

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

LCB FILE NO. R001-16

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(s) 679B, and creation of NAC chapter 680C.

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

Pursuant to AB 486 (2015 Session), the Commissioner is required to adopt regulations related to fees and assessments already being collected by the Division. The regulation specifies the dates-certain for collection of certain fees, how the Commissioner will determine assessments and fees, and how the Commissioner will establish a process to ensure those subject to the annual fee can participate in the process for determining the fee based on the Division’s budget needs. R001-16 also sets forth penalties for late and non-payment of certain fees and assessments.

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(s) 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. 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:

Department of Business and Industry  
Division of Insurance  
1818 East College Parkway, Suite 103  
Carson City, Nevada 89706

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

Legislative Building  
401 South Carson Street  
Carson City, Nevada 89701

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

Blasdel Building  
209 East Musser Street  
Carson City, Nevada 89701

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 March 15, 2016, and at the hearing held on March 31, 2016. The public meetings took place at the office of the Division, 1818 East College Parkway, Carson City, Nevada 89706, with simultaneous videoconferencing to the Bradley Building, 2501 East Sahara Avenue, Las Vegas, Nevada 89104.

(b) A summary of the public response:

The Division did not receive any public response in favor of or against the regulation. One commenter asked for clarification concerning “direct written premium” and whether third-party administrators are subject to the initial and annual fee. Clarification was provided by the Division during 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 R001-16. A copy of said summary may be obtained by contacting Tracy Zehner, at (775) 687-0779 or [tzehner@doi.nv.gov](mailto:tzehner@doi.nv.gov). This summary will also be made available by e-mail request to [insinfo@doi.nv.gov](mailto:insinfo@doi.nv.gov).

3. The number of persons who:

(a) Attended each hearing: Workshop (3/15/16) – 1 (not including Division staff)  
Hearing (3/31/16) – 0 (not including Division staff)

(b) Testified at each hearing: 2 comments from 1 person

(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:

Name	Entity/Organization Represented	Business Address	Telephone No./ Business Telephone No.	E-Mail Address
Jack Kim	United Health Care			

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 enabling statutes already provide the clarification sought by the commenter. These clarifications were pointed out and explained on the record at the hearing on March 31, 2016. As a result, no amendments to the regulation as originally proposed were needed.

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

(1) Both adverse and beneficial effects: The requirement of an annual fee is already set by statute. The regulation only implements the process by which to determine the annual fee. The process set up in the regulation itself does not have any economic effect on businesses regulated by the Division.

(2) Both immediate and long-term effects: The requirement of an annual fee is already set by statute. The regulation only implements the process by which to determine the annual fee. The process set up in the regulation itself does not have any economic effect on businesses regulated by the Division.

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

(1) Both adverse and beneficial effects: There is no direct adverse or beneficial estimated economic effect on the public.

(2) Both immediate and long-term effects: There is no direct immediate or long-term estimated economic effect on the public.

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

The Division will incur a nominal cost to hold the public meetings.

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.

To the Division's knowledge, the regulation does not overlap or duplicate any other state, federal, or government agencies' regulation.

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.

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.

The regulation does not establish a new fee; it establishes the process by which the Division will arrive at the annual fee already imposed by statute.