

SENATE BILL NO. 20—COMMITTEE ON
COMMERCE, LABOR AND ENERGY

(ON BEHALF OF THE NEVADA ATTORNEY FOR INJURED WORKERS)

PREFILED DECEMBER 13, 2010

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Requires insurers to provide certain information to survivors and dependents of deceased workers. (BDR 53-489)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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; requiring insurers to provide certain information about available benefits to survivors and dependents of deceased workers; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Under existing law, death benefits are available for the surviving spouse and
2 dependents of a person killed in an industrial accident. (NRS 616C.505) The
3 contents of and deadline for an application for death benefits are also specified
4 (NRS 616C.020, 616C.035), but existing statutes and regulations do not provide a
5 means for the surviving spouse and dependents to receive this information. This bill
6 requires an insurer to provide notice of the available death benefits, application
7 process and deadline for application to the surviving spouse, dependents and other
8 persons acting on behalf of the deceased employee.

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

- 1 **Section 1.** Chapter 616C of NRS is hereby amended by adding
2 thereto a new section to read as follows:

- 3 ***1. Within 30 days after receiving notice of the death of an***
4 ***injured employee resulting from an injury, an insurer shall***



1 *provide notice of the death benefits available pursuant to chapters*
2 *616A to 616D, inclusive, of NRS to:*

- 3 (a) *The surviving spouse of the employee;*
4 (b) *The dependents of the employee;*
5 (c) *A person acting on behalf of the employee; and*
6 (d) *Other parties entitled to compensation under chapters*
7 *616A to 616D, inclusive, of NRS.*

8 2. *The notice of death benefits must include:*

9 (a) *Information concerning the deadline for filing a claim for*
10 *compensation pursuant to NRS 616C.020.*

11 (b) *The requirements for an application for compensation*
12 *pursuant to NRS 616C.035.*

13 (c) *The amount and duration of compensation due pursuant to*
14 *NRS 616C.505.*

15 **Sec. 2.** NRS 616C.020 is hereby amended to read as follows:

16 616C.020 1. Except as otherwise provided in subsection 2, an
17 injured employee, or a person acting on behalf of the employee,
18 shall file a claim for compensation with the insurer within 90 days
19 after an accident if:

20 (a) The employee has sought medical treatment for an injury
21 arising out of and in the course of his or her employment; or

22 (b) The employee was off work as a result of an injury arising
23 out of and in the course of his or her employment.

24 2. In the event of the death of the injured employee resulting
25 from the injury, a dependent of the employee, or a person acting on
26 behalf of the employee, shall file a claim for compensation with the
27 insurer within 1 year after the death of the injured employee **H** *or*
28 *receipt of the notice of death benefits pursuant to section 1 of this*
29 *act.*

30 3. The claim for compensation must be filed on a form
31 prescribed by the Administrator.

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

