



Workers' Compensation

NAIW – REOPENING YOUR CLAIM

CLAIM REOPENING

(The following information is an excerpt from the Nevada Attorney for Injured Workers website - <http://naiw.nv.gov/index.html>)

This issue comes up after a claim has been closed. If a work injury or industrial disease condition changes or worsens, the worker may request that the workers' compensation insurer reopen the claim for further medical treatment and benefits.

[\(NRS 616C.390\)](#)

If your job-related medical condition changed after your claim was closed and you need treatment, or vocational rehabilitation, you must:

1. Provide your doctor's written statement of your need,
2. Ask your claims representative in writing to reopen your claim. Make sure your doctor's letter gets to the adjustor. Keep copies of any documents you provide to the adjustor.

The Doctor's Letter:

Your Doctor must write a letter which states:

1. Your condition has changed or worsened since claim closure.
2. You need treatment.
3. A description of the treatment.
4. That there is a direct relationship between your worsened condition at the time you ask for reopening and your original injury.
5. Your work injury is the primary cause for your need to reopen your claim.
6. Any specified time period you are not to work at your job (the one you were injured doing or the one you were retrained to do).

[\(NRS 616C.390\)](#)

Effect of Retirement:

If you retired or voluntarily left the workforce for reasons unrelated to your injury before you file for reopening, you are entitled only to medical benefits; not lost wages.

[\(NRS 616C.390\(6\)\)](#)

One Year Wait:

When your claim is closed, or your reopening request is successfully denied, you cannot make another request to reopen until one (1) year has passed, absent unusual circumstances.

[\(NRS 616C.390\(1\)\)](#)

Request Within One Year:

If you originally had no lost time and no Permanent Partial Disability, you must request reopening within 1 year of the date your claim was closed.

[\(NRS 616C.390\(5\)\)](#)

If your claim was closed because your medical treatment cost less than \$300 in the first 12 months, you probably cannot reopen.

[\(NRS 616C.235\)](#)

Reopening for PPD:

You may be able to reopen for Permanent Partial Disability if you were entitled to it and your case was closed without the insurer granting you PPD benefits.

[\(NRS 616C.392\)](#)