

NEVADA WORKERS' COMPENSATION CHRONICLE

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

Division of Industrial Relations Fall Edition (September 2022 - November 2022)

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 profession als.

It's the End of an Era...

To say Chuck Verre has been the heartbeat of Workers' Compensation over the past 23 years would be an understatement. Since 1999, Chuck has held the title of Chief Administrative Officer over the Workers' Compensation Section, but in reality, he has been so much more than that. Chuck began his career with the State of Nevada in a very different capacity. In the



1970's, he was hired as a buildings and grounds worker through a federal program (Comprehensive Employment Training Act) that would train workers and provide them with jobs in public service. Chuck would spend his days cutting grass, performing building maintenance, and providing general manual labor in and around government buildings in Carson City.

After a couple years, he would take his first steps into the world of workers' compensation by accepting a position with the Nevada Industrial Commission; first as a claims adjuster and then moving into the role of hearing advocate. Eventually, the knowledge gained from these positions would lead him to taking on more responsibility, and ultimately, Las Vegas. In the late 1980's, Chuck was hired to be the manager for CDS of Nevada in Las Vegas, a third-party administrator. After 10 years running the Las Vegas office, he was appointed to Chief Administrative Officer of what would become today's Workers' Compensation Section.

When asked what he would tell "groundskeeper Chuck," he says, "I bet you never thought you'd end up in a job like this!" He credits the many good people that helped guide him and change the course of his life, ultimately leading him to an impactful career in workers' compensation.

Through the many years, the changes in leadership, the evolution of state laws and regulations, Chuck has seen the industry get stronger. He steps away now, knowing he is leaving behind a strong team that will carry on his legacy in workers' compensation. If you ask anyone who has had an opportunity to work alongside Chuck, they will all tell you some variant of, "He made workers' compensation better. He made us better." His big personality could fill a room, but his big heart was what truly made him special.

As for what the future holds, he plans to take it day by day. He admits it will be hard to break the habit of driving to the office each day, but he will enjoy to extra time to focus on home projects, and maybe even take a midday nap.

From all of us in the Workers' Compensation Section, "Chuck, thank you for ALL you have done for us and the people of Nevada!"

...and Time for New Beginnings!

Valerie Hall has been selected as the new Workers' Compensation Chief Administrative Officer, effective September 6, 2022.



Valerie previously worked in the Workers' Compensation Section Medical Unit as a Compliance Specialist RN and was well known for her positive attitude, professionalism, analytical skills, team building skills, and administrative acumen. Valerie also has a diverse educational background. In addition to being a Registered Nurse, Valerie has an MBA in Healthcare Management and a BS in Business Administration/Accounting. When she is not at work, Valerie enjoys reading, hiking, and playing golf.

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FY23 Maximum Compensation Guidelines

The state's maximum average monthly wage memo for fiscal year 2023, (FY23) effective July 1, 2022, has been posted on the WCS web site. The FY23 maximum monthly disability compensation is \$4,873.20, an increase from last year's figure.

The FY23 Maximum Compensation Guidelines memo is located on the "Important Changes" page which is accessed via the link under "What's Hot!" on the WCS home page. The link provides a chart with Maximum Compensation rates going back to FY 1975.

NEW FY23 Maximum Compensation Guidelines - Effective 7/1/2022

Recovery Friendly Workplace Initiative

There is a new initiative in the State of Nevada that offers new, innovative ways to support our employees:

The Nevada Recovery Friendly Workplace Initiative, a partnership between the Nevada Department of Health and Human Services and Foundation for Recovery, is aiming to reduce the stigma of substance use and mental health recovery in the workplace. Participating business owners and senior management gain free resources, customized training, and ongoing support to establish their business as a Recovery Friendly Workplace in Nevada.

Enrolled employers work directly with an assigned Recovery Friendly Ambassador who guides them throughout the designation process. The Recovery Friendly Ambassador customizes each training and resource to meet the specific needs of the employer. Upon designation, employers receive a signed certificate from the Governor's office, storefront window clings, anonymous support kits containing directories of local resources, overdose prevention kits, and other items, and ongoing support and assistance to help them foster a workplace culture that celebrates their employees in recovery. There is no cost for businesses to participate in the initiative.

Recovery Friendly Workplaces are employers that are actively creating an inclusive working environment for their employees impacted by substance use and mental health. RFWs provide supportive resources to their employees and foster a culture that celebrates recovery. The movement of recovery friendly workplaces has grown to 27 states, and several have had great successes by working collaboratively with recovery-oriented community agencies and the private sector. Nevada is proud to be one of those states.

1 in 3 people are affected by Substance Use Disorders. The majority of those people are going to work every day and it's important that our employers are equipped to support their employees should they need help, not unlike other physical illnesses.

People in recovery are our staff, customers, friends, family and members of our community.

The Recovery Friendly Workplace Initiative is endorsed and fully supported by Nevada's executive office.

We are now OPEN to the public!



As of Friday, May 20, 2022, the State of Nevada's Workers' Compensation Section office no longer requires appointments.

Office Hours: Monday - Friday, 8:00am - 5:00pm

FY23 Actuarial Annuity Table



Victoria Carreón, Administrator of the Division of Industrial Relations, adopted the Actuarial Annuity Table for fiscal year 2023, effective July 1, 2022.

The table has been posted on the WCS web site and can be found under "What's Hot!" on the WCS home page.

NEW Actuarial Annuity Table Adopted — Effective on 7/1/2022

Pursuant to NRS 616C.495(5), the table must be reviewed annually by a consulting actuary.



Mileage Reimbursement Rate



Effective July 1, 2022, the standard mileage reimbursement rate for transportation costs incurred while using a private vehicle while traveling on official State business has increased from 58.5 cents per mile to 62.5 cents per mile.

Per <u>NAC 616C.150</u>, reimbursement for the cost of transportation for an injured employee, under appropriate conditions, must be computed at a rate equal to the mileage allowance for State employees.

Please advise all adjusters as soon as possible to minimize any payment errors.

Please see the <u>2022 Mileage Reimbursement</u> <u>Change Memorandum</u> announcing the rate change on the WCS website.

SAFETY CONSULTATION & TRAINING SECTION THE VALUE OF WORKPLACE SAFETY



SCATS Services

- Provide assistance in developing written safety programs
- Answer workplace safety questions
- Safety training for management, supervisors, and employees
- Video lending library
- Perform on -site workplace safety assessments
- Perform industrial hygiene services
- Safety and Health Practitioner Program

Insurer Provider Lists Due Soon

That time of year is upon us, once again; WCS respectfully reminds stakeholders of the October 1 deadline for all workers' compensation insurers in Nevada to submit their list of treating physicians and chiropractors to the Division of Industrial Relations (DIR) Workers' Compensation Section (WCS) for posting on the WCS website. This requirement originates from Nevada Revised Statutes (NRS) 616C.087(6) which states, in part:



Each insurer shall, not later than October 1 of each year, update the list of physicians and chiropractic physicians and file the list with the Administrator. The list must be certified by an adjuster who is licensed pursuant to chapter 684A of NRS.

Insurers are mandated to submit their provider lists and they will be posted on the WCS website by insurer name. Insurers includes private carriers, self-insured employers and associations of self-insured employers. If an insurer contracts with multiple third-party administrators (TPAs) using different provider lists, the insurer must submit a provider list for each of their TPAs. Each insurer will be listed on the WCS website with their TPAs listed below. Users will click on the TPA name to access the appropriate provider list. TPAs will not be listed apart from the insurer. Self-insured employers will be listed separately, and associations will also be listed separately.

Insurers' provider lists do not necessarily need to include all providers contracted with the insurer. NRS 616C.087 references treating physicians and chiropractic physicians. The WCS Treating Panel of Physicians and Chiropractic Physicians is limited to providers licensed as MDs, DOs or DCs. The statute does not address other licensed health care providers that may be contracted with insurers to perform medical services.

Insurers are responsible to ensure their lists comply with all pertinent requirements. If an insurer's list does not comply with the requirements, an injured employee may choose a treating physician or chiropractic physician from the WCS Treating Panel [NRS 616C.087(5)].

All insurers' provider lists should be submitted via email to medpanels@dir.nv.gov. Paper or hardcopy lists will not be accepted. To ensure provider lists are easily identified, please note in the subject line the insurer name and that the email contains a treating provider list.

Katherine Godwin, Chief, Medical Unit, WCS

Annual Service Provider Appreciation Fair

After a two-year, COVID-19 induced hiatus, the Workers' Compensation Section (WCS) participated in the Nevada Self-Insurers Association (NSIA) Vendor Appreciation and Marketing Fair held at the Encore at Wynn on July 29, 2022. The WCS was able to reach out and provide information on various topics to those attendees just starting out in Nevada workers' compensation, as well as those well-versed on the topic. Over 100 attendees stopped by our booth to collect information and ask questions. The WCS' booth provided information about our upcoming training opportunities, the return of our annual educational conference, brochures for the medical, insurer, and vocational rehabilitation community, as well as information specific to our CARDS Web Portal. If you didn't attend or missed our booth, much of this information can also be found on the WCS website http://dir.nv.gov/WCS/Home/.



There were many exhibitors representing a diverse array of medical professionals, industry representatives and government officials. The WCS was excited to be among those who participated and it was a great opportunity to reach out to the community and meet face-to-face with our stakeholders.

COVID-19 WORKERS' COMP CLAIMS

In response to COVID-19, new codes were added to the acceptable codes for reporting D-38 Claims Indexing data to allow WCS to better track claims relating to the virus. The new codes - Nature of Injury: 83 COVID-19 and Cause of Injury: 83 — Pandemic — were added in March 2020 and may be used for reporting applicable claims December 2019 or later. The codes correspond to those adopted by the Workers' Compensation Insurance Organizations (WCIO) and are used by the International Association of Industrial Accidents Boards and Commissions (IAIABC). By adopting these codes for D-38 Claims Indexing reporting, Nevada may be able to, over time, compare COVID-19 claim data with other states that use the IAIABC standard.

Nevada claims processed in CARDS that include one or both COVID-19 identifiers, through August 31, 2022:

COVID-19/Pandemic Claims	Count	Percent
Filed/Processed in CARDS	2355	
Accepted	896	38%
Denied	1459	62%

Nevada claims processed in CARDS that include the Nature of Injury Code 38 Adverse Reaction to Vaccination identifier through August 31, 2022:

Adverse Reaction to Vaccination/Inoculation Claims	Count	Percent
Filed/Processed in CARDS	24	
Accepted	11	46%
Denied	13	54%

Ruth Ryan, Research and Analysis Unit Manager, WCS

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

Nevada Claims Processed in CARDS between May 1, 2022 and July 31, 2022:

TOP 5 ACCEPTED NATURE OF INJURY	Percent of Total Reported
1. Strain or Tear	24.69%
2. Laceration	14.24%
3. Contusion	11.42%
4. Sprain or Tear	10.97%
5. Puncture	6.87%

TOP 5 ACCEPTED CAUSE OF INJURY	Percent of Total Reported
1. Lifting	7.60%
2. Object Being Lifted or Handled	7.21%
3. Fall, Slip or Trip, NOC	5.77%
4. Strain or Injury By, NOC	4.95%
5. Hand Tool, Utensil; Not Powered	4.72%

CARDS Corner

LOGIN TO THE CARDS PORTAL: https://cards.nv.gov

CARDS SECURITY REMINDER!

ACCOUNT ADMINISTRATORS KEEP CARDS ACCESS SECURE AND UP-TO-DATE

CARDS Account Administrators are responsible for maintaining data security by managing access and privileges of individual Registered CARDS Users and associated TPAs. State of Nevada Workers' Compensation Section (WCS) staff are not responsible for managing CARDS User access and privileges.

To help keep CARDS and claim data secure, remember to always:

- Remove/delete the CARDS account of any User who either leaves your organization or a position that requires CARDS access. (The CARDS login for former employees remains active even if that employee's associated email account has been disabled.)
- Keep each User's privileges limited to the specific access required to complete necessary tasks in CARDS.
- Ensure that your organization always has two (2) Registered Users designated as CARDS Account Administrators.
- For Insurers, include start and expiration dates for every TPA relationship on your Information Form, and remove Global Access when a TPA will no longer be submitting or maintaining claims on your behalf.

Refer to the <u>CARDS External System User Manual</u> for detailed information on how perform CARDS Account Administrator functions, visit our and contact <u>CARDS@dir.nv.gov</u> with additional questions.

Hayley Weedn, Business Process Analyst, WCS

Reporting Reminders

INFORMATION FORMS - KEEP THEM CURRENT!

- ✓ Insurer Information Form: One of the most important functions of the Insurer Information Form is for insurers to notify WCS of the insurer's contracted TPA(s) by "linking" them in CARDS using this web form. Linking not only satisfies the requirement for insurers to notify DIR of their TPA relationships, it also allows insurers to grant permission to their linked TPA(s) to submit required claims data (D-38s) on their behalf. Insurers must also use this form to notify WCS of any changes in insurer regulatory contact information (name, address, email, phone and fax numbers, etc.) for assessments, corporate, compliance, state reporting and other functions. Insurer Information Forms are required to be submitted via our CARDS web portal within 30 days of any changes. For information on how to submit the Insurer Information Form, see the Quick Steps guide on our website on the Insurer-TPA Reporting page.
- ✓ **TPA Information Form**: TPAs must also notify WCS of any changes in contact information within 30 days by submitting the **TPA Information Form** via the CARDS web portal.

FY20 and FY21 Claims Activity Reports:

Watch for requests for these reports with forms and instructions by Friday, October 14, 2022.

General Reporting Information:

Information on these and other reporting requirements and forms can be found on the <u>WCS website</u> under "Insurer and TPA Reporting" or go directly to our page at <u>Insurer-TPA Reporting</u>. Contact the WCS Research and Analysis Unit by phone at (702) 486-9080 or by email at <u>wcsra@dir.nv.gov</u> if we can be of any assistance.

Employer Compliance

The Division of Industrial Relations, Workers' Compensation Section ("WCS") partners with SilverFlume, Nevada's Business Portal, to ensure employers comply with workers' compensation provisions for the State of Nevada. Nevada employers are required to secure and maintain workers' compensation insurance when hiring one or more employees unless excluded by the Nevada Revised Statutes ("NRS").

The Division of Industrial Relations, Workers' Compensation Section provides information about insurance requirements on their website at:

dir.nv.gov/WCS/home/ dir.nv.gov/WCS/Employers/

To ensure coverage is appropriate for your business, consult with your attorney, insurance agent/broker, or carrier regarding the specifics of your situation and your options.

Failure to comply with insurance requirements can result in fines up to \$15,000, and/or business closures until workers' compensation insurance has been obtained. Uninsured employers will be financially responsible for all claim costs associated with an employee who sustains a work-related injury. In addition, the uninsured employers may be subject to criminal prosecution by the Nevada Attorney General's Office.

Additionally, employer records are subject to an inspection pursuant to NRS 616A.485. The books, records and payroll of an employer who is self-insured, a member of an association of self-insured public or private employers or insured by a private carrier must be open to inspection by any WCS agent to determine: (a) The accuracy of the payroll; (b) The number of persons employed; and (c) Any other information necessary for the administration of chapters 616A to 617, inclusive, of NRS. The goal of the inspection is to ensure compliance with workers' compensation provisions.

Please contact the Division of Industrial Relations, Workers' Compensation Section if you would like more information related to this notification or to inquire about training opportunities for workers' compensation.

For more information please contact:

Division of Industrial Relations Workers' Compensation Section 3360 W. Sahara Ave, Suite 250 Las Vegas, NV 89102 702-486-9080 775-684-7270

Email: WCSHelp@dir.nv.gov

If you would like to receive information regarding future training sessions, legislative changes, and other Workers' Compensation notices, please sign up for our mailing list by logging on to: dir.nv.gov/WCS/Email_Enrollment/

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.

COLA Reimbursement Payments Update

Requests for reimbursement for 2021 COLA expenses have been processed by WCS staff and the Department of Business and Industry Fiscal Unit issued invoices to all insurers for the annual COLA Assessment on May 31, 2022. Reimbursement payments to insurers for approved 2021 COLA expenses will be issued by DIR after the annual COLA Assessment has been collected. Insurers failing to pay the invoice for the COLA Assessment, or any assessment, are subject to penalties.

Update

WCS has notified reimbursement requestors by email of the status of their request and the approved amount(s) on a per claim basis. WCS will notify each qualifying insurer (via email to the Assessment Contact in CARDS) of the total amount of the approved reimbursement payment that will be issued.

Reimbursement payments are issued to the qualifying insurers and directed to the Assessment Contact reported in CARDS. WCS encourages reimbursement requestors to communicate with insurers regarding reimbursements approved by WCS, including specific claim information, so that insurers can apply reimbursement payments accordingly upon receipt. WCS cannot respond to these inquiries.

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.





WCS will observe the following

Nevada Day Friday, October 28, 2022

Veterans' Day Friday, November 11, 2022 Thanksgiving Day
Thursday, November 24, 2022

Friday, November 25, 2022



Weicome

Hails, Farewells, and Promotions



We would like to welcome **Jessica Adams** to the WCS team! Jessica moved from California to Las Vegas 4 years ago. Since then, she has been an administrative assistant and paralegal in a private law firm in Henderson. Now she is super excited and grateful to be in the Worker's Compensation Audit Unit. She is a single mother to one awesome 7-year-old -who acts like he's 27- and one silly toy poodle. In her free time she likes to <u>try</u> to make new vegan/vegetarian meals, visit a nice movie theater and take road trips to California and Texas with her son to visit family.





Welcome Laura Bruno-Walsh to the Workers' Compensation Section – Medical Unit, as a new Administrative Assistant II. Laura has been a Las Vegas resident for over 16 years. She possesses a Bachelor of Science degree in Visual Communications from the prestigious Illinois Institute of Technology. In addition, Laura holds a State of Nevada Safety and Health Practitioners' Certificate. Before joining the State, her background has included Special Education Teaching, Print Production Management, and Graphic Design. In her free time, Laura enjoys knitting, horseback riding, and heading out for adventures on the motorcycle with her husband Don.

The Workers' Compensation Section would like to welcome back **Connie Pataua** to our Research and Analysis team as our new Management Analyst I! Connie had previously worked as and Administrative Assistant II with the R&A Unit in 2014 until her promotion to Management Analyst I with the Department of Health and Human Services in 2016 - so we are very excited to have her back! After her time with DHHS, she spent some time as a Disability Adjudicator with the Department of Employment, Training and Rehabilitation, before starting her own independent freight dispatch company. Unfortunately, fuel prices took their toll ultimately, bringing her back to WCS. Connie is



originally from Monterey Bay, California She graduated in May 2014, from UNLV, with a degree in Sociology. In her spare time, she likes to read, so if you are sharing books—count her in! She also enjoys BBQing with her family, and whereas she used to watch her baby boy play football for the Gaels, she now watches him grow into an incredible young man.



Congratulations are in order for **Gina D'Alessandro** as she has been promoted from Compliance Audit Investigator II with the Audit Unit to Compliance Audit Investigator III with the Insurer Compliance Unit—Benefit Penalties. Gina joined the WCS team in 2019, after initially joining State service with the Real Estate Division in 2014. Gina is a die-hard Chicago Cubs fansince birth. She was born in Illinois and has been in Nevada since 1995. When she is not at work, she loves spending time with family, friends, her 2 pitbulls, and 3 huskies. She believes in living life to the fullest and loves to travel.



Wellcome

Hails, Farewells, and Promotions

(cont)



Congratulations are in order, once again for **Lupe Manzo!** After two years holding the position of Management Analyst I in the Workers' Compensation Section Research and Analysis Unit (R&A), Lupe has earned a promotion to Management Analyst II within the same unit, filling the role vacated by Sue Buswell's retirement earlier this year. Lupe has been a key team member in R&A and has demonstrated her many talents and work ethic since coming to the Workers' Compensation Section in 2017. Her new position will give her greater exposure and responsibilities relating to the many projects and functions handled by the R&A Unit.

Congratulations to **Jodi McCollins** who was promoted to Chief Investigator overseeing the WCS Employer Compliance Unit (ECU)-Statewide, on July 11, 2022. Jodi has been with WCS for over 13 years and has been the Lead Compliance/Audit Investigator III in Las Vegas since 2017. Prior to joining DIR, Jodi worked for the Nevada Consumer Affairs Division. Before entering State service, Jodi worked in the private sector as an Operations Manager for 20 years. Jodi holds degrees in both Public Sector Relations and Business Management. She enjoys traveling, gardening and spending time with her family.





Congratulations to **Jana Hermann** on her recent retirement from state service and WCS! Jana's career in the workers' compensation industry began in 1979 when she was first employed by the Nevada Industrial Commission which later became the State Industrial Insurance System (SIIS). After leaving SIIS, Jana continued her workers' compensation career, working for both insurers and TPAs. In the summer of 2011, Jana joined the Southern Nevada WCS staff as the Uninsured Claims Coordinator, overseeing the Uninsured Employers Claims Account (UECA). She was promoted to Chief Compliance Audit Investigator in April of 2019, overseeing the UECA, Benefit

Penalty, and Subsequent Injury Fund functions as well as the Insurer/TPA Audit function for the southern Nevada WCS office. Her experience and extensive knowledge of workers' compensation claims administration, statutes and regulations made her an asset to WCS. Thank you, Jana, for your many years of service and your contributions to the Nevada workers' compensation system!

SAVE THE DATE

11th Annual Workers' Compensation Educational Conference

September 21-22, 2023
Tuscany Suites and Casino



2022 Training Sessions

ONLINE VIA WEBEX:

Medical Billing
October 18, 2022 at 9:00am

C-4 Processing and Using CVS
October 18, 2022 at 1:30pm

To register:

https://dir.nv.gov/WCS/Training/

-or-

Email: jrassier@dir.nv.gov



Direct comments or suggestions about this newsletter to:

Workers' Compensation
Section
Las Vegas Office
Ruth Ryan, Editor
Jessica Rassier, Assistant Editor

rryan@dir.nv.gov jrassier@dir.nv.gov



Compliance Specialist – RN: There are two of these positions available in the Medical Unitone is located in the Carson City office and one in the Las Vegas office. The Compliance Specialist – RN in the Carson City office oversees the Medical Unit in the northern region.



The positions monitor compliance of medical providers, insurance carriers, TPAs, medical billing vendors, and employers; as well as supervise Compliance/Audit Investigators. These positions investigate complaints and medical bill disputes, document findings and write determinations as needed. These positions also review PPD reports for errors and assist the Medical Unit Chief in other duties as assigned. For more information, including a full job description and minimum qualifications, see the job announcement Compliance Specialist - RN (Req ID 12596) for the Carson City position and contact Katherine Godwin at kgodwin@dir.nv.gov for the Las Vegas position.

Medical Unit Email Addresses

medunit@dir.nv.gov Submit D-35 Forms, C-4 Forms (when re-

quested), questions, complaints, 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 reports

CONTACT WCS

Department of Business and Industry Division of Industrial Relations Workers' Compensation Section

<u>SOUTHERN NEVADA</u> (702) 486-9080 / Fax: (702) 486-8712

<u>NORTHERN NEVADA</u> (775) 684-7270 / Fax: (775) 687-6305

http://dir.nv.gov/WCS/Home/ WCSHelp@dir.nv.goy