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Amendments
SB 320
Submitted by Bob Ostrovsky
March 24, 2003
For Employer Insurance Company of Nevada

Section 5

Amendment line 34 and 35 by deleting "of not more than \$200 per year for administrative costs and services associated with the contract" replace with "equal to the actual cost of third party credentialing"

Sections 7 delete entire section

Section 9

NRS 616C.175 is hereby amended to read as follows:

616C.175 1. The resulting condition of an employee who:

(a) Has a preexisting condition from a cause or origin that did not arise out of or in the course of his current or past employment; and

(b) Subsequently sustains an injury by accident arising out of and in the course of his employment which aggravates, precipitates or accelerates his preexisting condition,

shall **not** be determined to be an injury by accident that is compensable pursuant to the provisions of chapters 616A to 616D, inclusive, of NRS, unless *information from a physician or chiropractor establishes to the satisfaction of the insurer that the subsequent injury is the primary* cause of the resulting condition.

2. The resulting condition of an employee who:

(a) Sustains an injury by accident arising out of and in the course of his employment; and

(b) Subsequently aggravates, precipitates or accelerates the injury in a manner that does not arise out of and in the course of his employment.

shall **not** be deemed to be an injury by accident that is compensable pursuant to the provisions of chapters 616A to 616D, inclusive, of NRS unless *information from a physician or chiropractor establishes to the satisfaction of the insurer that the injury described in paragraph (a) is the primary* cause of the resulting condition.

Section 12

NRS 616C.345 is hereby amended to read as follows:

616C.345 1. Any party aggrieved by a decision of the hearing officer relating to a claim for compensation may appeal from the decision by filing a notice of appeal with an appeals officer within 30 days after the date of the decision.

2. *A request for a hearing must be dismissed unless the request for 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

(c) A copy of the decision of the hearing officer being appealed, or if such a copy is unavailable, the date of the determination and the issues stated in the determination.

Section 14 delete

Section 15 delete

Section 16 delete

Proposed Amendment to Senate Bill 320

Some of the attached amendments are submitted to correct language that does not reflect the original intent of the bill draft request. Other amendments are included to clarify the intent of the language.

Robert Ostrovsky
March 24, 2003