1. Does your jurisdiction maintain a collateral source rule?

Nevada has adopted a *per se* rule that bars the admission of a collateral source of payment for a loss or injury into evidence for any purpose. The Nevada Supreme Court has also expressed an interest in expanding the rule to prevent the introduction of health insurance “write-downs” into evidence. *Tri County equip & Leasing, LLC v. Klinke*, 286 P.3d 593 (2012). However, worker’s compensation payments are an exception to the rule.

2. Does your jurisdiction allow plaintiff recovery for expenses written off by the healthcare provider?

The answer to this question is not settled but a Plaintiff can likely recover for expenses written off by a healthcare provider. The Nevada Supreme Court has expressed an interest in expanding the collateral source rule to prevent the introduction of health insurance write-downs into evidence. *Tri County Equip & Leasing, LLC v. Klinke*, 286 P.3d 593 (2012).

3. Must a plaintiff prove medical services were reasonable or necessary in order to recover?


4. Must a plaintiff guarantee reimbursement payment to a healthcare provider if a judgment is rendered or settlement achieved?

A plaintiff does not need to guarantee reimbursement but Nevada provides a statutory lien to hospitals against the judgment or any settlement obtained by the plaintiff. NRS § 108.590.

5. If an insurance carrier maintains a contractual agreement with a healthcare provider that reduces payments, what can a plaintiff "blackboard" as damages? (I.e., what effect does a pre-existing agreement between an insurance carrier and healthcare provider have on a plaintiff's ability to recover medical bills?)

The plaintiff is entitled to present evidence on and recover the amount billed by a healthcare provider. *See Bielar v. Washoe Health Sys.* 306 P.3d 360 (2013).

*This section of the Compendium was prepared by an attorney not licensed in the State of Nevada. Although the attorney used his/her best efforts to set forth the current law, users of this section of the Compendium should rely solely on counsel licensed in the State of Nevada.*