

Amendment No. 574

Senate Amendment to Senate Bill No. 226 First Reprint

(BDR 53-891)

Proposed by: Senator Carlton**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend sec. 2, page 3, by deleting line 31 and inserting:

“2. The provisions of subsection 1:***(a) Apply only to treatment or”.***

Amend sec. 2, page 3, between lines 36 and 37, by inserting:

“(b) Do not apply to a provider of health care that is a hospital as defined in NRS 439B.110.***The provisions of this paragraph do not exempt the provider of health care from complying with the provisions of subsections 3 and 4.”.***

JDA/JRS

Date: 4/22/2005

S.B. No. 226—Makes various changes to provisions governing payment of certain workers’ compensation claims.

**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

Under existing law, an injured employee has a right to an administrative appeal when an entity administering a workers' compensation claim denies payment for certain treatment or other services provided to the injured employee by a health care provider. (NRS 616C.137, 616C.305, 616C.315-616C.385) The injured employee also has a right to pay in protest for the treatment or other services pending an appeal. (NRS 616C.138) If the entity administering the workers' compensation claim is found to be responsible for the payment or otherwise accepts responsibility for the payment, the entity must pay the health care provider for the costs of the treatment or other services and the health care provider must reimburse the injured employee for the amount paid in protest. (NRS 616C.138)

This bill establishes a limit on the amount that certain health care providers may be paid on a claim that has been denied by the entity administering the workers' compensation claim. This bill also provides that if, on appeal, the entity administering the workers' compensation claim is found to be responsible for the payment or otherwise accepts responsibility for the payment, the entity is required to reimburse the injured employee directly or reimburse certain health insurers and casualty insurers that paid for the treatment or other services on behalf of the injured employee. This bill also allows the injured employee or insurer to recover from the health care provider any amount that it paid in excess over the amount that the health care provider was entitled to receive for the treatment or other services under the workers' compensation laws.