



NEVADA WORKERS' COMPENSATION CHRONICLE

Department of Business & Industry ([B&I](#))
A Publication of the Workers' Compensation Section ([WCS](#))

Division of Industrial Relations ([DIR](#))
Summer Edition (June - August 2016)

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.

2016 Education Conference Now Open for Registration

The New Workers' Compensation Section Website

Last August, the Fifth Annual Nevada Workers' Compensation Educational Conference saw record attendance at the Tuscany Suites Hotel and Casino in Las Vegas. The conference, sponsored by the [International Workers' Compensation Foundation](#), is back for a sixth time, Aug. 18 – 19, again at the Tuscany.

The one and one-half day conference is tentatively scheduled to feature a wide range of topics from the interplay of workers' compensation and the healthcare industry in social media, understanding addiction, to workers' compensation and the aging workforce. In addition, former Nevada State Senator Randolph Townsend is scheduled to provide a historical perspective on Nevada workers' compensation.

One change attendees will notice this year is that all conference materials will be posted online; plus, pre-loaded flash drives will be provided instead of thick, heavy binders.

Individual registration is \$325 on or before July 1, 2016 and \$375 after July 1, 2016. The fee for exhibitors is \$800 and includes two (2) complimentary registrations for exhibitor representatives. Sponsorship opportunities are also available.

To register or for more information visit the IWCF website at www.iwcf.us/iwcfevents.html.



After many starts-stops and rumored launches, the new WCS website has finally arrived. This website uses a more compact and space-efficient layout that makes links easier to find and ensures that information is usually no more than two clicks away.

Here's a quick site overview: the current 'picture window' or main slide

(Continued on page 3)



6th Annual Nevada Workers' Compensation Educational Conference

**AUGUST 18-19, 2016
REGISTER NOW!**

Tuscany Suites & Casino
Las Vegas

www.iwcf.us/iwcfevents.html

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STRAIGHT TALK:

Observations and Advice from DIR Regulators

Making Insurer and TPA Reporting Great Again

Let's face it: There's just no way to make workers' compensation data reporting sexy. We can, however, try to make it as painless as possible. The WCS Research & Analysis Unit offers some **Dos and Don'ts** on how to submit required reports to WCS timely and accurately.

DO:

Visit our website. The new and improved *Insurer and TPA Reporting* page can be found at http://dir.nv.gov/WCS/Insurer-TPA_Reporting/. You'll find blank forms, due dates, instructions, reporting education PowerPoint presentations, and compiled reports. You can also sign up to receive data call email notifications from WCS.

Submit the required reports to the right office. WCS and the Division of Insurance (DOI) jointly regulate workers' compensation insurers and TPAs but have separate reporting requirements, forms and deadlines. Additionally, insurers are required to report to the Department of Business & Industry for the purposes of assessment calculation and collection. Be mindful of where and when to file all required reports.

Submit these reports to the Research & Analyst Unit located in the Henderson WCS office:

- FY WCS Claims Activity Report/Statement of Inactivity
- Insurer Information Form
- Permanent Total Disability Claims
- Occupational Disease Claim (OD-8)/Statement of Inactivity
- TPA Information Form
- Special Data Calls

Note: Submit Index of Claims (D-38) Forms to the Carson City WCS office.



Report electronically. Attach completed forms to an email and send to wcsra@business.nv.gov.

Correctly identify the insurer by name and number. All WCS insurer reporting requires the proper identification: Insurer Name and Nevada Certificate of Authority (C of A) number. The C of A is issued to every insurer by the DOI. Insurers are defined by statute as private carriers, self-insured employers and associations of self-insured employers. Reports not identified properly cannot be deemed received.

Submit one report for each insurer. Except for the *TPA Information Form*, all reporting is done on an insurer basis, meaning one report for every insurer. We cannot accept a report that includes more than one insurer, such as a private carrier group; and we cannot accept more than one report for a single insurer, such as reports from multiple TPAs each reporting for their portion of the same insurer. Insurers using multiple TPAs must combine the data from each TPA into one report before submitting.

Contact the Research & Analysis Unit. While it may not be widely known, WCS has the authority to issue fines for failure to report, late or incorrect reporting. Contact us with questions before the due date. We'd rather you ask for clarification or assistance than have to issue a fine. We can be reached at wcsra@business.nv.gov or (702) 486-9080.

DON'T:

Assume you're exempt from reporting because you are no longer self-insured. This is important. NAC 616B.493 gives the DIR and DOI jurisdiction over the claims incurred during an employer's self-insured period after the withdrawal of a C of A. Because Nevada has lifetime reopening rights for certain claims, a former self-insured employer may have claims activity and reportable data long after the period of self-insurance ends. Reporting is required even if all claims are closed.

Assume you're exempt from reporting because you have no policies or open claims. Every insurer – including current and former self-insured employers – are required to respond to WCS data calls. Every data call provides an easy way to reflect a negative report – either with a separate Statement of Inactivity Form or by answering “NO” to a single question and submitting the form. Our intent is not to burden insurers but to collect accurate information from our regulated community.

Leave fields blank. Answer all questions. If there is nothing to report for a particular field, enter 0. If you don't track that information, enter UNK. Be advised, though, that excessive use of UNK is a red flag.

Block our emails. Data calls are issued through Listserv. Make sure your email will accept mail from @listserv.state.nv.us and @business.nv.gov.

Be a stranger! Contact Research and Analysis at wcsra@business.nv.gov or (702) 486-9080 if you have questions or have trouble meeting a deadline. We might be able to grant an extension. ☺

Ruth Ryan, Research and Analysis Supervisor

(New Website continued from page 1)

window alternates with photos of attractive, happy workers with a “Save the Date” slide of the 2016 Workers’ Compensation Educational Conference, Aug. 18 -19, and the conference slide will double as a registration link. In the future, other information will be placed in the rotation with clickable links.

On the landing page’s right side a “What’s Hot” area is the place for high-demand items such as the newsletter, important changes (e.g. mileage rate, maximum compensation guidelines, etc.), forms, WCSHelp and more.

Found in the bottom third of the page are the carousel blocks. These photos, which will rotate when we add more, are a row of quick-access links for the Coverage Verification Service, injured workers page, the employer information page, links to NRS/NAC 616/617, insurer/TPA reporting instructions and forms and related agency links to wc-associated divisions and groups such as the Nevada Division of Insurance, the Nevada Attorney General’s Workers’ Compensation Fraud Unit and the National Council on Compensation Insurance, among others.

Further down the page is the “initiative block” content under the grey bars. Here are more frequently used links including both the Rating and Treating Panels of Physicians and Chiropractors, the 2016 Medical Fee Schedule, complaint forms, and a link to the Nevada Attorney for Injured Workers, to name a few.

Another striking difference site users will notice is that hovering over the “Workers’ Comp” option in the brown DIR section bar produces a popup selection including redundant routes accessing landing page links as well as dedicated information pages for employers, insur-

ers, injured workers and medical providers.

Speaking of specialized pages, the dozens of handouts, forms, documents, brochures and frequently asked questions may still have an outdated Web link here and there (dirweb.nv.us.wcs...), despite the WCS staff’s fervent efforts to fix each and every one of them. So site users are encouraged to let us know of any dead links they come across.

Send an email to aljohnson@business.nv.gov, or me mjbrooks@business.nv.gov, with the location of the old link (e.g. “Reporting Your Tips” on the Employers page) and the current URL (dir.nv.gov/WCS/Employers/). WCS website helpers will receive an honorable mention in the next newsletter. ☺



Holiday Office Closures:

Fourth of July
Monday, July 4, 2016

Training Sessions

SOUTHERN NEVADA

1301 North Green Valley Parkway
Suite 200, Henderson, Nevada 89074

✉ aljohnson@business.nv.gov

☎ (702) 486-9019

NORTHERN NEVADA

400 West King Street
Suite 400, Carson City, Nevada 89703

✉ kawilliams@business.nv.gov

☎ (775) 684-7265

C-4 Processing & Coverage Verification
6/1/2016 at 9:30 am

2016 Medical Billing
6/1/2016 at 1:30 pm

Workers’ Compensation Basic Orientation
7/28/2016 at 9:30 am



What Happened to Training?

First off, apologies again to all those who signed up for insurer-TPA training in April only to receive a last-minute cancellation notice a few days before the scheduled date. As regular visitors to our new website already know, we caveat our posted training schedule with a “tentative” label to allow us emergency flexibility. But, honestly, we do everything possible not to cancel classes, especially after we’ve already sent out the mass email with the registration details.



That said, these are not business-as-usual days in the Education Unit or WCS as a whole. The Division of Industrial Relations has signed a multi-million dollar contract with [CapTech Consulting](#) to build a state-of-the-art database and regulatory software system that will place Nevada’s WCS on par with other state workers’ compensation sections nationwide. Once the system is online, Nevada workers’ comp stakeholders should see improved response times to queries while an interactive function is planned for insurers and TPAs. However, building this system from scratch is very time and labor intensive for all parties involved.

Even so, currently, there are some trainings we have kept on the schedule (tentatively): C-4 Processing and Medical Billing trainings June 1 and October 5; a Basic Orientation on July 28, which provides continuing legal education credits; Employer training on Sept. 15, which will include employer certificates; and a Calculation of Benefits training on Nov. 10. As usual, a mass email will go out before each training containing helpful details for signing up.

Thank you for your understanding and keep an eye on your email inbox. ☺

Michael J. Brooks, manager, ER & A

Reporting Reminders

New Insurer TPA Reporting Web page!

All WCS Insurer and TPA reporting forms can be found on our new Web page. Visit us at:

dir.nv.gov/WCS/Insurer-TPA_Reporting/

Recent Data Call: The 2016 Special Data Call – All Permanent Total Disability Claims. This one-time data call was due **May 2, 2016**. All insurers – active and inactive – are required to respond to this data call. If you haven't responded, please do so immediately.

Upcoming Data Call: The 2016 PT Claims Report. Watch for the annual PT Claims Report form to be distributed via email in early July and due in early August.

OD-8 Form: All claims reportable under the amended statute ([NRS 617.357](#)) that are accepted, or denied, or updated on or after January 1, 2014 must be reported to WCS on the revised OD-8 Form.

The OD-8 Form was revised to reflect amendments made to the reporting requirements by the 2013 Nevada Legislature which limit the reporting requirement to only claims in which the claimant is a firefighter, police officer, arson investigator or emergency medical attendant and that are filed pursuant to [NRS 617.453](#), [617.455](#), [617.457](#), [617.481](#), [617.485](#) or [617.487](#).

Insurer Information Form: Insurers must notify WCS of any changes such as name, address, phone and fax numbers. Insurers must also notify us of all changes in TPAs. Changes should be communicated to us via the Insurer Information Form.

TPA Information Form: TPAs must notify WCS of any changes such as name, address, phone and fax numbers. Changes should be communicated to us via the TPA Information Form.

FY15 Claims Activity Report and/or Statement of Inactivity: Deadline was January 8, 2016. Insurers who haven't submitted their report should do so immediately.

Reporting Questions: Contact WCS Research and Analysis at (702) 486-9080 or WCSRA@business.nv.gov.

Direct comments or suggestions about this newsletter to:

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(702) 486-9019
mjbrooks@business.nv.gov
aljohnson@business.nv.gov



Hails and Farewells and Promotions

Gary Bell, WCS Carson City wishes Gary Bell the best after his retirement in



March, capping a 25-year State career. Gary's career included stints with Nevada's Welfare Division, the State Industrial Insurance System (SIIS) which later transitioned to Employers Insurance Company of Nevada (EICN) and the Industrial Insurance Regulation Section (IIRS). His final position was as the District Manager of the WCS Carson City office where he oversaw the Insurer/TPA Compliance Unit, Employer Compliance (Carson City and Reno) Unit and the Medical Unit. His outstanding service was lauded by a Governor's Proclamation which officially declared March 14, 2016, as a day honoring Gary.

Schelia Schinno, In April, WCS Henderson Research & Analysis Unit Manage-



ment Analyst, Schelia Shinno, accepted a promotional position with Nevada's Department of Health and Human Services Surveillance and Utilization Review (SUR) Unit. Schelia is the only employee in SUR's first southern Nevada office in Las Vegas. Her DIR/WCS friends and colleagues wish her success at her new agency. At WCS, Schelia is credited with streamlining internal reporting. She was also an uncredited "silent editor" for the *Chronicle* suggesting many improvements that made these pages more cogent and readable. Outside of work, most of her free time is spent playing golf with her husband and running her Italian Greyhound.

Nancy Wong, DIR Carson City Division Counsel, retired in March after 31 years



of state service. She was with DIR for almost 20 years. Nancy's legal career with the State also included work for the State Industrial Insurance system and the Appeals Office. She has five published workers' compensation decisions from the Nevada Supreme Court and the United States Ninth Circuit Court of Appeals. She also worked as a legal aid attorney for two years and has been recognized by the Volunteer Attorneys of Rural Nevada as its Pro Bono Attorney of the Year and Pro Bono Governmental Attorney of the Year. In her retirement, Nancy will continue to donate her time to Reno pro bono cases.

For the past 10 years, Nancy and her husband Jay have volunteered at a church food pantry, distributing free groceries biweekly. Five years ago Jay, their friend Jeff, and Nancy agreed to be the co-coordinators of the pantry. She also enjoys volunteering and has done construction work in Louisiana three times post-Katrina; Stumpy Point, North Carolina post-Irene; and various locations in Northern Nevada and California.

Post-retirement plans include traveling and visiting Oregon where their daughter, Alycia, is finishing her Master's Degree in Applied Physics (laser optics). She is grateful for the legal experiences she had with WCS and will miss all her friends at DIR!

Christopher Pangallo, retired from State service in April. He closed out his



career with the WCS Henderson Benefit Penalties Unit as an investigator, but his workers' comp regulatory career stretches back to the days of the State Industrial Insurance System (SIIS). Later he joined DIR in the late 90s and worked his way through the Medical Unit to the Audit Unit and finally the BP Unit. His WCS friends and colleagues wish him the best in his well-earned retirement years.

Debbie Atkinson



After Gary Bell's retirement in March, **Debbie Atkinson** earned a promotion to the WCS Carson City District Manager position. She has been on the WCS Carson City staff for almost 12 years and worked in both the Medical and Insurer/TPA Compliance Units. Most recently, she was the supervisor of the Insurer/TPA Compliance Unit. Debbie has a great deal of experience in workers' compensation and with Northern District operations. ☐