



# Workers' Compensation

## EMPLOYERS:

### WHAT SHOULD I EXPECT FROM MY INSURER?

As an employer doing business in Nevada, you are required (with few exceptions) to carry workers' compensation insurance for your employees. Although the coverage is not very expensive compared to the alternative of risking doing business without coverage, there are some things you ought to expect from your workers' compensation insurer. If you are not receiving these services, our advice would be to shop around for someone who will provide them for you.



**NOTE:** There are more than 330 companies currently allowed to cover workers' compensation in Nevada. In addition, employers can apply to the Division of Insurance (DOI) to become a self-insured employer or elect to join a self-insured employer association approved by DOI. A current list of self-insured employers and associations of self-insured employers is located on the DOI website at <http://doi.state.nv.us/>

At a minimum, your workers' compensation insurer should be providing the following products, services, and training required by workers' compensation statutes in Nevada:

- **Proof of coverage information.** For employers covered by private carriers, each place you do business should have available for on-site inspection, a certificate of insurance approved by DOI and a policy or declaration page that shows the coverage is in effect. The only exception is if the work site is temporary (less than 1 year), the information must be produced on-site within 24 hours of request.
- **Appropriate posters.** These must be posted in a conspicuous location accessible to employees at all locations where you do business. They must be of the size specified (see [NAC 616A.480](#)) and the Workers' Compensation Section (WCS) must approve modifications.
  - **D-1, Information Poster.** This poster describes the rights and benefits for injured employees and also includes information regarding the insurer and health care provider (in the case of a preferred provider or HMO) and contact information for them.
  - **D-22, Notice to employees: tip information.** For employees in a tip generating profession, this poster provides information regarding how to use those tips as part of wages for workers' compensation benefit computation.
  - **Appropriate forms.** The only two forms addressed here are the C-1 and C-3. The insurer should provide any other forms required to be submitted by the employer for workers' compensation.
  - **C-1, Notice of Injury or Occupational Disease (Incident Report).** The employer must maintain a supply of these forms adequate to have one available for an injured employee in the event of a work-related injury or disease. If an injured employee fills out a C-1, the employer must also complete the form and maintain a copy of the completed form for 3 years after the incident.
  - **C-3, Employer's Report of Occupation Injury or Disease.** This form is to be filled out in its entirety by the employer within 6 working days of receipt of a C-4 (Employee's claim for compensation/report of initial treatment).

Other services your insurer should be providing you and your employees, along with training on how the process works, are:

- Proof of coverage reporting to the DIR within 15 days of when you purchase insurance, when a change in your policy occurs, or if a lapse in coverage occurs.
- Maintaining a Statewide toll free number or a number that can be used for collect calls for use by you or your employees.
- Maintaining an in-State office operated by the insurer or third party administrator that has a person authorized to act for the insurer, that can receive claims information and provide other services to you and your employees.
- Provide copies of open claim files for review by you, your injured employee, or by DIR within 24 hours of request. For closed claims, have copies available within 14 days.
- Adequate services to you for preventing losses.
- Adequate information on prevention of injuries/diseases.

**NOTE: Loss control and safety** have traditionally been an important part of an insurer's service to policyholders. All insurers approved and actively providing coverage in the Nevada vary greatly on the emphasis placed on loss control and the skill in which they deliver assistance to their clients. It is not unusual for available loss control and safety services to reduce an employer's claims by 20% or more in a year, and to move them from a debit modification factor to a credit modification in three years.

You may wish to contact your existing agent and carrier to discuss how you may work together to reduce your work related injuries and costs. To aid in your evaluation of your insurance provider, you may want to refer to a Wisconsin Department of Workforce Development "Checklist for Insurance Carrier Loss Control Services" at:

[http://dwd.wisconsin.gov/wc/safety/Safety\\_works/checklist.pdf](http://dwd.wisconsin.gov/wc/safety/Safety_works/checklist.pdf)

This website contains an excellent list of services connected with these issues. If your carrier is unwilling or unable to assist you or if you are unsatisfied with the services they provide, the competitive environment of Nevada workers' compensation insurance offers a wide range of choices.