



NEVADA WORKERS' COMPENSATION CHRONICLE

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

Division of Industrial Relations Winter Edition
(December 2024 — February 2025)

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.

12th Annual Nevada Workers' Compensation Educational Conference

This year the 12th Annual Workers' Compensation Educational Conference took place on September 12th and 13th, 2024, at the Tuscany Suites and Casino, attracting 268 attendees and 22 exhibitors. The consistent participation of returning attendees highlights the significance of this event for the Nevada workers' compensation community. Organized by the Workers' Compensation Section (WCS) in partnership with the International Workers' Compensation Foundation (IWCF), a non-profit dedicated to research and education in this field, the conference is part of a series of events held nationwide each year.

This year's theme, "Embracing Change and Transformation," was introduced by keynote speaker Dr. L. Casey Chosewood, who provided insightful perspectives from his position at NIOSH's Office for Total Worker Health®. The conference featured a range of engaging breakout sessions on topics including CARDS 2.0: Updates to Nevada's Workers' Compensation Database, Suicide Prevention Efforts, Ethical Issues, Appeals Officers' Perspectives on Effective Advocacy, the Impact of Catastrophic Injuries on Workers' Compensation Claims and so much more!

We are eager to announce next year's conference is scheduled for September 11th and 12th, 2025, at the Palace Station Hotel and Casino, so be sure to save the date! We look forward to seeing everyone there!



January 2025 COLA Increase Reminder

Insurers and TPAs: Injured employees receiving Permanent Total Disability (PTD) benefits and dependents receiving Survivor's benefits are entitled to receive a 2.3% increase in their monthly benefit rate in January 2025 pursuant to [NRS 616C.473](#) and [NRS 616C.508](#).



2025 Audit Cycle Update

Audit year 2025 will be kicking off soon with the insurer selection and audit questionnaire being emailed around the beginning of November, notifying insurers of their upcoming audit. Beginning in January 2025, the audit unit will resume site visits for employers to provide education and to ensure compliance with Nevada statutes and regulations.

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Reporting Reminders

PROOF OF COVERAGE:

Per NRS 616B.461 and NAC 616B.100-148, **private carriers** writing Nevada workers' compensation policies must report proof of coverage data to [National Council on Compensation Insurance \(NCCI\)](#).

→ Starting 7/1/24, "Claims Administrator FEIN" is required to be reported on all policies with effective dates 9/1/24 or later.

→ Insurers are reminded that nonrenewal transactions are required to be reported for Nevada policies.

See [NCCI Circular - POC-NV-2024-01 - Proof of Coverage \(POC\)](#) for more information.

RECENTLY DUE:

→ The **FY24 WCS Workers' Compensation Claims Activity Report or Statement of Inactivity** pursuant to NRS 616B.009 and NAC 616B.016 was due 9/2/24. If you haven't submitted the report yet, please do so as soon as possible. Visit our [Insurer-TPA Reporting](#) page on our website for the forms and instructions. Submit all reports to wcsra@dir.nv.gov.

CURRENTLY DUE:

→ **The Insurer Information Form and TPA Information Form (CARDS Web Portal):** Insurers and TPAs are required to maintain contact information in CARDS and submit updated Information Forms as soon as possible but no later than within 30 days of changes.

COMING SOON:

→ Starting in 2025, WCS audits of insurers will include a review of the insurer's compliance with reporting requirements due during the audit period, including any annual Claims Activity reports, Occupational Disease Claim Reports, Insurer Information Forms and Statements of Inactivity, if applicable. Failure to submit required reports may result in administrative fines.

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

Please feel free to contact the Research & Analysis Unit at wcsra@dir.nv.gov if you have any questions or concerns and visit the [WCS website](#) or [Insurer-TPA Reporting](#) page for more information.

[Click Here to Sign up for Insurer / TPA Data Call Notifications](#)

You **DON'T** need to sign up:

If you are affiliated with an **Insurer** and listed on the *Insurer Information Form* in CARDS as the

- Corporate Contact
- Compliance Contact or
- State Statutory Reporting Contact

or If you are affiliated with a **TPA** and listed on the *TPA Information Form* in CARDS as the

- Primary Contact

STATE OF NEVADA

WILL BE OBSERVING THE FOLLOWING
HOLIDAYS

Christmas Day, Wednesday December 25
New Year's Day, Wednesday January 1
Martin Luther King, Jr.'s Birthday, Monday January 20
Presidents' Day, Monday February 17

COLA Update

The Department of Business and Industry Fiscal Unit issued invoices to all insurers for the annual COLA Assessment on May 28, 2024. Payments were due on June 30, 2024. Insurers failing or refusing to pay the invoice for the COLA Assessment, or any assessment, are subject to fines, penalties, collection fees and possible revocation of the insurer’s certificate of authority to transact insurance in Nevada.

Reimbursement payments to insurers for approved 2023 COLA expenses will be issued by DIR by December 31, 2024. WCS will email the CARDS Assessment Contact for each insurer that will receive a reimbursement payment notification of the amount of the payment that will be issued.

For more information regarding the COLA Reimbursement Process, please visit our information page on the WCS web site at

[COLA Info - PTD and Survivors Benefits Claims.](#)

Direct assessment inquiries to WCAssessment@business.nv.gov and COLA reimbursement inquiries to COLAS@dir.nv.gov.

Regulation Update

New regulations ([R076-23](#)) became effective on October 9, 2024, to implement SB274. To help interested stakeholders understand the regulation and legislation, [Frequently Asked Questions](#) have been developed.

Please find the links below to the unofficial compilations of Nevada Administrative Code (NAC) Chapters 616A, 616B, 616C and 616D. These unofficial compilations have been prepared by the Division of Industrial Relations and incorporate the additions, amendments, and repeal of regulations as of the approval of the Permanent Regulation LCB File No. R076-23 on October 9, 2024. These can also be found on the [WCS website](#) on the [Nevada Law](#) page.

- ♦ [NAC 616A Unofficial Compilation 10/24](#)
- ♦ [NAC 616B Unofficial Compilation 10/24](#)
- ♦ [NAC 616C Unofficial Compilation 10/24](#)
- ♦ [NAC 616D Unofficial Compilation 10/24](#)



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

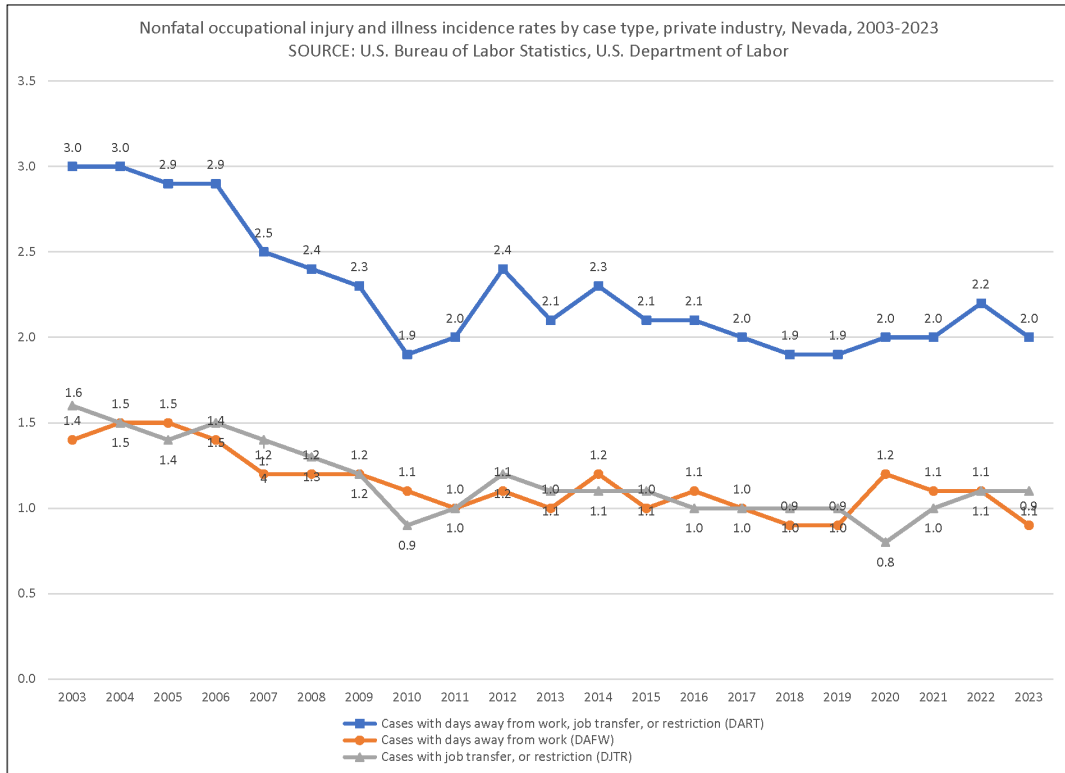
Nevada Claims Processed in CARDS between July 31, 2024 and October 31, 2024:

| TOP 5 ACCEPTED NATURE OF INJURY | Percent of Total Reported |
|---------------------------------|---------------------------|
| 1. Strain or Tear | 24.09% |
| 2. Contusion | 12.77% |
| 3. Laceration | 12.37% |
| 4. Sprain or Tear | 10.65% |
| 5. Puncture | 6.47% |

| TOP 5 ACCEPTED CAUSE OF INJURY | Percent of Total Reported |
|-----------------------------------|---------------------------|
| 1. Lifting | 7.53% |
| 2. Fall, Slip or Trip, NOC* | 6.97% |
| 3. Object Being Lifted or Handled | 5.96% |
| 4. Strain or Injury by NOC* | 4.98% |
| 5. Cut, Puncture, Scrape, NOC | 4.23% |

* Not Otherwise Classified.

Fatal and Non-Fatal Occupational Injury Data

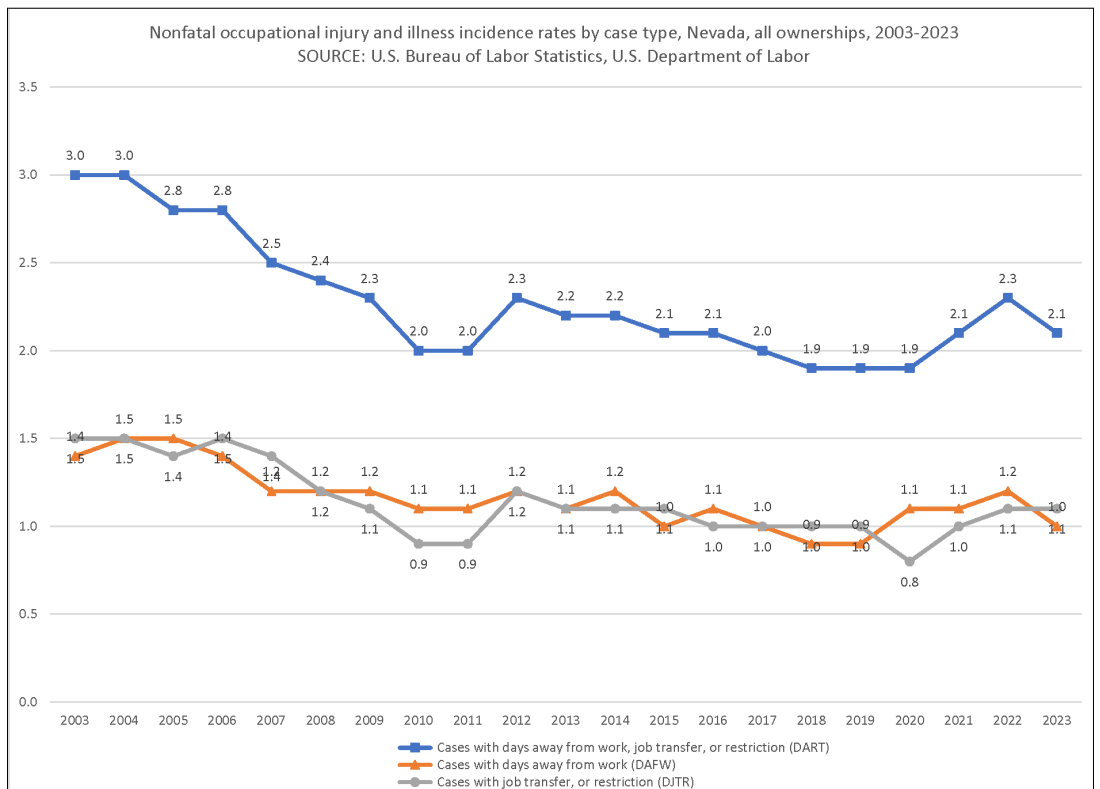


The Survey of Occupational Injuries and Illnesses (SOII) and the Census of Fatal Occupational Injuries (CFOI) are conducted by the Bureau of Labor Statistics (BLS) with participating states under a Federal/State cooperative program.

The charts shown compiled statistics from 2003 - 2023, reflecting the nonfatal occupational injury and illness incidence rates by case type by year for private industries and all ownerships in Nevada.



Additional results for the country and individual states can be found on the [BLS National Site](#).



Becoming a Member of the DIR WCS Treating Panel of Physicians and Chiropractic Physicians and/or Rating Panel of Physicians and Chiropractic Physicians

The DIR WCS Medical Unit would like to invite licensed Nevada Medical Doctors (MDs), Doctor of Osteopathic Medicine (DOs), and Doctor of Chiropractic Medicine (DCs) to consider applying for a position on the “Rating” and/or “Treating” Panel of Physicians and Chiropractic Physicians.

There are separate applications and requirements for each panel, both applications are available at: https://dir.nv.gov/WCS/Medical_Providers/.

Our Treating Panel Members are able to serve as treating providers for the injured employees (IE) of Nevada. Coordinating their plan of care and providing necessary treatment.

Our Rating Panel Members perform evaluations for Permanent Partial Disability ratings (PPDs). There are special course and certification requirements that must be completed prior to the application, these requirements are detailed on the WCS Medical Providers’ page link provided above.

We invite our current Treating and Rating Panel members to discuss these opportunities with your peers who may have an interest in occupational health and joining the Nevada WCS Medical community.

Please direct questions to MedPanels@dir.nv.gov.

Upcoming Training 2025

Following are the dates for 2025 first quarter trainings. Click on the class title to register.

- ♦ [WCS Basic Orientation](#) on Wednesday, January 8 at 11:00 a.m.
- ♦ [C-4 Process and Using the Coverage Verification Service](#) on Wednesday, January 15 at 11:00 a.m.
- ♦ [Delving into the D-35](#) on Wednesday, January 22 at 11:00 a.m.
- ♦ [Medical Billing](#) on Wednesday, January 29 at 11:00 a.m.



Apportionment of Pre-Existing Injury, Illness, or Impairment

According to Senate Bill 289, effective May 31, 2021, and codified as NRS 616C.099 apportionment, by statute, is only permitted in 3 and only 3 scenarios:

1. The insurer has provided the rating physician with medical documentation/records that pre-dated the date of the present industrial injury **AND** those documentation/records contain actual evidence of a ratable whole person impairment at the time of injury associated with the present claim, **OR**
2. The insurer has provided the rating physician/chiropractor with a PPD report that pre-dated the date of the present industrial injury for the same body part which was injured in the present claim **OR**
3. Physical evidence of a surgery that pre-dated the date of the present industrial injury to the same body part which was injured in the present claim.

Further, please note that the prior apportionment regulation in NAC 616C.490 was repealed by LCB File No. R032-21, effective August 22, 2023. Any rating physician/ chiropractor that relies on any portion of the prior apportionment regulation in NAC 616C.490 for the basis of any apportionment is doing so in violation of the statute NRS 616C.099.

CARDS CORNER

Greetings from everyone here at WCS! We have some new updates about our enhancement project to CARDS and some helpful reminders regarding user accounts and administration of the user accounts.

CARDS Account Administrator:

For our Account Administrators, we at WCS would like to remind you that as the administrator, it is your responsibility to maintain the users associated with your entity within CARDS. This is crucial for maintaining the security of CARDS as well as ensuring the confidentiality of claim information. If there are users that are no longer with your company, these users should be removed from the list of users for your entity. Listed below are some of the responsibilities for both WCS and CARDS Account Administrators:

WCS:

- ♦ Adds CARDS Account Administrator users via the CARDS Account Administrator Designation Form
- ♦ Grants or removes CARDS administrator permissions via the CARDS Account Administrator Designation Form
- ♦ We do NOT delete users

CARDS Account Administrator:

- ♦ Add users
- ♦ Grant or remove permissions for users
- ♦ Delete users

To review the list of current uses, please login to CARDS and click on the Forms and Tools menu, and then select User Access. This will take you to the Active Users table where you'll be able to update a user's permissions and add or remove a user. If you have any questions regarding user permissions or set up, please direct them to CARDS@dir.nv.gov.

CARDS: Phase Two

Earlier this year, we shared that we are currently in progress towards the design and development to CARDS to enhance the experience for our external users. In addition to some of the features that we were able to share last time, we have some additional features that we can share at this time:

- ♦ D-35 submission through CARDS webform.
- ♦ D-38 webform update for NAICS code addition.
- ♦ Process improvements for Insurer/TPA data calls.
- ♦ Improvements for audit process for document generation and webform.
- ♦ Addition of OD-8 information to claim webform.

As our staff continues to work on improving the overall experience within the CARDS application, we'll providing updates here in the CARDS Corner of the WCS newsletter.

In closing out, we'd also like to extend our thanks to all of our attendees to the 12th Annual Nevada Workers' Compensation Education Conference and providing additional insights into our sneak peek into the development of the CARDS feature enhancements. We look forward to continuing to work and communicate with you to continue the enhancement project for CARDS.



WCS Employer Compliance in the Community!



Compliance/Audit Investigators Diane Martinez and Vanessa Carrizales from the Las Vegas Employer Compliance Unit (ECU) attended the 2024 Committed to Our Business Community (CTOBC) Event on October 17, 2024, at the Las Vegas Convention Center. Participating in the event is part of the Unit's commitment to community outreach and education. The investigators had the pleasure of speaking with and educating 30+ new and existing business owners about workers' compensation coverage requirements, frequently asked questions, and was even offered a guest appearance on a podcast in connection with a local radio station. Thank you both for assisting in educating the community!

Group Sweeps = Education! Education! Education!

ECU Compliance/Audit Investigators performed group sweeps efforts throughout the year; January in the outlying area of Southern Nevada (Pahrump), May in Northern Nevada (Tahoe-Reno Industrial Center), October in the greater Las Vegas area and outlying areas of Northern Nevada (Elko and Ely). Conducting such efforts are beneficial to the safety of all Nevadans and provides information to small business who may not be aware of the workers' compensation requirements. During the collective group efforts, the unit was able to conduct site visits for employers while educating the employers on workers' compensation compliance while on site. Employers who were unable to provide proof of coverage during the visits were given a 24-hour deadline to do so. When employers were unable to obtain coverage, Stop Work Orders were issued. During the Sweep process, Compliance/Audit Investigators are prepared to educate employers with helpful, useful information on the requirements, how to obtain coverage, what to expect from the insurance carrier and facts versus myths about workers' compensation. Our efforts throughout the year have provided 1,752 opportunities to educate employers through sweep efforts from January to October 2024.

Call for Presenters!



The State of Nevada Division of Industrial Relations is looking for speaker submissions for our 13th Annual Workers' Compensation Educational Conference that is being held on **September 11-12, 2025**, at the Palace Station Hotel and Casino.

- ♦ Presenters should be engaging and knowledgeable of the proposed topic as it relates to the workers' compensation system. Anticipated attendance is 300 people, consisting of health care providers, employers, attorneys, insurance adjusters, and other industry professionals.
- ♦ Sessions are scheduled for 60-75 minutes, to include both presentation and question and answer period. Single presenters or panels of up to three presenters are permitted. Presentation rooms will include a laptop, projector, screen, and microphones.
- ♦ Presentation submissions should be sent to wcsedutng@dir.nv.gov and are due by **Friday, March 7, 2025**.

Submissions should include the name(s) of presenter(s) and a summary of the topic(s) to be discussed. Presenters may submit more than one presentation topic.

- ♦ 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.

PowerPoint Presentations are preferred and, if selected, **MUST** be submitted by **Friday, June 27, 2025**.

[CONTACT WCS](#)

Department of Business and Industry
Division of Industrial Relations

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(775) 684-7270 / Fax: (775) 687-3073

ATTENTION: WORKERS' COMPENSATION SECTION HAS MOVED!

Our Las Vegas office is located at:
2300 W. Sahara Ave Suite 300
Las Vegas, NV 89102





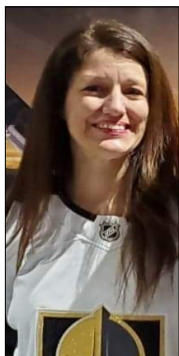
Let's welcome **Heather Wilson** to the Administration team of the Division of Industrial Relations (DIR) as the Administrative Assistant IV. She has lived most of her life in Jacksonville, Florida when her father retired from the Army, and moved to Las Vegas in 2009. Heather is a student at UNLV, studying Criminal Justice (senior year... sooo close). She has three children and two fur babies, her oldest son just graduated Nuke School in the US Navy and her younger two kiddos are larger than life who will tell you they don't need her, but totally do all the time. Then there is the Shiba Inu and Husky. In the event there is EVER free time, Heather loves watching movies, playing video games, and is a total foodie! Lastly, she has worked with the State of Nevada for seven years where she spent most of that time working in the psychiatry field.

We are excited to welcome **Cristina Grimm** as the new Administrative Assistant II for the Workers' Compensation Section with the Insurer Compliance Unit. Originally from Colombia, she holds a degree as in accounting and previously supported the accounting department for Dr. Barreto. She also used to work with a family lawyer for more than 10 years. Cristina decided to learn French to move to Canada but instead moved to Las Vegas in 2015. She recently graduated from school as a Laboratory Technician and got another degree in Medical Billing and Coding. Before joining the State of Nevada, she worked as a server at Palm Place. She then served as an AAI for the Division of Welfare. Cristina enjoys traveling, extreme sports, arts such as music, painting, writing, crafting, yoga, and exploring nature.



Please join us and welcome back **David Tackitt** to the Administration team of the Division of Industrial Relations as an IT Professional III! He grew up in a small suburb just west of Chicago. David began with the State of Nevada as an Application Developer for the Department of Motor Vehicles (DMV) in Carson City and then moved to Las Vegas. After the DMV, he moved over to Division of Industrial Relations (DIR) and for the next four years he created applications for the Workers' Compensation Section (WCS) and other DIR Sections. David left Nevada in 2022 for a short time and then returned to DIR in 2024. When he is not coding, he is cooking on the grill, playing an instrument, putting a puzzle together or watching frightening movies.

We are thrilled to welcome **Eunjo "EJ" Graham, RN** to the Workers Compensation Section (WCS) as the Medical Unit Chief! EJ has worked in public and private sectors including worker's compensation in Nevada and California. She earned her nursing degree at College of Southern Nevada in 2013 and Certified Case Manager certification in 2018. EJ's nursing background includes case management, managed care, utilization review, quality assurance, compliance, behavioral health, corrections, intellectual and developmental disabilities, and community nursing. She enjoys assisting her team and serving Nevadans by applying various knowledge and experience earned throughout her nursing career. EJ loves gardening and enjoys spending quality time with her husband, family and two dogs.



Congratulations to **Karol Mors** who has been promoted to Compliance Audit Investigator I for the Workers' Compensation Section (WCS) Medical Unit in Las Vegas. Karol has been a valuable member of the Medical Unit AA team for over a year, and we are excited for her professional growth as part of the audit/investigation team and continued success within the agency.



Let's also congratulate **Roz Jenkins** on her recent promotion to a Compliance/Audit Investigator I in the Workers' Compensation Section, Employer Compliance Unit (ECU). She moved from Chicago eight years ago and joined DIR in 2017 as an AA III in the Mechanical Compliance Section (MCS), then promoted to the Legal Section as the Legal Secretary II in 2022. Roz enjoys spending time with her family, binge watching, shopping for great deals, and finding good restaurants!



Congratulations to **Barbara Foster** on her recent retirement from WCS and state service! Barbara came to WCS in February 2021 as a Compliance/Audit Investigator III and shortly thereafter transitioned to the Subsequent Injury Coordinator. Barbara was promoted to Insurer Compliance Chief in 2022 where she managed the Benefit Penalty, Uninsured Claims and Subsequent Injury Fund investigative staff. Barb had a wealth of knowledge with nearly 30 years of workers' compensation experience in both the public and private sectors. She is looking forward to retirement and a new chapter in her life. She will be missed but we wish her the best!

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 |

Check our website for upcoming WebEx training opportunities!

To register for WebEx Trainings:
<https://dir.nv.gov/WCS/Training/>
 -or-
 Email:
WCSedutng@dir.nv.gov

Direct comments or suggestions about this newsletter to:

Workers' Compensation Section
Las Vegas Office

Kevin Cook, Editor
Claudia Cortez, Assistant Editor
k.cook@dir.nv.gov
c.cortez@dir.nv.gov



WCS MISSION STATEMENT

The purpose of the Workers' Compensation Section is to impartially serve the interests of Nevada employers and employees by providing assistance, information, and a fair and consistent regulatory structure focused on:

- ♦ Ensuring the timely and accurate delivery of workers' compensation benefits.
- ♦ Ensuring employer compliance with the mandatory coverage provisions.