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Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY

DIVISION OF INSURANCE

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**NOTICE OF WORKSHOP
TO SOLICIT COMMENTS ON PROPOSED REGULATIONS
LCB File No. R102-22
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) 690C.

Date: November 3, 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=m646f1911df26094ccef6f4591a5e1144>

Meeting Number: 2631 059 4125
Password: EpdabW7BM33

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: 2631 059 4125

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: R102-22.
2. Presentation of Proposed Regulation.

[LCB File No. R102-22 SERVICE CONTRACT PROVIDER ELECTRONIC REPORTING](#)

A REGULATION relating to service contracts; revising the manner in which a provider of certain service contracts is to provide a status report to the Commissioner of Insurance; 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/R102-22P.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: R102-22.

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 **October 31, 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 13th day of October 2022.



BARBARA D. RICHARDSON
Commissioner of Insurance

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

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

This proposed regulation amends NAC 690C.110 which outlines standards applicable to notification of emergency repair delays by home Service Contract Providers (“SCPs”).

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

1. **BACKGROUND.**

NAC 690C.110 requires service contract providers (“SCPs”) who issue contracts to repair products that are essential to the health and safety of the holder, such as heating and air conditioning, to report to the holder and to the Commissioner within 3 calendar days from the date the claim was reported if the repairs cannot be completed. Currently, these reports are required to be submitted to the Commissioner by electronic mail. The reports are manually processed by the Division of Insurance (“Division”) in order for the Division to properly track, access, search, and review reports for market analysis, trend spotting, and trade practice evaluation.

The proposed regulation amends NAC 690C.110 to allow the Commissioner to specify an electronic format by which SCPs must notify the Commissioner when emergency repairs cannot be completed within 3 calendar days. The intent is to provide SCPs with a uniform system to report to the Division, and this will eliminate manual staff processing and allow for more efficient electronic review of the reports. The language also allows the Commissioner flexibility to maintain the uniformity of filings when systems become obsolete and are replaced by other platforms.

2. **DESCRIPTION OF SOLICITATION SHOWING A CONCERTED EFFORT. NRS 233B.0608(1).**

A solicitation of this regulation was not made with small businesses in Nevada, as none of the proposed changes in this regulation impact small businesses. The changes proposed in this regulation would only impact service contract providers and would pose a very small change from existing practices.

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. HOW WAS THAT CONCLUSION REACHED? NRS 233B.0608(3).

The Division does not regulate businesses in general, and the proposed regulation does not impose any new substantive requirements on a business. The proposed regulation applies to service contracts providers that provide specific coverage, and it merely provides an option to revise the method for SCPs to file emergency reports from electronic mail to more efficient or evolving industry reporting methods.

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 herein is accurate. (NRS 233B.0608(3))

6/17/2022
(DATE)


BARBARA D. RICHARDSON
Commissioner of Insurance

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

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

Comments were not solicited from affected small businesses because small businesses are not subject to regulations for service contract providers. Therefore, no response to this proposed regulation from small businesses is available.

Other interested parties may receive a copy of this summary by contacting the Division at (775) 687-0700, or by emailing the Division at the regulation email address regs@doi.nv.gov.

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

This regulation was reviewed and discussed by the Product Compliance Section of the Division. The Section concluded that because the regulation is intended to facilitate reporting of emergency claims submitted to service contract providers to the Division, there would be no impact to small businesses.

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

(a) BOTH ADVERSE AND BENEFICIAL EFFECTS.

- (1) Adverse: *NA*
- (2) Beneficial: *NA*

(b) BOTH DIRECT AND INDIRECT EFFECTS.

- (1) Direct: *NA*
- (2) Indirect: *NA*

The proposed regulation will have no economic impact on small businesses in Nevada.

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

Not applicable, as there is no negative impact expected.

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

None.

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

No fees are being added or changed that affect small businesses.

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


The proposed regulation does not duplicate any existing federal, state or local standards. Therefore, it is not more stringent than any existing federal, state or local standards.

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

The proposed regulation provides clarification of dwelling emergency repair reporting by service contract providers. Small businesses are not subject to the Division's oversight unless they are engaged in the business of insurance. As this proposed regulation only applies to service contract providers regulated by the Division, small businesses would not be affected by this regulation.

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))

6/17/2022
(DATE)


BARBARA D. RICHARDSON
Commissioner of Insurance