

This bulletin is issued by the Division of Insurance to clarify the operation of NRS 616.2935 for employers who are self-insured for worker's compensation. NRS 616.2935 states in part:

A self-insured employer shall notify the commissioner not less than the 60 days before any change in ownership or control of the employer. The certification of the self-insured employer terminates automatically on the date of the change unless the commissioner extends certification.

Note that this statute requires that notice be given to this Division 60 days in advance of any changes in ownership or structure which change control of a self-insured employer or adds or deletes subsidiaries or affiliates from the employer's Certificate of Authority. The commissioner has the authority to extend a certificate but this may be done only under unusual and extenuating circumstances. Failure to properly and timely notify this Division can result in the AUTOMATIC AND IMMEDIATE REVOCATION of your Certificate of Authority. All such notices MUST be in writing. This revocation is provided automatically by statute and operations without a notice to the employer.

The consequence of revocation to the employer is that the employer is not insured for worker's compensation. If recertification is desired, a new application for self-insurance must be submitted. It is important to remember that the period between the date of restructure for which the Division has NOT been given proper notice, and the date the Division is finally notified is an uninsured period subject to fines and penalties.

The Division will notify the Department of Industrial Insurance Regulation and pursuant to NRS 616.629, that agency may close down the employer's business for the uninsured period or until proper coverage is obtained.

If you have any questions regarding this bulletin, please call the Division's Worker's Compensation, Self-Insurance Section. The phone number is (702) 687-4270.

ALESSANDRO A. IUPPA
Commissioner of Insurance