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Insurance; termination of contract

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Insurance; disability claims

NEV. REV. STAT. §§ 616.607, 616.620 (amended).

AB 757 (Committee on Labor and Management); 1987 STAT. Ch 418

Existing law permits certain disabled¹ insurance claimants to receive industrial insurance compensation² in a lump sum.³ Chapter 418 permits other claimants, who incur greater than 25 percent disabilities,⁴ to also elect to receive partial compensation in a lump sum.⁵ Chapter 418 provides that the insurer⁶ must make installment payments for the remaining portions⁷ of the claimant's disabilities.⁸

GWH

1. NEV. REV. STAT. § 616.607(a) (amended by 1987 Nev. Stat. ch. 418, sec. 1, at ___) (injured on or after July 1, 1973 and before July 1, 1981, and who have disabilities which do not exceed 12%). A person injured on or after July 1, 1981, whose disability does not exceed 25% may also elect to receive lump sum compensation. *Id.* A spouse or any dependant child of a deceased claimant, injured on or after July 1, 1987 and who is ineligible for Nevada Revised Statute section 616.615 death benefits, may claim a lump sum equivalent to the present value of the deceased's undispersed permanent partial disability award. *Id.* § 616.607(b) (amended by 1987 Nev. Stat. ch. 418, sec. 1, at ___).

2. *Id.* § 616.045 (definition of compensation).

3. *Id.* § 616.607 (amended by 1987 Nev. Stat. ch. 418, sec. 1, at ___) (includes claimants who are injured on or after July 1, 1981, who incur a less than 25% disability).

4. *Id.* § 616.605 (compensation of those with permanent partial disabilities).

5. *Id.* § 616.607 (amended by 1987 Nev. Stat. ch. 418, sec. 1, at ___) (lump sum limited to present value of an award for a disability of 25%).

6. *Id.* § 616.1103 (definition of insurer).

7. *Id.* § 616.607 (amended by 1987 Nev. Stat. ch. 418, sec. 1, at ___) (portion of claimant's disabilities over 25%).

8. *Id.*

Insurance; termination of contract

NEV. REV. STAT. § 687B.____ (new); § 687B.310 (amended).

AB 308 (Porter); 1987 STAT. Ch 466

Existing law prohibits insurers from cancelling or refusing to renew an automobile liability insurance policy because of the insured's age, residence, race, color, creed, national origin, ancestry or occupation.¹

1. NEV. REV. STAT. § 687B.390.

Existing law also states that an insurer may not discriminate² against an automobile liability insurance policyholder because of the insured's age.³ Chapter 466 prohibits an insurer from responding to a casualty or property insurance claim, when the insured is not at fault, by cancelling, refusing to renew, or increasing the policy's premium for renewal.⁴ Chapter 466 applies to all binders⁵ and insurance agreements,⁶ although the commissioner of insurance may exempt certain policies.⁷ Chapter 466, however, permits the rescission or reformation of any life or health insurance contract not otherwise denied by the contract's terms.⁸

GWH

2. *Id.* § 687B.400 1 (by refusing to issue policies, reducing liability limits, or increasing premiums).

3. *Id.* *But see id.* § 687B.400 2. Rate increases caused by the insured's age must be justified to the commissioner of insurance. *Id.* Medical examinations requested to justify rate increases must be paid for by the insurer. *Id.*

4. 1987 Nev. Stat. ch. 466, sec. 1, at ____ (enacting NEV. REV. STAT. § 687B.____).

5. NEV. REV. STAT. § 687B.015 (definition of binders).

6. *Id.* § 687B.310 1 (amended by 1987 Nev. Stat. ch. 466, sec. 2, at ____) (except as otherwise statutorily provided).

7. *Id.* § 687B.310 3 (amended by 1987 Nev. Stat. ch. 466, sec. 2, at ____) (the commissioner of insurance may exempt classes of insurance contracts where the policyholders do not need protection against arbitrary termination).

8. *Id.* § 687B.310 5 (amended by 1987 Nev. Stat. ch. 466, sec. 2, at ____) (or by any other statute). *See also id.* § 687B.310 3 (amended by 1987 Nev. Stat. ch. 466, sec. 2, at ____) (the rights provided by Chapter 466 are in addition to, and do not prejudice, any other rights the policyholder may have at common law or under other statutes).

Insurance; unfair practices in settling claims

NEV. REV. STAT. § 686A.310 (amended).

AB 811 (Committee on Commerce); 1987 STAT. Ch 470

Existing law sets forth unfair practices of insurance.¹ Under Chapter 470, the following are also considered unfair practices: (1) Failing to promptly supply the insured with a reasonable explanation of a denial of an insured's claim or offer; (2) advising an insured claimant not to seek legal counsel; (3) misleading an insured or claimant about

1. NEV. REV. STAT. § 686A.310 (unfair practices in settling claims). *See* NEV. REV. STAT. § 679A.100 (definition of insurer).