

ASSEMBLY BILL NO. 488—COMMITTEE ON  
HEALTH AND HUMAN SERVICES

(ON BEHALF OF CLARK COUNTY)

MARCH 19, 2001

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to transportation by fire-fighting agencies of sick or injured persons to medical facilities. (BDR 40-181)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to emergency medical services; authorizing a fire-fighting agency to transport sick or injured persons to a medical facility; extending the grant of limited civil immunity of certain persons who are employed or serve as volunteers for a public fire-fighting agency to include certain conduct while transporting sick or injured persons to a medical facility; authorizing a board of county commissioners to establish fees for the transportation by a fire department of sick or injured persons to a medical facility; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1     **Section 1.** NRS 450B.040 is hereby amended to read as follows:  
2     450B.040 “Ambulance” means a motor vehicle , ***including, without***  
3     ***limitation, a vehicle of a fire-fighting agency,*** which is specially designed,  
4     constructed, equipped and staffed to provide basic, intermediate or  
5     advanced care for one or more:  
6         1. Sick or injured persons; or  
7         2. Persons whose medical condition may require special observation  
8     during transportation or transfer.  
9     **Sec. 2.** NRS 450B.072 is hereby amended to read as follows:  
10    450B.072 “Fire-fighting agency” means a fire department or fire  
11    protection district of the state or a political subdivision which holds a  
12    permit authorizing it to provide intermediate or advanced medical care to  
13    sick or injured persons at the scene of an ~~emergency. This~~ ***emergency or***  
14    ***while transporting those persons to a medical facility. The*** term does not



1 include a ~~person or governmental~~ *private* entity which provides  
2 transportation of ~~those~~ *such* persons to a medical facility.

3 **Sec. 3.** NRS 450B.100 is hereby amended to read as follows:

4 450B.100 "Permit" means the permit issued by the health authority  
5 under the provisions of this chapter to:

6 1. A person, agency of the state or political subdivision to own or  
7 operate an ambulance or air ambulance in the State of Nevada; or

8 2. A fire-fighting agency to provide intermediate or advanced medical  
9 care *to sick or injured persons* at the scene of an emergency ~~or~~ *or while*  
10 *transporting those persons to a medical facility.*

11 **Sec. 4.** NRS 450B.240 is hereby amended to read as follows:

12 450B.240 1. A person or governmental entity shall not engage in the  
13 operation of any ambulance or air ambulance service in this state without a  
14 currently valid permit for that service issued by the health authority.

15 2. A fire-fighting agency shall not provide intermediate or advanced  
16 medical care *to sick or injured persons* at the scene of an emergency *or*  
17 *while transporting those persons to a medical facility* without a currently  
18 valid permit for that care issued by the health authority.

19 **Sec. 5.** NRS 450B.250 is hereby amended to read as follows:

20 450B.250 Except as otherwise provided in this chapter, a person shall  
21 not serve as an attendant on any ambulance or air ambulance and a fireman  
22 shall not provide intermediate or advanced medical care *to sick or injured*  
23 *persons* at the scene of an emergency *or while transporting those persons*  
24 *to a medical facility* unless he holds a currently valid license issued by the  
25 health authority under the provisions of this chapter.

26 **Sec. 6.** NRS 450B.260 is hereby amended to read as follows:

27 450B.260 1. Except as otherwise provided in this section, the public  
28 or private owner of an ambulance or air ambulance or a fire-fighting  
29 agency which owns a vehicle used in providing medical care *to sick or*  
30 *injured persons* at the scene of an emergency *or while transporting those*  
31 *persons to a medical facility* shall not permit its operation and use by any  
32 person not licensed under this chapter.

33 2. An ambulance carrying a sick or injured patient must be occupied  
34 by a driver and an attendant, each of whom is licensed as an attendant  
35 pursuant to this chapter or exempt from licensing pursuant to subsection 6  
36 of NRS 450B.160, except in geographic areas which may be designated by  
37 the board and for which the board may prescribe lesser qualifications.

38 3. An air ambulance carrying a sick or injured patient must be  
39 occupied by a licensed attendant, or a person exempt from licensing  
40 pursuant to subsection 6 of NRS 450B.160, in addition to the pilot of the  
41 aircraft.

42 4. The pilot of an air ambulance is not required to have a license under  
43 this chapter.

44 5. A person who operates or uses a vehicle owned by a fire-fighting  
45 agency is not required to be licensed under this chapter, except that such a  
46 vehicle may not be used to provide intermediate or advanced medical care  
47 *to sick or injured persons* at the scene of an emergency *or while*  
48 *transporting those persons to a medical facility* unless at least one person  
49 in the vehicle is licensed to provide the care.



1     **Sec. 7.** NRS 41.500 is hereby amended to read as follows:

2     41.500 1. Except as otherwise provided in NRS 41.505, any person  
3     in this state who renders emergency care or assistance in an emergency,  
4     gratuitously and in good faith, is not liable for any civil damages as a result  
5     of any act or omission, not amounting to gross negligence, by him in  
6     rendering the emergency care or assistance or as a result of any act or  
7     failure to act, not amounting to gross negligence, to provide or arrange for  
8     further medical treatment for the injured person.

9     2. Any person in this state who acts as a driver of an ambulance or  
10    attendant on an ambulance operated by a volunteer service or as a  
11    volunteer driver or attendant on an ambulance operated by a political  
12    subdivision of this state, or owned by the Federal Government and  
13    operated by a contractor of the Federal Government, and who in good faith  
14    renders emergency care or assistance to any injured or ill person, whether  
15    at the scene of an emergency or while transporting an injured or ill person  
16    to or from any clinic, doctor's office or other medical facility, is not liable  
17    for any civil damages as a result of any act or omission, not amounting to  
18    gross negligence, by him in rendering the emergency care or assistance, or  
19    as a result of any act or failure to act, not amounting to gross negligence, to  
20    provide or arrange for further medical treatment for the injured or ill  
21    person.

22    3. Any appointed member of a volunteer service operating an  
23    ambulance or an appointed volunteer serving on an ambulance operated by  
24    a political subdivision of this state, other than a driver or attendant, of an  
25    ambulance, is not liable for any civil damages as a result of any act or  
26    omission, not amounting to gross negligence, by him whenever he is  
27    performing his duties in good faith.

28    4. Any person who is a member of a search and rescue organization in  
29    this state under the direct supervision of any county sheriff who in good  
30    faith renders care or assistance in an emergency to any injured or ill person,  
31    whether at the scene of an emergency or while transporting an injured or ill  
32    person to or from any clinic, doctor's office or other medical facility, is not  
33    liable for any civil damages as a result of any act or omission, not  
34    amounting to gross negligence, by him in rendering the emergency care or  
35    assistance, or as a result of any act or failure to act, not amounting to gross  
36    negligence, to provide or arrange for further medical treatment for the  
37    injured or ill person.

38    5. Any person who is employed by or serves as a volunteer for a public  
39    fire-fighting agency and who is authorized pursuant to chapter 450B of  
40    NRS to render emergency medical care *to sick or injured persons* at the  
41    scene of an emergency *or while transporting those persons to a medical*  
42    *facility* is not liable for any civil damages as a result of any act or omission,  
43    not amounting to gross negligence, by that person in rendering that care or  
44    as a result of any act or failure to act, not amounting to gross negligence, to  
45    provide or arrange for further medical treatment for the injured or ill  
46    person.



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- 1     6. Any person who:  
2         (a) Has successfully completed a course in cardiopulmonary  
3         resuscitation according to the guidelines of the American National Red  
4         Cross or American Heart Association;  
5         (b) Has successfully completed the training requirements of a course in  
6         basic emergency care of a person in cardiac arrest conducted in accordance  
7         with the standards of the American Heart Association; or  
8         (c) Is directed by the instructions of a dispatcher for an ambulance, air  
9         ambulance or other agency that provides emergency medical services  
10        before its arrival at the scene of the emergency,  
11        and who in good faith renders cardiopulmonary resuscitation in accordance  
12        with his training or the direction, other than in the course of his regular  
13        employment or profession, is not liable for any civil damages as a result of  
14        any act or omission, not amounting to gross negligence, by that person in  
15        rendering that care.
- 16     7. For the purposes of subsection 6, a person who:  
17         (a) Is required to be certified in the administration of cardiopulmonary  
18         resuscitation pursuant to NRS 391.092; and  
19         (b) In good faith renders cardiopulmonary resuscitation on the property  
20         of a public school or in connection with a transportation of pupils to or  
21         from a public school or while on activities that are part of the program of a  
22         public school,  
23        shall be presumed to have acted other than in the course of his regular  
24        employment or profession.
- 25     8. Any person who:  
26         (a) Has successfully completed a course in cardiopulmonary  
27         resuscitation and training in the operation and use of an automated external  
28         defibrillator that were conducted in accordance with the standards of the  
29         American Heart Association or the American National Red Cross; and  
30         (b) Gratuitously and in good faith renders emergency medical care  
31         involving the use of an automated external defibrillator in accordance with  
32         his training,  
33        is not liable for any civil damages as a result of any act or omission, not  
34        amounting to gross negligence, by that person in rendering that care.
- 35     9. A person or governmental entity that provided the requisite training  
36        set forth in subsection 8 to a person who renders emergency care in  
37        accordance with subsection 8 is not liable for any civil damages as a result  
38        of any act or omission, not amounting to gross negligence, by the person  
39        rendering such care.
- 40     10. A business or organization that has placed an automated external  
41        defibrillator for use on its premises is not liable for any civil damages as a  
42        result of any act or omission, not amounting to gross negligence, by the  
43        person rendering such care or for providing the automated external  
44        defibrillator to the person for the purpose of rendering such care if the  
45        business or organization:  
46         (a) Complies with all current federal and state regulations governing the  
47        use and placement of an automated external defibrillator;



1 (b) Ensures that only a person who has at least the qualifications set  
2 forth in subsection 8 uses the automated external defibrillator to provide  
3 care;

4 (c) Ensures that the automated external defibrillator is maintained and  
5 tested according to the operational guidelines established by the  
6 manufacturer; and

7 (d) Establishes and maintains a program to ensure compliance with  
8 current regulations, requirements for training, requirements for notification  
9 of emergency medical assistance and guidelines for the maintenance of the  
10 equipment.

11 11. As used in this section, "gratuitously" means that the person  
12 receiving care or assistance is not required or expected to pay any  
13 compensation or other remuneration for receiving the care or assistance.

14 **Sec. 8.** NRS 244.2961 is hereby amended to read as follows:

15 244.2961 1. The board of county commissioners may by ordinance  
16 create a district for a fire department. The board of county commissioners  
17 is ex officio the governing body of any district created pursuant to this  
18 section and may:

19 (a) Organize, regulate and maintain the fire department.

20 (b) Appoint and prescribe the duties of the fire chief.

21 (c) Designate arson investigators as peace officers.

22 (d) Regulate or prohibit the storage of any explosive, combustible or  
23 inflammable material in or transported through the county, and prescribe  
24 the distance from any residential or commercial area where it may be kept.  
25 Any ordinance adopted pursuant to this paragraph that regulates places of  
26 employment where explosives are stored must be at least as stringent as the  
27 standards and procedures adopted by the division of industrial relations of  
28 the department of business and industry pursuant to NRS 618.890.

29 (e) Establish, by ordinance, a fire code and other regulations necessary  
30 to carry out the purposes of this section.

31 (f) *If the fire department transports sick or injured persons to a  
32 medical facility:*

33 *(1) Require the fire department to defray the expenses of furnishing  
34 such transportation by imposing and collecting fees; and*

35 *(2) Establish, by ordinance, a schedule of such fees.*

36 (g) Include the budget of the district in the budget of the county.

37 ~~(e)~~ (h) Hold meetings of the governing body of the district in  
38 conjunction with the meetings of the board of county commissioners  
39 without posting additional notices of the meetings within the district.

40 2. The other officers and employees of the county shall perform duties  
41 for the district that correspond to the duties they perform for the county.

42 3. All persons employed to perform the functions of the fire  
43 department are employees of the county for all purposes.

44 **Sec. 9.** This act becomes effective on July 1, 2001.

