

## SENATE BILL NO. 285—SENATOR HARDY

MARCH 15, 2013

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to emergency medical services. (BDR 40-833)

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; revising provisions governing the exemption of certain air ambulances and attendants from the provisions governing emergency medical services; limiting the scope of certain provisions governing the regulation of air ambulances; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law governs the provision of emergency medical services to persons in this State, including the operation of air ambulances. (Chapter 450B of NRS) Specifically, existing law prohibits a person or governmental entity from operating an air ambulance service in this State without first obtaining a permit for that service. (NRS 450B.240) Existing law similarly prohibits a person from serving as an attendant on an air ambulance without first obtaining a license. (NRS 450B.250) However, existing law exempts air ambulances and attendants for air ambulances based outside this State from the provisions governing emergency medical services, including those provisions which require a permit to operate an air ambulance and a license to serve as an attendant on an air ambulance. (NRS 450B.830)

**Section 11** of this bill limits the exemption for air ambulances based outside this State so that it applies only to those air ambulances that: (1) deliver patients from a location outside this State to a location within this State; and (2) do not receive any patients within this State. **Section 11** further revises the exemption for attendants of an air ambulance so that it applies only to those attendants rendering service solely on air ambulances which are exempt from the provisions of chapter 450B of NRS. **Sections 1, 2, 4-7 and 9-10** of this bill narrow the scope of certain provisions governing the operation of air ambulances so that they govern only the medical aspects of the operation of those air ambulances.

Finally, existing law requires each public and private owner of an ambulance or air ambulance to file: (1) his or her schedule of rates; and (2) any change in that schedule before the change becomes effective. (NRS 450B.235) **Section 8** of this



23 bill eliminates the requirement that a public or private owner of an air ambulance  
24 file a change in his or her schedule of rates before the change becomes effective.

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

1     **Section 1.** NRS 450B.130 is hereby amended to read as  
2 follows:

3     450B.130 1. The board shall adopt regulations establishing  
4 reasonable minimum standards for:

- 5     (a) Sanitation in ambulances and air ambulances;  
6     (b) Medical and nonmedical equipment and supplies to be  
7 carried in ambulances ~~and air ambulances~~ and medical equipment  
8 and supplies to be carried in *air ambulances and* vehicles of a fire-  
9 fighting agency;  
10    (c) Interior configuration, design and dimensions of ambulances  
11 placed in service after July 1, 1979;  
12    (d) Permits for operation of ambulances, air ambulances and  
13 vehicles of a fire-fighting agency;  
14    (e) Records to be maintained by an operator of an ambulance or  
15 air ambulance or by a fire-fighting agency; and  
16    (f) Treatment of patients who are critically ill or in urgent need  
17 of treatment.

18    2. *Any regulations adopted by the board pursuant to*  
19 *subsection 1 establishing reasonable minimum standards for a*  
20 *permit for the operation of an air ambulance or records to be*  
21 *maintained by an operator of an air ambulance must:*

- 22    (a) *Except as otherwise provided in paragraph (b), be based on*  
23 *the medical aspects of the operation of an air ambulance,*  
24 *including, without limitation, aspects related to patient care; and*  
25    (b) *Not be based on economic factors, including, without*  
26 *limitation, factors related to the prices, routes or nonmedical*  
27 *services of an air ambulance.*

28    3. The health officers of this state shall jointly adopt  
29 regulations to establish the minimum standards for the certification  
30 of emergency medical technicians. Upon adoption of the  
31 regulations, each health authority shall adopt the regulations for its  
32 jurisdiction. After each health authority adopts the regulations, the  
33 standards established constitute the minimum standards for  
34 certification of emergency medical technicians in this state. Any  
35 changes to the minimum standards must be adopted jointly by the  
36 health officers and by each health authority in the manner set forth  
37 in this subsection. Any changes in the minimum standards which are  
38 not adopted in the manner set forth in this subsection are void.



~~13-1~~ 4. A health officer may adopt regulations that impose additional requirements for the certification of emergency medical technicians in the jurisdiction of the health officer, but the health officer must accept the certification of an emergency medical technician from the jurisdiction of another health officer as proof that the emergency medical technician has met the minimum requirements for certification.

**Sec. 2.** NRS 450B.150 is hereby amended to read as follows:

450B.150 1. The health authority shall administer and enforce the provisions of this chapter.

2. The health authority and its authorized agents shall enter upon and inspect, in a reasonable manner and during reasonable business hours, the premises and vehicles of persons and governmental entities providing services regulated pursuant to the provisions of this chapter.

*3. If, pursuant to subsection 2, the health authority or its authorized agents conduct an inspection of the premises or aircraft of persons or governmental entities providing air ambulance services, the inspection must be related only to the medical aspects of the operation of the air ambulance.*

**Sec. 3.** NRS 450B.1985 is hereby amended to read as follows:

450B.1985 1. Except as otherwise provided in subsection 2, no permit may be issued pursuant to this chapter authorizing a fire-fighting agency to provide intermediate or advanced medical care to sick or injured persons while transporting those persons to a medical facility.

2. Except as otherwise provided in subsection ~~19-1~~ 10 of NRS 450B.200, the district board of health in a county whose population is 700,000 or more may issue a permit pursuant to NRS 450B.200 or 450B.210 authorizing a fire-fighting agency to provide intermediate or advanced medical care to sick or injured persons at the scene of an emergency and while transporting those persons to a medical facility.

**Sec. 4.** NRS 450B.200 is hereby amended to read as follows:

450B.200 1. The health authority may issue a permit for the operation of an ambulance, an air ambulance or a vehicle of a fire-fighting agency at the scene of an emergency.

2. Each permit must be evidenced by a card issued to the holder of the permit.

3. No permit may be issued unless the applicant is qualified pursuant to the regulations of the board.

4. An application for a permit must be made upon forms prescribed by the board and in accordance with procedures established by the board, and must contain the following:



(a) The name and address of the owner of the ambulance or air ambulance or of the fire-fighting agency;

(b) The name under which the applicant is doing business or proposes to do business, if applicable;

(c) A description of each ambulance, air ambulance or vehicle of a fire-fighting agency, including the make, year of manufacture and chassis number, and the color scheme, insignie, name, monogram or other distinguishing characteristics to be used to designate the applicant's ambulance, air ambulance or vehicle;

(d) The location and description of the places from which the ambulance, air ambulance or fire-fighting agency intends to operate; and

(e) Such other information as the board deems reasonable and necessary to a fair determination of compliance with the provisions of this chapter.

5. The board shall establish a reasonable fee for annual permits.

6. All permits expire on July 1 following the date of issue, and are renewable annually thereafter upon payment of the fee required by subsection 5 at least 30 days before the expiration date.

7. The health authority shall:

(a) Revoke, suspend or refuse to renew any permit issued pursuant to this section for violation of any provision of this chapter or of any regulation adopted by the board; or

(b) Bring an action in any court for violation of this chapter or the regulations adopted pursuant to this chapter,

➔ only after the holder of a permit is afforded an opportunity for a public hearing pursuant to regulations adopted by the board.

8. The health authority may suspend a permit if the holder is using an ambulance, air ambulance or vehicle of a fire-fighting agency which does not meet the minimum requirements for equipment as established by the board pursuant to this chapter.

9. *In determining whether to issue a permit for the operation of an air ambulance pursuant to this section, the health authority:*

*(a) Except as otherwise provided in paragraph (b), may consider the medical aspects of the operation of an air ambulance, including, without limitation, aspects related to patient care; and*

*(b) Shall not consider economic factors, including, without limitation, factors related to the prices, routes or nonmedical services of an air ambulance.*

10. The issuance of a permit pursuant to this section or NRS 450B.210 does not authorize any person or governmental entity to provide those services or to operate any ambulance, air ambulance or vehicle of a fire-fighting agency not in conformity with any



ordinance or regulation enacted by any county, municipality or special purpose district.

~~H0-~~ **11.** A permit issued pursuant to this section is valid throughout the State, whether issued by the Health Division or a district board of health. An ambulance, air ambulance or vehicle of a fire-fighting agency which has received a permit from the district board of health in a county whose population is 700,000 or more is not required to obtain a permit from the Health Division, even if the ambulance, air ambulance or vehicle of a fire-fighting agency has routine operations outside the county.

~~H1-~~ **12.** The Health Division shall maintain a central registry of all permits issued pursuant to this section, whether issued by the Health Division or a district board of health.

~~H2-~~ **13.** The board shall adopt such regulations as are necessary to carry out the provisions of this section.

**Sec. 5.** NRS 450B.210 is hereby amended to read as follows:

**450B.210 1.** The board may issue provisional permits limited as to time, place and purpose, based on the need therefor. No provisional permit may be issued for a period of longer than 6 months. The board may establish a reasonable fee for such provisional permits.

**2.** Unless otherwise limited in the permit, a provisional permit issued pursuant to this section is valid for providing emergency services throughout the State, whether issued by the Health Division or a district board of health.

**3. *In determining whether to issue a permit for the operation of an air ambulance pursuant to this section, the health authority:***

***(a) Except as otherwise provided in paragraph (b), may consider the medical aspects of the operation of an air ambulance, including, without limitation, aspects related to patient care; and***

***(b) Shall not consider economic factors, including, without limitation, factors related to the prices, routes or nonmedical services of an air ambulance.***

**Sec. 6.** NRS 450B.220 is hereby amended to read as follows:

**450B.220 1.** Subsequent to issuance of any permit under NRS 450B.200 and 450B.210, the health authority shall cause to be inspected the ambulances, aircraft, vehicles, medical supplies, equipment, personnel, records, premises and operational procedures of a holder of a permit whenever that inspection is deemed necessary, but no less frequently than once each year. The periodic inspection required by this section is in addition to any other state or local inspections required for ambulances, aircraft or motor vehicles under statute or ordinances.

**2. *Any inspection conducted pursuant to subsection 1 of the aircraft, equipment, personnel, records, premises or operational***



*procedures of a holder of a permit to operate an air ambulance must be related only to the medical aspects of the operation of the air ambulance.*

**Sec. 7.** NRS 450B.230 is hereby amended to read as follows:

450B.230 1. The public or private owner of an ambulance or air ambulance or the fire-fighting agency who owns a vehicle used in providing emergency medical care shall not permit its operation and use without the equipment required by regulations and standards of the board.

*2. The provisions of this section do not apply to the equipment in or of an air ambulance unless the equipment is related to the medical aspects of the operation of the air ambulance.*

**Sec. 8.** NRS 450B.235 is hereby amended to read as follows:

450B.235 1. Each public and private owner of an ambulance ~~for air ambulance~~ shall file his or her schedule of rates with the health authority. Any change in a schedule *of an ambulance* must be filed before the change becomes effective.

2. The health authority shall keep each schedule of rates or changes filed with it for at least 3 years after the schedule has been superseded or otherwise become ineffective.

**Sec. 9.** NRS 450B.240 is hereby amended to read as follows:

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

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

*3. Nothing in this section precludes the operation of an aircraft in this State in a manner other than as an air ambulance.*

**Sec. 10.** NRS 450B.260 is hereby amended to read as follows:

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

2. An ambulance carrying a sick or injured patient must be occupied by a driver and an attendant, each of whom is licensed as an attendant pursuant to this chapter or exempt from licensing pursuant to subsection 6 of NRS 450B.160, except as otherwise provided in subsection 5 or in geographic areas which may be



1 designated by the board and for which the board may prescribe  
2 lesser qualifications.

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

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

9 5. A person who operates or uses a vehicle owned by a fire-  
10 fighting agency is not required to be licensed under this chapter,  
11 except that such a vehicle may not be used to provide intermediate  
12 or advanced medical care to sick or injured persons:

13 (a) At the scene of an emergency unless at least one person in  
14 the vehicle is licensed to provide the care; or

15 (b) While transporting those persons to a medical facility unless  
16 at least two persons in the vehicle are licensed to provide the care.

17 *6. Nothing in this section precludes the operation of an*  
18 *aircraft in this State in a manner other than as an air ambulance.*

19 **Sec. 11.** NRS 450B.830 is hereby amended to read as follows:

20 450B.830 The following are exempted from the provisions of  
21 this chapter:

22 1. The occasional use of a vehicle or aircraft to transport  
23 injured or sick persons, which vehicle or aircraft is not ordinarily  
24 used in the business of transporting persons who are sick or injured.

25 2. A vehicle or aircraft rendering services as an ambulance or  
26 air ambulance in case of a major catastrophe or emergency if  
27 ambulance or air ambulance services with permits are insufficient to  
28 render the services required.

29 3. Persons rendering service as attendants in case of a major  
30 catastrophe or emergency if licensed attendants cannot be secured.

31 4. Ambulances ~~and air ambulances~~ based outside this State.

32 5. *Air ambulances based outside this State which:*

33 *(a) Deliver patients from a location outside this State to a*  
34 *location within this State; and*

35 *(b) Do not receive any patients within this State.*

36 6. Attendants based outside this State ~~†~~.

37 ~~—6.† rendering service solely on ambulances which are exempt~~  
38 ~~from the provisions of this chapter.~~

39 7. *Attendants rendering service solely on air ambulances*  
40 *which are exempt from the provisions of this chapter.*

41 8. Vehicles owned and operated by search and rescue  
42 organizations chartered by the State as corporations not for profit or  
43 otherwise existing as nonprofit associations which are not regularly  
44 used to transport injured or sick persons except as part of rescue  
45 operations.



- 1 ~~171~~ 9. Ambulances or air ambulances owned and operated by  
2 an agency of the United States Government.

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