
SENATE BILL NO. 54—COMMITTEE ON COMMERCE AND LABOR

PREFILED JANUARY 28, 1999

(ON BEHALF OF LEGISLATIVE COMMITTEE ON WORKERS' COMPENSATION)

Referred to Committee on Commerce and Labor

SUMMARY—Requires administrator of division of industrial relations of department of business and industry to provide certain information to department of taxation upon request. (BDR 53-694)

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

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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 industrial insurance; requiring the administrator of the division of industrial relations of the department of business and industry to provide to the department of taxation certain information upon request; 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.** NRS 616B.012 is hereby amended to read as follows:
2 616B.012 1. Except as otherwise provided in this section and in NRS
3 616B.015, 616B.021 and 616C.205, information obtained from any insurer,
4 employer or employee is confidential and may not be disclosed or be open
5 to public inspection in any manner which would reveal the person's
6 identity.
7 2. Any claimant or his legal representative is entitled to information
8 from the records of the insurer, to the extent necessary for the proper
9 presentation of a claim in any proceeding under chapters 616A to 616D,
10 inclusive, of NRS.
11 3. The division and administrator are entitled to information from the
12 records of the insurer which is necessary for the performance of their
13 duties. The administrator may, by regulation, prescribe the manner in which
14 otherwise confidential information may be made available to:

- 1 (a) Any agency of this or any other state charged with the administration
- 2 or enforcement of laws relating to industrial insurance, unemployment
- 3 compensation, public assistance or labor law and industrial relations;
- 4 (b) Any state or local agency for the enforcement of child support;
- 5 (c) The Internal Revenue Service of the Department of the Treasury;
- 6 (d) The department of taxation; and
- 7 (e) The state contractors' board in the performance of its duties to
- 8 enforce the provisions of chapter 624 of NRS.

9 Information obtained in connection with the administration of a program of
10 industrial insurance may be made available to persons or agencies for
11 purposes appropriate to the operation of a program of industrial insurance.

12 4. Upon written request made by a public officer of a local
13 government, an insurer shall furnish from its records, the name, address and
14 place of employment of any person listed in its records. The request must
15 set forth the social security number of the person about whom the request is
16 made and contain a statement signed by proper authority of the local
17 government certifying that the request is made to allow the proper authority
18 to enforce a law to recover a debt or obligation owed to the local
19 government. The information obtained by the local government is
20 confidential and may not be used or disclosed for any purpose other than
21 the collection of a debt or obligation owed to that local government. The
22 insurer may charge a reasonable fee for the cost of providing the requested
23 information.

24 5. To further a current criminal investigation, the chief executive
25 officer of any law enforcement agency of this state may submit to the
26 administrator a written request for the name, address and place of
27 employment of any person listed in the records of an insurer. The request
28 must set forth the social security number of the person about whom the
29 request is made and contain a statement signed by the chief executive
30 officer certifying that the request is made to further a criminal investigation
31 currently being conducted by the agency. Upon receipt of a request, the
32 administrator shall instruct the insurer to furnish the information requested.
33 Upon receipt of such an instruction, the insurer shall furnish the
34 information requested. The insurer may charge a reasonable fee to cover
35 any related administrative expenses.

36 6. ~~{The}~~ *Upon request by the department of taxation, the*
37 administrator shall provide ~~{lists}~~ :

38 (a) *Lists* containing the names and addresses of employers ~~{, the number~~
39 ~~of employees employed by each employer and the total wages paid by each~~
40 ~~employer}~~ ; and

41 (b) *Other information concerning employers collected and maintained*
42 *by the administrator or the division to carry out the purposes of chapters*
43 *616A to 616D, inclusive, or chapter 617 of* NRS,

1 to the department ~~[of taxation, upon request,]~~ for its use in verifying returns
2 for the business tax. The administrator may charge a reasonable fee to
3 cover any related administrative expenses.

4 7. Any person who, in violation of this section, discloses information
5 obtained from files of claimants or policyholders, or obtains a list of
6 claimants or policyholders under chapters 616A to 616D, inclusive, of NRS
7 and uses or permits the use of the list for any political purposes, is guilty of
8 a gross misdemeanor.

9 8. All letters, reports or communications of any kind, oral or written,
10 from the insurer, or any of its agents, representatives or employees are
11 privileged and must not be the subject matter or basis for any lawsuit if the
12 letter, report or communication is written, sent, delivered or prepared
13 pursuant to the requirements of chapters 616A to 616D, inclusive, of NRS.

14 **Sec. 2.** Section 6 of Senate Bill No. 92 of this session is hereby
15 amended to read as follows:

16 Sec. 6. NRS 616B.012 is hereby amended to read as follows:

17 616B.012 1. Except as otherwise provided in this section and
18 in NRS 616B.015, 616B.021 and 616C.205, information obtained
19 from any insurer, employer or employee is confidential and may not
20 be disclosed or be open to public inspection in any manner which
21 would reveal the person's identity.

22 2. Any claimant or his legal representative is entitled to
23 information from the records of the insurer, to the extent necessary
24 for the proper presentation of a claim in any proceeding under
25 chapters 616A to 616D, inclusive, *or chapter 617* of NRS.

26 3. The division and administrator are entitled to information
27 from the records of the insurer which is necessary for the
28 performance of their duties. The administrator may, by regulation,
29 prescribe the manner in which otherwise confidential information
30 may be made available to:

31 (a) Any agency of this or any other state charged with the
32 administration or enforcement of laws relating to industrial
33 insurance, unemployment compensation, public assistance or labor
34 law and industrial relations;

35 (b) Any state or local agency for the enforcement of child
36 support;

37 (c) The Internal Revenue Service of the Department of the
38 Treasury;

39 (d) The department of taxation; and

40 (e) The state contractors' board in the performance of its duties
41 to enforce the provisions of chapter 624 of NRS.

42 Information obtained in connection with the administration of a
43 program of industrial insurance may be made available to persons

1 or agencies for purposes appropriate to the operation of a program
2 of industrial insurance.

3 4. Upon written request made by a public officer of a local
4 government, an insurer shall furnish from its records ~~H~~ the name,
5 address and place of employment of any person listed in its records.
6 The request must set forth the social security number of the person
7 about whom the request is made and contain a statement signed by
8 proper authority of the local government certifying that the request
9 is made to allow the proper authority to enforce a law to recover a
10 debt or obligation owed to the local government. The information
11 obtained by the local government is confidential and may not be
12 used or disclosed for any purpose other than the collection of a debt
13 or obligation owed to that local government. The insurer may
14 charge a reasonable fee for the cost of providing the requested
15 information.

16 5. To further a current criminal investigation, the chief
17 executive officer of any law enforcement agency of this state may
18 submit to the administrator a written request for the name, address
19 and place of employment of any person listed in the records of an
20 insurer. The request must set forth the social security number of the
21 person about whom the request is made and contain a statement
22 signed by the chief executive officer certifying that the request is
23 made to further a criminal investigation currently being conducted
24 by the agency. Upon receipt of a request, the administrator shall
25 instruct the insurer to furnish the information requested. Upon
26 receipt of such an instruction, the insurer shall furnish the
27 information requested. The insurer may charge a reasonable fee to
28 cover any related administrative expenses.

29 6. Upon request by the department of taxation, the
30 administrator shall provide:

31 (a) Lists containing the names and addresses of employers; and
32 (b) Other information concerning employers collected and
33 maintained by the administrator or the division to carry out the
34 purposes of chapters 616A to 616D, inclusive, or chapter 617 of
35 NRS,
36 to the department for its use in verifying returns for the business tax.
37 The administrator may charge a reasonable fee to cover any related
38 administrative expenses.

39 7. Any person who, in violation of this section, discloses
40 information obtained from files of claimants or policyholders ~~H~~ or
41 obtains a list of claimants or policyholders under chapters 616A to
42 616D, inclusive, **or chapter 617** of NRS and uses or permits the use

1 of the list for any political purposes, is guilty of a gross
2 misdemeanor.

3 8. All letters, reports or communications of any kind, oral or
4 written, from the insurer, or any of its agents, representatives or
5 employees are privileged and must not be the subject matter or basis
6 for any lawsuit if the letter, report or communication is written,
7 sent, delivered or prepared pursuant to the requirements of chapters
8 616A to 616D, inclusive, *or chapter 617* of NRS.

9 **Sec. 3.** This act becomes effective on July 1, 1999.

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