

Assembly Bill No. 303—Assemblymen Stewart, Hardy, Mabey,
Beers, Gansert, Goedhart, Goicoechea, Manendo, Munford,
Segerblom, Settelmeyer and Weber

CHAPTER.....

AN ACT relating to insurance; requiring insurers to provide notice to policyholders or prospective policyholders, and their primary care physicians, of potentially serious medical conditions detected during required medical examinations; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes the requirements and procedures regarding the issuance, renewal, reinstatement and reevaluation of the terms of policies and certificates of insurance and annuity contracts. (Title 57 of NRS) This bill provides that if an insurer requires a medical examination of a policyholder or prospective policyholder before the insurer will issue, renew, reinstate or reevaluate the terms of a contract of insurance or annuity contract and a potentially serious medical condition is detected as a result of that medical examination, the insurer must notify the policyholder or prospective policyholder and, if he has one, his primary care physician of that potentially serious medical condition within 30 days after the date on which the potentially serious medical condition is detected. This bill also provides that if the policyholder or prospective policyholder is a minor, the required notice must not be sent to the minor, but instead must be sent to his parent or legal guardian.

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

Section 1. Chapter 687B of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in this subsection, if an insurer requires a medical examination of an applicant or an insured before the issuance, renewal, reinstatement or reevaluation of the terms of any policy or certificate of insurance or annuity contract, the insurer shall:

(a) If the applicant or insured has a primary care physician, notify:

(1) The physician of any potentially serious medical condition that is detected as a result of that medical examination; and

(2) The applicant or insured:

(I) Of any potentially serious medical condition that is detected as a result of that medical examination; and



(II) That his primary care physician has also been notified of any potentially serious medical condition detected as a result of that medical examination.

(b) If the applicant or insured does not have a primary care physician, notify the applicant or insured of any potentially serious medical condition that is detected as a result of that medical examination.

↪ Any notice required pursuant to this section must be sent by registered or certified mail not later than 30 days after the date on which the potentially serious medical condition is detected. If the applicant or insured is under the age of 18 years, any notice required pursuant to this section must not be sent to the applicant or insured, but instead must be sent to a parent or legal guardian of the applicant or insured.

2. The Commissioner may adopt regulations to carry out the provisions of this section.

3. The provisions of this section do not apply to a policy of workers' compensation insurance or industrial insurance.

4. As used in this section, "potentially serious medical condition" includes, without limitation, any medical condition that:

(a) Is life-threatening or potentially life-threatening if it is not treated immediately or is not closely monitored; or

(b) Causes the insurer to refuse to issue, renew, reinstate or reevaluate the terms of a policy or certificate of insurance or annuity contract.

