

**ATTORNEY GENERAL
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Via Hand Delivered

Ms. Sue Dunt
Risk Manager
201 S. Roop Street, Suite 201
Carson City, NV 89701

RE: Sole proprietor waiver for out of state workers compensation insurance.

Dear Sue:

This letter is to confirm our previous discussions regarding the sole whether a sole proprietor must be domiciled in Nevada in order to waive workers compensation insurance by affidavit of rejection.

I do not read NRS 616B.627(2) as limiting the availability of the affidavit of rejection to persons domiciled in Nevada. I believe that the misunderstanding arose from the fact that NRS 616A.310 includes in the definition of "sole proprietor" the statement that "Coverage remains in effect only if the sole proprietor remains a domiciliary of Nevada." Although this definition applies to NRS 616B, I do not interpret this sentence as limiting NRS 616B.627(2) to Nevada residents because it refers to "coverage," not the waiver of coverage.


Accordingly, an out-of-state sole provider may waive workers compensation insurance by signing an affidavit of rejection pursuant to NRS 616B.627(2).

Please be advised that this letter reflects my legal opinion as your counsel; it does not constitute a formal opinion of the Office of the Attorney General.

If you have any comments or questions please do not hesitate to contact me.

Sincere regards,

GEORGE J. CHANOS
Attorney General

By: 
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