

**ADOPTED REGULATION OF
THE COMMISSIONER OF INSURANCE**

LCB File No. R111-98

Effective July 1, 1999

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

AUTHORITY: §§2 and 3, NRS 616B.030; §§4 and 5, NRS 616B.036; §6, NRS 616B.030 and 616B.036.

Section 1. Chapter 616B of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

Sec. 2. *1. Except as otherwise provided in subsection 2, an insurer shall file with the commissioner for approval each form for a policy of industrial insurance that the insurer intends to use and any modification to such a form. If the commissioner does not disapprove a form or a modification to a form within 60 days after it has been filed, the form or modification to the form shall be deemed approved.*

2. An insurer may modify a form for a policy of industrial insurance without filing the modified form with the commissioner pursuant to subsection 1 if:

(a) The insurer uses a form for a policy of industrial insurance that was filed by the advisory organization pursuant to NRS 686B.1765 and approved by the commissioner;

(b) The modification to the form and any use of the form are consistent with the manual of rules that was filed by the advisory organization pursuant to NRS 686B.1765 and approved by the commissioner; and

(c) The modification is limited to:

(1) The inclusion of the name or logo of the insurer on the form; or

(2) The format of the form, including, without limitation, the size of the type used on the form.

3. As used in this section, “advisory organization” has the meaning ascribed to it in NRS 686B.1752.

Sec. 3. *Each private carrier shall use the basic policy of industrial insurance prescribed by the commissioner pursuant to NRS 616B.030.*

Sec. 4. *1. Except as otherwise provided in subsection 2, to obtain approval as an organization or association of employers as a group pursuant to NRS 616B.036, the organization or association must file with the commissioner or his designated representative:*

(a) A copy of the agreement of the organization or association which has been certified by the custodian of the original of the agreement; and

(b) A written statement from the organization or association that describes the safety committee that the organization or association will establish and maintain to reduce the incidence and severity of accidents by carrying out a program to control losses and provide information on the prevention of accidents.

2. The system or a private carrier may make the filing required pursuant to subsection 1 on behalf of the organization or association if the filing is accompanied by a power of attorney executed by the organization or association authorizing the system or private carrier to make such a filing on its behalf.

Sec. 5. *The system or a private carrier may combine the experience of the members of an organization or association of employers as a group for which the system or private carrier provides industrial insurance for the purposes of:*

- 1. Paying dividends to the members; or*
- 2. Determining premiums pursuant to a plan for retrospective rating if the plan has been filed with and approved by the commissioner.*

Sec. 6. This regulation becomes effective on July 1, 1999.