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December 30, 2019

Ms. Betsy Gould  
Supervising Legal Secretary  
Nevada Division of Insurance  
1818 East College Parkway, Suite 103  
Carson City, Nevada 89706



Re: LCB File No. R050-19

Dear Ms. Gould,

A regulation adopted by the Commissioner of Insurance has been filed today with the Secretary of State pursuant to NRS 233B.067 or 233B.0675 as appropriate. As provided in NRS 233B.070, this regulation becomes effective upon filing, unless otherwise indicated.

Enclosed are two copies of the regulation bearing the stamp of the Secretary of State which indicates that it has been filed. One copy is for your records and the other is for delivery to the State Library and Archives Administrator pursuant to subsection 6 of NRS 233B.070.

Sincerely,

A handwritten signature in black ink that reads "Taylor P. Gardner".

Taylor P. Gardner  
Deputy Legislative Counsel

Bryan J. Fernley  
Senior Principal Deputy Legislative Counsel

Brenda J. Erdoes  
Legislative Counsel

TPG/slj  
Enclosure

SECRETARY OF STATE  
FILING DATA

FILED.NV.SOS  
2019 DEC 30 PM1:58



**Form For Filing  
Administrative Regulations**

**Agency**

**Dept. of Business and Industry**

**Division of Insurance**

**R050-19**

**FOR EMERGENCY  
REGULATIONS ONLY**

**Effective date** \_\_\_\_\_

**Expiration date** \_\_\_\_\_

\_\_\_\_\_  
**Governor's signature**

**Classification:**     PROPOSED     ADOPTED BY AGENCY     EMERGENCY

**Brief description of action**    Regulation concerning the Repeal of Medical Professional Liability Settlement Filings.

**Authority citation other than 233B**    §1, NRS 679B.130.

**Notice date**    9/4/2019

**Date of Adoption by Agency**    10/22/2019

**Hearing date**    10/15/2019

**APPROVED REGULATION OF THE  
COMMISSIONER OF INSURANCE**

**LCB File No. R050-19**

Filed December 30, 2019

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: §1, NRS 679B.130.

A REGULATION relating to insurance; eliminating the requirement for insurers offering professional liability insurance to certain licensed medical professionals to notify the Commissioner of Insurance of certain settlements and judgments that exceed the coverage limits provided by the insurance policy; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires the Commissioner of Insurance to examine insurers and certain other persons to ensure compliance with the provisions of the Nevada Insurance Code (Title 57 of NRS). (NRS 679B.230, 679B.240) Senate Bill No. 86 of the 2019 Legislative Session eliminated a requirement for the Commissioner to review a settlement or judgment that exceeds the limits of coverage provided by a policy of professional liability insurance for certain medical professionals and to suspend, limit or revoke the insurer’s certificate of authority if the Commissioner finds that the insurer violated the Nevada Insurance Code with regard to the settlement or judgment. (Section 77 of Senate Bill No. 86, chapter 295, Statutes of Nevada 2019, at page 1728) This regulation eliminates a requirement for an insurer offering professional liability insurance to certain licensed medical professionals to file notice with the Commissioner when a settlement is reached or a judgment is entered concerning the liability of the medical professionals for a breach of professional duty that exceeds the limits of coverage provided by the insurance policy.

**Section 1.** NAC 690B.515 is hereby repealed.

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**TEXT OF REPEALED SECTION**

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**690B.515 Filing of notice of certain settlements and judgments that exceed limits of coverage. (NRS 679B.130, 690B.340)**

1. In accordance with NRS 690B.340, an insurer offering professional liability insurance to a practitioner licensed pursuant to chapter 630, 631, 632 or 633 of NRS shall file a notice with the Commissioner if:

(a) A settlement is reached concerning the liability of the practitioner for a breach of professional duty that exceeds the limits of the coverage provided by the policy of insurance.

(b) A judgment is entered against the practitioner for a breach of professional duty that exceeds the limits of the coverage provided by the policy of insurance.

2. The notice must be filed, on a form prescribed by the Commissioner, with the Commissioner within 45 days after:

(a) The date upon which a settlement is reached that requires a notice to be filed with the Commissioner pursuant to subsection 1.

(b) The date upon which a judgment is entered that requires a notice to be filed with the Commissioner pursuant to subsection 1.

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS  
INFORMATIONAL STATEMENT AS REQUIRED BY NRS 233B.066**

LCB FILE NO. R050-19

The following statement is submitted by the State of Nevada, Department of Business and Industry, Division of Insurance (“Division”) for adopted amendments to Nevada Administrative Code (“NAC”) Chapter 690C.

1. A clear and concise explanation of the need for the adopted regulation.

*This regulation is necessary to amend the Nevada Administrative Code (“NAC”) to correspond to the changes made to the Nevada Revised Statutes (“NRS”) in Senate Bill 86 during the 2019 Legislative Session. The regulation repeals a reporting requirement in NAC to correspond with the repeal of the same requirement in NRS.*

2. A description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

(a) A description of how public comment was solicited:

*Public comment was solicited by e-mailing the proposed regulation, notice of workshop, notice of intent to act upon the regulation, and small business impact statement to persons on the Division’s mailing list requesting notification of proposed regulations. The documents were also made available on the website of the Division, <http://doi.nv.gov/>, mailed to the main library for each county in Nevada, and posted at the following locations:*

Department of Business and Industry  
Division of Insurance  
1818 East College Parkway, Suite 103  
Carson City, Nevada 89706

Department of Business and Industry  
Division of Insurance  
3300 West Sahara Avenue, Suite 275  
Las Vegas, Nevada 89102

Legislative Building  
401 South Carson Street  
Carson City, Nevada 89701

Grant Sawyer Building  
555 East Washington Avenue  
Las Vegas, Nevada 89101

Blasdel Building  
209 East Musser Street  
Carson City, Nevada 89701

Capitol Building  
101 North Carson Street  
Carson City, Nevada 89701

Nevada Department of Employment,  
Training and Rehabilitation  
2800 E. Saint Louis Avenue  
Las Vegas, Nevada 89104

Public comment was also solicited at the workshop held on October 4, 2019, and at the hearing held on October 15, 2019. The public meetings took place at the offices of the Division, 1818 East College Parkway, Carson City, Nevada 89706, with simultaneous videoconferencing to the Las Vegas office of the Division, 3300 West Sahara Avenue, Las Vegas, Nevada 89102.

(b) A summary of the public response:  
*The Division received no written or oral comments.*

(c) An explanation of how other interested persons may obtain a copy of the summary:

*The summary in part 2(b) above reflects the testimony that transpired with regard to regulation R050-19. A copy of said summary may be obtained by contacting Erin Summers, at (775) 687-0700 or [esummers@doi.nv.gov](mailto:esummers@doi.nv.gov). This summary will also be made available by e-mail request to [insinfo@doi.nv.gov](mailto:insinfo@doi.nv.gov).*

3. The number of persons who:

- (a) Attended each hearing: 3
- (b) Testified at each hearing: 1
- (c) Submitted to the agency written statements: 0

4. A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented, for each person identified above in #3 (b) and (c), as provided to the agency:

Name	Entity/Organization Represented	Business Address	Telephone No./ Business Telephone No.	E-Mail Address
Erin Summers	Division of Insurance	1818 E College Pkwy Carson City NV 89706	(775) 687-0765	<a href="mailto:esummers@doi.nv.gov">esummers@doi.nv.gov</a>

5. A description of how comment was solicited from affected businesses, a summary of their responses, and an explanation of how other interested persons may obtain a copy of the summary.

*Comments were solicited from affected businesses in the same manner as they were solicited from the public. Please see the description, summary and explanation provided above in response to question #2.*

6. If after consideration of public comment the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation

without change.

*The regulation was adopted no amendments.*

7. (a) The estimated economic effect of the adopted regulation on the business which it is to regulate:

(1) Both adverse and beneficial effects: *Reduced reporting requirements could lead to a reduction in administrative costs.*

(2) Both immediate and long-term effects: *Same*

(b) The estimated economic effect of the adopted regulation on the public:

(1) Both adverse and beneficial effects: *Reduced reporting requirements could lead to lower insurance rates.*

(2) Both immediate and long-term effects: *Same*

8. The estimated cost to the agency for enforcement of the adopted regulation.

*None*

9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates, and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

*The proposed regulation does not overlap any regulations of any other government agency.*

10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of those provisions.

*The regulation does not contain provisions more stringent than a federal regulation.*

11. If the regulation establishes 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.

*The regulation does not establish a new fee or increase an existing fee.*