



NEVADA WORKERS' COMPENSATION CHRONICLE

Department of Business & Industry
A Publication of the Workers' Compensation Section

Division of Industrial Relations Spring Edition
(March 2024 — May 2024)

This newsletter is not intended to provide legal advice to the reader. Legal opinions or interpretations of statutes and regulations referenced should be sought from legal professionals.

Jodi McCollins Named Chief Administrative Officer



We are happy to announce that Jodi McCollins was appointed Chief Administrative Officer of the Workers' Compensation Section (WCS), effective February 5, 2024. Jodi has worked in WCS since May 2009 and has been in a leadership role since 2017, most recently serving as the Chief of the Employer Compliance Unit leading a large, statewide team. Congratulations, Jodi!

2023 Requests for COLA Reimbursement

The deadline for submitting Requests for Reimbursement for costs associated with COLAs paid in calendar year 2023 for eligible claims is March 31, 2024. Requests for reimbursement will only be processed for claims whose AMW/Rate have been verified by WCS. See the "[COLA Info – PTD and Survivors' Benefits \(Death\) Claims](#)" page on the WCS website for Forms and Instructions for AMW/Rate Verifications and Requests for Reimbursement. Submit requests for Reimbursement and related inquiries to COLAS@dir.nv.gov.

Insurers should expect to receive reimbursements for 2022 approved COLA payments in early March.

2024 Nevada Medical Fee Schedule

The [2024 Nevada Medical Fee Schedule](#) (NMFS) is posted to the Workers' Compensation Section (WCS) website. The 2024 NMFS is preceded by a memo explaining computation of the new reimbursement rates as adjusted per the Consumer Price Index Medical Care Component as required by NRS 616C.260(2). The revised NMFS is applicable for dates of service 2/1/24 through 1/31/25. No other significant changes were made to the NMFS.

Katherine Godwin, BSN, RN, Medical Unit Chief, WCS

Mileage Reimbursement Rate Effective January 1, 2024

Effective January 1, 2024, the standard mileage reimbursement rate for transportation costs incurred while using a private vehicle while traveling on official State business has increased from 65.5 cents per mile to 67.0 cents per mile. Per [NAC 616C.150](#), reimbursement for the cost of transportation for an injured employee, under appropriate conditions, must be computed at a rate equal to the mileage allowance for State employees. Please advise all adjusters as soon as possible to minimize any payment errors. Please see the [2024 Mileage Reimbursement Change Memorandum](#) announcing the rate change on the WCS website.

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Save the Dates!
**THE 12TH ANNUAL
NEVADA WORKERS' COMPENSATION
EDUCATIONAL CONFERENCE**

Tuscany Suites & Casino
255 E. Flamingo Rd Las Vegas, NV 89169
September 12-13, 2024

Uninsured Employers' Account Protects Nevada Workers

A key WCS mission is ensuring employers, per workers' compensation law, purchase and maintain proper workers' compensation coverage for their employer. Consequences for employers' non-compliance are hefty fines and penalties, along with possible prosecution by the Attorney General's Office. What happens to injured workers whose employer does not have required coverage? [NRS 616C.220](#) details how an injured employee may receive compensation from the Uninsured Employers' Claim Account (UECA). As with a regular claim there are various criteria to satisfy, however, the bottom line is the injured worker is entitled to the same compensation and benefit as the worker employed by a fully insured employer.

Potential uninsured claims come to WCS in a variety of ways, with the most common occurring when an injured worker seeks medical treatment and workers' compensation coverage is not located for the employer. The worker is treated, and the completed C-4 Form is sent to WCS for investigation. Once assigned to an Employer Compliance Unit (ECU) investigator, on-site visits and interviews are conducted with the alleged employer and the injured employee to determine if an employer-employee relationship exists. The injured employee is informed of their right to elect compensation benefits from the UECA or seek direct redress from the employer, which often takes place in the form of a civil lawsuit. Regardless of which option the injured worker chooses, if the employer is found to be uninsured, ECU will issue the applicable premium penalties and/or administrative fines against the employer. If the injured worker chooses to file a claim with against the UECA and an employee/employer relationship is confirmed, the claim will ultimately be processed by the State's UECA third-party administrator, which has 30 days to accept or deny the claim. In addition, the DIR Counsel and Department of Business and Industry Fiscal Unit pursue reimbursement collection action against the employer for all UECA expenses relating to the uninsured claim.

Eidris Randolph-Jordan, Compliance/Audit Investigator III, WCS

Regulations Update

In 2023, Nevada Governor Joe Lombardo issued Executive Orders 2023-003 and 2023-008, which required every executive branch department, agency, board, and commission to undertake a comprehensive review of the regulations subject to its enforcement and provide details on how the regulation can be streamlined, clarified, reduced, or otherwise improved to ensure those regulations provide for the general welfare of the State without unnecessarily inhibiting economic growth, and to begin the process of repealing, streamlining, clarifying, reducing, or otherwise improving regulations. In compliance with these Orders, the Division of Industrial Relations, Workers' Compensation Section (DIR/WCS) undertook such review and proposed R028-23. After conducting a workshop and hearing and undergoing multiple revisions, R028-23 was approved by the Legislative Commission during its February 26, 2024 meeting. The regulation was filed by Legislative Counsel with the Secretary of State and was effective February 27, 2024.

Additionally, WCS will be holding public workshops and hearings on proposed regulations relating to [SB 274](#) in the near future. Dates and times for workshops and hearings will be posted on the Division of Industrial Relations (DIR) Meetings webpage. Watch for emails notifying interested parties of these meetings.

ATTENTION:

WORKERS' COMPENSATION SECTION IS ON THE MOVE!

Our Las Vegas office will be moving to:
2300 W. Sahara Ave Suite 300
Las Vegas, NV 89102

MORE INFORMATION COMING SOON!



COVID-19 Workers' Comp Claims

In response to COVID-19, new codes were added in March 2020 to the acceptable codes for reporting D-38 Claims Indexing data to allow WCS to better track claims relating to the virus. These codes - Nature of Injury: 83 COVID-19 and Cause of Injury: 83 – Pandemic – may be used for reporting applicable claims December 2019 or later. The codes correspond to those adopted by the Workers' Compensation Insurance Organizations (WCIO) and are used by the International Association of Industrial Accidents Boards and Commissions (IAIABC).

Nevada claims processed in CARDS that include one or both COVID-19 identifiers, through January 31, 2024:

COVID-19/Pandemic Claims	Count	Percent
Filed/Processed in CARDS	2443	
Accepted	944	38.64%
Denied	1499	61.36%

Nevada claims processed in CARDS that include the Nature of Injury Code 38 Adverse Reaction to Vaccination identifier through January 31, 2024:

Adverse Reaction to Vaccination/ Inoculation Claims	Count	Percent
Filed/Processed in CARDS	29	
Accepted	13	44.83%
Denied	16	55.17%

Top 5 Nature of Injury and Cause of Injury Workers' Comp Claims

Nevada Claims Processed in CARDS between November 1, 2023 and January 31, 2024:

TOP 5 ACCEPTED NATURE OF INJURY	Percent of Total Reported
1. Strain or Tear	24.18%
2. Laceration	13.00%
3. Contusion	11.89%
4. Sprain or Tear	10.48%
5. Puncture	6.58%

TOP 5 ACCEPTED CAUSE OF INJURY	Percent of Total Reported
1. Fall, Slip or Trip, NOC*	7.40%
2. Lifting	6.71%
3. Object Being Lifted or Handled	5.57%
4. Falling or Flying Object	4.47%
5. Strain or Injury by NOC*	4.43%

* Not Otherwise Classified

CARDS CORNER

Several new features and updates were made to CARDS to implement SB274:

Effective January 2, 2024:

- Benefit Penalty information is viewable and searchable via the Workers' Compensation website link at [Benefit Penalties Search](#) and the CARDS external portal at <https://cards.nv.gov>. A benefit penalty is imposed for a violation of specific subsections of NRS 616D.120(1). See the helpful [Public Searches](#) document for details. More information is also available at <https://dir.nv.gov/WCS/cards/>.
- New D-38 form fields have been added to capture rating completion date, rating practitioner name and rating assignment method. The [FTP file format](#) has been updated. File submissions that do not fit the new file format will receive an error message. See the helpful [D-38 Claim Submission/Update Form Changes](#) document for details. More information is also available at <https://dir.nv.gov/WCS/cards/>.

Reporting Reminders

Insurers and TPAs are required to submit certain reports in the *Claims and Regulatory Data System (CARDS)* web portal and other reports outside of the portal, via email or to NCCI, our proof of coverage data collection vendor.

For a comprehensive list of reporting requirements for workers' compensation insurers, see the [Nevada Reporting Requirements Table](#).

RECENTLY DUE:

The **2023 Occupational Disease Claim Statement of Inactivity** was due 1/5/2024 *only for insurers with no reportable claims during calendar year 2023 pursuant to NRS 617.357*. The form can be found [here](#) and on our [Insurer-TPA Reporting](#) page on our website. Submit the form to wcsra@dir.nv.gov. Failure to file the required report may result in an administrative fine pursuant to NAC 616D.415(1)(d).

The **FY23 WCS Workers' Compensation Claims Activity Report/Statement of Inactivity** was due 1/12/2024. If you haven't submitted that report yet, it's not too late – visit our [Insurer-TPA Reporting](#) page on our website for the forms and instructions. Submit all reports to wcsra@dir.nv.gov. Failure to file the required reports may result in administrative fines pursuant to NAC 616D.415(1)(d).

COMING SOON:

The **2024 Annual TPA Information Form (CARDS Web Portal), FY23 Statewide Claims Handled Data and List of Accounts**: If you are a licensed TPA, watch for this annual data call coming later this spring.

GENERAL REMINDERS: KEEP CARDS CURRENT! CARDS Account Administrators are responsible for reviewing and maintaining appropriate users and permissions. Insurer and TPA Information Forms should be updated with current contacts and TPA relationships as soon as possible and not later than 30 days from the effective date of the change. Please feel free to contact the **Research & Analysis Unit** at wcsra@dir.nv.gov if you have any questions or concerns and visit the [Insurer-TPA Reporting](#) page and the [CARDS Information](#) page for more information. Direct Claims Indexing (D-38) questions to indexing@dir.nv.gov and general CARDS questions to CARDS@dir.nv.gov.

Ruth Ryan, Manager, Research and Analysis Unit, WCS

CALL FOR PRESENTERS!

12TH ANNUAL NEVADA WORKERS' COMPENSATION EDUCATIONAL CONFERENCE



Submit Proposals:

WCSedutng@dir.nv.gov

Due: April 5, 2024



- All content presented must be factual, and statistics should be cited and current.
- All copyright permissions must be in place before submission.
- Presentations must not include solicitations on behalf of an individual, vendor, product, or commercial activity.

Questions about Workers' Compensation?
Click here!

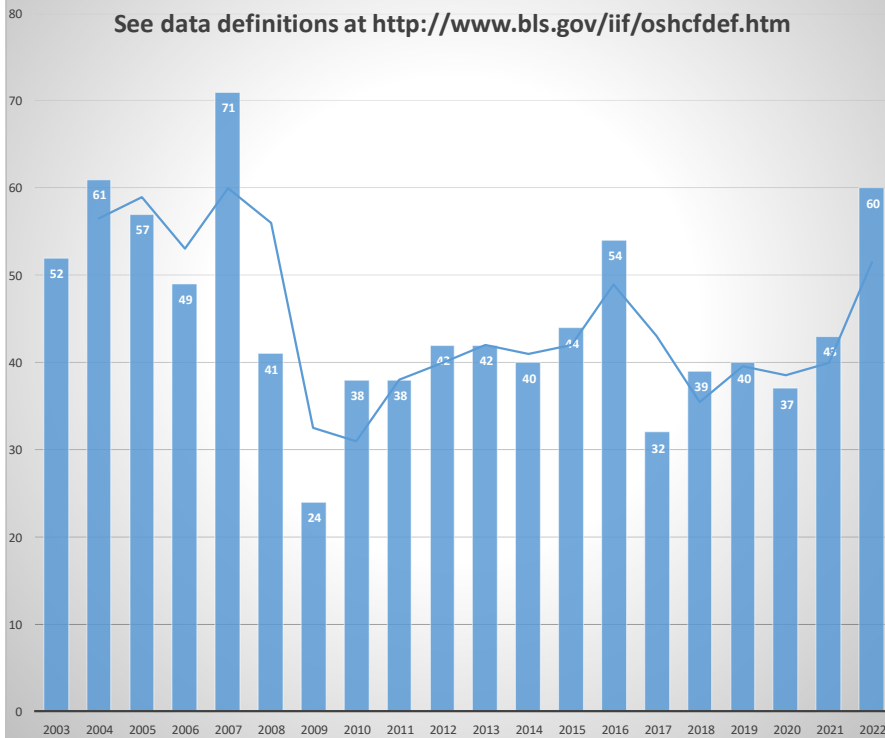


WCSHelp@dir.nv.gov

Fatal and Non-Fatal Occupational Injury Data

Fatal occupational injuries, all ownerships, Nevada, 2003-2022
SOURCE: U.S. Bureau of Labor Statistics, U.S. Department of Labor

See data definitions at <http://www.bls.gov/iif/oshcfdef.htm>



The Survey of Occupational Injuries and Illnesses (SOII) and the Census of Fatal Occupational Injuries (CFOI) are conducted by the Bureau of Labor Statistics (BLS) with participating states under a Federal/State cooperative program.

The data tables below show compiled statistics from 2003 - 2022, reflecting the numbers of fatal occupational injuries and nonfatal occupational injury and illness incidence rates by case type for all ownerships in Nevada.

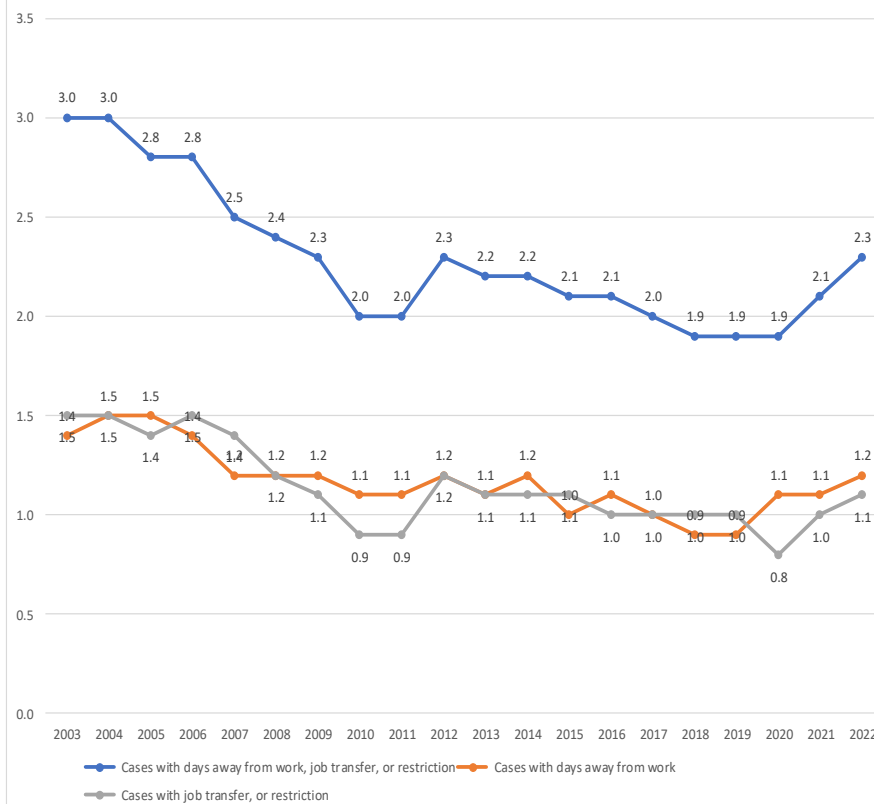
Additional results for the country and individual states can be found on the BLS National Site.

Julie White, Management Analyst II, OSHA

Employment Opportunity with WCS

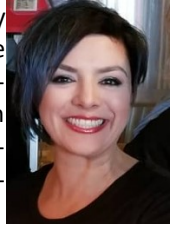
Compliance Specialist – RN: This position in the Carson City office oversees the Medical Unit in the northern region. The position monitors compliance of medical providers, insurance carriers, TPAs, medical billing vendors, and employers; as well as supervises a Compliance/Audit Investigator. This position investigates complaints and medical bill disputes, documents findings and writes determinations as needed. The position also reviews PPD reports for errors and assists the Medical Unit Chief in other duties as assigned. For more information contact Katherine Godwin at kgodwin@dir.nv.gov or click on the posi-

Nonfatal occupational injury and illness incidence rates by case type, Nevada, all ownerships, 2003-2022 SOURCE: U.S. Bureau of Labor Statistics, U.S. Department of Labor



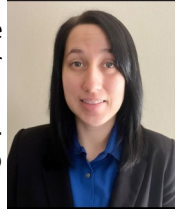


We are excited to welcome back our new Deputy Administrator, **Jodie Tonkin**, in her new role!. Jodie previously worked in the Workers' Compensation Section as a Management Analyst IV and as the Interim Chief Administrative Officer. Jodie has had a diverse career with the State over the last 20 years, working at The Housing Division, Department of Taxation, Department of Health and Human Services, and the DMV. She brings a wealth of experience in personnel management, team building and fostering collaborative environments with internal and external stakeholders. She is a great addition to our team and is here to support all DIR sections to help meet the goals in our strategic plan.



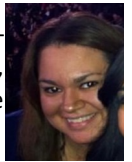
Welcome **Wesley Sisson** to the Workers' Compensation Section as the Compliance/ Audit Investigator II for the Employer Compliance Unit. Originally from North Chicago, Illinois, Wesley moved to Phoenix, Arizona in 2004 and moved to Las Vegas in November 2023. Wesley worked as a health inspector for the State of Arizona for 4 and a half years and played Semi-Pro Football for the Peoria Patriots (one championship!) He is a big football fan (Chicago Bears). Wesley's hobbies are gym, watching movies, cooking, washing his car, traveling, shopping, and enjoying the great outdoors.

Please join us in welcoming **Bianca Sapien** as the Compliance/Audit Investigator II in the Benefit Penalty Unit in the Las Vegas Workers' Compensation Section. Bianca retired from the Air Force in 2023 as Special Agent with the Air Force Office of Special Investigations. She has a Bachelor's Degree in Criminal Justice and a Master's Degree in Forensic Investigative Science. She is currently working on a Bachelor's Degree in Human Resources Management. The little time she does have off, is spent time with her spouse and their two cats, going to the gym, and concerts. Go Pittsburgh Steelers! Go Las Vegas Aces!



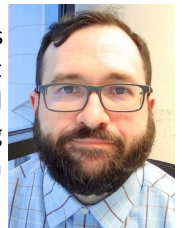
Let's welcome **Sunnie Dahl** in the Carson City Workers' Compensation Section as a Administrative Assistant III for Employer Compliance Unit! Sunnie relocated to Nevada during the pandemic and was previously in Tech where she specialized in launching the sales vertical for tech start-ups from the ground up. Most people are surprised to find out that she enjoys beta testing apps in her free time and giving engineering teams feedback prior to the launch of their product. When Sunnie is not working, she is most likely found at a sporting event for one of her children.

Welcome **Nicole Smith**, a Compliance Audit Investigator I for the Workers' Compensation Section in the Employer Compliance Unit in Carson City. Nicole is new to Nevada State Government. Her previous experience is in healthcare, marketing, business management, and finance. She enjoys hiking, mountain biking, skiing/ snowboarding, and anything else nature has to offer.



Let's congratulate **Stephen Samiotes** on his new role as the Audit Chief in the Workers' Compensation Section in Carson City! Though born in Massachusetts, his accent occasionally reveals his roots. Stephen grew up in California where he was a Deputy Sheriff for Alameda County. When he retired from the Sheriff's department in 2016, Stephen started a new career with Division of Welfare and Supportive Services in Las Vegas. In 2021, he was fortunate enough to be able to relocate to the Carson City area when he started working for DHCSP. Stephen and his wife have two kids. They love to go to Tahoe and sit on the beach, go on hikes to take in the beautiful scenery or enjoy amazing pizza. He and his wife are hoping to introduce their kids to camping soon to see more of the country, have some fun and just get back into something they used to love doing as a couple.

Please welcome **Michael Gjurch** to the Las Vegas Workers' Compensation Section office as the Business Process Analyst II! For over a decade, Michael has worked in the private sector as a business analyst and is now bringing that experience to the State as a Business Process Analyst II. After spending the past eleven years in Colorado, Michael has moved back to Las Vegas to be closer to family and goddaughter. When not working, he often enjoys watching classic episodes of Star Trek or Mystery Science Theater 3000. On Friday nights, it's all about getting together with friends and playing some Dungeons and Dragons.



Let's congratulate **Maria Gonzalez** on her promotion to the Fiscal/Business Professional Trainee III for the Management Analyst I position. She has been with the State of Nevada for 5 years with three of those years being in the Research & Analysis Unit (RAU) as an Administrative Assistant II. She left WCS briefly and worked in OSHA as an Administrative Assistant III shortly before returning to the RAU. Maria is originally from California and has lived in Nevada for 17 years, but makes frequent trips back home to visit family and friends. She enjoys traveling and has had the opportunity to travel within the country as well as overseas. In her "free" time, her daily life revolves around drop-offs and pick-ups of her two boys. She tells them her life revolves around their calendars.



Join us on congratulating **Karen Taylor** for her promotion as the Compliance/ Audit Investigator III in Carson City! She has worked for the State of Nevada for 17 years. Seven of those years have been with the Workers' Compensation Audit Unit as a Compliance Audit Investigator II. The most rewarding part of her job is the ability to help injured employees work through the difficult workers' compensation process. Karen is a native Nevadan and dog lover, who enjoys reading and spending time with her three children and granddaughter.



We want to thank **Valerie Hall** for her tremendous service to our agency all the workers of the State of Nevada as the former Chief Administrative Officer of WCS. Some key highlights of her time in DIR include building a great leadership team, fostering a collaborative environment for employees, working with each unit to improve processes, spearheading development of a major contract to upgrade CARDS, successfully implementing new legislation, and working to ensure we are meeting our statutory requirements. She met each challenge head on and was always ready to personally pitch in to ensure important tasks are completed. She built a great foundation for WCS moving forward. We will miss her positive, cheery attitude and fortitude and wish her the best in her new endeavors.

Julie Gaytan has been with the State of Nevada since 2014 and with the Workers' Compensation Section (WCS) since the fall of 2019. Julie worked in both the Medical Unit and the Employer Compliance Unit (ECU) and was a tremendous help to all. It's no doubt, her sense of humor and expertise will be missed. In the words of her teammate Roxanne Escamilla, "There aren't enough words or ways to show appreciation for all your hard work and all the support you have given our department and myself. You inspired everyone with your positivity. Thank you for being a great teammate. We will miss you and wish you continued success." Truer words have never been spoken...WCS and ECU wish Julie all the best and can only hope to have her back in some capacity in the future.

Check our website for
upcoming
WebEx training
opportunities!

To register for WebEx
trainings:
[https://dir.nv.gov/
WCS/Training/](https://dir.nv.gov/WCS/Training/)
-or-
Email:
WCSedutng@dir.nv.gov



Direct comments or
suggestions about this
newsletter to:

**Workers'
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**Ruth Ryan, Editor
Claudia Cortez,
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rryan@dir.nv.gov
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Workers' Compensation Email Addresses

WCSHelp@dir.nv.gov	General workers' compensation inquiries
CARDS@dir.nv.gov	CARDS Portal inquiries
indexing@dir.nv.gov	Claim Indexing (D-38) inquiries
COLAS@dir.nv.gov	Requests for reimbursement, verification, and COLA inquiries
WCSRA@dir.nv.gov	Insurer and TPA required reporting and related inquiries
WCSedutng@dir.nv.gov	Training and Education inquiries and information regarding our Annual Workers' Compensation Educational Conference
medunit@dir.nv.gov	Medical Unit inquiries, D-35 Form submission, C-4 Form submission (when requested), complaint submission, and billing appeals
medpanels@dir.nv.gov	Health Care Provider contact information and/or address changes, applications for WCS Treating Panel
PPDreports@dir.nv.gov	PPD Report submissions
WCSAudit@dir.nv.gov	General Audit inquiries
WCassessment@business.nv.gov	Workers' Compensation Safety Fund Assessment Reporting and inquiries