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FIRST REPRINT

S.B. 164

SENATE BILL NO. 164—SENATOR SCHNEIDER

FEBRUARY 17, 2011

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Revises provisions relating to senior claims examiners for third-party administrators. (BDR 57-232)

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 persons involved in the administration of insurance; requiring senior claims examiners for third-party administrators to be licensed; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires a third-party administrator for an insurer to have a certificate of registration issued by the Commissioner of Insurance. (NRS 616B.500, 616B.503, 683A.085)

Section 7 of this bill prohibits a senior claims examiner from working for a third-party administrator without a license. **Section 8** of this bill provides the application process for such a license. **Section 10** of this bill provides that such a license expires after 5 years and may be renewed. **Sections 1 and 2** of this bill provide the fees for the application for and the renewal of such a license. **Section 11** of this bill provides for disciplinary action against a licensee. **Section 12** of this bill provides a penalty for working without such a license. **Section 13** of this bill provides a penalty for a third-party administrator for hiring or retaining an unlicensed senior claims examiner or for failing to conduct a reasonable investigation as to whether a prospective employee is licensed.

Section 16.5 of this bill allows the Administrator of the Division of Industrial Relations of the Department of Business and Industry to determine whether a third-party administrator has adequate facilities in this State to administer claims and to conduct such investigations and examinations of third-party administrators as the Administrator deems reasonable. **Section 17** of this bill requires the Administrator to prescribe by regulation the qualifications for a senior claims examiner.




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

- 1 **Section 1.** NRS 680B.010 is hereby amended to read as
2 follows:
3 680B.010 The Commissioner shall collect in advance and
4 receipt for, and persons so served must pay to the Commissioner,
5 fees and miscellaneous charges as follows:
6 1. Insurer's certificate of authority:
7 (a) Filing initial application.....\$2,450
8 (b) Issuance of certificate:
9 (1) For any one kind of insurance as defined in
10 NRS 681A.010 to 681A.080, inclusive283
11 (2) For two or more kinds of insurance as so
12 defined578
13 (3) For a reinsurer.....2,450
14 (c) Each annual continuation of a certificate.....2,450
15 (d) Reinstatement pursuant to NRS 680A.180, 50
16 percent of the annual continuation fee otherwise required.
17 (e) Registration of additional title pursuant to
18 NRS 680A.240.....50
19 (f) Annual renewal of the registration of additional
20 title pursuant to NRS 680A.24025
21 2. Charter documents, other than those filed with an
22 application for a certificate of authority. Filing
23 amendments to articles of incorporation, charter, bylaws,
24 power of attorney and other constituent documents of the
25 insurer, each document\$10
26 3. Annual statement or report. For filing annual
27 statement or report\$25
28 4. Service of process:
29 (a) Filing of power of attorney\$5
30 (b) Acceptance of service of process.....30
31 5. Licenses, appointments and renewals for producers
32 of insurance:
33 (a) Application and license.....\$125
34 (b) Appointment fee for each insurer15
35 (c) Triennial renewal of each license125
36 (d) Temporary license10
37 (e) Modification of an existing license.....50
38 6. Surplus lines brokers:
39 (a) Application and license.....\$125
40 (b) Triennial renewal of each license125



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1	7. Managing general agents' licenses, appointments	
2	and renewals:	
3	(a) Application and license.....	\$125
4	(b) Appointment fee for each insurer	15
5	(c) Triennial renewal of each license	125
6	8. Adjusters' licenses and renewals:	
7	(a) Independent and public adjusters:	
8	(1) Application and license	\$125
9	(2) Triennial renewal of each license	125
10	(b) Associate adjusters:	
11	(1) Application and license	125
12	(2) Triennial renewal of each license	125
13	9. Licenses and renewals for appraisers of physical	
14	damage to motor vehicles:	
15	(a) Application and license.....	\$125
16	(b) Triennial renewal of each license	125
17	10. Additional title and property insurers pursuant to	
18	NRS 680A.240:	
19	(a) Original registration	\$50
20	(b) Annual renewal	25
21	11. Insurance vending machines:	
22	(a) Application and license, for each machine	\$125
23	(b) Triennial renewal of each license	125
24	12. Permit for solicitation for securities:	
25	(a) Application for permit.....	\$100
26	(b) Extension of permit.....	50
27	13. Securities salespersons for domestic insurers:	
28	(a) Application and license.....	\$25
29	(b) Annual renewal of license	15
30	14. Rating organizations:	
31	(a) Application and license.....	\$500
32	(b) Annual renewal	500
33	15. Certificates and renewals for administrators	
34	licensed pursuant to chapter 683A of NRS  and licenses	
35	<i>and renewals for senior claims examiners licensed</i>	
36	<i>pursuant to chapter 683A of NRS:</i>	
37	(a) Application and certificate of registration <i>for</i>	
38	<i>administrators</i>	\$125
39	(b) <i>Application and license for senior claims</i>	
40	<i>examiners</i>	125
41	(c) Triennial renewal <i>of certificate of registration</i>	125
42	(d) <i>Quinquennial renewal of license</i>	125
43	16. For copies of the insurance laws of Nevada, a fee	
44	which is not less than the cost of producing the copies.	



1	17. Certified copies of certificates of authority and	
2	licenses issued pursuant to the Code	\$10
3	18. For copies and amendments of documents on file	
4	in the Division, a reasonable charge fixed by the	
5	Commissioner, including charges for duplicating or	
6	amending the forms and for certifying the copies and	
7	affixing the official seal.	
8	19. Letter of clearance for a producer of insurance or	
9	other licensee if requested by someone other than the	
10	licensee	\$10
11	20. Certificate of status as a producer of insurance or	
12	other licensee if requested by someone other than the	
13	licensee	\$10
14	21. Licenses, appointments and renewals for bail	
15	agents:	
16	(a) Application and license.....	\$125
17	(b) Appointment for each surety insurer	15
18	(c) Triennial renewal of each license	125
19	22. Licenses and renewals for bail enforcement	
20	agents:	
21	(a) Application and license.....	\$125
22	(b) Triennial renewal of each license	125
23	23. Licenses, appointments and renewals for general	
24	agents for bail:	
25	(a) Application and license.....	\$125
26	(b) Initial appointment by each insurer	15
27	(c) Triennial renewal of each license	125
28	24. Licenses and renewals for bail solicitors:	
29	(a) Application and license.....	\$125
30	(b) Triennial renewal of each license	125
31	25. Licenses and renewals for title agents and escrow	
32	officers:	
33	(a) Application and license.....	\$125
34	(b) Triennial renewal of each license	125
35	(c) Appointment fee for each title insurer	15
36	(d) Change in name or location of business or in	
37	association	10
38	26. Certificate of authority and renewal for a seller of	
39	prepaid funeral contracts	\$125
40	27. Licenses and renewals for agents for prepaid	
41	funeral contracts:	
42	(a) Application and license.....	\$125
43	(b) Triennial renewal of each license	125



1	28. Licenses, appointments and renewals for agents	
2	for fraternal benefit societies:	
3	(a) Application and license.....	\$125
4	(b) Appointment for each insurer	15
5	(c) Triennial renewal of each license	125
6	29. Reinsurance intermediary broker or manager:	
7	(a) Application and license.....	\$125
8	(b) Triennial renewal of each license	125
9	30. Agents for and sellers of prepaid burial contracts:	
10	(a) Application and certificate or license	\$125
11	(b) Triennial renewal	125
12	31. Risk retention groups:	
13	(a) Initial registration.....	\$250
14	(b) Each annual continuation of a certificate of	
15	registration.....	250
16	32. Required filing of forms:	
17	(a) For rates and policies	\$25
18	(b) For riders and endorsements	10
19	33. Viatical settlements:	
20	(a) Provider of viatical settlements:	
21	(1) Application and license	\$1,000
22	(2) Annual renewal.....	1,000
23	(b) Broker of viatical settlements:	
24	(1) Application and license	500
25	(2) Annual renewal.....	500
26	(c) Registration of producer of insurance acting as a	
27	viatical settlement broker.....	250
28	34. Insurance consultants:	
29	(a) Application and license.....	\$125
30	(b) Triennial renewal	125
31	35. Licensee's association with or appointment or	
32	sponsorship by an organization:	
33	(a) Initial appointment, association or sponsorship, for	
34	each organization	\$50
35	(b) Renewal of each association or sponsorship	50
36	(c) Annual renewal of appointment.....	15
37	36. Purchasing groups:	
38	(a) Initial registration and review of an application	\$100
39	(b) Each annual continuation of registration	100
40	37. In addition to any other fee or charge, all	
41	applicable fees required of any person, including, without	
42	limitation, persons listed in this section, pursuant to	
43	NRS 680C.110.	



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1 **Sec. 2.** NRS 680C.110 is hereby amended to read as follows:
2 680C.110 1. In addition to any other fee or charge, the
3 Commissioner shall collect in advance and receipt for, and persons
4 so served must pay to the Commissioner, the fees required by this
5 section.

6 2. A fee required by this section must be:

7 (a) If an initial fee, paid at the time of an initial application or
8 issuance of a license, as applicable;

9 (b) If an annual fee, paid on or before March 1 of every year;

10 (c) If a triennial *or quinquennial* fee, paid on or before the time
11 of continuation, renewal or other similar action in regard to a
12 certificate, license, permit or other type of authorization, as
13 applicable; and

14 (d) Deposited in the Fund for Insurance Administration and
15 Enforcement created by NRS 680C.100.

16 3. The fees required pursuant to this section are not refundable.

17 4. The following fees must be paid by the following

18 persons to the Commissioner:

19 (a) Associations of self-insured private employers, as
20 defined in NRS 616A.050:

21 (1) Initial fee.....\$1,300

22 (2) Annual fee\$1,300

23 (b) Associations of self-insured public employers, as
24 defined in NRS 616A.055:

25 (1) Initial fee.....\$1,300

26 (2) Annual fee\$1,300

27 (c) External review organizations, as provided for in
28 NRS 616A.469 or 683A.371, or both:

29 (1) Initial fee.....\$60

30 (2) Annual fee\$60

31 (d) Insurers not otherwise provided for in this
32 subsection:

33 (1) Initial fee.....\$1,300

34 (2) Annual fee\$1,300

35 (e) Producers of insurance, as defined in
36 NRS 679A.117:

37 (1) Initial fee.....\$60

38 (2) Triennial fee.....\$60

39 (f) Accredited reinsurers, as provided for in
40 NRS 681A.160:

41 (1) Initial fee.....\$1,300

42 (2) Annual fee\$1,300

43 (g) Intermediaries, as defined in NRS 681A.330:

44 (1) Initial fee.....\$60

45 (2) Triennial fee.....\$60



1	(h) Reinsurers, as defined in NRS 681A.370:	
2	(1) Initial fee.....	\$1,300
3	(2) Annual fee	\$1,300
4	(i) Administrators, as defined in NRS 683A.025 + , 5 <i>and senior claims examiners, as defined in section 5 of</i> 6 <i>this act:</i>	
7	(1) Initial fee.....	\$60
8	(2) Triennial fee <i>for an administrator</i>	\$60
9	(3) <i>Quinquennial fee for a senior claims</i> 10 <i>examiner</i>	<i>\$60</i>
11	(j) Managing general agents, as defined in 12 NRS 683A.060:	
13	(1) Initial fee.....	\$60
14	(2) Triennial fee.....	\$60
15	(k) Agents who perform utilization reviews, as defined 16 in NRS 683A.376:	
17	(1) Initial fee.....	\$60
18	(2) Annual fee	\$60
19	(l) Insurance consultants, as defined in 20 NRS 683C.010:	
21	(1) Initial fee.....	\$60
22	(2) Triennial fee.....	\$60
23	(m) Independent adjusters, as defined in 24 NRS 684A.030:	
25	(1) Initial fee.....	\$60
26	(2) Triennial fee.....	\$60
27	(n) Public adjusters, as defined in NRS 684A.030:	
28	(1) Initial fee.....	\$60
29	(2) Triennial fee.....	\$60
30	(o) Associate adjusters, as defined in NRS 684A.030:	
31	(1) Initial fee.....	\$60
32	(2) Triennial fee.....	\$60
33	(p) Motor vehicle physical damage appraisers, as 34 defined in NRS 684B.010:	
35	(1) Initial fee.....	\$60
36	(2) Triennial fee.....	\$60
37	(q) Brokers, as defined in NRS 685A.030:	
38	(1) Initial fee.....	\$60
39	(2) Triennial fee.....	\$60
40	(r) Eligible surplus line insurers, as provided for in 41 NRS 685A.070:	
42	(1) Initial fee.....	\$1,300
43	(2) Annual fee	\$1,300



1	(s) Companies, as defined in NRS 686A.330:	
2	(1) Initial fee.....	\$1,300
3	(2) Annual fee	\$1,300
4	(t) Rate service organizations, as defined in	
5	NRS 686B.020:	
6	(1) Initial fee.....	\$1,300
7	(2) Annual fee	\$1,300
8	(u) Brokers of viatical settlements, as defined in	
9	NRS 688C.030:	
10	(1) Initial fee.....	\$60
11	(2) Annual fee	\$60
12	(v) Providers of viatical settlements, as defined in	
13	NRS 688C.080:	
14	(1) Initial fee.....	\$60
15	(2) Annual fee	\$60
16	(w) Agents for prepaid burial contracts subject to the	
17	provisions of chapter 689 of NRS:	
18	(1) Initial fee.....	\$60
19	(2) Triennial fee.....	\$60
20	(x) Agents for prepaid funeral contracts subject to the	
21	provisions of chapter 689 of NRS:	
22	(1) Initial fee.....	\$60
23	(2) Triennial fee.....	\$60
24	(y) Sellers of prepaid burial contracts subject to the	
25	provisions of chapter 689 of NRS:	
26	(1) Initial fee.....	\$60
27	(2) Triennial fee.....	\$60
28	(z) Sellers of prepaid funeral contracts subject to the	
29	provisions of chapter 689 of NRS:	
30	(1) Initial fee.....	\$60
31	(2) Triennial fee.....	\$60
32	(aa) Providers, as defined in NRS 690C.070:	
33	(1) Initial fee.....	\$1,300
34	(2) Annual fee	\$1,300
35	(bb) Escrow officers, as defined in NRS 692A.028:	
36	(1) Initial fee.....	\$60
37	(2) Triennial fee.....	\$60
38	(cc) Title agents, as defined in NRS 692A.060:	
39	(1) Initial fee.....	\$60
40	(2) Triennial fee.....	\$60
41	(dd) Captive insurers, as defined in NRS 694C.060:	
42	(1) Initial fee.....	\$250
43	(2) Annual fee	\$250



1	(ee) Fraternal benefit societies, as defined in	
2	NRS 695A.010:	
3	(1) Initial fee.....	\$1,300
4	(2) Annual fee	\$1,300
5	(ff) Insurance agents for societies, as provided for in	
6	NRS 695A.330:	
7	(1) Initial fee.....	\$60
8	(2) Triennial fee.....	\$60
9	(gg) Corporations subject to the provisions of chapter	
10	695B of NRS:	
11	(1) Initial fee.....	\$1,300
12	(2) Annual fee	\$1,300
13	(hh) Health maintenance organizations, as defined in	
14	NRS 695C.030:	
15	(1) Initial fee.....	\$1,300
16	(2) Annual fee	\$1,300
17	(ii) Organizations for dental care, as defined in	
18	NRS 695D.060:	
19	(1) Initial fee.....	\$1,300
20	(2) Annual fee	\$1,300
21	(jj) Purchasing groups, as defined in NRS 695E.100:	
22	(1) Initial fee.....	\$250
23	(2) Annual fee	\$250
24	(kk) Risk retention groups, as defined in	
25	NRS 695E.110:	
26	(1) Initial fee.....	\$250
27	(2) Annual fee	\$250
28	(ll) Prepaid limited health service organizations, as	
29	defined in NRS 695F.050:	
30	(1) Initial fee.....	\$1,300
31	(2) Annual fee	\$1,300
32	(mm) Medical discount plans, as defined in	
33	NRS 695H.050:	
34	(1) Initial fee.....	\$1,300
35	(2) Annual fee	\$1,300
36	(nn) Club agents, as defined in NRS 696A.040:	
37	(1) Initial fee.....	\$60
38	(2) Triennial fee.....	\$60
39	(oo) Motor clubs, as defined in NRS 696A.050:	
40	(1) Initial fee.....	\$1,300
41	(2) Annual fee	\$1,300
42	(pp) Bail agents, as defined in NRS 697.040:	
43	(1) Initial fee.....	\$60
44	(2) Triennial fee.....	\$60



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(qq) Bail enforcement agents, as defined in
NRS 697.055:

(1) Initial fee.....\$60

(2) Triennial fee.....\$60

(rr) Bail solicitors, as defined in NRS 697.060:

(1) Initial fee.....\$60

(2) Triennial fee.....\$60

(ss) General agents, as defined in NRS 697.070:

(1) Initial fee.....\$60

(2) Triennial fee.....\$60

Sec. 3. Chapter 683A of NRS is hereby amended by adding thereto the provisions set forth as sections 4 to 13, inclusive, of this act.

Sec. 4. (Deleted by amendment.)

Sec. 5. *As used in sections 5 to 13, inclusive, of this act, unless the context otherwise requires, "senior claims examiner" means a person employed by an administrator to administer claims for compensation filed pursuant to NRS 616C.020 and 617.344, including, without limitation, performing, reviewing or approving an action relating to a claim on behalf of an administrator pursuant to NRS 616C.065, 616C.230, 616C.390, 616C.392, 616C.440, 616C.475, 616C.490, 616C.505, 616C.555, 616C.700 or 616C.710.*

Sec. 6. (Deleted by amendment.)

Sec. 7. *No person may act as, offer to act as or hold himself or herself out to the public as a senior claims examiner for an administrator, unless the person has obtained a license as a senior claims examiner from the Commissioner pursuant to section 8 of this act.*

Sec. 8. 1. *Except as otherwise provided in subsection 2 or 3, the Commissioner shall issue a license as a senior claims examiner to an applicant who:*

(a) Submits an application on a form prescribed by the Commissioner; and

(b) Pays the fee for the issuance of a license prescribed in NRS 680B.010 and, in addition to any other fee or charge, all applicable fees required pursuant to NRS 680C.110.

2. *The Commissioner may refuse to issue a license as a senior claims examiner to an applicant if the Commissioner determines that the applicant:*

(a) Is not competent to act as a senior claims examiner;

(b) Does not have a good personal or business reputation;

(c) Has had a license or certificate as a senior claims examiner denied for cause, suspended or revoked in this State or any other state; or



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(d) *Has failed to comply with any provision of this chapter.*

3. *The Commissioner shall submit the information supplied by an applicant pursuant to subsection 1 to the Division of Industrial Relations of the Department of Business and Industry for final approval in accordance with the regulations adopted pursuant to subsection 9 of NRS 616A.400. Unless the Division provides final approval for the applicant to the Commissioner, the Commissioner shall not issue a license as a senior claims examiner to the applicant.*

Sec. 9. (Deleted by amendment.)

Sec. 10. 1. *A license as a senior claims examiner is valid for 5 years after the date on which the Commissioner issues the license.*

2. *A senior claims examiner may renew a license if the senior claims examiner submits to the Commissioner:*

(a) *An application on a form prescribed by the Commissioner; and*

(b) *The fee for the renewal of the license prescribed in NRS 680B.010 and, in addition to any other fee or charge, all applicable fees required pursuant to NRS 680C.110.*

3. *A license that is suspended or revoked must be surrendered immediately to the Commissioner.*

Sec. 11. 1. *The Commissioner may place conditions, limitations or restrictions on a senior claims examiner's license, suspend the license, revoke or refuse to renew the license, issue a public reprimand or accept the voluntary surrender of the license, or may impose an administrative fine of not more than \$1,000 or take any combination of the foregoing actions, if the Commissioner has determined, after notice and a hearing, that the senior claims examiner has engaged in conduct which, if the senior claims examiner were a third-party administrator to whom NRS 616D.120 applied, would violate the provisions of paragraphs (a) to (i), inclusive, of subsection 1 of NRS 616D.120 or subsection 2 of NRS 616D.120.*

2. *An order that imposes discipline pursuant to this section and the findings of fact and conclusions of law supporting that order are public records.*

3. *As used in this section, "third-party administrator" has the meaning ascribed to it in NRS 616A.335.*

Sec. 12. *If a person acts as a senior claims examiner for an administrator without having applied for and received from the Commissioner a license as a senior claims examiner, the Commissioner shall impose a fine of not less than \$500 and not more than \$2,500, and may deny the person's application for a license.*



Sec. 13. *If an administrator:*

1. Hires a senior claims examiner who is not licensed pursuant to section 8 of this act;

2. Fails to conduct a reasonable investigation as to whether a prospective employee is properly licensed; or

***3. Allows a senior claims examiner to remain employed as a senior claims examiner after the expiration of his or her license,
↳ the Commissioner shall impose a fine of not less than \$500 and not more than \$2,500, and may revoke or refuse to renew the administrator's certificate of registration.***

Sec. 14. NRS 683A.383 is hereby amended to read as follows:

683A.383 1. A natural person who applies for the issuance or renewal of a certificate of registration as an administrator or a license as a producer of insurance , ~~for~~ managing general agent **or senior claims examiner** shall submit to the Commissioner the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The Commissioner shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the certificate of registration or license; or

(b) A separate form prescribed by the Commissioner.

3. A certificate of registration as an administrator or a license as a producer of insurance , ~~for~~ managing general agent **or senior claims examiner** may not be issued or renewed by the Commissioner if the applicant is a natural person who:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that he or she is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Commissioner shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.



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Sec. 15. NRS 683A.385 is hereby amended to read as follows:

683A.385 1. If the Commissioner receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a certificate of registration as an administrator or a license as a producer of insurance, ~~for~~ managing general agent ~~or~~ *or senior claims examiner*, the Commissioner shall suspend the certificate of registration or license issued to that person at the end of the 30th day after the date on which the court order was issued unless the Commissioner receives a letter issued to the holder of the certificate of registration or license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the certificate of registration or license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The Commissioner shall reinstate a certificate of registration as an administrator or a license as a producer of insurance, ~~for~~ managing general agent *or senior claims examiner* that has been suspended by a district court pursuant to NRS 425.540 if the Commissioner receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose certificate of registration or license was suspended stating that the person whose certificate of registration or license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

Sec. 16. NRS 683A.387 is hereby amended to read as follows:

683A.387 The application of a natural person who applies for the issuance of a certificate of registration as an administrator or a license as a producer of insurance, ~~for~~ managing general agent *or senior claims examiner* must include the social security number of the applicant.

Sec. 16.5. NRS 616A.400 is hereby amended to read as follows:

616A.400 The Administrator shall:

1. Prescribe by regulation the time within which adjudications and awards must be made.

2. Regulate forms of notices, claims and other blank forms deemed proper and advisable.

3. Prescribe by regulation the methods by which an insurer may approve or reject claims, and may determine the amount and nature of benefits payable in connection therewith.

4. Prescribe by regulation the method for reimbursing an injured employee for expenses necessarily incurred for travel more than 20 miles one way from the employee's residence or place of



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1 employment to his or her destination as a result of an industrial
2 injury.

3 5. Determine whether an insurer *or third-party administrator*
4 has provided adequate facilities in this State to administer claims
5 and for the retention of a file on each claim.

6 6. Evaluate the services of private carriers provided to
7 employers in:

8 (a) Controlling losses; and

9 (b) Providing information on the prevention of industrial
10 accidents or occupational diseases.

11 7. Conduct such investigations and examinations of insurers *or*
12 *third-party administrators* as the Administrator deems reasonable to
13 determine whether any person has violated the provisions of
14 chapters 616A to 616D, inclusive, or chapter 617 of NRS or to
15 obtain information useful to enforce or administer these chapters.

16 8. Prescribe by regulation the qualifications for final approval
17 by the Division of an applicant for a certificate of registration as an
18 administrator pursuant to subsection 3 of NRS 683A.08524. The
19 regulations must set forth qualifications which provide for the final
20 approval of those applicants whose approval is in the best interests
21 of the people of this State.

22 9. Except with respect to any matter committed by specific
23 statute to the regulatory authority of another person or agency, adopt
24 such other regulations as the Administrator deems necessary to carry
25 out the provisions of chapters 616A to 617, inclusive, of NRS.

26 **Sec. 17.** NRS 616A.400 is hereby amended to read as follows:

27 616A.400 The Administrator shall:

28 1. Prescribe by regulation the time within which adjudications
29 and awards must be made.

30 2. Regulate forms of notices, claims and other blank forms
31 deemed proper and advisable.

32 3. Prescribe by regulation the methods by which an insurer
33 may approve or reject claims, and may determine the amount and
34 nature of benefits payable in connection therewith.

35 4. Prescribe by regulation the method for reimbursing an
36 injured employee for expenses necessarily incurred for travel more
37 than 20 miles one way from the employee's residence or place of
38 employment to his or her destination as a result of an industrial
39 injury.

40 5. Determine whether an insurer or third-party administrator
41 has provided adequate facilities in this State to administer claims
42 and for the retention of a file on each claim.

43 6. Evaluate the services of private carriers provided to
44 employers in:

45 (a) Controlling losses; and



(b) Providing information on the prevention of industrial accidents or occupational diseases.

7. Conduct such investigations and examinations of insurers or third-party administrators as the Administrator deems reasonable to determine whether any person has violated the provisions of chapters 616A to 616D, inclusive, or chapter 617 of NRS or to obtain information useful to enforce or administer these chapters.

8. Prescribe by regulation the qualifications for final approval by the Division of an applicant for a certificate of registration as an administrator pursuant to subsection 3 of NRS 683A.08524. The regulations must set forth qualifications which provide for the final approval of those applicants whose approval is in the best interests of the people of this State.

9. Prescribe by regulation the qualifications for final approval by the Division of an applicant for a license as a senior claims examiner pursuant to section 8 of this act, including, without limitation, the consideration of the education or experience of the applicant. The regulations must set forth qualifications which provide for the final approval of those applicants whose approval is in the best interests of the people of this State and may provide for the administration of an examination to an applicant.

10. Except with respect to any matter committed by specific statute to the regulatory authority of another person or agency, adopt such other regulations as the Administrator deems necessary to carry out the provisions of chapters 616A to 617, inclusive, of NRS.

Sec. 18. 1. This section becomes effective upon passage and approval.

2. Section 16.5 of this act becomes effective upon passage and approval for the purpose of adopting regulations and on January 1, 2012, for all other purposes.

3. Sections 1 to 16, inclusive, and 17 of this act become effective upon passage and approval for the purpose of adopting regulations and on January 1, 2013, for all other purposes.

