

NOTICE OF PUBLIC WORKSHOPS TO SOLICIT COMMENTS ON PROPOSED REGULATIONS

(THIS IS NOT A NOTICE OF INTENT TO ACT ON A REGULATION)

The Division of Industrial Relations, Department of Business and Industry, State of Nevada, (“Division”), will conduct a public workshop to review the Milliman Report on Workers’ Compensation Provider Reimbursement Recommendations- All Service Types in anticipation of amending the Nevada Medical Fee Schedule, adopted pursuant to NRS 616C.260.

A public workshop will be conducted by videoconference on Wednesday, January 28, 2015, at 10:00 a.m. at the following locations:

Nevada OSHA
1301 N. Green Valley Pkwy.
First Floor, Training Room
Henderson, Nevada

Nevada OSHA
4600 Kietzke Lane
Bldg. E, #144/Training Room
Reno, Nevada

Pursuant to NRS 233B.608 and 233B.609, the Division is providing the following statements pertaining to the workshop on proposed amendments to the Nevada Medical Fee Schedule.

The need and purpose of the proposed revisions to regulations: *The Division of Industrial Relations, Workers’ Compensation Section, is conducting the Workshop to present the Milliman Report on Workers’ Compensation Provider Reimbursement Recommendations- All Service Types, which reviews the Nevada Medical Fee Schedule, adopted pursuant to NRS 616C.260, and recommends adjustments to the methodology for calculating and the amounts of reasonable fees and charges for accident benefits.*

The terms and substance of the proposed regulations: *The Division may adopt amendments to the Nevada Medical Fee Schedule based on the recommendations set forth in this Milliman Report.*

The estimated economic effect of the proposed regulations on (a) regulated businesses and (b) the public, including, stated separately: (i) adverse and beneficial effects; and (ii) immediate and long-term effects:

(a) Regulated businesses:

(i) Adverse and beneficial effects:

The Division anticipates minimal adverse effects, either direct or indirect, on regulated businesses as the result of the amendment of the Nevada Medical Fee Schedule. The adverse effects, if any, are difficult to determine at this time. There will be no direct cost to regulated or small businesses. Indirectly, it is possible that insurers may have increased medical expenses on claims, which may result in increased insurance premium cost to employers, both small and large.

The Division anticipates beneficial effects, both direct and indirect, on regulated and small businesses. Adjustments to the Nevada Medical Fee Schedule will assure that employers and their injured employees will have sufficient

participants in the healthcare provider panels to provide appropriate and necessary care to Nevada's injured employees.

(ii) Immediate and long-term effects:

The Division anticipates minimal immediate effects, either adverse or beneficial, on regulated and small businesses as a result of the amendment of the Nevada Medical Fee Schedule. The adverse effects, if any, are difficult to determine at this time. There will be no direct cost to regulated or small businesses. Indirectly, it is possible that insurers may have increased medical expenses on claims, which may result in increased insurance premium cost to employers, both small and large.

The Division anticipates beneficial effects, both direct and indirect, on regulated businesses. Adjustments to the Nevada Medical Fee Schedule will assure that employers and their injured employees will have sufficient participants in the healthcare provider panels to provide care to Nevada's injured employees.

(b) The public:

(i) Adverse and beneficial effects:

The Division anticipates minimal adverse effects, either direct or indirect, on the public as a result of the adoption of this amendment to the Nevada Medical Fee Schedule. The adverse effects, if any, are difficult to determine at this time. There will be no direct cost to the public as any increased costs will be to insurers. Indirectly, it is possible that insurers may have increased medical expenses on claims, which may result in increased insurance premium cost to employers, both small and large.

The Division anticipates minimal beneficial effects, both direct and indirect, on the public. However, the adoption of this addition to the Nevada Medical Fee Schedule may result in a direct benefit to the public as injured employees will have greater access to appropriate healthcare providers.

(ii) Immediate and long-term effects:

The Division anticipates minimal immediate effects, either adverse or beneficial, on the public as a result of the adoption of this amendment to the Nevada Medical Fee Schedule. The adverse effects, if any, are difficult to determine at this time. There will be no direct cost to the public as any increased costs will be to insurers, self-insured employers, and employee leasing companies. Indirectly, it is possible that insurers may have increased medical expenses on claims, which may result in increased insurance premium cost to employers, both small and large.

The Division anticipates beneficial long-term effects on the public as the result of the adoption of this amendment to the Nevada Medical Fee Schedule. Adjustments to the Nevada Medical Fee Schedule will assure that employers and their injured employees will have sufficient participants in the healthcare provider panels to provide appropriate and necessary care to Nevada's injured employees.

The estimated cost to the Division for enforcement of the proposed regulations: *The Division does not anticipate incurring any additional cost for enforcing any proposed amendments to the Nevada*

Medical Fee Schedule.

The Division believes that the proposed regulation does not overlap or duplicate any existing regulation. *The proposed regulation is not required by federal law and there is no equivalent federal law.*

The proposed regulation does not establish a new fee or increase an existing fee. *The proposed regulation does not provide for a new fee or increase an existing fee payable to the Division.*

A copy of the Milliman Report may be obtained at the Workshop or downloaded from the Nevada Workers' Compensation Section website: <http://dirweb.state.nv.us/WCS/wcs.htm>. Before the Public Workshop, persons may submit written comments to Donald C. Smith, Esq., Senior Division Counsel, Division of Industrial Relations, 1301 North Green Valley Parkway, Suite 200, Henderson, Nevada 89074.

After submitted comments have been reviewed and considered, the Division will give notice of intent to act on the regulations and conduct one or more public hearings to solicit written and/or oral comments, data, and views on the proposed regulations.

Persons with disabilities who require special accommodations or assistance at the Workshop must notify Kevin Jackson, at the Division of Industrial Relations, Workers' Compensation Section, 1301 North Green Valley Parkway, Suite 200, Henderson, Nevada 89074, or by calling (702) 486-9186 by 5:00 p.m., Friday, January 23, 2015.

This Notice of Workshops to Solicit Comments on Proposed Regulations has been posted at the following locations: the Division's offices at 400 West King, Suite 210, Carson City, NV 89703; 1301 North Green Valley Parkway, Suite 200, Henderson, NV 89074; 4600 Kietzke Lane, Suite F-153, Reno, NV 89502; the Grant Sawyer Building, 555 E. Washington Avenue, Las Vegas, Nevada 89101; the Bradley Building, 2501 East Sahara Avenue, Las Vegas, Nevada 89104; and the Nevada State Library and Archives, 100 Stewart Street, Carson City, Nevada 89701. In addition, this notice has been posted on the Division's Web site: <http://dirweb.state.nv.us/WCS/wcs.htm>.

**STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INDUSTRIAL RELATIONS**

**SMALL BUSINESS IMPACT STATEMENT
AS REQUIRED BY NRS 233B.0608 AND 233B.0609
LCB FILE NO. UNASSIGNED**

January 12, 2015

Note: Small Business is defined as “a business conducted for profit which employs fewer than 150 full-time or part-time employees.” (NRS 233B.0382).

1. Describe the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.

ANSWER: To determine whether the adoption of amendments to the Nevada Medical Fee Schedule are likely to have an impact on small businesses, the Division considered the purpose and scope of the potential amendments in comparison to the existing Nevada Medical Fee Schedule. Based on this review, the Division determined that these regulations may have some financial impact on insurers, self-insured employers, and employee leasing companies, but will have no direct effect on small businesses, either adverse or beneficial, but may have some minimal, indirect effect on small businesses due to increased insurance premiums as a result of potentially increased accident benefit expenses.

2. The manner in which the analysis was conducted.

ANSWER: As noted in Answer 1, above, there may be minimal financial effect on insurers, self-insured employers, and employee leasing companies. The Division determined that this regulation will have no effect on small businesses, either adverse or beneficial.

3. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

- (a) Both adverse and beneficial effects; and**
- (b) Both direct and indirect effects.**

ANSWER: The Division anticipates no adverse or beneficial effects, either direct or indirect, on small businesses as the result of the adoption of this regulation.

4. Describe the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.

ANSWER: Because there will be no impact on small businesses, there are no methods available to reduce the impact the Division could have considered.

5. The estimated cost to the agency for enforcement of the proposed regulation.

ANSWER: There is no additional cost to the agency for enforcement of this regulation.

6. If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

ANSWER: The proposed regulation does not provide for a new fee or increase an existing fee payable to the Division.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.

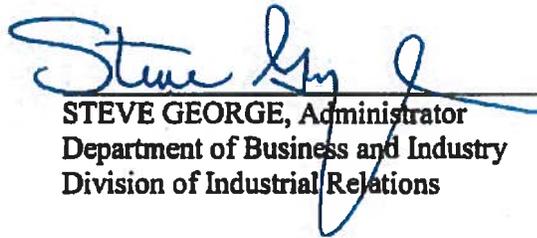
ANSWER: The proposed regulation does not include any provisions which duplicate or are more stringent than existing federal, state, or local standards.

8. The reasons for the conclusions of the agency regarding the impact of a regulation on small businesses.

ANSWER: The Division complied with NRS 233B.0608 by considering the purpose and scope of the proposed amendments in comparison to the existing Nevada Medical Fee Schedule, and by making a concerted effort to determine whether the proposed amendments impose a direct or significant economic burden upon small businesses, or directly restricts the formation, operation, or expansion of a small business. The Division determined that these regulations will have no effect on small businesses.

I, STEVE GEORGE, Administrator of the Division of Industrial Relations, certify that, to the best of my knowledge or belief, the information contained in the statement was prepared properly and is accurate.

DATED this 12 day of January, 2015.


STEVE GEORGE, Administrator
Department of Business and Industry
Division of Industrial Relations