

Amendment No. 231

Assembly Amendment to Assembly Bill No. 303 (BDR 57-919)

Proposed by: Assembly Committee on Commerce and Labor**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) ***green bold*** is newly added transitory language.

WBD/TMC



Date: 4/10/2007

A.B. No. 303—Adds provisions relating to insurers who require medical examinations before issuing, renewing, reinstating or reevaluating policies of insurance. (BDR 57-919)



ASSEMBLY BILL NO. 303—ASSEMBLYMEN STEWART, HARDY, MABEY, BEERS,
GANSERT, GOEDHART, GOICOECHEA, MANENDO, MUNFORD, SEGERBLOM,
SETTELMAYER AND WEBER

MARCH 14, 2007

Referred to Committee on Commerce and Labor

SUMMARY—Adds provisions relating to insurers who require medical examinations before issuing, renewing, reinstating or reevaluating policies of insurance. (BDR 57-919)

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; requiring insurers to provide notice to policyholders or prospective policyholders , ***or 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:

1 Existing law establishes the requirements and procedures regarding the issuance, renewal,
2 reinstatement and reevaluation of the terms of policies and certificates of insurance and
3 annuity contracts. (Title 57 of NRS) This bill provides that if an insurer requires a medical
4 examination of a policyholder or prospective policyholder before the insurer will issue, renew,
5 reinstate or reevaluate the terms of a contract of insurance or annuity contract and a
6 ***potentially*** serious medical condition is detected as a result of that medical examination, the
7 insurer must notify the policyholder or prospective policyholder , ***or his primary care***
8 ***physician***, of that ***potentially*** serious medical condition within 30 days after the date on
9 which the ***potentially*** serious medical condition is detected.

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

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

3 ***1. If an insurer requires a medical examination of an applicant or an***
4 ***insured before the issuance, renewal, reinstatement or reevaluation of the terms***
5 ***of any policy or certificate of insurance or annuity contract, the insurer shall***
6 ***notify:***

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

1 (1) The physician of any potentially serious medical condition that is
2 detected as a result of that medical examination ~~not later than 30 days after the~~
3 ~~date on which the serious medical condition is detected. The insurer shall send~~
4 ~~the notice to the~~ ; and

5 (2) The applicant or insured that his primary care physician has been
6 notified of a potentially serious medical condition detected as a result of that
7 medical examination.

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

11 ↪ Any notice required pursuant to this section must be sent by registered or
12 certified mail ~~FF~~ not later than 30 days after the date on which the potentially
13 serious medical condition is detected.

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

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

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

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

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