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SUMMARY FOR SENATE BILL NO. 184

Senate Bill No. 184 provides for the payment of certain benefits to police officers for treatment for hepatitis. Section 1 of the bill amends the definition of accident benefits for the purposes of workers' compensation to allow police officers to obtain preventative treatment for hepatitis that is administered as a precaution.

Section 2 of the bill amends the definition of police officer for the purposes of providing compensation for occupational diseases. This section expands the definition to include a game warden who has the powers of a peace officer and an investigator who is employed by the district attorney of Washoe or Clark County and also has the powers of a peace officer. This amendment allows these persons to receive benefits for an occupational disease in the same manner as other police officers.

Section 3 of the bill creates a statutory presumption that a police officer who has hepatitis contracted the disease in the course of his employment if he has been continuously employed for at least 5 years as a police officer, unless he is diagnosed with hepatitis upon employment. This section would allow such a police officer to obtain compensation for related medical treatments, surgery and hospitalization and workers' compensation for disability or death, without having to prove that the disease arose out of and in the course of his employment.

Finally, section 4 of the bill establishes certain rebuttable presumptions for police officers who are employed on the effective date of the bill. If a police officer who is currently employed does not submit to a blood test to screen for hepatitis before August 1, 2003, and he contracts hepatitis, there is a rebuttable presumption that it arose out of and in the course of his employment. This presumption may be rebutted by clear and convincing evidence that the hepatitis was not contracted

during his employment as a police officer. If a police officer who is currently employed submits to a blood test which indicates that he has hepatitis and he has been continuously employed as a police officer for at least 5 years, he is entitled to a rebuttable presumption that the hepatitis arose out of his employment and he is entitled to the compensation set forth in section 3 if he files a claim for compensation before January 1, 2004.