

CHAPTER.....

AN ACT relating to industrial insurance; requiring a firefighter who is not employed by the Executive Department of the State Government or volunteer firefighter to submit to an annual cancer screening for certain industrial insurance coverage for cancer; revising provisions governing the administration of physical examinations required of certain firefighters, arson investigators and police officers who are not employed by the Executive Department of the State Government for certain industrial insurance coverage for lung disease and heart disease; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Under existing law, an employee who contracts an occupational disease arising out of and in the course of his or her employment is generally entitled to receive compensation under industrial insurance. (Chapter 617 of NRS) Existing law provides that certain diseases of the lungs and heart contracted by certain firefighters, arson investigators, volunteer firefighters and police officers are occupational diseases for which the employee is entitled to compensation under certain circumstances. Under existing law, an employee covered by those provisions is required to submit to a physical examination upon employment, upon commencement of coverage and periodically thereafter, the frequency of which depends on the age and occupation of the employee. (NRS 617.455, 617.457) **Sections 2-4** of this bill revise requirements for the administering of such a physical examination for an employee who is not an employee in the Executive Department of the State Government. Effective July 1, 2026, **section 2:** (1) requires such a physical examination to be administered, when possible, by a licensed physician or advanced practice registered nurse who is knowledgeable about the physical demands of firefighting and law enforcement; and (2) sets forth various tests and examinations that such a physical examination must include.

Under existing law, cancer contracted by certain firefighters, volunteer firefighters or certain other employees resulting in either temporary or permanent disability or death is an occupational disease and compensable under industrial insurance under certain circumstances. (NRS 617.453) Effective July 1, 2026, **section 1** of this bill requires a firefighter, other than a firefighter who is an employee in the Executive Department of the State Government, or volunteer firefighter to submit to a cancer screening upon commencement of coverage, thereafter on an annual basis during his or her employment and, if provided by the employer, upon employment. **Section 2** sets forth various requirements for the administration of such a cancer screening.



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

Section 1. NRS 617.453 is hereby amended to read as follows:

617.453 1. Notwithstanding any other provision of this chapter, cancer, resulting in either temporary or permanent disability, or death, is an occupational disease and compensable as such under the provisions of this chapter if:

(a) The cancer develops or manifests itself out of and in the course of the employment of a person who, for 5 years or more, has been:

(1) Employed in this State in a full-time salaried occupation as:

(I) A firefighter for the benefit or safety of the public;

(II) An investigator of fires or arson; or

(III) An instructor or officer for the provision of training concerning fire or hazardous materials; or

(2) Acting as a volunteer firefighter in this State and is entitled to the benefits of chapters 616A to 616D, inclusive, of NRS pursuant to the provisions of NRS 616A.145; and

(b) It is demonstrated that:

(1) The person was exposed, while in the course of the employment, to a known carcinogen, or a substance reasonably anticipated to be a human carcinogen, as defined by the International Agency for Research on Cancer or the National Toxicology Program; and

(2) The carcinogen or substance, as applicable, is reasonably associated with the disabling cancer.

2. With respect to a person who, for 5 years or more, has been employed in this State as a firefighter, investigator, instructor or officer described in subparagraph (1) of paragraph (a) of subsection 1, or has acted as a volunteer firefighter in this State as described in subparagraph (2) of paragraph (a) of subsection 1, the following substances shall be deemed, for the purposes of paragraph (b) of subsection 1, to be known carcinogens that are reasonably associated with the following disabling cancers:

(a) Diesel exhaust, formaldehyde and polycyclic aromatic hydrocarbon shall be deemed to be known carcinogens that are reasonably associated with bladder cancer.



(b) Acrylonitrile, formaldehyde and vinyl chloride shall be deemed to be known carcinogens that are reasonably associated with brain cancer.

(c) Asbestos, benzene, diesel exhaust and soot, digoxin, ethylene oxide, polychlorinated biphenyls and polycyclic aromatic hydrocarbon shall be deemed to be known carcinogens that are reasonably associated with breast cancer.

(d) Diesel exhaust and formaldehyde shall be deemed to be known carcinogens that are reasonably associated with colon cancer.

(e) Diesel exhaust and soot, formaldehyde and polycyclic aromatic hydrocarbon shall be deemed to be known carcinogens that are reasonably associated with esophageal cancer.

(f) Formaldehyde shall be deemed to be a known carcinogen that is reasonably associated with Hodgkin's lymphoma.

(g) Formaldehyde and polycyclic aromatic hydrocarbon shall be deemed to be known carcinogens that are reasonably associated with kidney cancer.

(h) Benzene, diesel exhaust and soot, formaldehyde, 1,3-butadiene and polycyclic aromatic hydrocarbon shall be deemed to be known carcinogens that are reasonably associated with leukemia.

(i) Chloroform, soot and vinyl chloride shall be deemed to be known carcinogens that are reasonably associated with liver cancer.

(j) Arsenic, asbestos, cadmium, chromium compounds, oils, polycyclic aromatic hydrocarbon, radon, silica, soot and tars shall be deemed to be known carcinogens that are reasonably associated with lung cancer.

(k) Acrylonitrile, benzene, formaldehyde, polycyclic aromatic hydrocarbon, soot and vinyl chloride shall be deemed to be known carcinogens that are reasonably associated with lymphatic or hematopoietic cancer.

(l) Diesel exhaust, soot, aldehydes and polycyclic aromatic hydrocarbon shall be deemed to be known carcinogens that are reasonably associated with basal cell carcinoma, squamous cell carcinoma and malignant melanoma.

(m) Benzene, dioxins and glyphosate shall be deemed to be known carcinogens that are reasonably associated with multiple myeloma.

(n) Arsenic, asbestos, benzene, diesel exhaust and soot, formaldehyde and hydrogen chloride shall be deemed to be known carcinogens that are reasonably associated with nasopharyngeal cancer, including laryngeal cancer and pharyngeal cancer.

(o) Benzene, chronic hepatitis B and C viruses, formaldehyde and polychlorinated biphenyls shall be deemed to be known



carcinogens that are reasonably associated with non-Hodgkin's lymphoma.

(p) Asbestos, benzene and formaldehyde shall be deemed to be known carcinogens that are reasonably associated with ovarian cancer.

(q) Polycyclic aromatic hydrocarbon shall be deemed to be a known carcinogen that is reasonably associated with pancreatic cancer.

(r) Acrylonitrile, benzene and formaldehyde shall be deemed to be known carcinogens that are reasonably associated with prostate cancer.

(s) Diesel exhaust and soot, formaldehyde and polycyclic aromatic hydrocarbon shall be deemed to be known carcinogens that are reasonably associated with rectal cancer.

(t) Chlorophenols, chlorophenoxy herbicides and polychlorinated biphenyls shall be deemed to be known carcinogens that are reasonably associated with soft tissue sarcoma.

(u) Diesel exhaust and soot, formaldehyde and polycyclic aromatic hydrocarbon shall be deemed to be known carcinogens that are reasonably associated with stomach cancer.

(v) Diesel exhaust, soot and polychlorinated biphenyls shall be deemed to be known carcinogens that are reasonably associated with testicular cancer.

(w) Diesel exhaust, benzene and X-ray radiation shall be deemed to be known carcinogens that are reasonably associated with thyroid cancer.

(x) Diesel exhaust and soot, formaldehyde and polycyclic aromatic hydrocarbon shall be deemed to be known carcinogens that are reasonably associated with urinary tract cancer and ureteral cancer.

(y) Benzene and polycyclic aromatic hydrocarbon shall be deemed to be known carcinogens that are reasonably associated with uterine cancer.

3. The provisions of subsection 2 do not create an exclusive list and do not preclude any person from demonstrating, on a case-by-case basis for the purposes of paragraph (b) of subsection 1, that a substance is a known carcinogen or is reasonably anticipated to be a human carcinogen, including an agent classified by the International Agency for Research on Cancer in Group 1 or Group 2A, that is reasonably associated with a disabling cancer.

4. Except as otherwise provided in subsection 10, compensation awarded to the employee or his or her dependents for disabling cancer pursuant to this section must include:



(a) Full reimbursement for related expenses incurred for medical treatments, surgery and hospitalization in accordance with the schedule of fees and charges established pursuant to NRS 616C.260 or, if the insurer has contracted with an organization for managed care or with providers of health care pursuant to NRS 616B.527, the amount that is allowed for the treatment or other services under that contract; and

(b) The compensation provided in chapters 616A to 616D, inclusive, of NRS for the disability or death.

5. For a person who has been employed in this State as a firefighter, investigator, instructor or officer described in subparagraph (1) of paragraph (a) of subsection 1, or has acted as a volunteer firefighter in this State as described in subparagraph (2) of paragraph (a) of subsection 1, disabling cancer is rebuttably presumed to have arisen out of and in the course of the employment of the person if the disease is diagnosed during the course of the person's employment described in paragraph (a) of subsection 1.

6. For a person who has been employed in this State as a firefighter, investigator, instructor or officer described in subparagraph (1) of paragraph (a) of subsection 1 and who retires before July 1, 2019, or has acted as a volunteer firefighter in this State as described in subparagraph (2) of paragraph (a) of subsection 1, regardless of the date on which the volunteer firefighter retires, disabling cancer is rebuttably presumed to have arisen out of and in the course of the person's employment pursuant to this subsection. This rebuttable presumption applies to disabling cancer diagnosed after the termination of the person's employment if the diagnosis occurs within a period, not to exceed 60 months, which begins with the last date the employee actually worked in the qualifying capacity and extends for a period calculated by multiplying 3 months by the number of full years of his or her employment.

7. For a person who has been employed in this State as a firefighter, investigator, instructor or officer described in subparagraph (1) of paragraph (a) of subsection 1 and who retires on or after July 1, 2019, disabling cancer is rebuttably presumed to have arisen out of and in the course of the person's employment pursuant to this subsection. This rebuttable presumption applies to disabling cancer diagnosed:

(a) If the person ceases employment before completing 20 years of service as a firefighter, investigator, instructor or officer, during the period after separation from employment which is equal to the number of years worked; or



(b) If the person ceases employment after completing 20 years or more of service as a firefighter, investigator, instructor or officer, at any time during the person's life.

8. Service credit which is purchased in a retirement system must not be used to calculate the number of years of service or employment of a person for the purposes of this section.

9. A rebuttable presumption created by subsection 5, 6 or 7 must control the awarding of benefits pursuant to this section unless evidence to rebut the presumption is presented. The provisions of subsections 5, 6 and 7 do not create a conclusive presumption.

10. A person who files a claim for a disabling cancer pursuant to subsection 7 after he or she retires from employment as a firefighter, investigator of fires or arson, or instructor or officer for the provision of training concerning fire or hazardous materials is not entitled to receive any compensation for that disease other than medical benefits.

11. Each person who is employed as a firefighter, other than an employee in the Executive Department of the State Government, or acting as a volunteer firefighter and who is to be covered for cancer pursuant to the provisions of this section shall submit to a cancer screening:

- (a) If provided by the employer, upon employment;*
- (b) Upon commencement of coverage; and*
- (c) Thereafter, on an annual basis during his or her employment.*

12. All cancer screenings required pursuant to subsection 11 must be paid for by the employer.

Sec. 2. NRS 617.454 is hereby amended to read as follows:

617.454 1. Any physical examination administered pursuant to NRS 617.455 or 617.457 *for an employee in the Executive Department of the State Government* must include:

- (a) A thorough test of the functioning of the hearing of the employee; and
- (b) A purified protein derivative skin test to screen for exposure to tuberculosis.

2. *Any physical examination administered pursuant to NRS 617.455 or 617.457 for an employee who is not an employee in the Executive Department of the State Government and any cancer screening administered pursuant to NRS 617.453 must be administered, when possible, by:*

- (a) A physician licensed pursuant to chapter 630 or 633 of NRS; or*



(b) An advanced practice registered nurse licensed pursuant to NRS 632.237,

↳ who is knowledgeable about the physical demands of firefighting and law enforcement.

3. Any physical examination administered pursuant to NRS 617.455 or 617.457 for an employee who is not an employee in the Executive Department of the State Government must include:

(a) A thorough test of the functioning of the hearing of the employee, which must consist of:

(1) An air conduction test; or

(2) A pure-tone test that is performed:

(I) In a soundproof booth approved by the American National Standards Institute;

(II) Using frequencies ranging from 500 hertz to 8000 hertz; and

(III) Separately on each ear;

(b) A purified protein derivative skin test or tuberculin blood test to screen for exposure to tuberculosis;

(c) A physical examination, which must consist of:

(1) An examination of the vital signs of the employee, including, without limitation, the height, weight, blood pressure, temperature, heart rate and respiratory rate of the employee;

(2) An examination of the head, eyes, ears, nose and throat of the employee;

(3) An examination of the neck of the employee;

(4) A cardiovascular examination using the methods of inspection, auscultation, percussion and palpation;

(5) A pulmonary examination using the methods of inspection, auscultation, percussion and palpation;

(6) A gastrointestinal examination using the methods of inspection, auscultation, percussion and palpation;

(7) A genitourinary examination;

(8) An examination of the cervical, auxiliary and inguinal lymph nodes of the employee;

(9) A neurological examination evaluating the general mental status of the employee;

(10) A cranial nerve examination;

(11) A peripheral nerve examination that tests for sensation, motor function and reflexes;

(12) A musculoskeletal examination that tests the range of motion for all joints; and

(13) An examination of the skin of the employee for color, vascularity, lesions and edema;



(d) An analysis of the blood of the employee, which must include, without limitation:

- (1) A white blood cell count;*
- (2) A blood differential test;*
- (3) A red blood cell count;*
- (4) A platelet count;*
- (5) An aspartate aminotransferase test;*
- (6) An alanine aminotransferase test;*
- (7) A lactate dehydrogenase test;*
- (8) An alkaline phosphatase test;*
- (9) A bilirubin test;*
- (10) An albumin test;*
- (11) A blood glucose test;*
- (12) A creatinine test;*
- (13) A glomerular filtration rate test;*
- (14) A blood urea nitrogen test;*
- (15) A sodium test;*
- (16) A potassium test;*
- (17) A carbon dioxide test;*
- (18) A calcium test;*
- (19) A full lipid panel test;*
- (20) A thyroid stimulating hormone test;*
- (21) A cortisol test; and*
- (22) A test to detect hepatitis A, hepatitis B and hepatitis C;*

(e) The pulmonary function test of spirometry;

(f) A posterior-anterior chest x-ray, which must be interpreted by a radiologist;

(g) An examination of the heart of the employee, which must include:

- (1) A stethoscopic examination of the heart;*
- (2) A resting electrocardiogram;*
- (3) If the employee is 40 years of age or older or abnormalities were observed in the resting electrocardiogram, a stress electrocardiogram; and*
- (4) If the employee is 40 years of age or older and the test has not been performed in the immediately preceding 3 years, a coronary calcium score test; and*

(h) A screening of the vision of the employee, which must include:

- (1) The use of the Bailey-Lovie Chart; and*
- (2) A color vision test.*

4. A cancer screening administered pursuant to NRS 617.453 must include, without limitation:



- (a) *An examination of the skin of the employee;*
- (b) *Except as otherwise provided in subsection 5, if the employee is a woman who is 40 years of age or older, a mammogram;*
- (c) *Except as otherwise provided in subsection 5, if the employee is a woman, a pap smear;*
- (d) *If the employee is a man, a prostate-specific antigen test;*
- (e) *A thyroid examination to screen for palpable nodules;*
- (f) *If the employee is a man, a testicular examination;*
- (g) *A urinalysis performed using a dipstick that includes, without limitation:*
 - (1) *A pH test;*
 - (2) *A glucose test;*
 - (3) *A ketones test;*
 - (4) *A protein test;*
 - (5) *A blood test; and*
 - (6) *A bilirubin test;*
- (h) *A fecal occult blood test; and*
- (i) *If the employee is 45 years of age or older and the test has not been performed in the immediately preceding 10 years, a colonoscopy.*

5. *An employee who is a woman is not required to submit to a test specified in paragraph (b) or (c) of subsection 4 if the employee provides to the person administering the cancer screening a written certification from the primary care physician of the employee or a medical facility certifying that, in the 12 months immediately preceding the last cancer screening administered on the employee:*

- (a) *The test was conducted on the employee; or*
- (b) *The primary care physician or medical facility concluded that the test was unnecessary or not recommended for the employee.*

6. *Except as otherwise provided in subsection 8 of NRS 617.457, the tests required by this section must be paid for by the employer.*

~~3.~~ 7. *Except as otherwise provided by the provisions governing privacy in the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, as amended, and applicable regulations, or an employee's collective bargaining agreement, whichever is more restrictive:*

(a) *The results of a physical examination administered pursuant to NRS 617.455 or 617.457 or a cancer screening administered pursuant to NRS 617.453 may only be provided to:*



- (1) The examining physician;
- (2) The employee;
- (3) The employer's officer who is responsible for risk management or human resources or his or her designee; and
- (4) If the employee has filed a claim pursuant to NRS **617.453**, 617.455 or 617.457, the insurer.

(b) A person who receives the results of a physical examination **or cancer screening** pursuant to paragraph (a) may only use the results for the purposes of:

(1) Complying with the requirements of NRS **617.453**, 617.455 or 617.457, as applicable; or

(2) Creating a report pursuant to paragraph (c).

(c) The employer's officer who is responsible for risk management or human resources or his or her designee may create and release a report that is based on the results of a physical examination administered pursuant to NRS 617.455 or 617.457 **or a cancer screening administered pursuant to NRS 617.453** to any person whom the employer's officer determines has a need to know the information in the report. The report must only contain the following information:

(1) The name of the employee who was the subject of the physical examination **or cancer screening**; and

(2) A statement that the employee, as applicable:

(I) Satisfies the physical qualifications required for his or her employment; or

(II) Does not satisfy the physical qualifications required for his or her employment.

Sec. 3. NRS 617.455 is hereby amended to read as follows:

617.455 1. Notwithstanding any other provision of this chapter, diseases of the lungs, resulting in either temporary or permanent disability or death, are occupational diseases and compensable as such under the provisions of this chapter if caused by exposure to heat, smoke, fumes, tear gas or any other noxious gases, arising out of and in the course of the employment of a person who, for 2 years or more, has been:

(a) Employed in this State in a full-time salaried occupation of fire fighting or the investigation of arson for the benefit or safety of the public;

(b) Acting as a volunteer firefighter in this State and is entitled to the benefits of chapters 616A to 616D, inclusive, of NRS pursuant to the provisions of NRS 616A.145; or

(c) Employed in a full-time salaried occupation as a police officer in this State.



2. Except as otherwise provided in subsection 3, each employee who is to be covered for diseases of the lungs pursuant to the provisions of this section shall submit to a physical examination ~~[, including a thorough test of the functioning of his or her lungs and the making of an X-ray film of the employee's lungs,]~~ upon employment, upon commencement of the coverage, once every 2 years until the employee is 40 years of age or older and thereafter on an annual basis during his or her employment. *If the employee is an employee in the Executive Department of the State Government, the physical examination must include a thorough test of the functioning of the lungs of the employee and the making of an X-ray film of the employee's lungs.*

3. Each volunteer firefighter who is to be covered for diseases of the lungs pursuant to the provisions of this section shall submit to:

(a) A physical examination upon employment and upon commencement of the coverage; and

(b) The making of an X-ray film of the volunteer firefighter's lungs once every 3 years after the physical examination that is required upon commencement of the coverage,

↳ until the volunteer firefighter reaches the age of 50 years. Each volunteer firefighter who is 50 years of age or older shall submit to a physical examination once every 2 years during his or her employment. ~~[As used in this subsection, "physical examination" includes the making of an X-ray film of the volunteer firefighter's lungs but excludes a thorough test of the functioning of his or her lungs.]~~

4. All physical examinations required pursuant to subsections 2 and 3 must be paid for by the employer.

5. A disease of the lungs is conclusively presumed to have arisen out of and in the course of the employment of a person who has been employed in a full-time continuous, uninterrupted and salaried occupation as a police officer, firefighter or arson investigator for 2 years or more before the date of disablement if the disease is diagnosed and causes the disablement:

(a) During the course of that employment;

(b) If the person ceases employment before completing 20 years of service as a police officer, firefighter or arson investigator, during the period after separation from employment which is equal to the number of years worked; or

(c) If the person ceases employment after completing 20 years or more of service as a police officer, firefighter or arson investigator, at any time during the person's life.



↪ Service credit which is purchased in a retirement system must not be calculated towards the years of service of a person for the purposes of this section.

6. Frequent or regular use of a tobacco product within 1 year, or a material departure from a physician's prescribed plan of care by a person within 3 months, immediately preceding the filing of a claim for compensation excludes a person who has separated from service from the benefit of the conclusive presumption provided in subsection 5.

7. Failure to correct predisposing conditions which lead to lung disease when so ordered in writing by the examining physician *or advanced practice registered nurse, as applicable*, after a physical examination required pursuant to subsection 2 or 3 excludes the employee from the benefits of this section if the correction is within the ability of the employee.

8. A person who is determined to be:

(a) Partially disabled from an occupational disease pursuant to the provisions of this section; and

(b) Incapable of performing, with or without remuneration, work as a firefighter, police officer or arson investigator,

↪ may elect to receive the benefits provided under NRS 616C.440 for a permanent total disability.

9. A person who files a claim for a disease of the lungs specified in this section after he or she retires from employment as a police officer, firefighter or arson investigator is not entitled to receive any compensation for that disease other than medical benefits.

10. The Administrator shall review a claim filed by a claimant pursuant to this section that has been in the appeals process for longer than 6 months to determine the circumstances causing the delay in processing the claim. As used in this subsection, "appeals process" means the period of time that:

(a) Begins on the date on which the claimant first files or submits a request for a hearing or an appeal of a determination regarding the claim; and

(b) Continues until the date on which the claim is adjudicated to a final decision.

11. Except as otherwise provided in this subsection, if an employer, insurer or third-party administrator denies a claim that was filed pursuant to this section and the claimant ultimately prevails, the Administrator may order the employer, insurer or third-party administrator, as applicable, to pay to the claimant a benefit penalty of not more than \$200 for each day from the date on which



an appeal is filed until the date on which the claim is adjudicated to a final decision. Such benefit penalty is payable in addition to any benefits to which the claimant is entitled under the claim and any fines and penalties imposed by the Administrator pursuant to NRS 616D.120. If a hearing before a hearing officer is requested pursuant to NRS 616C.315 and held pursuant to NRS 616C.330, the employer, insurer or third-party administrator, as applicable, shall pay to the claimant all medical costs which are associated with the occupational disease and are incurred from the date on which the hearing is requested until the date on which the claim is adjudicated to a final decision. If the employer, insurer or third-party administrator, as applicable, ultimately prevails, the employer, insurer or third-party administrator, as applicable, is entitled to recover the amount paid pursuant to this subsection in accordance with the provisions of NRS 616C.138.

Sec. 4. NRS 617.457 is hereby amended to read as follows:

617.457 1. Notwithstanding any other provision of this chapter, diseases of the heart of a person who, for 2 years or more, has been employed in a full-time continuous, uninterrupted and salaried occupation as a firefighter, arson investigator or police officer in this State before the date of disablement are conclusively presumed to have arisen out of and in the course of the employment if the disease is diagnosed and causes the disablement:

(a) During the course of that employment;

(b) If the person ceases employment before completing 20 years of service as a police officer, firefighter or arson investigator, during the period after separation from employment which is equal to the number of years worked; or

(c) If the person ceases employment after completing 20 years or more of service as a police officer, firefighter or arson investigator, at any time during the person's life.

↳ Service credit which is purchased in a retirement system must not be calculated towards the years of service of a person for the purposes of this section.

2. Frequent or regular use of a tobacco product within 1 year, or a material departure from a physician's prescribed plan of care by a person within 3 months, immediately preceding the filing of a claim for compensation excludes a person who has separated from service from the benefit of the conclusive presumption provided in subsection 1.

3. Notwithstanding any other provision of this chapter, diseases of the heart, resulting in either temporary or permanent disability or death, are occupational diseases and compensable as such under the



provisions of this chapter if caused by extreme overexertion in times of stress or danger and a causal relationship can be shown by competent evidence that the disability or death arose out of and was caused by the performance of duties as a volunteer firefighter by a person entitled to the benefits of chapters 616A to 616D, inclusive, of NRS pursuant to the provisions of NRS 616A.145 and who, for 5 years or more, has served continuously as a volunteer firefighter in this State by continuously maintaining an active status on the roster of a volunteer fire department.

4. Except as otherwise provided in subsection 5, each employee who is to be covered for diseases of the heart pursuant to the provisions of this section shall submit to a physical examination ~~[, including an examination of the heart,]~~ upon employment, upon commencement of coverage and thereafter on an annual basis during his or her employment. *If the employee is an employee in the Executive Department of the State Government, the physical examination must include an examination of the heart.*

5. During the period in which a volunteer firefighter is continuously on active status on the roster of a volunteer fire department, a physical examination for the volunteer firefighter is required:

- (a) Upon employment;
- (b) Upon commencement of coverage; and
- (c) Once every 3 years after the physical examination that is required pursuant to paragraph (b),

↳ until the firefighter reaches the age of 50 years. Each volunteer firefighter who is 50 years of age or older shall submit to a physical examination once every 2 years during his or her employment.

6. The employer of the volunteer firefighter is responsible for scheduling the physical examination. The employer shall mail to the volunteer firefighter a written notice of the date, time and place of the physical examination at least 10 days before the date of the physical examination and shall obtain, at the time of mailing, a certificate of mailing issued by the United States Postal Service.

7. Failure to submit to a physical examination that is scheduled by his or her employer pursuant to subsection 6 excludes the volunteer firefighter from the benefits of this section.

8. The chief of a volunteer fire department may require an applicant to pay for any physical examination required pursuant to this section if the applicant:

- (a) Applies to the department for the first time as a volunteer firefighter; and



(b) Is 50 years of age or older on the date of his or her application.

9. The volunteer fire department shall reimburse an applicant for the cost of a physical examination required pursuant to this section if the applicant:

(a) Paid for the physical examination in accordance with subsection 8;

(b) Is declared physically fit to perform the duties required of a firefighter; and

(c) Becomes a volunteer with the volunteer fire department.

10. Except as otherwise provided in subsection 8, all physical examinations required pursuant to subsections 4 and 5 must be paid for by the employer.

11. Failure to correct predisposing conditions which lead to heart disease when so ordered in writing by the examining physician *or advanced practice registered nurse, as applicable*, subsequent to a physical examination required pursuant to subsection 4 or 5 excludes the employee from the benefits of this section if the correction is within the ability of the employee.

12. A person who is determined to be:

(a) Partially disabled from an occupational disease pursuant to the provisions of this section; and

(b) Incapable of performing, with or without remuneration, work as a firefighter, arson investigator or police officer,

↳ may elect to receive the benefits provided under NRS 616C.440 for a permanent total disability.

13. Claims filed under this section may be reopened at any time during the life of the claimant for further examination and treatment of the claimant upon certification by a physician of a change of circumstances related to the occupational disease which would warrant an increase or rearrangement of compensation.

14. A person who files a claim for a disease of the heart specified in this section after he or she retires from employment as a firefighter, arson investigator or police officer is not entitled to receive any compensation for that disease other than medical benefits.

15. The Administrator shall review a claim filed by a claimant pursuant to this section that has been in the appeals process for longer than 6 months to determine the circumstances causing the delay in processing the claim. As used in this subsection, "appeals process" means the period of time that:



(a) Begins on the date on which the claimant first files or submits a request for a hearing or an appeal of a determination regarding the claim; and

(b) Continues until the date on which the claim is adjudicated to a final decision.

16. Except as otherwise provided in this subsection, if an employer, insurer or third-party administrator denies a claim that was filed pursuant to this section and the claimant ultimately prevails, the Administrator may order the employer, insurer or third-party administrator, as applicable, to pay to the claimant a benefit penalty of not more than \$200 for each day from the date on which an appeal is filed until the date on which the claim is adjudicated to a final decision. Such benefit penalty is payable in addition to any benefits to which the claimant is entitled under the claim and any fines and penalties imposed by the Administrator pursuant to NRS 616D.120. If a hearing before a hearing officer is requested pursuant to NRS 616C.315 and held pursuant to NRS 616C.330, the employer, insurer or third-party administrator, as applicable, shall pay to the claimant all medical costs which are associated with the occupational disease and are incurred from the date on which the hearing is requested until the date on which the claim is adjudicated to a final decision. If the employer, insurer or third-party administrator, as applicable, ultimately prevails, the employer, insurer or third-party administrator, as applicable, is entitled to recover the amount paid pursuant to this subsection in accordance with the provisions of NRS 616C.138.

Sec. 5. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 6. This act becomes effective on July 1, 2026.

