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**DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INDUSTRIAL RELATIONS**

January 11, 2023

Small Business Impact Statement Questionnaire

The attached proposed temporary regulation is a proposed regulation relating to industrial insurance which allows employees injured on or after July 1, 2017 who incur a permanent partial disability that does not exceed 30 percent to elect receipt of compensation in a lump sum.

The following questions pertain to how the changes in the Nevada Administrative Code (NAC) presented in the enclosure may affect your business. If it is determined that the proposed regulation is likely to impose a direct and significant economic burden upon a small business, or directly restrict the formation, operation, or expansion of a small business, then the agency will take any or all of the following actions:

1. Insofar as practicable, consult with owners and officers of affected small businesses;
2. Consider methods to reduce the impact of the proposed regulation; and
3. Prepare a small business impact statement and make copies of the statement available to the public at the public workshop hearing to be held pursuant to NRS 233B.061.

Attached is a draft of the proposed regulations for review, or you may contact Rosalind Jenkins, Legal Secretary II, at (702) 486-9014 or by email to rozjenkins@dir.nv.gov to request a copy of the same.

Please answer each of the following questions that apply and add any qualifying remarks that may help us to understand your position. **Please return your completed form on or prior to close of business on January 17, 2023 to the following:**

Rosalind Jenkins
Legal Secretary II
Division of Industrial Relations
3360 W. Sahara Avenue, #250
Las Vegas, Nevada 89102
Email: rozjenkins@dir.nv.gov
Phone: (702) 486-9014

CARSON CITY
400 West King Street
Suite 400
Carson City, NV 89703
(775) 684-7270

LAS VEGAS
3360 West Sahara Avenue
Suite 250
Las Vegas, NV 89102
(702) 486-9080

SMALL BUSINESS IMPACT STATEMENT QUESTIONNAIRE
Re: Proposed Temporary Regulation regarding Lump Sum Election

Name: _____ Date: _____

Organization: _____

NRS 233B.0382 “Small Business defined.” “Small business means a business conducted for profit, which employs fewer than 150 full-time or part-time employees.

1. How many employees are currently employed by your business?

_____ Less than 150 employees

_____ 150 employees or more

If you have more than 150 employees, you will not need to answer the rest of the questions. Please mail or email your questionnaire to the above address. If less than 150 employees, please continue with the remaining questions.

2. Will a specific proposed regulatory provision have an **adverse economic effect** upon your business? If so, please indicate the estimated dollar amount(s) you believe the adopted regulations will cost you over one calendar year with a brief explanation as to how the dollar amount was calculated.

_____ Yes, the regulation will have an adverse economic effect on my business.

_____ No, the regulation will not have an adverse economic effect on my business.

Explanation: _____

3. Will the regulation have any **beneficial effect** upon your business? If so, please indicate any beneficial effects or cost savings you believe the adopted regulations will save you over one calendar year with an estimated dollar amount.

_____ Yes, the regulation will have a beneficial effect on my business.

_____ No, the regulation will not have a beneficial effect on my business.

Explanation: _____

4. Do you anticipate any **indirect adverse effects** upon your business?

_____ Yes, the regulation will have an indirect adverse effect on my business.

_____ No, the regulation will not have an adverse economic effect on my business.

Explanation: _____

5. Do you anticipate any **indirect beneficial effects** upon your business?

_____ Yes, the regulation will have an indirect beneficial economic effect on my business.

_____ No, the regulation will not have an indirect beneficial economic effect on my business.

Explanation: _____

Signature

Title

**PROPOSED TEMPORARY REGULATION OF THE DEPARTMENT OF BUSINESS &
INDUSTRY DIVISION OF INDUSTRIAL RELATIONS FOR THE
AMENDMENT OF NAC CHAPTER 616C**

January 11, 2023

EXPLANATION — Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: NRS 616C.400(3); NRS 233B.040

A REGULATION relating to industrial insurance; allowing employees injured on or after July 1, 2017 who incur a permanent partial disability that does not exceed 30 percent to elect receipt of compensation in a lump sum.

Explanation:

Existing law authorizes the Administrator of the Division of Industrial Relations to prescribe by regulation the methods by which an insurer may approve or reject claims, and may determine the amount and nature of benefits payable in connection therewith. NRS 616A.400(3). On December 5, 2022, an Emergency Regulation was filed with the Secretary of State to allow employees injured on or about July 1, 2017 who incur a permanent partial disability that does not exceed 30 percent to elect to receive compensation in a lump sum. The Emergency Regulation shall expire on April 4, 2023. This temporary regulation allows a temporary continuance for employees injured on or about July 1, 2017 who incur a permanent partial disability that does not exceed 30 percent to elect to receive compensation in a lump sum.

Sec. 1. Chapter 616C of NAC is hereby amended by adding thereto a new section to read as follows:

NAC 616C.XXX Eligibility to receive compensation in lump sum for injury incurred on or after July 1, 2017. (NRS 616A.400, 616C.495). An employee injured on or after July 1, 2017, who incurs a permanent partial disability that does not exceed 30 percent may elect to receive compensation in a lump sum.