

LCB File No. R088-98

NOTICE OF WORKSHOPS TO SOLICIT COMMENTS ON PROPOSED REGULATIONS

May 20, 1998

The Department of Business and Industry, Division of Insurance (Division) is proposing the amendment of regulations pertaining to chapters 616B, 683A, 683C, and 686A of the Nevada Administrative Code. A workshop has been set for 9:30 a.m., on June 30, 1998, at the offices of the Division, 1665 Hot Springs Road, Suite 152, Carson City, Nevada. The purpose of the workshop is to solicit comments from interested persons on the following general topics addressed in the proposed regulations.

- 1. Amendments to chapter 616B of NAC. The proposed regulation adds the following provisions of Title 57 of NRS as applicable to SIIS:**
 - (a) Use of licensed agents;**
 - (b) Report of material transactions;**
 - (c) Report of risk based capital; and**
 - (d) Unfair trade practices.**

- 2. Amendments to chapters 616B, 683A, and 683C of NAC. The proposed regulation requires solicitors for associations of public and private employers, agents, brokers and insurance consultants to complete an approved course on workers' compensation insurance before selling, soliciting or offering advice on workers' compensation insurance.**

- 3. Amendments to chapter 686A of NAC. The proposed regulation:**
 - (a) Prohibits unfair discrimination to victims of domestic violence;**
 - (b) Allows a property and casualty broker to charge fees;**
 - (c) Requires an insurer, agent or administrator to respond within 10 days to complaints filed with the Division;**
 - (d) Requires an insurer to pay a claim within 30 days after it is approved.**

A copy of this notice and the proposed regulation will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended will be available at the offices of the Division, 1665 Hot Springs Road, Suite 152, Carson City, Nevada 89706, and 2501 East Sahara Avenue, Suite 302, Las Vegas, Nevada 89104, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>.

Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

This Notice of Workshop to Solicit Comments on Proposed Regulation has been sent all persons on the agency's mailing list for administrative regulations and posted at the following locations:

Department of Business and Industry
Division of Insurance
1665 Hot Springs Road, Suite 152
Carson City, NV 89706

Department of Business and Industry
Division of Insurance
2501 East Sahara Avenue, Suite 302
Las Vegas, NV 89104

Legislative Counsel Bureau
Capitol Complex
Carson City, NV 89710

Blasdel Building
Capitol Complex
Carson City, NV 89710

State Capitol
Capitol Complex
Carson City, NV 89710

Capitol Press Room
State Capitol Basement
Carson City, NV 89710

County Clerk
Courthouse
Carson City, NV 89710

Nevada State Library & Archives
Capitol Complex
Carson City, NV 89710

Carson City Library
900 North Roop Street
Carson City, NV 89701

Churchill County Library
553 South Maine Street
Fallon, NV 89406

Las Vegas Library
833 Las Vegas Blvd. North
Las Vegas, NV 89101

Douglas County Library
1625 Library Lane
P.O. Box 337
Minden, NV 89423

Elko County Library
720 Court Street
Elko, NV 89801

Goldfield Public Library
Fourth & Cook Street
P.O. Box 430
Goldfield, NV 89013

Eureka Branch Library
10190 Monroe Street
P.O. Box 293
Eureka, NV 89316

Humboldt County Library
85 East 5th Street
Winnemucca, NV 89445

Battle Mountain Branch Library
P.O. Box 141
Battle Mountain, NV 89820

Lincoln County Library
93 Main Street
P.O. Box 330
Pioche, NV 89043

Lyon County Library
20 Nevin Way
Yerington, NV 89447

Mineral County Library
First & A Street
Hawthorne, NV 89415

Tonopah Public Library
171 Central Street
P.O. Box 449
Tonopah, NV 89049

Pershing County Library
1125 Central Avenue
P.O. Box 781
Lovelock, NV 89419

Storey County Library
95 South R Street
P.O. Box 14
Virginia City, NV 89440

Washoe County Library
301 South Center Street
P.O. Box 2151
Reno, NV 89505

White Pine County Library
950 Campton Street
Ely, NV 89301

Clark County Library
1401 East Flamingo Road
Las Vegas, NV 89119

Members of the public who are disabled and require special accommodations or assistance at the hearing are requested to notify the Commissioner's secretary in writing at 1665 Hot Springs Road, Suite 152, Carson City, Nevada 89706, or by calling no later than 5 working days prior to the hearing, (702) 687-4270.

DATED this _____ day of _____, 19____.

ALICE A. MOLASKY-ARMAN
Commissioner of Insurance

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Amendment of Regulations of the Department of Business and Industry, Division of Insurance

The Department of Business and Industry, Division of Insurance (Division) will hold a public hearing at 1:30 p.m., on June 30, 1998 at the offices of the Division, 1665 Hot Springs Road, Suite 152, Carson City, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the amendment of regulations pertaining to chapter 616B of the Nevada Administrative Code.

REGULATION FOR THE PROVISIONS OF TITLE 57 OF NRS APPLICABLE TO THE STATE INDUSTRIAL INSURANCE SYSTEM

The following information is provided pursuant to the requirements of NRS 233B.060:

1. The proposed regulation is needed to establish additional provisions of the Insurance Code which should be applicable to SIIS in anticipation of a 3-way insurance environment.
2. The regulation establishes the following provisions as applicable to SIIS: use of licensed agents; report of material transactions; report of risk-based capital; and unfair trade practices.
3. Estimated economic effect of the regulation:
On the business which it is to regulate:
 - (a) The regulation should have little beneficial impact on the industry.
 - (b) The regulation may have both an immediate and long-term adverse impact on the SIIS as it establishes new procedures for appointment of agents and reporting to the Commissioner.On the public:

The amended regulation should have no economic impact on the public.
4. The Division anticipates a nominal expense to enforce the proposed regulation.
5. The Division is not aware of any overlap or duplication of the regulation with any state, local or federal regulation.
6. The proposed regulation does not establish a new fee or increase an existing fee.

Persons wishing to comment upon the proposed action of the Division may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Division, 1665 Hot Springs Road, Suite 152, Carson City, Nevada 89706. Written submissions must be received by the Division on or before June 24, 1998. If no

person who is directly affected by the proposed action appears to request time to make an oral presentation, the Division may proceed immediately to act upon any written submissions.

A copy of this notice and the proposed regulation will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended will be available at the offices of the Division, 1665 Hot Springs Road, Suite 152, Carson City, Nevada 89706, and 2501 East Sahara Avenue, Suite 302, Las Vegas, Nevada 89104, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

Department of Business and Industry
Division of Insurance
1665 Hot Springs Road, Suite 152
Carson City, NV 89706

Department of Business and Industry
Division of Insurance
2501 East Sahara Avenue, Suite 302
Las Vegas, NV 89104

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1625 Library Lane
P.O. Box 337
Minden, NV 89423

Elko County Library
720 Court Street
Elko, NV 89801

Goldfield Public Library
P.O. Box 430
Goldfield, NV 89013

Eureka Branch Library
10190 Monroe Street
P.O. Box 293
Eureka, NV 89316

Humboldt County Library
85 East 5th Street
Winnemucca, NV 89445

Battle Mountain Branch Library
P.O. Box 141
Battle Mountain, NV 89820

Lincoln County Library
93 Main Street
P.O. Box 330
Pioche, NV 89043

Lyon County Library
20 Nevin Way
Yerington, NV 89447

Mineral County Library
First & A Street
P.O. Box 1390
Hawthorne, NV 89415

Tonopah Public Library
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P.O. Box 449
Tonopah, NV 89049

Pershing County Library
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Lovelock, NV 89419

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Virginia City, NV 89440

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DATED this _____ day of _____, 19____.

ALICE A. MOLASKY-ARMAN
Commissioner of Insurance

LCB File No. R088-98

**STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INSURANCE**

**REGULATION FOR THE PROVISIONS OF TITLE 57 OF NRS APPLICABLE TO THE
STATE INDUSTRIAL INSURANCE SYSTEM**

Authority: NRS 616B.197

Section 1. NAC 616B.015 is hereby amended to read as follows:

1. The system shall comply with the following provisions of Title 57 of NRS.
 - (a) NRS 679B.230 to 679B.300, inclusive;
 - (b) Subsection 1 of NRS 680A.270 and 680A.300;
 - (c) NRS 681A.110;
 - (d) NRS 681B.050 **[and]** , 681B.060, 681B.280 and 681B.290;
 - (e) NRS 686A.030, 686A.040, 686A.130, 686A.200, 686A.220 and 686A.310;
 - [(e)]** (f) Subsection 1, 3 and 4 of NRS 686B.050;
 - [(f)]** (g) NRS 686B.060; and
 - [(g)]** (h) NRS 693A.050.
2. Except as otherwise provided in this subsection, on or before December 1 of each year, the system shall submit to the commission a report concerning its loss prevention and control programs that meets the requirements of subsection 1 of NRS 680A.290. If the system is unable to submit the report on or before December 1 in any year, the system shall, on or before December 1 of that year, submit a written notice to the commissioner which provides the reason for the delay and the date on which the report will be submitted.

3. The system shall comply with any regulations adopted by the commissioner to carry out the provisions of NRS 680A.270 and 680A.290 and the provisions of NRS designated in paragraphs (a) to (g), inclusive, of subsection 1, except paragraph (b) of subsection 2 of NAC 680A.160.

4. For the purposes of NRS 680A.270 and 680A.290 and the provisions of NRS designated in paragraphs (a) to (g), inclusive, of subsection 1 and any regulation described in subsection 3, where the term “insurer,” “authorized insurer” or “domestic insurer” is used, the term “system” is included in the definition of that term.