



DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INDUSTRIAL RELATIONS
DIVISION COUNSEL

NOTICE OF INTENT TO ACT ON PROPOSED REGULATIONS

**Notice of Hearing for the Adoption of Regulations
of the Division of Industrial Relations,
Department of Business and Industry**

LCB File No. R127-17

The Division of Industrial Relations, Department of Business and Industry, State of Nevada (the "Division"), will conduct a public hearing to amend NAC 616C.502, to comply with NRS 616C.495, as amended by Section 9 of Assembly Bill 458, Chapter 216, Statutes of Nevada 2017, at page 1167. This regulation deletes the actuarial annuity table for the calculation of lump-sum permanent partial disability ("LS PPD") payments in accordance with the requirements of NRS 616C.495(5), as amended, and repeals NAC 616C.498 which has become unnecessary based on the amendment of NRS 616C.495(1).

The public hearing on these proposed regulations will be conducted by videoconference on Wednesday, October 24, 2018 at 9:00 a.m. at the following locations:

Nevada Business Center
Division of Industrial Relations
Employee Training Room
3360 W. Sahara Avenue, 1st Floor
Las Vegas, Nevada

Division of Industrial Relations
Safety Consultation & Training Section
Training Room
4600 Kietzke Lane, Suite E-144
Reno, Nevada

Pursuant to NRS 233B.608 and 233B.609, the Division is providing the following statements pertaining to the workshop on proposed changes to NAC 616C.502 and repeal of NAC 616C.498.

The need and purpose of the proposed revisions to regulations: *The Division of Industrial Relations, Workers' Compensation Section's proposed amendment to NAC 616C.502 is necessary to comply with NRS 616C.495, as amended by Section 9 of Assembly Bill 458, Chapter 216, Statutes of Nevada 2017, at page 1167. This regulation deletes the actuarial annuity table for the calculation of lump sum permanent partial disability ("LS PPD") payments in accordance with the requirements of NRS 616C.495, as amended. NAC 616C.498 is being repealed as this regulation has been supplanted by the amendment to NRS 616C.495(1) in Section 9 of Assembly Bill 458, Chapter 216, Statutes of Nevada 2017, at page 1167.*

The estimated economic effect of the proposed regulations on (a) regulated businesses and (b) the public, including, stated separately: (i) adverse and beneficial effects; and (ii) immediate and long-term effects:

(a) Regulated businesses:

(i) Adverse and beneficial effects:

The Division anticipates no adverse effects, either direct or indirect, on regulated businesses as the result of the amendment to NAC 616C.502. There will be no direct or indirect cost to regulated or small businesses.

The Division believes that there will be no beneficial effects, either direct or indirect, on regulated businesses as the result of the amendment to NAC 616C.502.

(ii) Immediate and long-term effects:

The Division does not anticipate any immediate effects, either adverse or beneficial, on regulated and small businesses as a result of the amendment of NAC 616C.502. There will be no direct or indirect costs to regulated or small businesses.

The Division does not anticipate any long term effects, either adverse or beneficial, on regulated and small businesses as a result of the amendment of NAC 616C.4502. There will be no direct or indirect costs to regulated or small businesses.

(b) The public:

(i) Adverse and beneficial effects:

The Division anticipates no adverse effects, either direct or indirect, on the public as the result of the amendment to NAC 616C.502. There will be no direct or indirect cost to the public.

The Division believes that there will be no beneficial effects, either direct or indirect, on the public as the result of the amendment to NAC 616C.502.

(ii) Immediate and long-term effects:

The Division does not anticipate any immediate effects, either adverse or beneficial, on the public as a result of the amendment of NAC 616C.502. There will be no direct or indirect costs to the public.

The Division does not anticipate any long term effects, either adverse or beneficial, on the public as a result of the amendment of NAC 616C.502.

The estimated cost to the Division for enforcement of the proposed regulations: *The Division does not anticipate incurring any additional cost for enforcing any proposed amendment to NAC 616C.502 or repealing NAC 616C.498.*

The Division believes that the proposed regulation does not overlap or duplicate any existing regulation. *The proposed regulation is not required by federal law and there is no equivalent federal law.*

The proposed regulation does not establish a new fee or increase an existing fee. *The proposed regulation does not provide for a new fee or increase an existing fee payable to the Division.*

The Division invites representatives of regulated businesses and the public to attend the public hearing and/or prepare written and/or oral comments concerning the proposed regulations. Interested persons may submit written comments to Donald C. Smith, Esq., Senior Division Counsel,

Division of Industrial Relations, 3360 W. Sahara Avenue, Suite 250, Las Vegas, Nevada 89102. Written submissions must be received by the Division by October 19, 2018. If no person who is directly affected by the proposed regulation appears to make oral comments, the Division will proceed immediately to act upon any written submissions.

Persons with disabilities who require special accommodations or assistance at the public hearing must notify Cynthia Hernandez, at the Division of Industrial Relations, Workers' Compensation Section, 3360 W. Sahara Ave., Suite 250, Las Vegas, Nevada 89102, in writing or by calling (702) 486-9112 at least three (3) working days prior to the scheduled hearing date.

A copy of this notice and the proposed regulations are available at the Division's web page (<http://www.dir.nv.gov/WCS/home/>), the Division's offices (400 West King, Suite 201, Carson City, Nevada; 3360 W. Sahara Ave., Suite 250, Las Vegas, Nevada; 4600 Kietzke Lane, Suite F-153, Reno, Nevada) and at the main branch of the public library of each county. Additional copies of the notice and proposed regulations will be available at the main public library, for inspection and copying by members of the public during business hours, in all counties in which an office of the Division is not maintained. This notice and the text of the proposed regulations are also in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulations will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Notice required by NRS 233B.064: Upon adoption of any regulation, the agency (the Division), if requested to do so by an interested person, either before adoption or thirty days thereafter, shall issue a concise statement or the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice has been posted at the Division's offices; Nevada Business Center, 3360 W. Sahara Avenue, #250, Las Vegas, Nevada; Director's Office, Department of Business and Industry, 3300 W. Sahara Ave., Suite 425, Las Vegas, Nevada; and the Nevada State Library, Archives and Public Records, 100 Stewart Street, Carson City, Nevada. In addition, this notice has been posted on the Division's Web site at: <http://dir.nv.gov/WCS/home/>.