

SENATE BILL NO. 162—SENATOR ROBERSON

FEBRUARY 16, 2015

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to insurance.
(BDR 57-950)

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 insurance; repealing provisions governing the provision of medical records by a personal injury claimant or a claimant's attorney upon the request of an insurer or other party against whom a claim is asserted under a policy of insurance covering certain motor vehicles; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, a party against whom a claim is asserted for personal injury
2 under a policy of motor vehicle insurance covering a passenger car may require any
3 attorney representing the claimant to provide to the party and his or her insurer or
4 attorney, not more than once every 90 days, all medical reports, records and bills
5 concerning the claim. In lieu of providing such reports, records and bills, the
6 claimant or any attorney representing the claimant may provide a written
7 authorization to receive the reports, records and bills from the provider of health
8 care. Upon receipt of any photocopies of such reports, records and bills, the insurer
9 who issued the policy must, upon request, immediately disclose to the insured or
10 the claimant all pertinent facts or provisions of the policy relating to any coverage
11 at issue. (NRS 690B.042)

12 This bill repeals those provisions.

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

- 1 **Section 1.** (Deleted by amendment.)
2 **Sec. 2.** (Deleted by amendment.)
3 **Sec. 3.** NRS 690B.042 is hereby repealed.



- 1 **Sec. 4.** This act becomes effective upon passage and approval.

TEXT OF REPEALED SECTION

690B.042 Claimant for damages for personal injury to provide medical reports, records and bills or authorization to receive reports, records and bills to opposing party upon request; insurer to disclose pertinent facts or provisions of policy relating to coverage at issue to insured or claimant upon request.

1. Except as otherwise provided in subsection 2, any party against whom a claim is asserted for compensation or damages for personal injury under a policy of motor vehicle insurance covering a passenger car may require any attorney representing the claimant to provide to the party and the insurer or attorney of the party, not more than once every 90 days, all medical reports, records and bills concerning the claim.

2. In lieu of providing medical reports, records and bills pursuant to subsection 1, the claimant or any attorney representing the claimant may provide to the party or the insurer or attorney of the party a written authorization to receive the reports, records and bills from the provider of health care. At the written request of the claimant or the attorney of the claimant, copies of all reports, records and bills obtained pursuant to the authorization must be provided to the claimant or the attorney of the claimant within 30 days after the date they are received. If the claimant or the attorney of the claimant makes a written request for the reports, records and bills, the claimant or the attorney of the claimant shall pay for the reasonable costs of copying the reports, records and bills.

3. Upon receipt of any photocopies of medical reports, records and bills, or a written authorization pursuant to subsection 2, the insurer who issued the policy specified in subsection 1 shall, upon request, immediately disclose to the insured or the claimant all pertinent facts or provisions of the policy relating to any coverage at issue.

4. As used in this section, "passenger car" has the meaning ascribed to it in NRS 482.087.

