

**ADOPTED REGULATION OF
THE DIVISION OF INDUSTRIAL RELATIONS OF THE
DEPARTMENT OF BUSINESS AND INDUSTRY**

LCB File No. R210-97

Effective May 1, 1998

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

AUTHORITY: §1, NRS 616C.250.

Section 1. NAC 616C.123 is hereby amended to read as follows:

616C.123 *1.* The [*“1991 Nevada Standards for Medical Treatment of Injured Workers,” published by the Nevada State Medical Association,*] *“Occupational Medicine Practice Guidelines,” published jointly by the American College of Occupational and Environmental Medicine and the Occupational Environmental Medicine Health Information, Inc.,* is hereby adopted by reference as standards for the provision of [*medical treatment*] *accident benefits* to employees who have suffered industrial injuries or occupational diseases. [*The “1991 Nevada Standards for Medical Treatment of Injured Workers” is available, free of charge, from the Division of Industrial Relations, Industrial Insurance Regulation Section:*

1. At 400 W. King Street, Suite 400, Carson City, Nevada 89710, telephone number (702) 687-3033; or

2. At 2500 West Washington Avenue, Suite 102, Las Vegas, Nevada 89106, telephone number (702) 486-5001.]

2. Except as otherwise provided in this subsection, insurers and providers of health care shall use the guidelines as minimum standards for evaluating and ensuring the quality of

programs of treatment provided to an injured employee who is entitled to accident benefits pursuant to chapters 616A to 617, inclusive, of NRS. If a condition of the injured employee makes compliance with the guidelines impossible or medically inadvisable and a physician or chiropractor who:

(a) Is employed by or works pursuant to a contract with the insurer or its third-party administrator or organization for managed care to provide medical advice on claims;

(b) Is licensed to practice in this state;

(c) Possesses the education, training and expertise necessary to evaluate the medical condition of the injured employee or obtains the advice or assistance necessary to evaluate the medical condition of the employee; and

(d) Has reviewed the notes of the treating physician or chiropractor, the results of any tests conducted by the treating physician or chiropractor and any relevant health care records of the injured employee,

recommends to the insurer not to authorize treatment pursuant to the guidelines, the insurer may determine not to authorize treatment pursuant to the guidelines.

3. An insurer may authorize treatment for an injured employee that exceeds the minimum standards of the guidelines if the provider of health care provides, in writing, to the insurer his explanation for the need of a higher standard of treatment.

4. A copy of the guidelines may be purchased from Occupational Environmental Medicine Health Information, Inc. at 8 West Street, Beverly Farms, Massachusetts 01915-2226, or by telephone at 1-800-533-8046, at a cost of \$150 for persons who are members of the American College of Occupational and Environmental Medicine and \$180 for persons who are not members of the American College of Occupational and Environmental Medicine.

5. *As used in this section, the term “guidelines” means the “Occupational Medicine Practice Guidelines” adopted by reference pursuant to subsection 1.*

Sec. 2. This regulation becomes effective on May 1, 1998.