
SENATE BILL NO. 195—SENATOR CARLTON

MARCH 10, 2009

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing workers' compensation.
(BDR 53-1077)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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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 industrial insurance; revising provisions relating to examinations and permanent partial disabilities; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

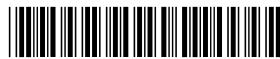
1 This bill requires that the Fifth Edition, rather than the most recent edition, of
2 the American Medical Association's *Guides to the Evaluation of Permanent*
3 *Impairment* must be applied in all examinations for a permanent partial disability.

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

1 **Section 1.** NRS 616C.110 is hereby amended to read as
2 follows:

3 616C.110 1. For the purposes of NRS 616B.557, 616B.578,
4 616B.587, 616C.490 and 617.459 ~~E~~
5 ~~(a) Not, not~~ later than August 1, 2003, the Division shall adopt
6 regulations incorporating the American Medical Association's
7 Guides to the Evaluation of Permanent Impairment, 5th edition, by
8 reference. The regulations:

9 ~~(1) (a) Must become effective on October 1, 2003; and~~
10 ~~(2) Must be applied to all examinations for a permanent~~
11 ~~partial disability that are conducted on or after October 1, 2003,~~
12 ~~regardless of the date of the injury, until regulations incorporating~~
13 ~~the 6th edition by reference have become effective pursuant to~~
14 ~~paragraph (b).~~



* S B 1 9 5 R 1 *

1 (b) Beginning with the 6th edition and continuing for each
2 edition thereafter, the Division shall adopt regulations incorporating
3 the most recent edition of the American Medical Association's
4 Guides to the Evaluation of Permanent Impairment by reference.
5 The regulations:

6 (1) Must become effective not later than 18 months after the
7 most recent edition is published by the American Medical
8 Association; and

9 (2) provide that the American Medical Association's
10 Guides to the Evaluation of Permanent Impairment, Fifth Edition,
11 must be applied to all examinations; and

12 (b) Must be applied to all examinations for a permanent partial
13 disability that are conducted on or after the effective date of the
14 regulations, regardless of the date of injury. [~~until regulations~~
15 ~~incorporating the next edition by reference have become effective~~
16 pursuant to this paragraph.]

17 2. After adopting the regulations required pursuant to
18 subsection 1, the Division may amend those regulations as it deems
19 necessary, except that the amendments to those regulations:

20 (a) Must be consistent with the ~~edition~~ **Fifth Edition** of the
21 American Medical Association's Guides to the Evaluation of
22 Permanent Impairment; [~~most recently adopted by the Division;~~]

23 (b) Must not incorporate any contradictory matter from any
24 other edition of the American Medical Association's Guides to the
25 Evaluation of Permanent Impairment; and

26 (c) Must not consider any factors other than the degree of
27 physical impairment of the whole man in calculating the entitlement
28 to compensation.

29 3. If the ~~edition~~ **Fifth Edition** of the American Medical
30 Association's Guides to the Evaluation of Permanent Impairment
31 ~~most recently adopted by the Division~~ contains more than one
32 method of determining the rating of an impairment, the
33 Administrator shall designate by regulation the method from that
34 edition which must be used to rate an impairment pursuant to
35 NRS 616C.490.

36 **Sec. 2.** (Deleted by amendment.)

37 **Sec. 3.** This act becomes effective upon passage and approval.



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