

MARCH 8, 1973

SENATE COMMERCE AND LABOR COMMITTEE

The meeting was called to order at 3:00 p.m.

Senator Drakulich in the chair.

PRESENT: Senator Swobe
Senator Blakemore
Senator Hecht
Senator Pozzi
Senator Lamb

Mr. Banner, Chairman
Mr. McNeel
Mr. Capurro
Mrs. Brookman

Senator Dodge spoke on behalf of all of the NIC bills. Senator Dodge explained that this study had been made at a cost to the NIC of around \$65,000. Some technical people had to be brought to evaluate the internal procedure of NIC.

S. B. 2 - Makes technical changes in Nevada industrial commission organization and procedures.

Any employee receiving permanent total disability benefits shall report annually on the anniversary date of the award to the commission, all his earnings for the 12 month period.

The second change is that the chairman also serve as executive director, and will be responsible for all administrative and clerical functions of the commission.

On page 3, lines 22 through 25 are deleted, leaving the rating system within the discretion of the system.

The new language at section 4 gives the commission same flexibility with respect to the rating system as the private carriers have.

The change on page four states that advance deposits in the form of premiums can be fixed by order of the commission.

Termination under the change on page eight, does no longer require a unanimous vote of the commission.

These are briefly the changes in this bill which we call the omnibus bill.

S. B. 3 - Revises qualifications and terms of employment of investment counsel for Nevada industrial commission.

Section 2c, the period of 10 years or more in business has been changed to 3 years in business. and the senior management personnel of such person, firm or corporation have an average of 10 years professional experience as investment managers. They must further have at least

\$250,000,000 under management contract, exclusive of any assets related to any government of the state of Nevada.

We also broadened the language in Subsection d, to include national bank or investment subsidiary of a national bank.

Section 3, adds, more than one investment counsel may be employed in the discretion of the commission.

Section 5, deals with quarterly reports in writing.

S. B. 5 - Authorizes modification of Nevada industrial commission investment procedures to increase returns.

This authorizes the commission to invest in commercial paper, collective or part interest in commercial paper held by national banks and issued by companies whose commercial paper meets the requirements prescribed in paragraph 1, bankers acceptances of the kind and maturities made eligible by law for rediscount with Federal Reserve Banks, Time Certificates of deposit, savings accounts in state banks.

S. B. 4 - Clarifies application of Nevada Administrative Procedure Act to Nevada industrial commission.

This bill makes the industrial commission come under the Administrative Procedures Act.

We want to be sure that basically similar industrial cases are evaluated consistently.

The statement on line 11 is the essence of the bill, "Judicial proceedings instituted for compensation for an injury or death under this chapter shall be limited to judicial review as prescribed by NRS 233B.130 to 233B.150, inclusive.

Mr. William Crowell, counsel for the NIC, spoke in behalf of the bill. Any review under the review under the Administrative Procedure Act involves every fact and every factor of that matter which is brought before it at an ultimate review level. That means, that if there was a showing before the commission that the examination before the medical review board, was one of only 5 minutes protective duration, and the review board is not going to compose all the facts, but can get additional x-rays or medical examinations which might be required. Then, I believe, the court might also go into that in reviewing the case. The Court can actually send back the case to the review board.

Ava C. Woods, representing herself, explained her problems with the NIC and that she had turned down her settlement because she felt it was not adequate.

Mr. Reiser explained to her that she should appear the NIC board to get satisfaction.

Howard Rundel, spoke out against S. B. 4 because of problems he has

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had with the NIC because of an unfair settlement for a serious injury. He stated that S.B. 4 is written solely for the NIC and not for the workmen of the state of Nevada.

Peggy Hallam, spoke next against S. B. 4. She feels that this bill will take away the rights of injured workmen.

Rowland Oaks, representing the General Contractors, was next speaker. He stated that Senator Dodge's committee worked for two years on this matter, to bring NIC in conformance with the report of the national commission on state boards of compensation.

He stated that heretofore, we have had a very uneven distribution of NIC benefits. Some are too high and some are too low.

Nevada stands, fourth or fifth in our nation in NIC benefits. Our NIC plan is a good plan. The thrust of the NIC bills is to get the injured workman back to work.

He spoke in favor of S. B. 4.

Harriett Anderson spoke of her problems with NIC as an injured worker.

S. B. 375 - Creates Nevada industrial commission labor-management advisory board.

The NIC would like to see a board appointed of non-political agents, made up of 4 members representing Labor, 4 members representing employers from two different political parties.

Howard McKissick, a Reno attorney, representing himself and numerous clients, spoke against S. B. 4, although he like the package as a whole.

Mr. McKissick's remarks are attached hereto as Exhibit C.

Forrest Bibb, representing himself, from Reno, spoke out opposed to A. B. 23 and A. B. 24, and S. B. 183, because of the fact that he believes we should have access to the Courts.

The meeting was adjourned at 5:15 p.m.

Respectfully submitted


Mae Lofthouse, Secretary

APPROVED:

Chairman

T H E D I S A B I L I T Y D E C I S I O N

FOR: Presentation to the Joint Assembly and Senate Commerce Committees at Hearings referable to the N.I.C. legislative package.

GENTLEMEN:

I thank you for the privilege of appearing before you in the interest of A.B. 24. My remarks are predicated upon a number of years of experience and training in the field of disability determination. Specifically, I have been a practicing physician in Carson City in the family practice of medicine since 1941. Since 1947 I have been a part-time consultant to the Department of Rehabilitation and for 16 years, I represented the medical component of the disability certification team for Social Security and for the past 10 years, I have been a part-time medical advisor to the Nevada Industrial Commission. I had post-graduate study in 1947 and 1950 at the Institute of Physical Medicine, New York University, and have attended numerous seminars over these years sponsored by the Social Security Administration on the subject of disability determination and rehabilitation.

Much misunderstanding prevails regarding the word 'disability'.

In order to properly orient this Committee to the purpose or intent of A.B. 24, it is necessary for us to understand the definition and component elements of the disability decision. Needless to say, when a workman is injured, he may recover completely, without any residual impairment or disability, or he may be entitled to a percent of anatomical impairment and disability.

As I have observed over the years, the manner in which this disability decision is determined, represents a good question which quite often cannot be

answered rationally. In the past and often times today, a decision is based on what some people feel it is worth in X number of dollars. The rationale for the determination of the X number of dollars is often based on what precedent has shown someone else received for a similar injury. In other instances, it seems to be based on what legal counsel considers it is worth to him to handle a claim. The Nevada Industrial Commission does not handle the disability decision in this fashion.

An objective decision is attempted based on sound principles.

Approximately eight to ten years ago, at a joint meeting of the American Bar Association and the American Medical Association, the disability decision was formulated as an equation.

The anatomical functional impairment (or medical impairment) + other factors (age, education, occupation, earning capacity and vocational adaptability) = the disability decision.

The anatomical impairment is purely a medical decision. The other factors component of the disability decision is purely an administrative decision. My concern in this bill is that medical decisions remain where they should - with medical people.

In order to standardize the medical component of the disability decision, the American Medical Association in the mid-1950's appointed a special committee to study the subject. The committee was composed of authorities in their field from throughout the country, some of whom had previously written books on this subject. As a result of this pool of knowledge, the American Medical Association's "Guides for the Evaluation of Permanent Impairment" evolved.

The first edition, embracing the extremities and back, was published in 1958 and since that time, all body systems have been covered. These guides of the American Medical Association are now used by the medical profession in most of our 50 states for the evaluation of permanent impairment and was adopted by the Nevada Industrial Commission and the Nevada State Medical Association in 1968, and, as I have previously stated, all of our decisions at the Nevada Industrial Commission are based on objective information using the above described disability decision equation.

Our law provides that if the claimant does not accept the determination referable to the anatomical impairment, his claim may be referred to the Medical Review Board for a review of the medical decision.

For your information, the Medical Review Board represents a list of reputable physicians in the state of Nevada who have been recommended to the Governor by the Nevada State Medical Association for appointment to this position. The Governor then appoints three members and three alternates for the North and three members and three alternates for the South.

When receiving a claim for review, the Medical Review Board analyzes all medical reports in the file, following which the claimant is interviewed and examined. Then either the decision of the Medical Department of the Nevada Industrial Commission is upheld or it may be modified, according to their findings. Other factors, rightfully, are not considered by the Medical Review Board since this represents an administrative aspect of the decision.

Currently, the decision of the Medical Review Board is binding on the Commission but not on the claimant.

The amendment in A.B. 24 asks that the Medical Review Board's decision be binding upon the claimant as well. There is a definite reason for this and I should like to clarify this point at this time.

Perhaps first we should ask you a question which is pertinent to this subject. Who is best qualified to evaluate and adjudicate a medical problem? An attorney? A judge? A jury? Or an authoritative medical board?

To illustrate this point, I would like to cite an example which is only one of many that could be related.

A 45 year old laborer sustained a lifting injury and came to surgery at which time the intervertebral disc at the level of L5 and S1 was removed. He convalesced uneventfully and came to closure for the usual post-operative disc status but found that he could no longer pursue his stressful labor activities and required a change of occupation. This was demonstrated by the fact that whenever he pursued his former work activity, he developed back pain and was unable to perform satisfactory work. The claimant, however, was told by his treating physician that he could return to his former work status if he were to subject himself to a spinal fusion. The Nevada Industrial Commission then asked for an independent orthopedic evaluation to determine whether this claimant was feasible for a lumbar fusion and whether he would recover to the point of returning to his former work status. Two consultations locally said that surgery would not return him to his former work goal and that he should participate in a rehabilitation program to work that was more commensurate with his physical capacities. The treating physician, however, did not agree. And in order to further document the claim, the claimant was referred to one of the university centers in an adjacent state where he was examined by a panel of physicians of national repute and again it was

their recommendation that no surgery would benefit him and that he should pursue efforts in rehabilitation to find work activity commensurate with his physical status. The claimant then decided that he did not want to change his occupation inspite of all the medical advice favoring it, and wanted to have a spinal fusion as recommended by his treating physician.

The claimant was then referred to the Medical Review Board in view of the conflict of medical opinion.

The Medical Review Board, after appropriate review of his file and after examination, decided unanimously that the claimant should not submit to a spinal fusion.

The claimant then proceeded to obtain legal counsel and a suit summons followed and the Nevada Industrial Commission found itself in court.

After testimony from several physicians and with the majority recommending no further surgery, the judge made his final decision in favor of the treating physician's opinion and ignored the majority of medical opinion. This opinion of the judge was based on the ridiculous rationale that the claimant's treating physician knew what was best for his patient.

The claimant had his court directed spinal fusion and, as majority medical opinion had predicted, he was really worse than he was previously, and he could not return to his former work status. Eventually, he was awarded a permanent total disability by the same judge.

This is only one of many such claims that are so adjudicated in one year and I again ask the question - who is better qualified to make a medical determination, a judge, a jury or an authoritative medical board?

I ask your serious consideration in supporting this bill, A.B. 24.

Thank you.

A look at the proposed NIC legislation through the eyes of the working men and women of Nevada:

(1) DEATH BENEFITS - $66 \frac{2}{3}\%$ of claimant's average monthly wage subject to a maximum considered wage of \$693.43 - maximum of \$462.32 per month to dependent of deceased. This would result in an average increase of 94.3% for this benefit, with a re-evaluation yearly based on the state's average wage.

Present Law - (maximum)

- 1 dependent - \$167.50 per month
- 2 dependents - \$217.75 per month
- 3 dependents - \$268.00 per month

(2) PERMANENT TOTAL DISABILITY - $66 \frac{2}{3}\%$ of claimant's monthly wage subject to considered wage of state's average wage. Maximum monthly benefit for permanent total disability would be \$462.32, an average increase of 17.8% in this benefit, with a re-evaluation yearly based on the state's average wage.

Present Law - (Maximum)

- Claimant - \$270.40 per month
- 1 dependent - \$332.80 per month
- 2 dependents - \$374.40 per month

(3) a. PERMANENT PARTIAL BENEFITS - increase the benefit base from \$280.00 to approximately \$350.00, an increase of 25%.

b. BENEFITS to be paid on a monthly basis until age 65, or five years, whichever is later.

(4) TEMPORARY TOTAL DISABILITY - 66 2/3% of claimant's average monthly wage, subject to a considered maximum wage of state's average monthly wage. Currently, state average wage is \$693.43 - maximum monthly compensation would be \$462.32, an increase of 3.7% to the average claimant, with a re-evaluation yearly based on the state's average wage.

Present Law - (maximum)

Claimant - \$325.00

1 dependent - \$400.00 per month

2 dependents - \$450.00 per month

(5) REHABILITATION - Temporary total benefits of 66 2/3% of claimant's wage (maximum \$462.32 per month), while engaged in a rehabilitation program under the direction of the NIC - NEW benefit.

(6) MAINTENANCE BENEFITS - for claimants while away from home to attend rehabilitation facilities - NEW benefit.

(7) SECOND INJURY FUND - to assist our injured workers to return to gainful occupation - NEW benefit.

(8) FULL SILICOSIS BENEFITS - NEW benefit.

(9) A STOP ORDER for employers who do not pay NIC premiums -NEW benefit.

(10) ELIMINATE numerical and certain occupational exemptions -NEW benefit.

MEMO

TO: HARRY MCKISSICK

March 7, 1973

RE: N.I.C. LEGISLATION

AB24, making the Medical Review Board's findings binding upon claimant and Commission alike is ridiculous because the Medical Review Board, over the past 5 years, has spent approximately 10 to 25 minutes with each claimant. They review the medical charts, talk with the claimant and occasionally give him a physical examination.

At least one-half dozen N.I.C. claimants, within the last 3 months, have informed me that the most significant inquiry by the Medical Review Board is what their fee arrangements are with their attorney.

It is felt that for such a cursory examination to lead to a final determination of the state of claimant's health to the exclusion of the claimant's own treating doctors' view it is blatantly unfair to the doctors and the claimant. The only purpose can be to give the N.I.C. complete control over the determination of what each claimant should receive.

The Bill SB4 provides for the adoption of the Administrative Procedure Act. This Act is set out in N.R.S. 233(B).140. The only power left to the Court is to review to hearings and to send it back to the N.I.C. for more hearings. The practical effect of this would be to allow N.I.C. to run a claimant ragged and so discourage his attorney that lawyers in this State would refuse to take N.I.C. cases. It is felt that this is precisely

the aim of John Reiser and is totally opposed to the interest of over 200 thousand employees in this State covering N.I.C.

SB188 makes it mandatory that in a third party action evidence of compensation received from N.I.C. shall be admissible into evidence. This is thought to be detrimental to the interest of the Commission and the claimant in bringing an action against a third party defendant for causing a work-related injury. This Bill also allows complete recovery of the N.I.C. lien without any effort on their part. There should be provided some means for encouraging an N.I.C. claimant thus injured to proceed against the one actually causing his injury in the form of a reduction in the N.I.C. lien of some 20-25%.

SB183 is one of the most insidious sections in this package of John Reisers. In the amendment to N.R.S. 616.585(3), the section states temporary total disability benefits shall cease prior to the expiration of 100 months when any competent medical authority determines such employee is capable of gainful employment. On its face, this seems innocuous in actuality if Dr. Petty or any other N.I.C. doctor, with or without an examination of the patient and consultation with his treating doctor, makes a statement that a claimant is able to go to work, that is the law of the case. The treating doctors word ~~would~~ ^{should} be placed above that of Dr. Petty and other N.I.C. employees.

In the amendment to 616.650, the new section (2) eliminates the "other factors" in determining disability and adheres to the A.M.A. guides to evaluation for loss of portions of body use. In other words, "x" amount of dollars, no matter what the occupation of the individual, or what his disability, is to be

rehabilitated. Obviously, rehabilitation potential in individuals varies greatly.

In Section 4, the last 2 lines state that monthly permanent disability benefits will not begin until the total of advanced payment is off-set. This indicates to me that there will be a gap in the recovery period where N.I.C. claimants are completely cut off. In the past, the Commission has used such a gap to coerce settlement from claimants. The amendment to 616.615 for burial expenses are not to exceed \$650.00. It seems to me that this is lower than anybody can be buried for in 1973 but I am not positive of this figure.

616.615(11) requires that the death benefits provided in this section shall be reduced by the amount of any payments received by social security. It also requires extensive reporting of income by recipients. It seems to me that the benefits under N.I.C. and social security are individually insufficient to sustain life. Most workers pay for both benefits through wage deductions throughout their working careers. It seems to me that since they have paid for both of these benefits, should they be killed in a work-related injury, they should be entitled to both social security and N.I.C. death benefits for the benefit of their survivors.

John T. Coffin

MR. K.C.

42 years old.

Worked at Radiator shop 12 years on heavy radiators - no problem with health. Fell 1970 and hurt shoulder and neck. Treated by own doctor - cut off without hearing.

NIC Med Review Board

Said whole problem was old polio - cut off. Treating doctor said problem due to injury. Need for jury trial - 1-1/2 days. Jury - 10 minutes - reinstate. Doctor expenses - \$200.00 to testify.

MR. E.F.

48 years old.

Worked at trucking co. - good work record. Prior back injury but healed. Hurt when heavy roll carpet fell. Treated by local ortho. for disc disease. Sent to "Independent" med. work-up.

Said problem psychological.

Claims hearing - said psychological so agreed to psychological treatment and continued med treatment.

Under NIC appoint doctors and anti-depressant med gave heart attack.

E.F. in I.C.U. at Washoe Med.

Administratively cut-off without hearing.

MR. A.D.

17 year old boy.

Fell while working as dishwasher after school to help widowed mother - 3 other children at home. Rendered unconscious. No prior problem with black-outs, seizures or fits.

Developed epileptic type seizures directly related to the fall incident by treating doctors.

NIC sent to Med Group in Salt Lake where they concluded that the entire problem was psychological and totally unrelated to the trauma -- no compensation offered by NIC; Medical treatment for 17 year old boy cut-off.

MR. R.D.L.

45 years old.

Ironworker injured in 1967 -- crushed heels, lower back injury. At time had dependent wife and mother-in-law.

8 surgeries and still physically unable to work. Received approximately \$140.00 each 2 weeks until NIC investigator somehow was informed that wife separated and mother-in-law not dependant any longer.

Thursday, February 1, 1973

Letters to the Editor ^{2/20/73}

EDITOR'S NOTE: Letters to the Editor of the Journal are welcome but must be in good taste, and MUST be signed by the writer. On request the writer's name will be withheld from publication, but letters must bear a bona fide signature. Letters should contain fewer than 300 words and are subject to condensation if longer. Those not published will not be returned. The Journal does not publish poetry.

Against NIC Bills

Editor, Nevada State Journal:
Attention: wives of working men and women who work.

This is to make you aware of two bills now before the Nevada legislature. These bills regulate the procedures of the Nevada Industrial Commission in determining whether or not a claimant is entitled to benefits.

A.B. 24 will make the decision of the Medical Referee Board regarding an NIC claimant's injuries completely binding. In effect, this makes your own treating physician's opinion worthless, be he specialist or not.

The opinion of your doctor who has had close personal contact with your injury from the beginning is disregarded in favor of the opinion of a Medical Referee Board who has had no contact with your case. Ridiculous? Read on.

S.B. 4 would prohibit trials in district courts as they now exist and allow only a "review of the NIC decision" by the district court.

This puts the fate of the injured workman's claim first, last, and always in the hands of the NIC who cannot be, in my opinion, completely impartial since they have their own interest at heart as well as, supposedly, the working person's. I, for one, would like to know the names of the legislators who sponsored such bills. If I find

out their names, they can be assured not to count on my vote when they come up for re-election. It is more than obvious that those legislators are no friends of the working people who form a majority of their constituency.

We need the system of checks and balances over NIC that we now have, because, as I have said, I believe their decisions would be determined by their own interests.

NIC's function is to protect the employer and the working man and woman. Let's keep it that way.

Passage of A.B. 24 and S.B. 4 would leave the working person with no real legal recourse or safeguards against employer negligence.

If you value the protection which NIC was formed to provide for employer and employee, do not be silent. Write to your legislators today in protest of these grossly unfair pieces of legislation.

Mrs. Madelyn Leonard
Reno Housewife

'Great Injustice'

Editor, Nevada State Journal:
I would like to make it known to the residents of the State of Nevada of the great injustice being done in favor of the Nevada Industrial Commission.

There are two laws being rushed through the legislature that must be stopped. The first, A.B. 24 law will make the decisions of the Medical Referee Board completely binding so that even your own treating

physician's opinion is worthless. Secondly, S.B. 4 law would prohibit trial in the District Court as they presently exist and allow only a review of the N.I.C. decision by the District Court.

These two proposed laws taken together would mean that all medical questions would be decided by the Medical Referee Board; and, that decisions would be binding on the trial court.

Both of these laws must be stopped. If they are not, the rights of the injured workman will be ended. They can no longer hope to win in court and undo the injustice done by the Nevada Industrial Commission.

Now if the Nevada Industrial Commission does not act justly, their decisions can and will be questioned in a court of law.

The passage of these laws would give the Nevada Industrial Commission a license to cheat the injured worker out of his benefits.

Are we going to stand by and let them form a bureaucracy where only the people of their choosing can make decisions on medical conditions they know nothing about?

I would hope our elected officials would not even consider passing such laws.

I hope that the State of Nevada is not so hard up that they have to put money in our treasury before the rights of our disabled worker who needs those N.I.C. benefits to feed his family.

Eldred T. Lockett

See More LETTERS TO THE EDITOR, Page 14

EDITORIALS

NIC a Blight

Editor, Nevada State Journal:
Congratulations on your article of January 23, 1973, regarding the proposed N.I.C. changes. Anyone who has had any dealings with the N.I.C. knows how terrible the treatment is now and can imagine that it would only be worse under the proposed changes.

A close acquaintance of mine was severely injured on his job in August of 1967. He was an iron-worker but only had N.I.C. coverage. The injuries, two crushed heels, a broken wrist and a low back injury have totally disabled this man and have made eight different operations necessary so far. During this time this man and his family have been harassed and badgered by N.I.C., and had their compensation cut without any hearing by N.I.C. His prescriptions have been cut off and his last check for a two week period for living expenses was only \$70. The check immediately prior to Christmas was only \$26. From this, my friend had to try to survive and provide survival for his wife and her aged mother.

Under the proposed changes in N.I.C., the workingman would have no recourse to a final decision by Mr. Reiser's Commission. The N.I.C. is a blight on our State the way it is, which will become worse if the Capurro and Dodge legislation passes.

I would welcome correspondence from anyone faced with this situation and urge your newspaper to take a stand against this unfair proposal.

Respectfully,
E.G. Chapman

Getting By:

\$149 a Week Felt Needed for Family

By GEORGE GALLUP
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 (Special to Nevada State Journal)

PRINCETON, N.J. — The public's average estimate of what a family of four needs per week to make ends meet has climbed dramatically from \$127 — recorded in a November 1971 survey — to a record high of \$149 today.
 The public's current estimate, as determined by the latest nationwide Gallup survey, repre-

sents a nearly 50 per cent increase since 1967, when the estimate was \$101.



When this index of living costs was first reported in 1937, the (median) average amount specified nationally was only \$30. By 1947, a decade later, the figure had risen to \$43. Near the end of the '50s, the public estimated that a family of four needed \$72 per week to make

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ends meet. The amount climbed to \$191 in the 1967 survey and finally to \$149 in the latest survey.

For nearly four decades the Gallup Poll has asked this question of a nationwide sample of the nation's population:

What is the SMALLEST amount of money a family of four (husband, wife and two children) needs each week to get along in this community.

Here are the highlights of the 35-year trend on this question:

MINIMUM AMOUNT NEEDED BY FAMILY OF FOUR (Non-farm families)

	Median Averages
1937	\$ 30
1947	\$ 43
1957	\$ 72
1967	\$101
1969	\$120
1970	\$126
1971	\$127
1972	\$149

An important factor in the public's over-all estimate of the cost of living is the cost of food. The latest survey shows that the typical (non-farm) family spends a record \$37 per week

Rights in Danger

Editor, Nevada State Journal: Senate Bill 4, 183 and Assembly Bill 24 are bills designed to take away the rights of due process from Nevada's injured working people.

Surviving an injury of long duration is a frustrating and often gut searing experience. Principly because of the injured persons awareness of his limited ability to perform in the labor market. Added to this already discouraging situation, Senate Bill 4, 183 and Assembly Bill 24, would leave him completely at the mercy of a bureaucracy, no matter how well meaning or intentioned. Any attempt to recover his financial loses or if he has become impaired for life, to secure some kind of a future for himself, and family, would begin and end with the Nevada Industrial Commission. This would be grossly unfair for he would have no recourse, but to accept his condition, no matter how deteriorated it may have become.

It is for these reasons that I urge you not to support these bills and to do what you can to stop them.

Thank you,
 Sincerely,
 Gerald Merkt
 P.O. Box 108
 Wellington, Nevada 89444

Jan. 26-29. Farm families were excluded from the survey since many farmers raise their own food.

SUMMARY--Empowers Nevada industrial commission to provide rehabilitation services. Fiscal Note: (BDR 53-)

AN ACT relating to industrial insurance; empowering the Nevada industrial commission to provide rehabilitation services to injured workmen; providing that commission may refuse to pay compensation benefits to workmen refusing rehabilitation services; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 616 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. To aid in getting injured workmen back to work or to assist in lessening or removing any resulting handicap, the commission may take such measures and make such expenditures from the state insurance fund as it may deem necessary or expedient to accomplish such purpose, regardless of the date on which such workman first became entitled to compensation.

2. Any workman eligible for compensation other than accident benefits shall not be paid such compensation if he refuses counseling, training or other rehabilitation services offered to him by the commission.