

2622 Stale Claims

Stale claim is defined in [NRS 353.097\(1\)](#).

Pursuant to statute, the State Board of Examiners may authorize its Clerk, or a person designated by the Clerk, to approve stale claims on behalf of the Board. The Board has authorized the Clerk to approve all stale claims ~~less than \$50,000, with claims \$50,000 or greater submitted to the Board of Examiners for action.~~ Pursuant to statute, state agencies may pay from the appropriate budget account in the current fiscal year (i.e., the budget account from which the claim would have been paid had it been received prior to the close of the fiscal year), if funding is available, a stale claim of the state agency which is:

- (a) Less than \$100-; or
- (b) For medical related expenses pursuant to a claim from a third-party administrator where the agency has established a separate designated category for medical related third-party claims; or
- (c) For payroll related expenses incurred in the immediately preceding fiscal year.

All other stale claims must be submitted to the Budget Division for approval.

When submitting a stale claim, the agency must specify whether the stale claim will be paid from agency resources or from the Stale Claims Account established pursuant to NRS 353.097(2). In some cases, partial payment may be made from the Stale Claims Account and partial payment from the current year funds of the budget account where the claim was incurred.

Payment of stale claims from the Stale Claims Account for an agency may not exceed the amount reverted by that agency for the fiscal year during which the claims were incurred. If the stale claims of an agency exceed the amount reverted for the fiscal year in which the obligations represented by the stale claims were incurred, the state agency may:

- (a) Pay the balance from the appropriate budget account with current year funds;
or
- (b) If savings cannot be generated to cover the stale claims expenditure within the current fiscal year, request Interim Finance Committee Contingency Account funds or, if the Legislature is in session, a supplemental appropriation.

Stale claims from available federal grants or from a permanent fund other than the State General Fund or the State Highway Fund may be paid from the appropriate budget account with current year funds once approved. For non-General Fund or non-Highway Fund stale claims, the payment from current year funds cannot exceed the amount that was available to pay the claim in the account at the close of the fiscal year in which the obligation was incurred.