

SENATE BILL NO. 126—SENATORS SCHNEIDER, CARE, CARLTON,
COFFIN, HORSFORD, LEE, MATHEWS, TITUS AND WIENER

FEBRUARY 24, 2005

JOINT SPONSORS: ASSEMBLYMEN MCCLAIN AND MUNFORD

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes relating to Office for
Consumer Health Assistance. (BDR 18-246)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: 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 consumer health; requiring the Director of the Office for Consumer Health Assistance in the Office of the Governor to employ persons who have experience in the field of industrial relations; requiring the Administrator of the Division of Industrial Relations of the Department of Business and Industry to include contact information for the Office for Consumer Health Assistance on notices and forms provided to injured workers and on the Internet website of the Division; making an appropriation from the Fund for Workers' Compensation and Safety to the Office for Consumer Health Assistance; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Under existing law, the Office for Consumer Health Assistance in the Office of
- 2 the Governor is responsible for investigating complaints by consumers and injured
- 3 employees concerning their health care plans and industrial insurance. (NRS
- 4 223.550, 223.560) The Office also provides counseling and assistance to consumers
- 5 and injured employees concerning their health care plans and industrial insurance.
- 6 The Director of the Office is authorized, within the limits of available money, to
- 7 employ such personnel as may be required to carry out these duties. (NRS 223.570)
- 8 This bill requires the Director of the Office to employ at least two persons who
- 9 have experience in the field of industrial insurance to carry out the duties of the



10 Office and appropriates money from the Fund for Workers' Compensation and
11 Safety to pay the additional costs to the Office. This bill also requires the
12 Administrator of the Division of Industrial Relations of the Department of Business
13 and Industry to include on notices and forms provided to injured employees and on
14 the Internet website of the Division contact information for the Office for
15 Consumer Health Assistance.

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

1 **Section 1.** NRS 223.570 is hereby amended to read as follows:

2 223.570 1. The Director ~~may:~~

3 ~~—(a) Within~~, *within* the limits of available money ~~H~~ :

4 *(a) Shall, to carry out the provisions of this section and NRS*
5 *223.560 and 223.580, employ at least two persons who have*
6 *experience in the field of workers' compensation, including,*
7 *without limitation, persons who have experience in administering*
8 *claims or programs related to policies of industrial insurance,*
9 *representing employees in contested claims relating to policies of*
10 *industrial insurance or advocating for the rights of injured*
11 *employees; and*

12 *(b) May, in addition to the persons required to be employed*
13 *pursuant to paragraph (a), employ:*

14 (1) Such persons in the unclassified service of the State as he
15 determines to be necessary to carry out the provisions of this section
16 and NRS 223.560 and 223.580, including, without limitation, a
17 provider of health care, as that term is defined in NRS 449.581.

18 (2) Such additional personnel as may be required to carry out
19 the provisions of this section and NRS 223.560 and 223.580, who
20 must be in the classified service of the State.

21 ➔ A person employed pursuant to the authority set forth in this
22 subsection must be qualified by training and experience to perform
23 the duties for which the Director employs him.

24 ~~[(b)]~~ 2. *The Director may:*

25 *(a) To the extent not otherwise prohibited by law, obtain such*
26 *information from consumers, injured employees, health care plans,*
27 *prescription drug programs and policies of industrial insurance as he*
28 *determines to be necessary to carry out the provisions of this section*
29 *and NRS 223.560 and 223.580.*

30 ~~[(c)]~~ *(b) Adopt such regulations as he determines to be*
31 *necessary to carry out the provisions of this section and NRS*
32 *223.560 and 223.580.*

33 ~~[(d)]~~ *(c) Apply for any available grants, accept any gifts, grants*
34 *or donations and use any such gifts, grants or donations to aid the*



1 Office in carrying out its duties pursuant to subsection 8 of
2 NRS 223.560.

3 ~~12-1~~ 3. The Director and his employees shall not have any
4 conflict of interest relating to the performance of their duties
5 pursuant to this section and NRS 223.560 and 223.580. For the
6 purposes of this subsection, a conflict of interest shall be deemed to
7 exist if the Director or employee, or any person affiliated with the
8 Director or employee:

9 (a) Has direct involvement in the licensing, certification or
10 accreditation of a health care facility, insurer or provider of health
11 care;

12 (b) Has a direct ownership interest or investment interest in a
13 health care facility, insurer or provider of health care;

14 (c) Is employed by, or participating in, the management of a
15 health care facility, insurer or provider of health care; or

16 (d) Receives or has the right to receive, directly or indirectly,
17 remuneration pursuant to any arrangement for compensation with a
18 health care facility, insurer or provider of health care.

19 **Sec. 2.** Chapter 616A of NRS is hereby amended by adding
20 thereto a new section to read as follows:

21 *The Administrator shall include on any notice or form that is*
22 *provided to injured employees and is on the Internet website of the*
23 *Division, contact information for the Office for Consumer Health*
24 *Assistance created pursuant to NRS 223.550.*

25 **Sec. 3.** 1. There is hereby appropriated from the Fund for
26 Workers' Compensation and Safety created by NRS 616A.425 to
27 the Office for Consumer Health Assistance in the Office of the
28 Governor the sum of \$171,070 for the additional costs required
29 pursuant to the amendatory provisions of section 1 of this act.

30 2. Any remaining balance of the money appropriated by
31 subsection 1 must not be committed for expenditure after June 30,
32 2007, and must be reverted to the Fund for Workers' Compensation
33 and Safety on or before September 21, 2007.

34 **Sec. 4.** This act becomes effective on July 1, 2005.



