

MEETING NOTICE AND AGENDA

Name of Organization: Legislative Committee on Workers' Compensation
(*Nevada Revised Statutes* [NRS] 218.5375)

Date and Time of Meeting: Friday, September 15, 2000
8 a.m.

Place of Meeting: Grant Sawyer State Office Building
Room 4401
555 East Washington Avenue
Las Vegas, Nevada

Note: Some members of the committee may be attending the meeting and other persons may observe the meeting and provide testimony, through a simultaneous videoconference conducted at the following location:

Legislative Building
Room 3138
401 South Carson Street
Carson City, Nevada

If you cannot attend the meeting, you can listen to it live over the Internet. The address for the legislative Web site is <http://www.leg.state.nv.us>. For audio broadcasts, click on the link "Listen to Meetings Live on the Internet."

A G E N D A

- I. Opening Remarks and Introductions
Assemblyman David R. Parks, Chairman
- II. Report on the Use of Open Rating in the State of California to Determine Industrial Insurance Premiums
Crystal M. McGee, Senior Research Analyst, Legislative Counsel Bureau
- III. Discussion on the Future Use of Subsequent Injury Funds in Nevada
Assemblyman David R. Parks, Chairman
- IV. Report on Recommendation Concerning the Retaliatory Discharge of an Employee Who Files a Claim for Workers' Compensation and an Injured Employee's Right to Return to Work
Kathleen Stoneburner, Representing the Alliance for Workers' Rights
Carol Walton, Representing the Alliance for Workers' Rights
- V. Report on Recommendations Concerning the Administration of Nevada's Workers' Compensation Program
Thomas E. Wilson
 - A. Recommendation Regarding Unpaid Penalties and Fines Levied for Failure of an Employer to Provide, Secure, and Maintain Workers' Compensation Insurance Coverage
 - B. Recommendation Regarding the Posting on the Internet of Certain Information Pertaining to Workers' Compensation Hearings and Appeals and the Collection of Fines Against Insurers and Employers

- C. Recommendation Regarding Informational Brochures Concerning Nevada's Workers' Compensation Program
- D. Recommendation Regarding Certain Training for Employees of the Nevada Attorney for Injured Workers and the Division of Industrial Relations (DIR)

VI. Report on Recommendation Concerning Annual Revisions to the Medical Fee Schedule for Industrial Insurance Accident Benefits
Robert A. Ostrovsky, President, Ostrovsky & Associates, Representing the Medical Fee Schedule Working Group

VII. Report on Proposals Concerning Industrial Insurance
Robert A. Ostrovsky, President, Ostrovsky & Associates, Representing the Working Group of Industrial Insurance Carriers

A. Proposal to Change the Requirement That the Administrator of DIR Audit All Insurers at Least Every Three Years to at Least Every Five Years and Allow the Division of Insurance to Perform Audits in Conjunction With DIR

B. Proposal to Provide That Certain Records of Private Carriers Are to Be Considered Confidential

C. Proposal to Eliminate the Requirement That an Insurer Provide an Employer With a Certificate of Insurance

D. Proposal to Allow for the Issuance of a Policy of Industrial Insurance That Does Not Cover All Employees of an Employer

E. Proposal to Eliminate the Requirement That an Employer Notify the Administrator of DIR of an Intent to Cancel a Policy of Industrial Insurance if the Insurer Has Provided Notice of the Actual Cancellation or Lapse in Coverage

F. Proposal to Eliminate the Provision of NRS That Allows an Employer to Appeal Certain Matters to the Administrator of DIR

G. Proposal to Eliminate the Requirement That Employers Submit to a Private Carrier Information Concerning Tips Received by Employees

H. Proposal to Eliminate the Provision of NRS That Provides for the Accrual of Interest on Unpaid Industrial Insurance Premiums

I. Proposal to Require That Associations of Self-Insured Public or Private Employers Meet the Same Qualifications Required of Self-Insured Employers Pursuant to NRS 616B.300

J. Proposal to Prohibit the Commissioner of Insurance From Backdating a Certificate of Qualification for an Association of Self-Insured Public or Private Employers

K. Proposal to Require That Associations of Self-Insured Public or Private Employers Meet Certain Requirements Concerning Loss Reserves for Industrial Insurance Claims

L. Proposal to Require Private Carriers and Associations of Self-Insured Public or Private Employers to Notify DIR of Certain Changes and to Correct or

Substantiate Certain Information Related to Coverage and Membership

- M. Proposal to Eliminate Provisions That Allow an Officer or Manager of a Company Who Does Not Receive Pay for Services to Elect to Reject Industrial Insurance Coverage and Rescind Rejection
- N. Proposal to Eliminate the Provision Whereby Employers Can Elect Industrial Insurance Coverage for Employees for Whom Coverage Is Not Required by State Law
- O. Proposal to Make a Physical Examination Optional When a Sole Proprietor Elects Industrial Insurance Coverage

- VIII. Report on Recommendation Requiring Appeals Officers to Comply With the Nevada Code of Judicial Conduct
Donald E. Jayne, President, Jayne & Associates, Inc., Representing the Nevada Self-Insurers Association (NSIA)
- IX. Report on Recommendation Concerning an Application to Reopen a Claim if an Injured Worker Was “Not Off Work” as a Result of the Injury
Donald E. Jayne, President, Jayne & Associates, Inc., Representing the NSIA
- X. Report on Proposal to Prohibit Payment of Rehabilitation Benefits if an Injured Worker is Unable to Participate in a Program of Vocational Rehabilitation Due to Nonindustrial Causes
Donald E. Jayne, President, Jayne & Associates, Inc., Representing the NSIA
- XI. Report Concerning the Rights of Certain Employees of Employers Insurance Company of Nevada to Receive Priority Placement on the Appropriate Reemployment List Maintained by Nevada’s Department of Personnel
Senator Ann O’Connell
- XII. Public Comment
- XIII. Discussion of Next Meeting Date
- XIV. Adjournment

*Denotes items on which the committee may take action.

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Research Division of the Legislative Counsel Bureau, in writing, at the Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747, or call Susan Furlong Reil at (775) 684-6825 as soon as possible.

Notice of this meeting was posted in the following Carson City, Nevada, locations: Blasdel Building, 209 East Musser Street; Capitol Press Corps, Basement, Capitol Building; City Hall, 201 North Carson Street; Legislative Building, 401 South Carson Street; and Nevada State Library, 100 Stewart Street. Notice of this meeting was faxed for posting to the following Las Vegas, Nevada, locations: Clark County Office, 500 South Grand Central Parkway; and Grant Sawyer State Office Building, 555 East Washington Avenue.