

Nevada Attorney for Injured Workers -NAIW-

For information regarding denial of benefits, you may contact the Nevada Attorney for Injured Workers (NAIW) at:

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Email Address: naiw@naiw.nv.gov

Website: <http://naiw.nv.gov>

What does NAIW do for employees who use its services?

NAIW prepares and presents your case at hearings before the Appeals Officer. It may also represent you at judicial review at the District Court or Supreme Court. NAIW may also represent you by preparing or presenting your case to the DIR/WCS if your insurer, employer, third-party administrator, or Managed Care Organization does not comply with the Appeals Officer or court order.

Is the NAIW a part of any employer or other insurance company?

No. NAIW is not part of any insurance company or employer; it is a separate State agency within the Department of Business and Industry. NAIW has the autonomy required for its attorneys to appropriately represent injured workers with the same attorney-client privilege as any retained attorney. However, by law NAIW charges no fee for the work done by its attorneys.

What types of benefits may I be entitled to? Benefits may include:

- *Medical treatment;
- *Lost time compensation - Temporary Total Disability/Temporary Partial Disability (TTD/TPD);
- *Permanent Partial Disability (PPD);
- *Permanent Total Disability (PTD);
- *Vocational Rehabilitation;
- *Dependent's payments in the event of death;
- *Other claims-related benefits or expenses (i.e., mileage)

What Nevada state agencies are involved with workers' compensation and how do they affect me and my claim?

•**DIR/WCS** collects information regarding workers' compensation coverage and enforces the Nevada workers' compensation statutes and regulations.

•**The Division of Insurance** licenses, authorizes and certifies insurers, their agents and administrators. <http://doi.nv.gov/>

•**The Attorney General's Fraud Unit** investigates and prosecutes workers' compensation fraud. Contact 1-800-266-8688. http://ag.nv.gov/About/Criminal_Justice/Workers_comp/

•**The Hearings Division** (Hearing Officer / Appeals Officer) judges your or your employer's appeal of the insurer's determination.

•**NAIW** helps injured workers with their appeals by giving advice on workers' compensation benefits and procedures, or by being appointed to represent the injured worker at Appeals Officer hearings if the worker, employer, or insurer appeals a benefit issue to settle a grievance.

•**Office of the Governor - Consumer Health Assistance** offers free assistance to injured workers. They can explain the workers' compensation process, what forms to use, the appeals process, and medical and lost wage benefits. Contact 1-888-333-1597 or visit their website at <http://dhhs.nv.gov/CHA.htm>

EMPLOYEE GUIDE

WORKERS' COMPENSATION



Email Notification

Stay connected to what's new in Nevada's workers' compensation by registering to receive email notifications. <http://dirweb.state.nv.us/WCS/wcs.htm>



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STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
WORKERS' COMPENSATION SECTION

This pamphlet is provided to inform stakeholders of some significant points concerning workers' compensation insurance in Nevada.

What do I do if I get hurt on the job?

Tell your supervisor. Fill out the paperwork



your employer provides ([Form C-1/Notice of Injury or Occupational Disease \(Incident Report\)](#)). Get medical care if you need it and fill out that

paperwork, as well ([Form C-4/Employee's Claim for Compensation/Report of Initial Treatment](#)).

Will I be allowed to go to any doctor, chiropractor or therapist that I choose?

No, you must go to an authorized medical provider. Insurers may use a managed care organization (MCO), preferred provider organization (PPO), health maintenance organization (HMO) or the insurance company's internal managed care unit.

In the event of a serious injury, go to your nearest emergency room and follow staff directions.

Can Managed Care Organizations (MCO) be used for workers' compensation?

Yes. You should ask your employer or insurer for the list of authorized providers for the insurer they have chosen. You may also look at the workers' compensation poster at your employer's office.

Your employer can tell you how to contact the managed care organization in order to get the names of medical providers authorized to treat you.



How will I find out who my workers' compensation insurer is?

Ask your employer or look at the workers' compensation poster at your employer's office. If your employer will not provide that information, call the Division of Industrial Relations (DIR), Workers' Compensation Section (WCS), Monday through Friday, 8:00 am - 5:00 pm, in Las Vegas/Henderson at (702) 486-9080 or in Carson City at (775) 684-7270.

Workers' Compensation Insurance coverage may be provided through:

- Self-Insured Employers
- Self-Insured Employer Associations or Groups
- Private Insurance Companies

Are all insurers required to offer the same benefits for injured employees as my insurance company?

Yes. All employers in the state of Nevada are required to have workers' compensation insurance. Nevada law provides for benefit types and calculations to be the same regardless of the type of workers' compensation coverage.

What happens to my claims and my benefits if my employer changes insurance companies?

The date of injury determines which insurance company is responsible for your claim. Benefits continue, if appropriate. In other words, claims that were covered before the employer changes his coverage to a new or different insurer stay with the original insurer. New claims with a date of injury that takes place after the employer has selected a new insurer will be handled by the new insurance company.

Who can I ask questions about my claim?

Call your employer, insurer, or claims adjuster. Your employer can tell you how to contact the insurer or third-party claims administrator he or she has chosen to handle workers' compensation coverage. You may also look at the workers' compensation poster in your employer's office.

What should I do if I think that my claim is not being handled properly?

Begin by discussing the claim with your supervisor. If you still have questions, contact the claims adjuster for your insurer. If you continue to feel your concerns are not being addressed, contact the DIR/WCS for assistance. In addition, state law requires all insurers to provide appeal rights to the Department of Administration, Hearings Division, that was established to resolve disputes in claims. If you disagree with a claim determination, you may appeal the decision to the Hearing Officer within 70 days from the date of the insurer's determination or to the Appeals Officer within 30 days of an MCO's determination. If you still have questions, you may contact the Nevada Attorney for Injured Workers (NAIW) to help you understand the procedure.

Where can I find more information about workers' compensation?

- Nevada has a comprehensive website: <http://dirweb.state.nv.us/WCS/wcs.htm>
- Email: WCSHelp@business.nv.gov
- Northern District: 775 684-7270
- Southern District: 702 486-9080