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DEPARTMENT OF ADMINISTRATION
Hearings Division

<http://hearings.state.nv.us/>

Hearings Division Fiscal Year 2010 Report

Agency Description:

The Hearings Division is statutorily responsible for conducting all hearings in disputed workers compensation cases, Victims of Crime Program appeals, State Bid Award disputes, and Department of Education disciplinary disputes. In addition, the Division conducts hearings via inter-agency agreements with the Department of Employment, Training, and Rehabilitation, Nevada Medicaid, the Department of Public Safety's Division of Emergency Management, the Department of Business and Industry, Division of Financial Institutions, and Mortgage Lending Division. The Division has offices in Carson City at 1050 E Williams Street, and in Las Vegas at 2200 South Rancho Drive.

Division Mission Statement:

The mission of the Hearings Division is to provide fair and independent dispute resolution hearings in a timely and efficient manner while providing due process to all parties.

Two-tiered Administrative Hearing Process:

The Hearings Division consists of two levels of administrative hearings. The first level Hearing Officer proceeding is an informal hearing intended to resolve disputed cases quickly, without significant legal formalities. Virtually every hearing is held in 30 days, or less, from the date a request for hearing is filed.

The second level of appeal before the Appeals Officer is conducted "on the record" and is the final evidentiary proceeding. Appeals from the Appeals Officer are to the District Court, and then to the state Supreme Court.

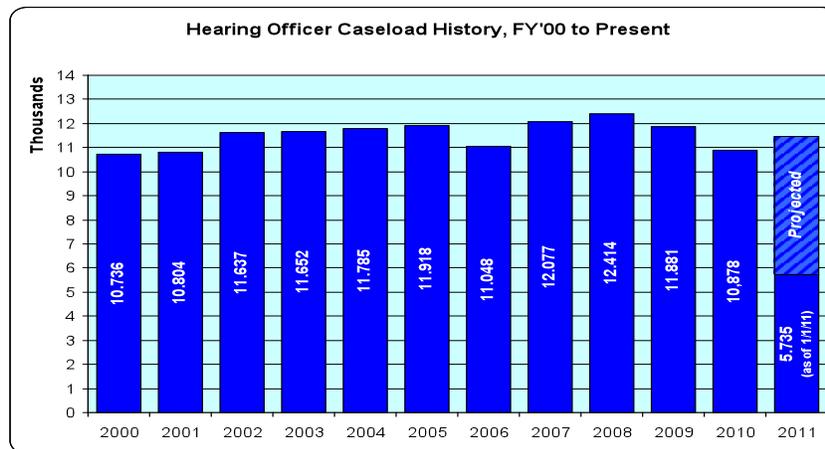
Workers compensation appeals and Victim of Crime Program appeals begin with the Hearing Officer, and may be appealed to the Appeals Officer. All other matters are initiated at the Appeals Officer level.

The Hearings Division scheduled **14,729** hearings statewide in FY 2010. Hearings Officers scheduled **10,878** hearings and Appeals Officer scheduled **3,851** cases. The following charts relate to the Hearing Officers. Appeals Officers statistics follow.

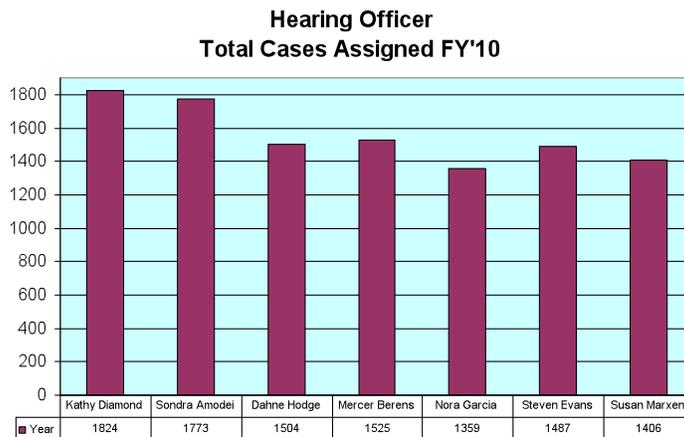
HEARING OFFICERS

As the following chart shows the hearings officers caseload has averaged 11,530 cases annually for the last ten years.

Hearings Officer Caseload: FY 2000 to FY 2010



This chart shows the number of cases assigned per Hearings Officer in fiscal year 2010.

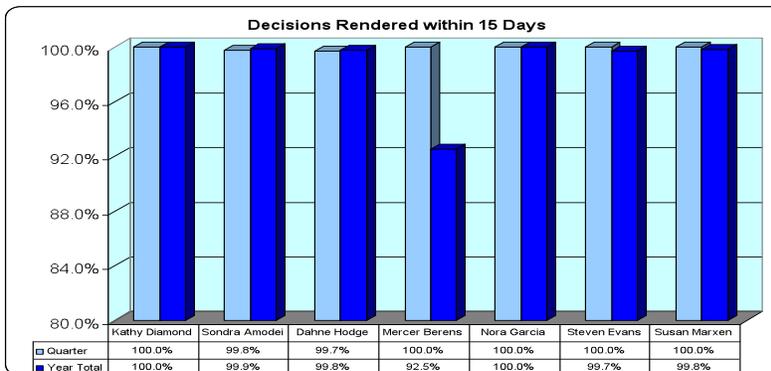
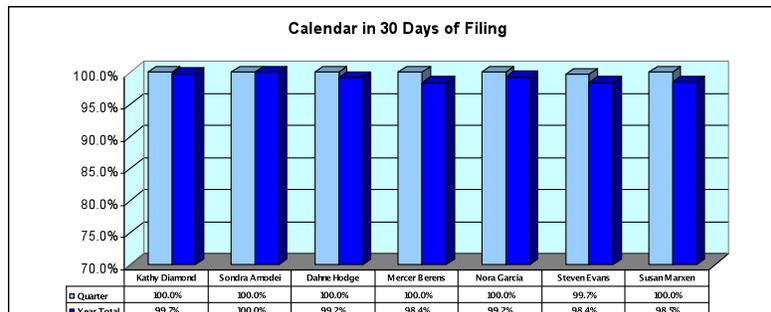
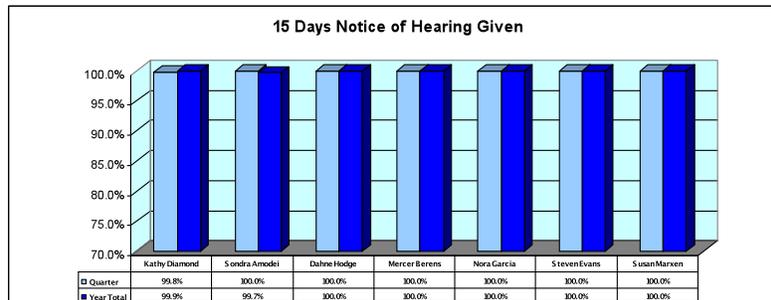
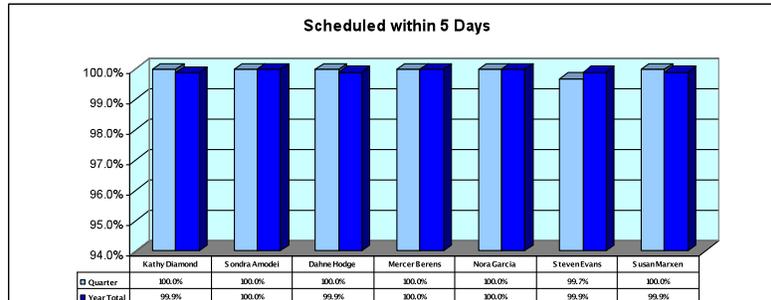


Statutory Requirements for Timeliness

Nevada law dictates several timeframes for scheduling and deciding cases. In workers compensation appeals, which comprise 96% of the Divisions caseload, deadlines for scheduling cases, providing notice, and deciding cases are all set forth in statute. For instance NRS 616C.330 requires the Hearings Officer to schedule a hearing within 5 days of receiving an appeal, for a hearing date within 30 days, while providing at least 15 days notice to the parties.

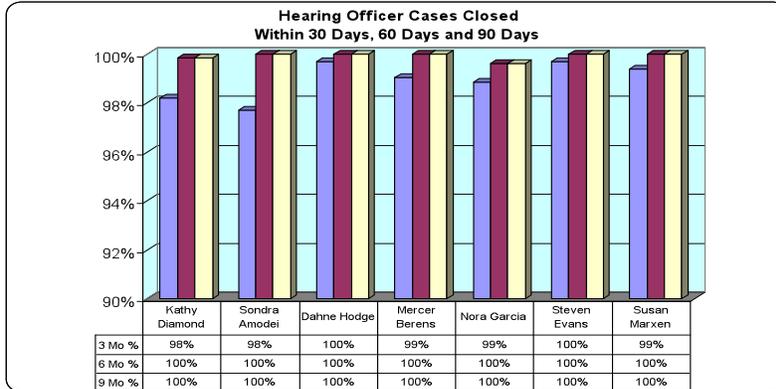
Hearings Officers are required to render decisions within 15 days of the hearing. These timeframes are directory, not mandatory.

The next four charts show the individual Hearings Officers compliance with these deadlines:



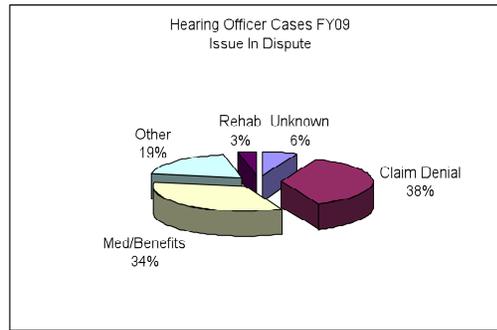
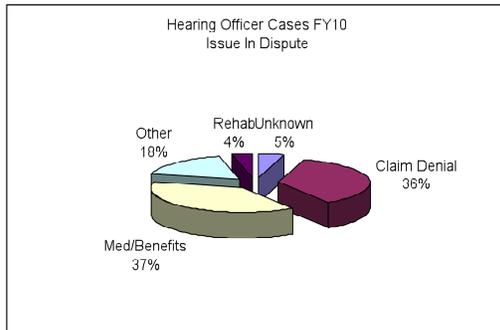
Performance Goals

Hearing Officers strive to decide cases in a timely manner and are encouraged to keep cases on track to insure they are timely decided. The following chart shows the time cases are closed at the Hearing Officer level.



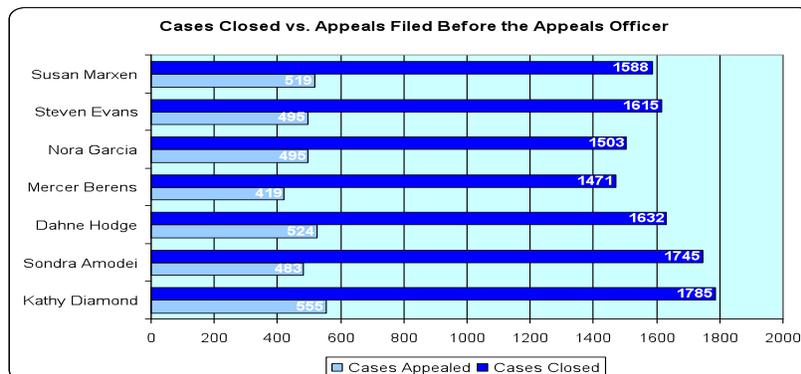
Issues before the Hearings Officer

These charts show the issues that are appealed to the Appeals Officers in the last two fiscal years.



Hearing Decisions Appealed to the Appeals Officer

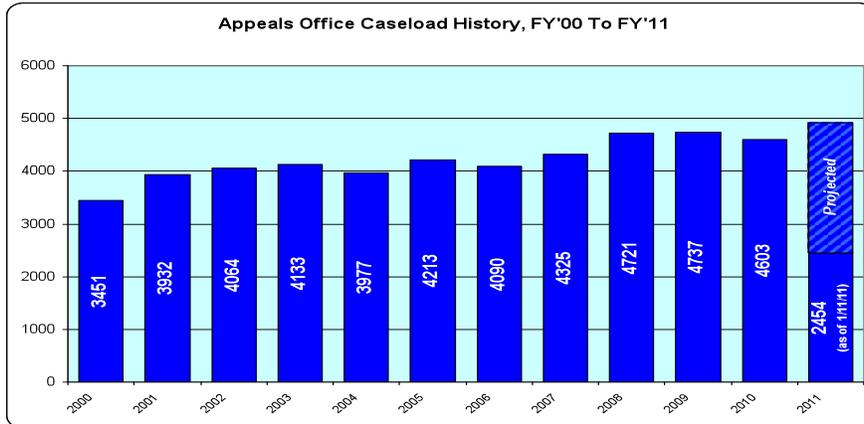
This chart shows the number of hearings held by each Hearing Officer and the number of cases that were appealed to the Appeals Officer.



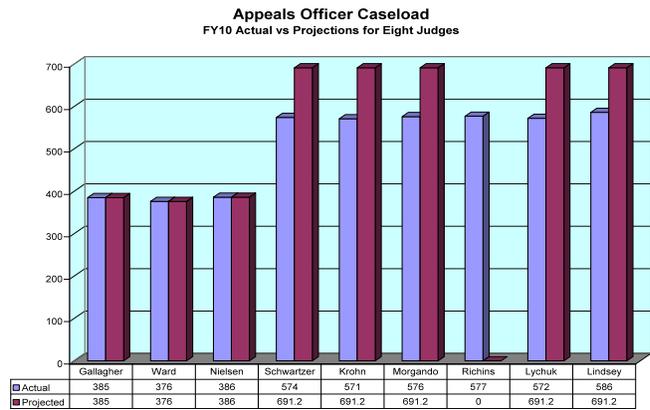
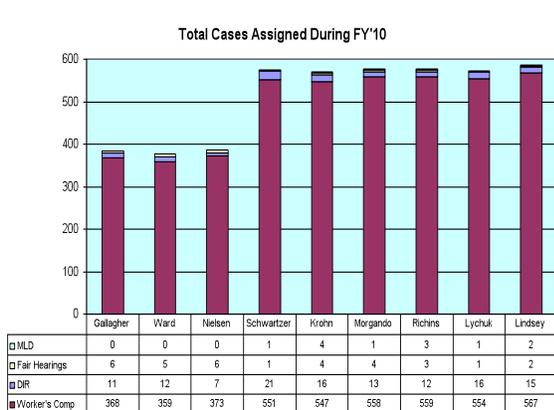
APPEALS OFFICERS

This first chart shows the Appeals Officer caseload growth over the last ten years. As this chart shows the caseload has grown fairly steadily during this period.

Appeals Officer Caseload: FY 2000 to FY 2010



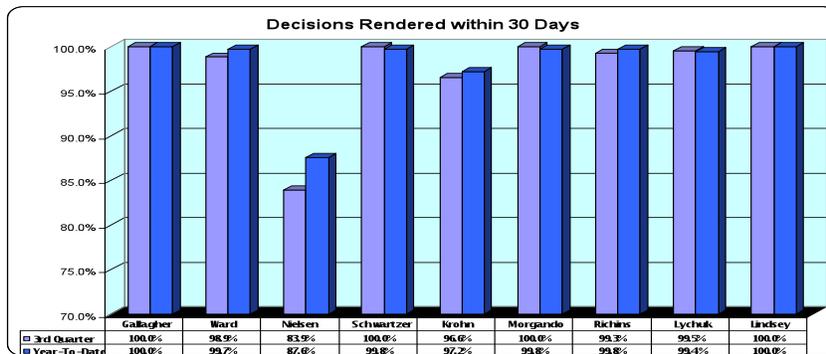
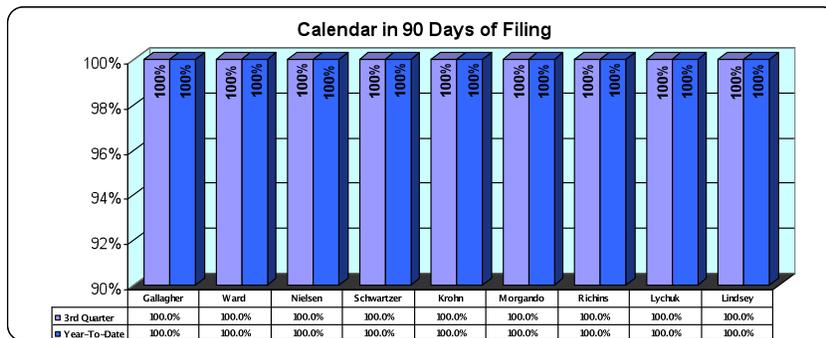
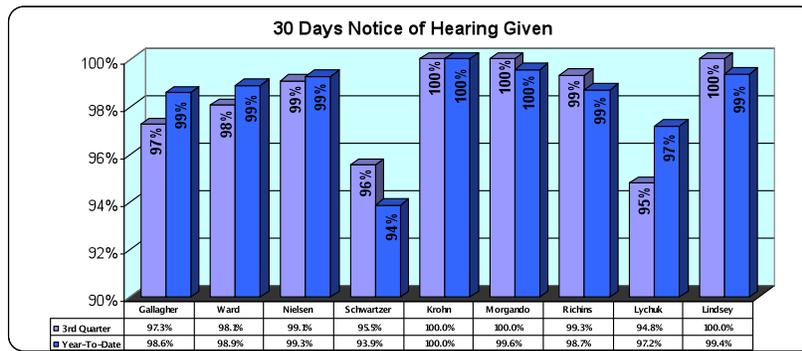
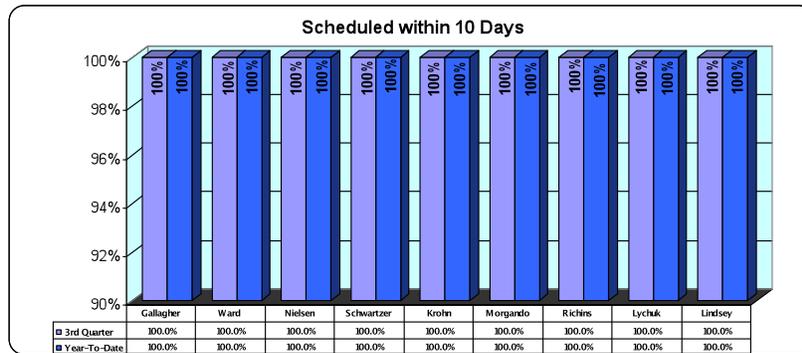
These two charts show the number of cases assigned per Appeals Officers and the current caseload with projections reflecting how cases are being assigned. Since one Appeals Officer is retiring in June 2011, cases must be assigned to the remaining Appeals Officers until a new Appeals Officer is appointed.



Statutory Requirements for Timeliness

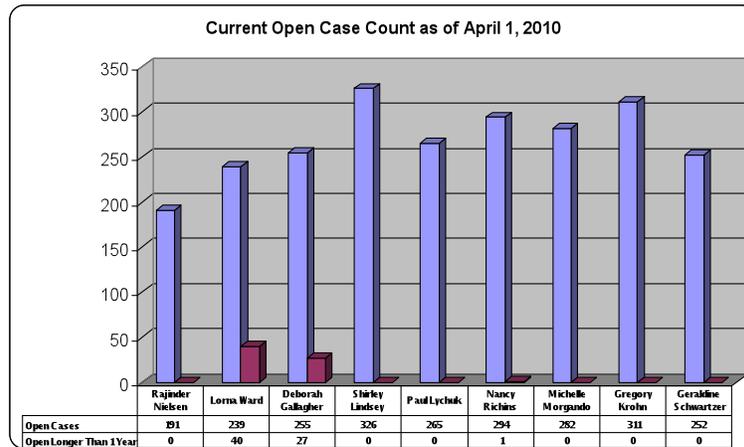
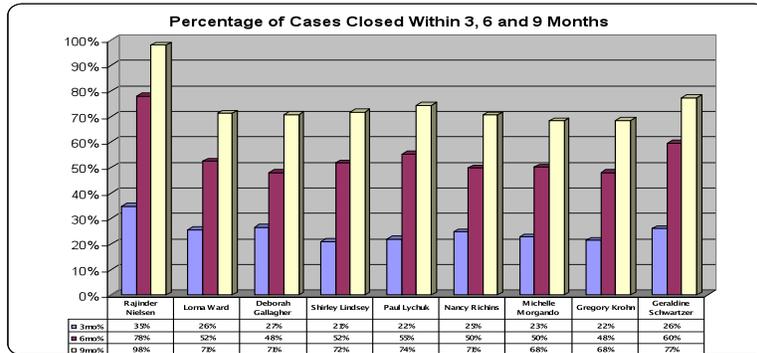
NRS 616C.345 requires the Appeals Officer to schedule a hearing within 10 days of receiving an appeal, for a hearing date within 90 days, while providing at least 30 days notice to the parties. Appeals Officers are required to render decisions within 30 days as set forth in NRS 616C.360.

The next four charts show the individual Appeals Officers compliance with these deadlines:



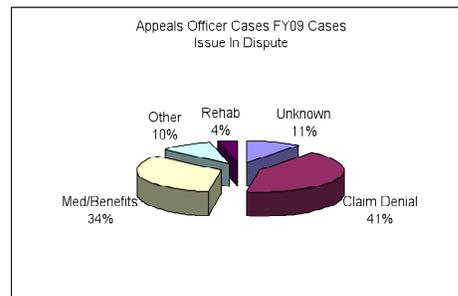
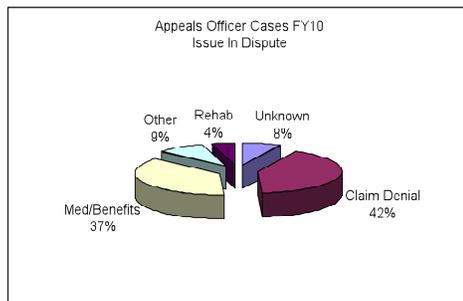
Performance Goals

In addition to these statutory timeframes the Division has set performance goals for managing the Appeals Officer caseloads. These goals encourage Appeals Officers to focus on timely dispute resolution. The first chart shows the Appeals Officer cases closed in 3, 6 and 9 months. The second chart shows the number of open cases per Appeals Officer.



Issues on Appeal

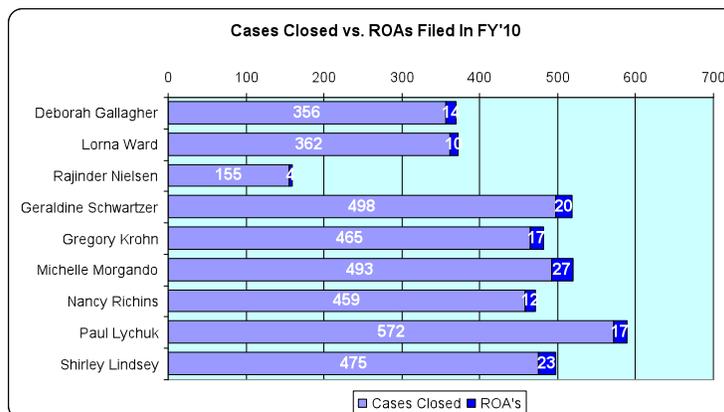
These charts show the issues that have been appealed to the Appeals Officers in the last two fiscal years.



Appeals to the District Court

The following two charts show the average time to complete assigned cases and the status of their open caseload as of the end of the fiscal year.

The following chart shows the number of Appeals Officer cases closed during the fiscal year. As this chart shows about 4% of the Appeals Officer decisions were appealed to the District Court.



SUMMARY

The Hearings Division helps resolve thousands of disputed workers compensation cases every year. In addition to workers compensation cases the Division serves several other state agencies by conducting hearings in their disputed cases. The statistics presented here show that the Division schedules, hears, and decides the cases within its jurisdiction in a timely and responsive manner.