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AMENDMENT TO SB 320
PROPOSED BY EMPLOYERS INSURANCE COMPANY OF NEVADA

Replace section 11 with the following language:

Sec. 11 NRS 616C.315 is hereby amended to read as follows:

1. Any person who is subject to the jurisdiction of the hearing officers pursuant to chapters 616A to 616D, inclusive, or chapter 617 of NRS may request a hearing before a hearing officer of any matter within the hearing officer's authority. The insurer shall provide, without cost, the forms necessary to request a hearing to any person who requests them.

2. *A request for a hearing must not be granted unless the request for a hearing includes:*

(a) *The name and last known mailing address of:*

(1) *The claimant;*

(2) *The employer; and*

(3) *The insurer;*

(b) *The number of the claim; and*

© If, applicable, a copy of the letter of determination being appealed, or if such a copy is unavailable, the date of the determination and the issues stated in the determination.

~~{2}~~ 3. Except as otherwise provided in NRS 616B.772, 616B.775, 616B.787 and 616C.305, a person who is aggrieved by:

(a) A written determination of an insurer; or

(b) The failure of an insurer to respond within 30 days to a written request mailed to the insurer by the person who is aggrieved, may appeal from the determination or failure to respond by filing a request for a hearing before a hearing officer. Such a request *must be complete as described in section 2 above, and* must be filed within 70 days after the date on which the notice of the insurer's determination was mailed by the insurer or the unanswered written request was mailed to the insurer, as applicable. The failure of an insurer to respond to a written request for a determination within 30 days after receipt of such a request shall be deemed by the hearing officer to be a denial of the request.

~~{3}~~ 4. Failure to file a request for a hearing within the period specified in subsection ~~{2}~~ 3 may be excused if the person aggrieved shows by a preponderance of the evidence that he did not receive the notice of the determination and the forms necessary to request a hearing. The claimant or employer shall notify the insurer of a change of address.

{4} 5. The hearing before the hearing officer must be conducted as expeditiously and informally as is practicable.

{5}.6. The parties to a contested claim may, if the claimant is represented by legal counsel, agree to forego a hearing before a hearing officer and submit the contested claim directly to an appeals officer.