

SENATE BILL NO. 196—SENATOR SCHNEIDER

FEBRUARY 16, 1999

Referred to Committee on Commerce and Labor

SUMMARY—Creates office of consumer health assistance within division of insurance of department of business and industry. (BDR 57-1147)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: Yes.

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

AN ACT relating to insurance; creating the office of consumer health assistance within the division of insurance of the department of business and industry; defining the duties of the office; requiring the commissioner of insurance to report to the legislature; requiring the division to adopt necessary regulations; and providing other matters properly relating thereto.

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

- 1 **Section 1.** Chapter 679B of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 to 6, inclusive, of this act.
3 **Sec. 2.** *“Office” means the office of consumer health assistance.*
4 **Sec. 3.** 1. *The office of consumer health assistance is hereby*
5 *created within the division. The commissioner shall appoint such*
6 *personnel as are necessary to perform the duties of the office, including,*
7 *without limitation, providers of health care. The personnel so appointed:*
8 *(a) Must be qualified by training and experience to perform the duties*
9 *and functions of the office; and*
10 *(b) Are in the classified service of the state.*
11 2. *As used in this section, “provider of health care” has the meaning*
12 *ascribed to it in NRS 629.031.*
13 **Sec. 4.** 1. *The office shall report annually to the commissioner*
14 *concerning the information collected and maintained pursuant to*
15 *paragraph (g) of subsection 1 of NRS 679B.550. The information must*
16 *be reported at the time and in the form and manner required by the*
17 *commissioner.*

1 **2. On or before February 1 of each year, the commissioner shall**
2 **submit a written report to the director of the legislative counsel bureau**
3 **for transmittal to the appropriate legislative committees. The report must**
4 **include, without limitation:**

5 **(a) A statement of the number and geographic origin of the written**
6 **and telephonic inquiries received by the office and the issues to which**
7 **those inquiries related;**

8 **(b) A statement of the type of assistance provided, including, without**
9 **limitation, the number of referrals made and the agencies, departments**
10 **and other entities to which those referrals were made; and**

11 **(c) The disposition of all inquiries and complaints received by the**
12 **office.**

13 **Sec. 5. 1. In appropriate cases and under the direction of the**
14 **commissioner, the office shall refer a complaint or the results of an**
15 **investigation conducted pursuant to subsection 2 of NRS 679B.550 to the**
16 **governmental agencies with authority to enforce applicable laws and**
17 **regulations. If, pursuant to a complaint received by the office or the**
18 **results of an investigation conducted pursuant to subsection 2 of NRS**
19 **679B.550, the office has reasonable cause to believe that fraud was or is**
20 **being committed, the office shall forthwith notify the commissioner and**
21 **the attorney general.**

22 **2. The office shall provide the commissioner with any information he**
23 **requests that is within the scope of the duties of the office pursuant to**
24 **sections 3 to 6, inclusive, of this act.**

25 **Sec. 6. The division shall adopt such regulations as are necessary to**
26 **carry out the provisions of sections 3 to 6, inclusive, of this act.**

27 **Sec. 7. NRS 679B.510 is hereby amended to read as follows:**
28 679B.510 As used in NRS 679B.510 to 679B.560, inclusive, **and**
29 **sections 2 to 6, inclusive, of this act,** unless the context otherwise requires,
30 the words and terms defined in NRS 679B.520, 679B.530 and 679B.540
31 **and section 2 of this act** have the meanings ascribed to them in those
32 sections.

33 **Sec. 8. NRS 679B.550 is hereby amended to read as follows:**

34 679B.550 **1. The division , through the office of consumer health**
35 **assistance,** shall:

36 ~~(1)~~ **(a)** Establish a toll-free telephone service for receiving inquiries and
37 complaints from consumers of health care in this state concerning health
38 care plans;

39 ~~(2)~~ **(b)** Provide answers to **written and telephonic** inquiries of
40 consumers of health care concerning health care plans, or refer the
41 consumers to the appropriate agency, department or other entity that is
42 responsible for addressing the specific type of inquiry;

~~[3.]~~ (c) Refer consumers of health care to the appropriate agency, department or other entity that is responsible for addressing the specific type of complaint of the consumer;

~~[4.]~~ (d) Provide counseling and assistance to consumers of health care concerning health care plans;

~~[5. Educate]~~

(e) *Provide education to* consumers of health care concerning health care plans in this state ~~[- and~~

~~-6.]~~, *including, without limitation:*

(1) *Explaining:*

(I) *The terms of health care plans;*

(II) *The rights and responsibilities of consumers of health care relating to health care plans, including, without limitation, any complaint, grievance or appeal procedures; and*

(III) *The fundamentals of advocating their own cases;*

(2) *Preparing and obtaining educational materials relating to health care plans for distribution to consumers of health care; and*

(3) *Offering other educational activities relating to health care plans;*

(f) *Maintain and make available, upon request, to the general public, governmental agencies or the legislature, copies of current federal and state statutes and regulations relating to health care;*

(g) *Adopt and maintain a system for the collection and maintenance of information relating to the written and telephonic inquiries received by the office pursuant to paragraphs (a) and (b); and*

(h) Take such actions as are necessary to ensure public awareness of the existence and purpose of the services provided by the division, *through the office of consumer health assistance*, pursuant to this section.

2. *The division, through the office of consumer health assistance, may:*

(a) *Obtain such information from consumers of health care as is necessary to carry out the duties of the office; and*

(b) *Investigate and attempt to resolve complaints made by or on behalf of consumers of health care.*

Sec. 9. 1. This section and sections 1, 2, 3 and 5 to 8, inclusive, of this act become effective on July 1, 1999.

2. Section 4 of this act becomes effective on January 1, 2000.