

2020
Occupational Disease Claims Report
NRS 617.357



Prepared By:

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

February 2021

BACKGROUND:

The 2001 Nevada Legislature passed Assembly Bill 345 (AB 345), creating Nevada Revised Statutes (NRS) 617.357, which required workers' compensation insurers to submit to the Administrator of the Division of Industrial Relations (DIR), a written report concerning each claim for an occupational disease of the heart or lungs or any occupational disease that is infectious or relates to cancer. Insurers were also required to provide updates on certain activities relating to those claims. This statute became effective July 1, 2001. In addition to setting forth occupational disease claim reporting requirements for insurers, NRS 617.357 required the DIR to prepare and make available to the public a report (*Occupational Disease Claim Report*) containing the information submitted by insurers during the preceding calendar year.

The 2013 Nevada Legislature amended NRS 617.357 by passing Assembly Bill 11 (AB 11) which limited the scope of reportable claims under the statute to only those in which the claimant was a firefighter, police officer, arson investigator or emergency medical attendant and to those claims filed pursuant to NRS 617.453, 617.455, 617.457, 617.481, 617.485 or 617.487. The amendment became effective on May 24, 2013. To ensure data continuity for the calendar year 2013 *Occupational Disease Claim Report* and to allow time for insurer notification, revisions to the OD-8 form, and database transitioning, the DIR Workers' Compensation Section (WCS) implemented AB 11 on January 1, 2014. NRS 617.357 was amended in 2019 to update a statutory reference, but the amendment made no changes to the reporting requirements.

The 2013 *Occupational Disease Claim Report* was the final report of pre-AB 11 data reported pursuant to NRS 617.357. In that report, a total of 6,451 claims had been reported since the effective date of NRS 617.357 (July 1, 2001). (*Reports for calendar years 2001 through 2013 are available upon request.*)

This report - *The 2020 Occupational Disease Claims Report* - represents a "snapshot" as of December 31, 2020 of post-AB 11 data.

OCCUPATIONAL DISEASE CLAIM DATA

In 2020, 707 claims were reported pursuant to NRS 617.357. Insurers and third-party administrators provided updated information for 111 of these claims. An additional 171 updates were reported on claims initially reported prior to 2020. Updates are required when a claim is appealed, a hearing or appeals decision affirming, modifying, or reversing a claim acceptance or denial is rendered, or the claim is closed or reopened.

Calendar Year	# of Claims Reported	# of Insurers w/Reported Claims	# of Employers w/Reported Claims
2014	349	19	50
2015	405	18	33
2016	570	16	41
2017	600	18	55
2018	706	18	50
2019	697	17	33
2020	707	19	29

Insurer Type:

A breakdown of insurers by type (i.e. associations of self-insured employers, self-insured employers, and private carriers) that reported claims is shown below.

Calendar Year	Associations	Self-Insured Employers	Private Carriers	Uninsured	Total
2014	1	11	7	0	19
2015	1	11	6	0	18
2016	1	10	5	0	16
2017	1	12	5	0	18
2018	1	11	6	0	18
2019	1	12	4	0	17
2020	1	12	5	0	18

Claimant Type:

NRS 617.357 specifies the four (4) types of claimants for which claims may be reportable: firefighters, police officers, arson investigators and emergency medical attendants. Below is a breakdown of the number of claims reported from 2014 through 2020 by claimant type.

Calendar Year	Firefighters	Police Officers	Arson Investigators	Emergency Medical Attendants
2014	22	222	0	105
2015	52	193	0	160
2016	54	286	0	230
2017	88	287	0	225
2018	96	324	0	286
2019	115	379	0	203
2020	115	326	0	266

Claim Type:

NRS 617.357 requires insurers to report claims that are filed pursuant to NRS 616.453, 617.455, 617.457, 617.481, 617.485 and 617.487 for the 4 types of claimants. The table below shows the distribution of claims reported in 2020 for the applicable cross-sections of claimant type and claim type.

Claim Type	Firefighters	Police Officers	Arson Investigators	Emergency Medical Attendants	Totals
Cancer NRS 617.453	25	N/A	N/A	N/A	25
Lung Disease NRS 617.455	32	27	0	N/A	59
Heart Disease NRS 617.457	30	129	0	N/A	159
Certain Contagious Diseases * NRS 617.481	26	168	0	167	361
Hepatitis NRS 617.485	2	1	N/A	99	102

Claim Type	Firefighters	Police Officers	Arson Investigators	Emergency Medical Attendants	Totals
Hepatitis NRS 617.487	N/A	1	N/A	N/A	1
Totals	115	326	0	266	707

*“Certain Contagious Diseases” as used in NRS 617.481 refers to hepatitis A, hepatitis B, hepatitis C, tuberculosis, the human immunodeficiency virus or acquired immune deficiency syndrome.

Claim Disposition:

Insurers are required to accept (commence payment of) or deny a workers’ compensation claim within 30 days of receipt of the claim. Claims meeting the criteria under NRS 617.357 become reportable to DIR within 30 days of acceptance or denial. Insurers may deny a claim and later accept the claim after a medical investigation has concluded. Claim denials are also appealable by the claimant and may be upheld or reversed by a hearing officer. The following is a breakdown of the initial determinations by insurers for claims reported in 2020:

Insurer Type	Total Claims	Accepted	Denied	Acceptance Rate	Denial Rate
Associations	9	1	8	11.1%	88.9%
Self-Insured Employers	597	381	216	63.8%	36.2%
Private Carriers	101	74	27	73.3%	26.7%
Uninsured	0	0	0	-	-
Overall	707	456	251	64.5%	35.5%

Denied Claims:

The OD-8 form provides insurers and/or third-party administrators a choice of seven (7) reasons for a claim denial. The following is a breakdown by denial reason of claims reported in 2014 through 2020:

	1 - Pending Medical Investigation	2 - Negative Test/No Exposure	3 - Not in course and scope of employment	4 - Not compensable/No disease	5 - Late reporting	6 - Failure to correct predisposing condition	7 - Misc	Total
2014	8	7	5	142	0	2	0	164
2015	23	10	3	119	4	6	6	171
2016	18	89	4	123	1	6	4	245
2017	17	13	4	140	1	7	4	186
2018	19	20	2	129	4	5	3	182
2019	31	76	0	169	5	13	2	296
2020	44	53	2	126	6	15	5	251

Appealed Claims:

Initial and Subsequent Appeals

A *claimant* may appeal an insurer's decision to deny his or her claim. Depending on the outcome of the initial appeal, subsequent appeals of hearing determinations may be filed by *the claimant, the insurer or the employer*. An insurer or employer may appeal a hearing officer's decision to reverse the insurer's initial denial of the claim. A claimant may appeal a hearing officer's decision to uphold an insurer's initial denial of the claim. Below is a breakdown of the appeals filed on reported claims.

Calendar Year	Initial Appeals	Subsequent Appeals		Totals
		1st	2 nd	
2014	9	1	0	10
2015	7	1	0	8
2016	4	1	0	5
2017	12	2	0	14
2018	28	15	1	44
2019	69	11	1	81
2020	9	2	0	11

Appeal Resolutions

Appeals may result in hearings; and hearings result in decisions and orders. The outcome of an appeal can result in several generalized categories: affirmed, reversed, remanded, modified, dismissed or stipulation.

Initial Appeals

The chart below shows the outcomes of the 9 appeals filed in 2014 of insurers' initial determinations. All 9 appeals were filed by claimants for claim denials.

2014	Denial Affirmed	Denial Reversed	Remanded	Modified	Dismissed	Stipulation	Pending
Associations	0	0	0	0	0	0	0
Self-Insured Employers	2	0	3	0	2	0	0
Private Carriers	1	0	1	0	0	0	0
Uninsured	-	-	-	-	-	-	-
Total	3	0	4	0	2	0	0

The chart below shows the outcomes of the 7 appeals of insurers' initial determinations filed in 2015. All 7 appeals were filed by claimants for claim denials. Two (2) appeals are still pending.

2015	Denial Affirmed	Denial Reversed	Remanded	Modified	Dismissed	Stipulation	Pending
Associations	0	0	0	0	0	0	0
Self-Insured Employers	2	1	0	1	0	0	2
Private Carriers	0	0	0	0	0	1	0
Uninsured	-	-	-	-	-	-	-
Total	2	1	0	1	0	1	2

The chart below shows the outcomes of the 4 appeals filed in 2016 of insurers' initial determinations. The appeals were filed by claimants for claim denials:

2016	Denial Affirmed	Denial Reversed	Remanded	Modified	Dismissed	Stipulation	Pending
Associations	0	0	0	0	0	0	0
Self-Insured Employers	1	0	0	0	0	2	0
Private Carriers	0	1	0	0	0	0	0
Uninsured	-	-	-	-	-	-	-
Total	1	1	0	0	0	2	0

The chart below shows the outcome of the 12 appeals filed in 2017 of the insurers' initial determinations. The appeals were filed by the claimant for claim denial:

2017	Denial Affirmed	Denial Reversed	Remanded	Modified	Dismissed	Stipulation	Pending
Associations	0	0	0	0	0	0	0
Self-Insured Employers	6	3	1	0	1	1	0
Private Carriers	0	0	0	0	0	0	0
Uninsured	-	-	-	-	-	-	-
Total	6	3	1	0	1	1	0

The chart below shows the outcome of the 28 appeals filed in 2018 of the insurers' initial determinations. The appeals were filed by the claimant for claim denial:

2018	Denial Affirmed	Denial Reversed	Remanded	Modified	Dismissed	Stipulation	Pending
Associations	0	0	0	0	0	0	0
Self-Insured Employers	15	5	2	0	0	3	2
Private Carriers	0	1	0	0	0	0	0
Uninsured	-	-	-	-	-	-	-
Total	15	6	2	0	0	3	2

The chart below shows the outcome of the 69 appeals filed in 2019 of the insurers' initial determinations. The appeals were filed by the claimant for claim denial:

2019	Denial Affirmed	Denial Reversed	Remanded	Modified	Dismissed	Stipulation	Pending
Associations	0	0	0	0	0	0	0
Self-Insured Employers	41	9	9	0	1	1	0
Private Carriers	3	2	2	0	1	0	0

2019	Denial Affirmed	Denial Reversed	Remanded	Modified	Dismissed	Stipulation	Pending
Uninsured	-	-	-	-	-	-	-
Total	44	11	11	0	2	1	0

The chart below shows the outcome of the 9 appeals filed in 2020 of the insurers' initial determinations. The appeals were filed by the claimant for claim denial:

2020	Denial Affirmed	Denial Reversed	Remanded	Modified	Dismissed	Stipulation	Pending
Associations	0	0	0	0	0	0	0
Self-Insured Employers	5	1	0	0	0	1	0
Private Carriers	0	1	0	0	0	0	1
Uninsured	-	-	-	-	-	-	-
Total	5	2	0	0	0	1	1

Of the affirmed and reversed decisions rendered in 2020, the chart below provides the claim denial affirmation and reversal rates:

2020	Decisions Rendered (Affirm or Reverse)	Denial Affirmation Rate	Denial Reversal Rate
Associations	0	-	-
Self-Insured Employers	6	83.3%	16.7%
Private Carriers	1	0%	100%
Uninsured	-	-	-

Subsequent Appeals

As stated earlier, subsequent appeals may be filed by insurers, employers or claimants, depending on the nature of the appeal. The table below summarizes the status of the subsequent appeals reported through December 31, 2020:

Year	Party	Denial Affirmed	Denial Reversed	Acceptance Affirmed	Stipulation	Pending	Stipulation Notes
2014	Claimants					1	
2015	Claimants				1		Denial decision stands.
2016	Claimants		1				
2017	Claimants				1	1	Stip: bypass HO to AO
2018	Claimants	4	6			1	
2018	Insurers			2		3	
2019	Claimants	7	3				
2019	Insurers			2			
2020	Claimants		2				

Exposure versus Confirmed Diagnosis:

A claim for a reportable condition listed in NRS 617.357 may first present itself in the form of exposure to an occupational disease. Depending on the nature of the disease, it may be months before a diagnosis is made.

Of the 707 claims reported in 2020, a confirmed diagnosis was reported for 206 claims, whereas 500 claims were reported to have not obtained a confirmed diagnosis. This information was not provided for one claim.

Of the 4,034 claims reported since 2014, a confirmed diagnosis was reported for 594 claims, and 2,033 claims were reported to have not obtained a confirmed diagnosis. This information was not provided for 1,407 claims.

Estimated Medical Costs:

The following table shows the reported estimated medical costs for claims accepted in 2014 through 2020. Costs incurred for claims that are ultimately denied, such as medical investigations and testing, are not considered claims costs pursuant to NAC 616B.707(2)(g).

Calendar Year	# of Accepted Claims	Total Est. Medical Costs	Ave. Est. Medical Cost/Claim
2014	214	\$ 1,112,181	\$ 5,197
2015	240	\$ 1,019,707	\$ 4,249
2016	327	\$ 3,078,981*	\$ 9,416
2017	403	\$ 1,887,603	\$ 4,684
2018	528	\$ 2,041,705	\$ 3,867
2019	420	\$2,241,135	\$5,336
2020	407	\$2,407,952	\$5,916
Overall	2,539	\$13,789,264	\$5,431

*One (1) claim accounted for \$1.65 million of the total for that year.

Claim Status:

Of the 707 claims reported in 2020, insurers identified 120 as closed or having been closed at some time since their inception. None of the 120 claims that were reported as closed have been reopened as of December 31, 2020.

Of the 4,034 claims reported through from January 1, 2014 through December 31, 2020, insurers identified 1,351 as closed or having been closed at some time since their inception. None of the 1,351 claims that were reported as closed have been reopened as of the end of 2020.

SUMMARY

Data Limitations:

The information presented in this report represents the data supplied by insurers and third-party administrators. The following limitations may be considered when reviewing this data:

- It should be noted that initial acceptance and denial rates may reveal as much about an insurer's internal procedure to claims handling as it does on the insurer's assessment of a claim's validity. For example, one insurer may accept all claims where there is a valid exposure, whether or not a confirmed diagnosis is obtained, while another may only accept claims where a confirmed diagnosis is reached. Workers' compensation law accepts both approaches.
- Reporting inconsistencies can occur when claims are transferred from one insurer or third-party administrator to another or when there is employee turnover, because insurers and/or claims adjusters may differ in their interpretation of a reportable claim. Occasionally, insurers will inquire to WCS about the interpretation or definition of a term referenced in the statutes related to this reporting requirement. A recent example was when a data reporter inquired about the definition of an "emergency medical attendant" – this term is defined in NRS 617.485 for use in that statute, but is not defined for use in other statutes related to reporting under NRS 617.357 and could be subject to interpretation.
- Reporting inconsistencies can occur for other reasons, as well. For example, an incident that results in a reportable claim may include aspects of both an occupational disease and an injury sustained out of the incident. The data reported for this type of "combination" claim, which is reportable due to the occupational disease aspects, may include the injury-related portion of the claim. For instance, reported medical costs may be inflated because they include costs associated with the injury portion of the claim. Similarly, insurers may be reporting appeals and hearing data that may only be applicable to the injury portion of the claim.
- Although the number of updates to reported claims increased in 2018 over the previous 3 years, and even more significantly in 2019, the number dropped in 2020 and it is likely that many claims are still not being updated at each of the required report triggers: appeals of claim denial (or acceptance), decisions rendered on appeals and estimated medical costs are areas of particular concern. Updates relating to claim closure and reopening may also be lacking. If updates are not submitted, the data for exposure versus diagnosis, average expected medical cost per claim, appeal determinations, closure and reopening will undoubtedly be underreported.

DIR Initiatives:

- On September 7, 2005, the **OD-8, Occupational Disease Claim Report** form was formally adopted by regulation. The form was updated in 2006 to accommodate the additional Nature of Injury code for Hepatitis C, as referenced in prior reports.
- The OD-8 form was modified to reflect the reporting criteria found in Assembly Bill 11 (AB11) from the 2013 Nevada Legislature. The modified OD-8 was implemented on January 1, 2014.
- The OD-8 form was modified again in June and July, 2018. The claimant's first and last name and appeal number fields were added to assist the WCS in implementing NRS 617.455(10) which was added by Assembly Bill 267 (2017).

- The DIR/WCS web site was updated to reflect each modification to the OD-8 form, with explanations of the changes in reporting requirements. Electronic communications were sent to insurers and third-party administrators to further explain and bring the changes to their attention.
- The WCS quarterly newsletter, the *Nevada Workers' Compensation Chronicle*, includes reporting reminders regarding this statutory requirement to report occupational disease claims pursuant to NRS 617.357. Additionally, the [Summer 2020 Edition](#) featured an in-depth look at this requirement, detailing statutory references, methods of reporting, frequency and reporting triggers and common reporting mistakes to avoid.
- The WCS also asks insurers to file a “Statement of Inactivity” for the calendar year if the insurer had no valid claims to report pursuant to NRS 617.357. In this way, WCS has a feel for how many insurers are aware of the requirement to report, but have no claims to report meeting the criteria. If an insurer reports no claims during the year and does not file a “Statement of Inactivity” for that year, it might be an indication that the insurer is unaware of the requirement to report and WCS can reach out to that insurer. Approximately 182 insurers filed Statements of Inactivity for 2020, a slight increase from 176 for 2019, to satisfy the reporting requirement. Three insurers submitted Statements of Inactivity even though they had reported claims during the year, an indication that reporting requirements remain a source of confusion and inaccuracies. WCS will focus additional outreach in 2021 on reporting education. Additional training may lead to improved compliance which, in turn, may result in improved data reliability.
- WCS will also consider follow up with specific insurers on claims in which updates may have been neglected to be reported, such as claims with older appeals that remain “pending decision” as of the date of this publication.
- In addition to our regular quarterly newsletter reporting reminders, WCS will send emails using our stakeholder contact lists throughout the year to remind insurers of this reporting requirement.

Attachments:

1. [NRS 617.357](#) – as amended by AB 11 (2013) and SB 242 (2019), effective 7/1/19
2. [OD-8 Form](#) - effective 7/18
3. [Statement of Inactivity Form](#) – revised 1/21
4. [OD-8 Reporting Requirements](#) – effective 7/18, revised 1/21

NRS 617.357 Certain claims regarding cancer, lung or heart diseases, certain contagious diseases or hepatitis: Reports by insurers to Administrator; public reports by Administrator.

1. Each insurer shall submit to the Administrator a written report concerning each claim for compensation in which the claimant is a firefighter, police officer, arson investigator or emergency medical attendant that is filed with the insurer pursuant to [NRS 617.453](#), [617.455](#), [617.457](#), [617.481](#), [617.485](#) or [617.487](#). The written report must be submitted to the Administrator within 30 days after the insurer accepts or denies the claim pursuant to [NRS 617.356](#) and must include:

- (a) A statement specifying the nature of the claim;
- (b) A statement indicating whether the insurer accepted or denied the claim and the reasons for the acceptance or denial;
- (c) A statement indicating the estimated medical costs for the claim; and
- (d) Any other information required by the Administrator.

2. If a claim specified in subsection 1 is appealed or affirmed, modified or reversed on appeal, or is closed or reopened, the insurer shall notify the Administrator of that fact in writing within 30 days after the claim is appealed, affirmed, modified, reversed, closed or reopened.

3. On or before February 1 of each year, the Administrator shall prepare and make available to the general public a written report concerning claims specified in subsection 1. The written report must include:

- (a) The information submitted to the Administrator by an insurer pursuant to this section during the immediately preceding year; and
- (b) Any other information concerning those claims required by the Administrator.

4. As used in this section, the term "police officer" includes a peace officer as that term is defined in [NRS 289.010](#).

(Added to NRS by [2001, 828](#); A [2013, 344](#); [2019, 2663](#))

State of Nevada
Department of Business and Industry
Division of Industrial Relations

OCCUPATIONAL DISEASE CLAIM REPORT (NRS 617.357)

Submit within 30 days of acceptance/denial and any changes to the claim – **PART 1**
Submit within 30 days of appeal, closure, reopening, or confirmed diagnosis – **PARTS 1 & 2**

Submitted By:	<input type="checkbox"/> Insurer <input type="checkbox"/> TPA
Company:	
Submitter Name:	
Telephone:	
Email:	

PART 1 (Claim Information)

Insurer Name:			
Insurer FEIN:			
Insurer Certificate Number:			
Claimant's Employer:			
Claimant's Name:	First:	Last:	
Claim Number:			
Claim Disposition:	<input type="checkbox"/> Accepted <input type="checkbox"/> Denied		
Reason for Denial:	<input type="checkbox"/> 1-Pending medical investigation <input type="checkbox"/> 2-Negative test/no exposure <input type="checkbox"/> 3-Not in course/scope <input type="checkbox"/> 4-Not compensable/no disease <input type="checkbox"/> 5-Late reporting <input type="checkbox"/> 6-Failure to correct predisposing condition <input type="checkbox"/> 7-Misc (duplicate claim, wrong insurer/uninsured, etc)		

CLAIMANT (Choose one) & CLAIM ACCEPTED/DENIED PURSUANT TO NRS (Choose one):

<input type="checkbox"/> FIREFIGHTER <input type="checkbox"/> NRS 617.453 CANCER <input type="checkbox"/> NRS 617.455 LUNG DISEASE <input type="checkbox"/> NRS 617.457 HEART DISEASE <input type="checkbox"/> NRS 617.481 CERTAIN CONTAGIOUS DISEASES <input type="checkbox"/> NRS 617.485 HEPATITIS <input type="checkbox"/> ARSON INVESTIGATOR <input type="checkbox"/> NRS 617.455 LUNG DISEASE <input type="checkbox"/> NRS 617.457 HEART DISEASE <input type="checkbox"/> NRS 617.481 CERTAIN CONTAGIOUS DISEASES	<input type="checkbox"/> POLICE OFFICER (PEACE OFFICERS PER NRS 289.010 INCLUDED) <input type="checkbox"/> NRS 617.455 LUNG DISEASE <input type="checkbox"/> NRS 617.457 HEART DISEASE <input type="checkbox"/> NRS 617.481 CERTAIN CONTAGIOUS DISEASES <input type="checkbox"/> NRS 617.485 HEPATITIS <input type="checkbox"/> NRS 617.487 HEPATITIS <input type="checkbox"/> EMERGENCY MEDICAL ATTENDANT <input type="checkbox"/> NRS 617.481 CERTAIN CONTAGIOUS DISEASES <input type="checkbox"/> NRS 617.485 HEPATITIS
Date of Injury:	
Date Claim (C4) Received by Insurer/TPA:	
Date Accepted/Denied:	
Estimated Medical Costs of Claim:	\$ _____
Description of Claim:	Diagnosis Confirmed: <input type="checkbox"/> Yes <input type="checkbox"/> No
Initial Claim Closure Date:	Date Claim Reopened (if applicable): _____ Subsequent Claim Closure Date (if applicable): _____

PART 2 (Appeal Information)

INITIAL APPEAL OF: <input type="checkbox"/> CLAIM DENIAL <input type="checkbox"/> CLAIM ACCEPTANCE Appealed By: <input type="checkbox"/> Claimant/Dependent/Representative <input type="checkbox"/> Employer/Insurer Appeal Number: Date Appeal Filed: Hearing Date: Decision Date: Decision: <input type="checkbox"/> Affirmed <input type="checkbox"/> Reversed <input type="checkbox"/> Remanded <input type="checkbox"/> Modified <input type="checkbox"/> Dismissed <input type="checkbox"/> Stip (Explain): Decision By: <input type="checkbox"/> Hearing Officer <input type="checkbox"/> Appeals Officer	SUBSEQUENT APPEAL OF DECISION BY: <input type="checkbox"/> HO <input type="checkbox"/> AO <input type="checkbox"/> DC Appealed By: <input type="checkbox"/> Claimant/Dependent/Representative <input type="checkbox"/> Employer/Insurer Appeal Number: Date Appeal Filed: Hearing Date: Decision Date: Decision: <input type="checkbox"/> Affirmed <input type="checkbox"/> Reversed <input type="checkbox"/> Remanded <input type="checkbox"/> Modified <input type="checkbox"/> Dismissed <input type="checkbox"/> Stip (Explain): Decision By: <input type="checkbox"/> Appeals Officer <input type="checkbox"/> District Court <input type="checkbox"/> Supreme Court
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State of Nevada
Department of Business and Industry
Division of Industrial Relations
Workers' Compensation Section

OCCUPATIONAL DISEASE CLAIM REPORT

NRS 617.357

STATEMENT OF INACTIVITY

CALENDAR YEAR ____

Workers' Compensation Insurers

(To be submitted in lieu of the Occupational Disease Claim Report Form, OD-8)

**SUBMIT WITHIN 5 WORKING DAYS OF THE END OF THE CALENDAR
YEAR WITH NO ACTIVITY**

Workers' Compensation Section
3360 W. Sahara Ave., Suite 250
Las Vegas, NV 89102
Attention: Research and Analysis Unit
Fax: (702) 486-8712
Email: wcsra@dir.nv.gov

**I certify that there has been no occupational disease claims activity
pursuant to NRS 617.357 during the indicated calendar year for the
workers' compensation insurer named below:**

Insurer Name:
Nevada Certificate of Authority Number:
NCCI Carrier Code (Private Carriers):
Federal Employer Identification Number (FEIN):

Name:
Title:
Organization:
Address:
City: State: Zip:
Telephone: Fax:
Email Address:

Signature

Date



Workers' Compensation Section

● 3360 West Sahara Ave Ste. 250, Las Vegas NV, 89102 ● Phone: (702) 486-9080 ● Fax: (702) 486-8712 ● Email: wcs-help@dir.nv.gov

OCCUPATIONAL DISEASE CLAIM REPORT (OD-8 FORM)

Reporting Requirements

NRS 617.357

Every workers' compensation insurer is required to submit an Occupational Disease Claim Report (OD-8 Form) to the Workers' Compensation Section (WCS) of the Division of Industrial Relations (DIR) for occupational disease claims of firefighters, police officers, arson investigators or emergency medical attendants that encompass diseases of the heart or lungs or diseases that are infectious or relate to cancer pursuant to NRS 617.453, 617.455, 617.457, 617.481, 617.485 or 617.487.

Accessing the OD-8 Form

The OD-8 Form can be found on our website. It can be accessed from the [WCS Home Page](#) under the "Insurer and TPA Reporting" box and in the "Forms and Worksheets" page, or directly here: [OD-8 Occupational Disease Claim Report](#) form.

When to Submit the OD-8 Form

Submitter Information: Complete the "Submitted By" section for every submission.

Part 1 (Claim Information):

Within 30 days of:

- Acceptance or denial of the claim
- Claim closure
- Claim reopening

Parts 1 (Claim Information) & 2 (Appeal Information):

Within 30 days of:

- An appeal filed regarding claim acceptance or denial
- A decision rendered on an appeal regarding acceptance or denial
- Subsequent appeals and decisions regarding acceptance/denial

Filing the OD-8 Form

Electronically by email to: wcsra@dir.nv.gov

Hard copy by fax to: (702) 486-8712, Attention: Research & Analysis Unit

Hard copy by U.S. Postal Service or other mail service to:

State of Nevada
DIR/Workers' Compensation Section
Research & Analysis Unit
3360 W. Sahara Ave, Suite 250
Las Vegas, NV 89102

OCCUPATIONAL DISEASE CLAIM REPORT (OD-8 FORM)
Reporting Requirements
NRS 617.357

Insurers with Zero Reportable Claims During a Calendar Year

Insurers with zero reportable claims pursuant to this statute during a calendar year are required to file an *Occupational Disease Claim Statement of Inactivity* form within 5 working days of the end of the calendar year for which they are reporting. This will ensure that all insurers have addressed the requirements of this statute and are represented in the Administrator's report required by NRS 617.357(3). The [Occupational Disease Claim Statement of Inactivity](#) form is available on our website and may be filed electronically via email as an attachment or may be mailed or faxed as a hard copy. See above *Filing the OD-8 Form*.

The OD-8 reporting requirements are mandated by the NRS. Failure to file the required reports may result in administrative fines pursuant to NAC 616D.415(1)(d).

OD-8 Reporting Requirement Background

NRS 617.357 became effective July 1, 2001 and was amended on May 24, 2013.

Initially, insurers were required to submit to the Administrator a written report for all claims for compensation that were filed for an occupational disease of the heart or lungs or any occupational disease that was infectious or related to cancer. The 2013 Nevada Legislature Assembly Bill 11 (AB 11) amended NRS 617.357 limiting 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.

The OD-8 Form reporting triggers remain the same. The OD-8 Form (Part 1) must be submitted within 30 days of claim acceptance or denial pursuant to NRS 617.356, and within 30 days of claim closure or reopening. Additionally, the insurer is required to submit the OD-8 Form (Parts 1 & 2) within 30 days of an initial or subsequent appeal of claim acceptance or denial, and within 30 days of a hearing/appeals decision of affirmed, modified or reversed or stipulation on appeal.

The Occupational Disease Claim Report was initially introduced in February 2003 for reporting claims pursuant to NRS 617.357(1) and for updating each claim pursuant to NRS 617.357(2). In June 2006, it was adopted as the OD-8 Form. In January 2014, the OD-8 Form was updated to reflect the changes from AB 11 (2013). The current OD-8 Form, revised in June and July 2018, includes the Claimant First and Last Name and Appeal Number fields to assist the DIR in implementing and enforcing the requirements set forth in AB 267 (2017).

Inquiries

Please contact the WCS Research & Analysis Unit at wcsra@dir.nv.gov or (702) 486-9080 if you have any questions or concerns.