

SENATE BILL NO. 359—SENATOR SCHNEIDER

MARCH 19, 2007

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing claims made under policies of insurance for motor vehicles. (BDR 57-1135)

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 insurance; revising provisions governing written authorizations to receive medical reports, records and bills relating to claims under a policy of motor vehicle insurance; prohibiting certain demands for payment; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides that an insurer against whom a claim for damages is
2 asserted under a policy of motor vehicle insurance must be provided with the
3 medical reports, records and bills of the claimant which relate to the claim. (NRS
4 690B.042) Existing law allows the claimant to fulfill this requirement by providing
5 to the insurer a written authorization which authorizes the insurer to obtain the
6 medical reports, records and bills directly from the providers of health care. (NRS
7 690B.042) This bill provides that such a written authorization must include the
8 name and address of every provider of health care who has medical reports, records
9 or bills relating to the claim. This bill also provides that a demand for payment
10 must not require that payment be made less than 30 days after a written
11 authorization is made or the medical reports, records and bills are delivered.
12 Further, a demand for payment must not be made after the date which is 30 days
13 before the expiration of the applicable period of limitations.

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

1 **Section 1.** NRS 690B.042 is hereby amended to read as
2 follows:

3 690B.042 1. Except as otherwise provided in subsection 2,
4 any party against whom a claim is asserted for compensation or



1 damages for personal injury under a policy of motor vehicle
2 insurance covering a private passenger car may require any attorney
3 representing the claimant to provide to the party and his insurer or
4 attorney, not more than once every 90 days, all medical reports,
5 records and bills concerning the claim.

6 2. In lieu of providing medical reports, records and bills
7 pursuant to subsection 1, the claimant or any attorney representing
8 the claimant may provide to the party, his insurer or his attorney a
9 written authorization to receive the reports, records and bills from
10 the provider of health care. *The written authorization must include*
11 *the name and address of all providers of health care that have any*
12 *medical reports, records and bills concerning the claim.*

13 3. *If the claimant or any attorney representing the claimant*
14 *submits to the party, his insurer or his attorney a demand for*
15 *payment, the demand for payment must not demand that payment*
16 *be made less than 30 days after:*

17 (a) *The date of the first delivery of documents pursuant to*
18 *subsection 1; or*

19 (b) *The date the claimant or his attorney provides a written*
20 *authorization pursuant to subsection 2.*

21 4. *A demand for payment described in subsection 3 may not*
22 *be submitted after the date which is 30 days before the expiration*
23 *of the applicable period of limitations for commencing an action*
24 *concerning the claim.*

25 5. At the written request of the claimant or his attorney, copies
26 of all reports, records and bills obtained ~~pursuant to the~~ *through a*
27 *written* authorization *pursuant to subsection 2* must be provided to
28 the claimant or his attorney within 30 days after the date they are
29 received. If the claimant or his attorney makes a written request for
30 the reports, records and bills, the claimant or his attorney shall pay
31 for the reasonable costs of copying the reports, records and bills.

32 ~~13-1~~ 6. Upon receipt of any photocopies of medical reports,
33 records and bills, or a written authorization pursuant to subsection 2,
34 the insurer who issued the policy specified in subsection 1 shall,
35 upon request, immediately disclose to the insured or the claimant all
36 pertinent facts or provisions of the policy relating to any coverage at
37 issue.

