

Amendment No. 154

Assembly Amendment to Assembly Bill No. 132 (BDR 3-151)

Proposed by: Assembly Committee on Judiciary

Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

RBL



Date: 4/8/2013

A.B. No. 132—Provides certain immunity from tort liability to persons employed by an agency to provide personal care services in the home.
(BDR 3-151)



ASSEMBLY BILL NO. 132—ASSEMBLYMEN CARRILLO, EISEN, DIAZ; COHEN, DONDERO
LOOP, MARTIN AND WHEELER

FEBRUARY 18, 2013

Referred to Committee on Judiciary

SUMMARY—Provides ~~certain~~ immunity from ~~tort~~ civil liability to persons employed by an agency to provide personal care services in the home in certain circumstances. (BDR ~~3-151~~) 40-151

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 ~~tort actions~~ personal care services; providing ~~certain~~ immunity from ~~tort~~ civil liability to persons employed by an agency to provide personal care services in the home in certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing laws provide immunity from certain tort liability to governmental entities and persons under various circumstances. (Chapter 41 of NRS) This bill provides immunity from ~~tort~~ civil liability for the rendering of emergency care or assistance to an elderly person or a person with a disability by a person employed by an agency to provide personal care services in the home if that person: (1) has completed certain courses or training in cardiopulmonary resuscitation or first aid; (2) rendered the care or assistance in the course of his or her regular employment or profession; and (3) rendered the care or assistance in good faith and in accordance with his or her training.

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

Section 1. Chapter ~~441~~ 449 of NRS is hereby amended by adding thereto a new section to read as follows:

~~Any person who is employed by an agency to provide personal care services in the home who:~~

~~(a) 1. Has successfully completed a course in cardiopulmonary resuscitation according to the guidelines of the American National Red Cross or American Heart Association;~~

~~(b) 2. Has successfully completed the training requirements of a course in basic emergency care of a person in cardiac arrest conducted in accordance with the standards of the American Heart Association; or~~

~~(c)~~ 3. *Has successfully completed the training requirements of a course in the use and administration of first aid, including cardiopulmonary resuscitation, and who in good faith renders emergency care or assistance in accordance with the person's training, in the course of his or her regular employment or profession, to an elderly person or a person with a disability, is not liable for any civil damages as a result of any act or omission, not amounting to gross negligence, by that person in rendering that care.*

~~2. As used in this section, "agency to provide personal care services in the home" has the meaning ascribed to it in NRS 440.0021.~~

Sec. 2. This act becomes effective on July 1, 2013.