to the	
18	provisions of chapter 689 of NRS:	
19	(1) Initial fee.....	\$60
20	(2) Triennial fee.....	\$60
21	(y) Sellers of prepaid burial contracts subject to the	
22	provisions of chapter 689 of NRS:	
23	(1) Initial fee.....	\$60
24	(2) Triennial fee.....	\$60
25	(z) Sellers of prepaid funeral contracts subject to the	
26	provisions of chapter 689 of NRS:	
27	(1) Initial fee.....	\$60
28	(2) Triennial fee.....	\$60
29	(aa) Providers, as defined in NRS 690C.070:	
30	(1) Initial fee.....	\$1,300
31	(2) Annual fee	\$1,300
32	(bb) Escrow officers, as defined in NRS 692A.028:	
33	(1) Initial fee.....	\$60
34	(2) Triennial fee.....	\$60
35	(cc) Title agents, as defined in NRS 692A.060:	
36	(1) Initial fee.....	\$60
37	(2) Triennial fee.....	\$60
38	(dd) Captive insurers, as defined in NRS 694C.060:	
39	(1) Initial fee.....	\$250
40	(2) Annual fee	\$250
41	(ee) Fraternal benefit societies, as defined in	
42	NRS 695A.010:	
43	(1) Initial fee.....	\$1,300
44	(2) Annual fee	\$1,300



1	(ff) Insurance agents for societies, as provided for in	
2	NRS 695A.330:	
3	(1) Initial fee.....	\$60
4	(2) Triennial fee.....	\$60
5	(gg) Corporations subject to the provisions of chapter	
6	695B of NRS:	
7	(1) Initial fee.....	\$1,300
8	(2) Annual fee	\$1,300
9	(hh) Health maintenance organizations, as defined in	
10	NRS 695C.030:	
11	(1) Initial fee.....	\$1,300
12	(2) Annual fee	\$1,300
13	(ii) Organizations for dental care, as defined in	
14	NRS 695D.060:	
15	(1) Initial fee.....	\$1,300
16	(2) Annual fee	\$1,300
17	(jj) Purchasing groups, as defined in NRS 695E.100:	
18	(1) Initial fee.....	\$250
19	(2) Annual fee	\$250
20	(kk) Risk retention groups, as defined in	
21	NRS 695E.110:	
22	(1) Initial fee.....	\$250
23	(2) Annual fee	\$250
24	(ll) Prepaid limited health service organizations, as	
25	defined in NRS 695F.050:	
26	(1) Initial fee.....	\$1,300
27	(2) Annual fee	\$1,300
28	(mm) Medical discount plans, as defined in	
29	NRS 695H.050:	
30	(1) Initial fee.....	\$1,300
31	(2) Annual fee	\$1,300
32	(nn) Club agents, as defined in NRS 696A.040:	
33	(1) Initial fee.....	\$60
34	(2) Triennial fee.....	\$60
35	(oo) Motor clubs, as defined in NRS 696A.050:	
36	(1) Initial fee.....	\$1,300
37	(2) Annual fee	\$1,300
38	(pp) Bail agents, as defined in NRS 697.040:	
39	(1) Initial fee.....	\$60
40	(2) Triennial fee.....	\$60
41	(qq) Bail enforcement agents, as defined in	
42	NRS 697.055:	
43	(1) Initial fee.....	\$60
44	(2) Triennial fee.....	\$60



- (rr) Bail solicitors, as defined in NRS 697.060:
 - (1) Initial fee.....\$60
 - (2) Triennial fee.....\$60
- (ss) General agents, as defined in NRS 697.070:
 - (1) Initial fee.....\$60
 - (2) Triennial fee.....\$60

Sec. 3. Chapter 683A of NRS is hereby amended by adding thereto the provisions set forth as sections 4 to 13, inclusive, of this act.

Sec. 4. *As used in sections 4 to 13, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 5 and 6 of this act have the meanings ascribed to them in those sections.*

Sec. 5. *“Claims examiner” means a person employed by an administrator to administer claims for compensation filed pursuant to NRS 616C.020 and 617.344.*

Sec. 6. *“Vocational rehabilitation counselor” means a person who works as a certified vocational rehabilitation counselor as defined in NRS 616A.080 or as a vocational rehabilitation counselor pursuant to NRS 616C.540.*

Sec. 7. 1. *No person may act as, offer to act as or hold himself or herself out to the public as a claims examiner for an administrator, unless the person has obtained a license as a claims examiner from the Commissioner pursuant to section 8 of this act.*

2. *No person may act as, offer to act as or hold himself or herself out to the public as a vocational rehabilitation counselor for an administrator, unless the person has obtained a license as a vocational rehabilitation counselor from the Commissioner pursuant to section 9 of this act.*

Sec. 8. 1. *Except as otherwise provided in subsection 2 or 3, the Commissioner shall issue a license as a claims examiner to an applicant who:*

(a) Submits an application on a form prescribed by the Commissioner; and

(b) Pays the fee for the issuance of a license prescribed in NRS 680B.010 and, in addition to any other fee or charge, all applicable fees required pursuant to NRS 680C.110.

2. *The Commissioner may refuse to issue a license as a claims examiner to an applicant if the Commissioner determines that the applicant:*

- (a) Is not competent to act as a claims examiner;*
- (b) Does not have a good personal or business reputation;*
- (c) Has had a license or certificate as a claims examiner denied for cause, suspended or revoked in this State or any other state; or*



1 (d) *Has failed to comply with any provision of this chapter.*

2 3. *The Commissioner shall submit the information supplied*
3 *by an applicant pursuant to subsection 1 to the Division of*
4 *Industrial Relations of the Department of Business and Industry*
5 *for final approval in accordance with the regulations adopted*
6 *pursuant to subsection 9 of NRS 616A.400. Unless the Division*
7 *provides final approval for the applicant to the Commissioner, the*
8 *Commissioner shall not issue a license as a claims examiner to the*
9 *applicant.*

10 **Sec. 9.** 1. *Except as otherwise provided in subsection 2 or*
11 *3, the Commissioner shall issue a license as a vocational*
12 *rehabilitation counselor to an applicant who:*

13 (a) *Submits an application on a form prescribed by the*
14 *Commissioner; and*

15 (b) *Pays the fee for the issuance of a license prescribed in NRS*
16 *680B.010 and, in addition to any other fee or charge, all*
17 *applicable fees required pursuant to NRS 680C.110.*

18 2. *The Commissioner may refuse to issue a license as a*
19 *vocational rehabilitation counselor to an applicant if the*
20 *Commissioner determines that the applicant:*

21 (a) *Is not competent to act as a vocational rehabilitation*
22 *counselor;*

23 (b) *Does not have a good personal or business reputation;*

24 (c) *Has had a license or certificate as a vocational*
25 *rehabilitation counselor denied for cause, suspended or revoked in*
26 *this State or any other state; or*

27 (d) *Has failed to comply with any provision of this chapter.*

28 3. *The Commissioner shall submit the information supplied*
29 *by an applicant pursuant to subsection 1 to the Division of*
30 *Industrial Relations of the Department of Business and Industry*
31 *for final approval in accordance with the regulations adopted*
32 *pursuant to subsection 9 of NRS 616A.400. Unless the Division*
33 *provides final approval for the applicant to the Commissioner, the*
34 *Commissioner shall not issue a license as a vocational*
35 *rehabilitation counselor to the applicant.*

36 **Sec. 10.** 1. *A license as a claims examiner or vocational*
37 *rehabilitation counselor is valid for 3 years after the date on which*
38 *the Commissioner issues the license.*

39 2. *A claims examiner or vocational rehabilitation counselor*
40 *may renew a license if the claims examiner or vocational*
41 *rehabilitation counselor submits to the Commissioner:*

42 (a) *An application on a form prescribed by the Commissioner;*
43 *and*



1 (b) *The fee for the renewal of the license prescribed in NRS*
2 *680B.010 and, in addition to any other fee or charge, all*
3 *applicable fees required pursuant to NRS 680C.110.*

4 3. *A license that is suspended or revoked must be surrendered*
5 *immediately to the Commissioner.*

6 **Sec. 11.** 1. *The Commissioner may place conditions,*
7 *limitations or restrictions on a claims examiner’s or vocational*
8 *rehabilitation counselor’s license, suspend the license, revoke or*
9 *refuse to renew the license, issue a public reprimand or accept the*
10 *voluntary surrender of the license, or may impose an*
11 *administrative fine of not more than \$1,000 or take any*
12 *combination of the foregoing actions, if the Commissioner has*
13 *determined, after notice and a hearing, that the claims examiner*
14 *or vocational rehabilitation counselor has engaged in conduct*
15 *which, if the claims examiner or vocational rehabilitation*
16 *counselor were a third-party administrator to whom NRS*
17 *616D.120 applied, would violate the provisions of paragraphs (a)*
18 *to (i), inclusive, of subsection 1 of NRS 616D.120 or subsection 2*
19 *of NRS 616D.120.*

20 2. *An order that imposes discipline pursuant to this section*
21 *and the findings of fact and conclusions of law supporting that*
22 *order are public records.*

23 3. *As used in this section, “third-party administrator” has the*
24 *meaning ascribed to it in NRS 616A.335.*

25 **Sec. 12.** *Any person who acts as a claims examiner or*
26 *vocational rehabilitation counselor for an administrator without*
27 *having applied for and received from the Commissioner a license*
28 *as a claims examiner or vocational rehabilitation counselor, as*
29 *applicable, shall be fined:*

30 1. *For a first offense\$1,000.*

31 2. *For a second offense\$2,000.*

32 3. *For a third or subsequent offense.....\$5,000.*

33 **Sec. 13.** *An administrator who:*

34 1. *Hires a claims examiner or vocational rehabilitation*
35 *counselor who is not licensed pursuant to section 8 or 9 of this*
36 *act;*

37 2. *Fails to conduct a reasonable investigation as to whether a*
38 *prospective employee is properly licensed; or*

39 3. *Allows a claims examiner or vocational rehabilitation*
40 *counselor to remain employed as a claims examiner or vocational*
41 *rehabilitation counselor after the expiration of his or her license,*
42 *↪ shall be fined not more than \$5,000.*

43 **Sec. 14.** *NRS 683A.383 is hereby amended to read as follows:*
44 *683A.383 1. A natural person who applies for the issuance or*
45 *renewal of a certificate of registration as an administrator or a*



1 license as a producer of insurance , ~~or~~ managing general agent ,
2 *claims examiner or vocational rehabilitation counselor* shall
3 submit to the Commissioner the statement prescribed by the
4 Division of Welfare and Supportive Services of the Department of
5 Health and Human Services pursuant to NRS 425.520. The
6 statement must be completed and signed by the applicant.

7 2. The Commissioner shall include the statement required
8 pursuant to subsection 1 in:

9 (a) The application or any other forms that must be submitted
10 for the issuance or renewal of the certificate of registration or
11 license; or

12 (b) A separate form prescribed by the Commissioner.

13 3. A certificate of registration as an administrator or a license
14 as a producer of insurance , ~~or~~ managing general agent , *claims*
15 *examiner or vocational rehabilitation counselor* may not be issued
16 or renewed by the Commissioner if the applicant is a natural person
17 who:

18 (a) Fails to submit the statement required pursuant to subsection
19 1; or

20 (b) Indicates on the statement submitted pursuant to subsection
21 1 that he or she is subject to a court order for the support of a child
22 and is not in compliance with the order or a plan approved by the
23 district attorney or other public agency enforcing the order for the
24 repayment of the amount owed pursuant to the order.

25 4. If an applicant indicates on the statement submitted pursuant
26 to subsection 1 that the applicant is subject to a court order for the
27 support of a child and is not in compliance with the order or a plan
28 approved by the district attorney or other public agency enforcing
29 the order for the repayment of the amount owed pursuant to the
30 order, the Commissioner shall advise the applicant to contact the
31 district attorney or other public agency enforcing the order to
32 determine the actions that the applicant may take to satisfy the
33 arrearage.

34 **Sec. 15.** NRS 683A.385 is hereby amended to read as follows:

35 683A.385 1. If the Commissioner receives a copy of a court
36 order issued pursuant to NRS 425.540 that provides for the
37 suspension of all professional, occupational and recreational
38 licenses, certificates and permits issued to a person who is the
39 holder of a certificate of registration as an administrator or a license
40 as a producer of insurance , ~~or~~ managing general agent ~~or~~ , *claims*
41 *examiner or vocational rehabilitation counselor* , the
42 Commissioner shall suspend the certificate of registration or license
43 issued to that person at the end of the 30th day after the date on
44 which the court order was issued unless the Commissioner receives
45 a letter issued to the holder of the certificate of registration or



1 license by the district attorney or other public agency pursuant to
2 NRS 425.550 stating that the holder of the certificate of registration
3 or license has complied with the subpoena or warrant or has
4 satisfied the arrearage pursuant to NRS 425.560.

5 2. The Commissioner shall reinstate a certificate of registration
6 as an administrator or a license as a producer of insurance , ~~for~~
7 managing general agent , *claims examiner or vocational*
8 *rehabilitation counselor* that has been suspended by a district court
9 pursuant to NRS 425.540 if the Commissioner receives a letter
10 issued by the district attorney or other public agency pursuant to
11 NRS 425.550 to the person whose certificate of registration or
12 license was suspended stating that the person whose certificate of
13 registration or license was suspended has complied with the
14 subpoena or warrant or has satisfied the arrearage pursuant to
15 NRS 425.560.

16 **Sec. 16.** NRS 683A.387 is hereby amended to read as follows:

17 683A.387 The application of a natural person who applies for
18 the issuance of a certificate of registration as an administrator or a
19 license as a producer of insurance , ~~for~~ managing general agent ,
20 *claims examiner or vocational rehabilitation counselor* must
21 include the social security number of the applicant.

22 **Sec. 17.** NRS 616A.400 is hereby amended to read as follows:

23 616A.400 The Administrator shall:

24 1. Prescribe by regulation the time within which adjudications
25 and awards must be made.

26 2. Regulate forms of notices, claims and other blank forms
27 deemed proper and advisable.

28 3. Prescribe by regulation the methods by which an insurer
29 may approve or reject claims, and may determine the amount and
30 nature of benefits payable in connection therewith.

31 4. Prescribe by regulation the method for reimbursing an
32 injured employee for expenses necessarily incurred for travel more
33 than 20 miles one way from the employee's residence or place of
34 employment to his or her destination as a result of an industrial
35 injury.

36 5. Determine whether an insurer has provided adequate
37 facilities in this State to administer claims and for the retention of a
38 file on each claim.

39 6. Evaluate the services of private carriers provided to
40 employers in:

41 (a) Controlling losses; and

42 (b) Providing information on the prevention of industrial
43 accidents or occupational diseases.

44 7. Conduct such investigations and examinations of insurers as
45 the Administrator deems reasonable to determine whether any



1 person has violated the provisions of chapters 616A to 616D,
2 inclusive, or chapter 617 of NRS or to obtain information useful to
3 enforce or administer these chapters.

4 8. Prescribe by regulation the qualifications for final approval
5 by the Division of an applicant for a certificate of registration as an
6 administrator pursuant to subsection 3 of NRS 683A.08524. The
7 regulations must set forth qualifications which provide for the final
8 approval of those applicants whose approval is in the best interests
9 of the people of this State.

10 9. *Prescribe by regulation the qualifications for final*
11 *approval by the Division of an applicant for a license as a claims*
12 *examiner pursuant to section 8 of this act or a vocational*
13 *rehabilitation counselor pursuant to section 9 of this act. The*
14 *regulations must set forth qualifications which provide for the*
15 *final approval of those applicants whose approval is in the best*
16 *interests of the people of this State.*

17 10. Except with respect to any matter committed by specific
18 statute to the regulatory authority of another person or agency, adopt
19 such other regulations as the Administrator deems necessary to carry
20 out the provisions of chapters 616A to 617, inclusive, of NRS.

21 **Sec. 18.** 1. This act becomes effective upon passage and
22 approval for the purpose of adopting regulations and on January 1,
23 2012, for all other purposes.

24 2. Sections 14, 15 and 16 of this act expire by limitation on the
25 date on which the provisions of 42 U.S.C. § 666 requiring each state
26 to establish procedures under which the state has authority to
27 withhold or suspend, or to restrict the use of professional,
28 occupational and recreational licenses of persons who:

29 (a) Have failed to comply with a subpoena or warrant relating to
30 a proceeding to determine the paternity of a child or to establish or
31 enforce an obligation for the support of a child; or

32 (b) Are in arrears in the payment for the support of one or more
33 children,

34 ➔ are repealed by the Congress of the United States.

