

STEVE SISOLAK
Governor

STATE OF NEVADA

TERRY REYNOLDS
Director



BARBARA D. RICHARDSON
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INSURANCE

1818 East College Pkwy., Suite 103
Carson City, Nevada 89706
(775) 687-0700 • Fax (775) 687-0787
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***** CORRECTED*** NOTICE OF WORKSHOP
TO SOLICIT COMMENTS ON PROPOSED REGULATIONS
LCB File No. R163-22
AND WORKSHOP AGENDA**

The Nevada Division of Insurance (“Division”) is hosting a workshop to propose the adoption, amendment, or repeal of regulations pertaining to Nevada Administrative Code (“NAC”) chapter(s) 687B.

Date: October 4th, 2022
Time: 1:30 p.m.
Location: This workshop will be held virtually via Webex, which allows participation by video or telephone.*

To join by Webex, click on the URL and enter the meeting number and password when prompted.

URL : <https://doinv.webex.com/doinv/j.php?MTID=mebd2cf7a67fc55c3a525f1cc033fddc9>

Meeting Number: 2630 274 0281

Password: XMgszhNv233

To join by telephone, call the toll-free number and enter the access code when prompted.

Phone-in Access: 1-844-621-3956 United States Toll Free

Access Code: 2630 274 0281

If you need help using Webex, visit <https://help.webex.com>.

Live public comment and written public comment will be taken as designated in the Workshop Agenda.

* There is no physical location designated for this workshop. Accordingly, any person planning to participate must participate by using the Webex link for video access or by calling the phone-in access for telephone access. Meeting materials are available on the Division’s website at: <https://doi.nv.gov/News-Notices/Regulations/>.

The purpose of the workshop is to solicit comments from interested persons on the general topic(s) that

may be addressed in the proposed regulation; and to assist in determining whether the proposed regulation is likely to impose a direct and significant burden upon a small business or directly restricts the formation, operation, or expansion of a small business.

WORKSHOP AGENDA

1. Open Workshop: R163-22.
2. Presentation of Proposed Regulation.

[LCB File No. R163-22. MEDICARE SUPPLEMENT PLANS.](#)

A REGULATION relating to insurance; clarifying the applicability of certain provisions governing the replacement of a Medicare supplemental policy; providing for the posting of certain information relating to Medicare supplemental policies on the Internet; prohibiting certain activity during the open enrollment period for Medicare supplemental policy; and providing other matters properly relating thereto. A copy of the proposed regulation prepared by the Legislative Counsel is available by clicking on the following link: <https://www.leg.state.nv.us/Register/2022Register/R163-22P.pdf>

3. Public Comment.

The meeting presenter will indicate when live public comment will be taken. Public comment may be limited to three minutes per speaker.

4. Close Workshop: R163-22.

Note: Any agenda item may be taken out of order; items may be combined for consideration by the public body; items may be pulled or removed from the agenda at any time; and discussion relating to an item may be delayed or continued at any time. The meeting presenter, within his/her discretion, may allow for public comment on individual agenda items.

A copy of all materials relating to the proposal may be obtained by visiting the Division's internet website at <https://doi.nv.gov/News-Notices/Regulations/> or by contacting the Division (regs@doi.nv.gov or 775-687-0700). Members of the public who would like additional information about a proposed regulation may contact the Division by email to regs@doi.nv.gov. Members of the public are encouraged to submit written comments for the record no later than September 28th, 2022. Written comments may be emailed to regs@doi.nv.gov or mailed to 1818 E. College Parkway, Suite 103, Carson City, NV 89706.

We are pleased to make reasonable accommodations for attendees with disabilities. Please notify the Division of your request for reasonable accommodation in writing no later than five (5) working days before the workshop via email to regs@doi.nv.gov.

Notice of the workshop has been provided as follows:

By email to all persons on the Division's e-mail list for noticing of administrative regulations.
By email for posting by the Nevada State Library, Archives and Public Records Administrator.
By email for posting by the Nevada Legislature.
Published to the Nevada Legislature website: <https://leg.state.nv.us/>.
Published to the Division of Insurance website: <https://doi.nv.gov/>.
Published to the State of Nevada Public Notice website: <https://notice.nv.gov/>.

DATED this 12th day of September 2022.

BARBARA D. RICHARDSON
Commissioner of Insurance

By:



DAVID CASSETTY
Deputy Commissioner
With Delegation of Authority

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TO: David Cassetty
Deputy Commissioner

FROM: Barbara D. Richardson
Commissioner of Insurance

DATE: August 30, 2022

SUBJECT: Delegation of Authority in the Commissioner's Absence

I hereby issue a Delegation of Authority for you to act on my behalf when I am absent from the State September 6, 2022, through September 15, 2022. You are empowered to exercise all authority necessary to handle matters coming before the Division of Insurance, unless otherwise delegated.

BARBARA D. RICHARDSON
Commissioner of Insurance

NRS 679B.110 Delegation of powers.

1. The Commissioner may delegate to his or her deputy, examiner or an employee of the Division the exercise or discharge in the Commissioner's name of any power, duty or function, whether ministerial, discretionary or of whatever character, vested in or imposed upon the Commissioner.

2. The official act of any such person acting in the Commissioner's name and by his or her authority shall be deemed an official act of the Commissioner.

(Added to NRS by 1971, 1563; A [1991, 1615](#); [1993, 1898](#))

**STATE OF NEVADA
DEPARTMENT OF BUSINESS & INDUSTRY
DIVISION OF INSURANCE**

**Determination of Necessity of Small Business Impact Statement
NRS 233B.0608(1)**

Medicare Supplement Regulation

EFFECTIVE DATE OF REGULATION:
Upon filing with the Nevada Secretary of State

1. BACKGROUND.

This regulation is needed to provide guidance about NRS 687B.352 (2021 Legis. Session, Assembly Bill 250), which became effective on January 1, 2022.

2. DESCRIPTION OF CONCERTED EFFORT TO DETERMINE IMPACT OF PROPOSED REGULATION. NRS 233B.0608(1).

The Division reviewed the Nevada statutes and regulations for Medicare supplemental plans, relevant federal laws, and a general survey sent to small businesses related to AB250.

3. DOES THE PROPOSED REGULATION IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN UPON A SMALL BUSINESS OR DIRECTLY RESTRICT THE FORMATION, OPERATION OR EXPANSION OF A SMALL BUSINESS? NRS 233B.0608(1).

NO YES

4. METHODS USED TO DETERMINE IMPACT AND REASONS FOR CONCLUSION. NRS 233B.0608(3).

The Division evaluated the legislative history and language of NRS 687B.352, the Division reviewed the federal laws regarding the certification of Medicare supplemental health insurance policies (42 U.S.C. § 1395ss), and the Division considered results of a survey sent to producer associations and chambers of commerce through Survey Monkey to measure the overall impact of AB 250 on small businesses.

The intent of the statute was to establish an open enrollment period to give Nevada residents more options for Medicare supplemental plans, but this open enrollment had to align with federal law for Medicare supplement plans. So long as policyholders are not re-enrolled in the same plan with the same carrier with a different rate charged, Medicare supplement plans qualify as “replacement” plans regulated by the Division. The survey was not directly related to the proposed regulation but did assess small business concerns with AB250 in general. The portion of the survey that was deemed applicable to the proposed regulation was whether small businesses believed whether there would be an impact on their business, to which 94.4% responded there would be either no impact or a positive impact.

I, BARBARA D. RICHARDSON, Commissioner of Insurance for the State of Nevada, hereby certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses and that the information contained in this statement is accurate. (NRS 233B.0608(3))

6/30/22
(DATE)


BARBARA D. RICHARDSON
Commissioner of Insurance

Small Business Impact Statement
NRS 233B.0608(2)-(4) and 233B.0609

Medicare Supplement Regulation

1. SUMMARY OF COMMENTS RECEIVED FROM SMALL BUSINESSES. NRS 233B.0609(1)(a).

Not applicable.

2. HOW WAS THE ANALYSIS CONDUCTED? NRS 233B.0609(1)(b).

Not applicable.

3. ESTIMATED ECONOMIC EFFECT ON SMALL BUSINESSES THE REGULATION IS TO REGULATE. NRS 233B.0609(1)(c).

Not applicable.

4. METHODS CONSIDERED TO REDUCE IMPACT ON SMALL BUSINESSES. NRS 233B.0609(1)(d).

Not applicable.

5. ESTIMATED COST OF ENFORCEMENT. NRS 233B.0609(1)(e).

Not applicable

6. FEE CHANGES. NRS 233B.0609(1)(f).

Not applicable.

7. DUPLICATIVE PROVISIONS. NRS 233B.0609(1)(g).

Not applicable.

8. REASONS FOR CONCLUSIONS. NRS 233B.0609(1)(h).

Not applicable.

I, BARBARA D. RICHARDSON, Commissioner of Insurance for the State of Nevada, hereby certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses and that this statement was prepared properly, and the information contained herein is accurate. (NRS 233B.0609(2))

6/30/22
(DATE)



BARBARA D. RICHARDSON
Commissioner of Insurance