

Amendment No. 302

Assembly Amendment to Assembly Bill No. 305 (BDR 40-167)

Proposed by: Assembly Committee on Health and Human Services

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

Adoption of this amendment will:

(1) REMOVE the 2/3s majority vote requirement from A.B. 305.

(2) MAINTAIN the unfunded mandate not requested by the affected local government to A.B. 305 (§ 4).

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of *green bold underlining* is language proposed to be added 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 proposed to be retained in this amendment.

EWR/RBL



Date: 4/14/2015

A.B. No. 305—Authorizes and provides for the regulation of community paramedicine services. (BDR 40-167)



ASSEMBLY BILL NO. 305—ASSEMBLYMAN OSCARSON

MARCH 13, 2015

Referred to Committee on Health and Human Services

SUMMARY—Authorizes and provides for the regulation of community paramedicine services. (BDR 40-167)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 4)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 public health; ~~providing for an endorsement on~~ **authorizing** the **holder of a** permit ~~to~~ **to operate** an ambulance service, air ambulance service or fire-fighting agency to **obtain an endorsement on the permit to** allow ~~them~~ **certain employees and volunteers** to provide community paramedicine services; ~~in certain cases, authorizing certain providers of emergency medical services employed by such an ambulance service, air ambulance service or fire fighting agency to provide community paramedicine services;~~ **requiring certain health authorities to prepare** an annual report ~~to be prepared~~ concerning the provision of community paramedicine services; repealing a provision which prohibited certain fire-fighting agencies from obtaining a permit to provide intermediate or advanced medical care; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the operator of an ambulance or air ambulance or a fire-fighting agency that operates vehicles at the scene of an emergency to obtain a permit. (NRS 450B.200, 450B.240, 450B.265) **Section 4** of this bill requires the State Board of Health in a county whose population is less than 700,000 (currently all counties except for Clark County) and the district board of health in a county whose population is 700,000 or more (currently Clark County) to adopt regulations to provide for an endorsement to be placed on the permit to operate those vehicles that allows the holder to provide community paramedicine services. **Section 2** of this bill defines the term "community paramedicine services" as health care services provided to **certain** patients ~~outside of a hospital using mobile equipment~~ **who do not require emergency medical transportation** in a manner that is integrated with the local and regional health care and social services systems. **Section 4** requires such regulations to prescribe the training and qualifications necessary for an emergency medical technician, advanced emergency medical technician or paramedic **who is** employed by **or serves as a volunteer for** the holder of such an endorsement ~~to have to be able~~ to provide community

paramedicine services and to prescribe the scope of the community paramedicine services that may be provided.

Section 9 of this bill prohibits a person or governmental entity from providing community paramedicine services without a currently valid permit with an endorsement which authorizes the provision of such services and makes a violation ~~of this~~ a misdemeanor. (NRS 450B.900) **Section 10** of this bill prohibits an emergency medical technician, advanced emergency medical technician or paramedic from providing community paramedicine services unless the person meets certain requirements and makes a violation a misdemeanor. (NRS 450B.900)

Section 5 of this bill requires each holder of a permit with an endorsement to provide community paramedicine services to submit to the ~~(State Board of Health)~~ Division of Public and Behavioral Health of the Department of Health and Human Services or district board of health, as applicable, (health authority) a quarterly report concerning the effect of providing community paramedicine services. **Section 5** also requires the ~~(Board)~~ Division and the district board of health to submit to the Legislature an annual report that summarizes the quarterly reports it receives.

Existing law prohibits an agency other than the district board of health in a county whose population is 700,000 or more (currently only Clark County) from issuing a permit authorizing a fire-fighting agency to provide the level of care provided by an advanced medical technician or paramedic to sick or injured persons while transporting those persons to a medical facility. (NRS 450B.1985) **Section 13** of this bill repeals this provision so that a fire-fighting agency located anywhere in this State may obtain such a permit and provide the level of care provided by an advanced medical technician or paramedic to patients being transported to a medical facility on an emergency basis or, if the agency holds an endorsement to provide community paramedicine services, a non-emergency basis.

Sections 3 and 6-~~14~~ 8.5 make conforming changes.

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

Section 1. Chapter 450B of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

Sec. 2. *“Community paramedicine services” means services provided by an emergency medical technician, advanced emergency medical technician or paramedic to patients who do not require emergency medical transportation ~~to or services at a hospital~~ and provided ~~using mobile equipment and~~ in a manner that is integrated with the health care and social services resources available in the community. ~~[Such services may include, without limitation, transportation to a facility other than a hospital, which may include a mental health facility, and the provision of health care services provided to patients on a scheduled basis.]~~*

Sec. 3. *As used in sections 3, 4 and 5 of this act, unless the context otherwise requires, “emergency medical provider” means an emergency medical technician, advanced emergency medical technician or paramedic.*

Sec. 4. *1. The board shall adopt regulations to provide for the issuance of an endorsement on a permit which allows an emergency medical provider who is employed by or serves as a volunteer for the holder of the permit to provide community paramedicine services. Such regulations must establish, without limitation:*

(a) The manner in which to apply for an endorsement;

(b) The qualifications and requirements of a holder of a permit to obtain an endorsement;

(c) The required training and qualifications of an emergency medical provider who will provide community paramedicine services and the proof necessary to demonstrate such training and qualifications;

(d) The scope of the community paramedicine services that may be provided by an emergency medical provider who is employed by or serves as a volunteer for the holder of the permit, which must not include any services that are outside the scope of practice of the emergency medical provider;

(e) The continuing education requirements or other evidence of continued competency for renewal of the endorsement; and

~~(f) Any fee for the issuance and renewal of the endorsement, which must not exceed the actual cost to the board; and~~

~~(g) Such other requirements as the board deems necessary to carry out the provisions of sections 3, 4 and 5 of this act.~~

2. The holder of a permit may apply for an endorsement to provide community paramedicine services by submitting to the health authority an application upon forms prescribed by the board and in accordance with procedures established by the board. The health authority must not approve an application for an endorsement or a renewal of an endorsement unless the applicant meets the requirements prescribed by the board by regulation pursuant to subsection 1. No additional fee may be charged for an endorsement.

3. An endorsement to provide community paramedicine services expires on the same date as the permit and is renewable annually thereafter ~~upon payment of any fee required by the board~~ at least 30 days before the expiration date.

4. An emergency medical provider may provide community paramedicine services only as an employee of or volunteer for the holder of a permit who has obtained an endorsement and only if the emergency medical provider possesses the training and qualifications required by the board. Any services provided must not exceed the scope of practice of the emergency medical provider.

Sec. 5. 1. Each holder of a permit who has obtained an endorsement to provide community paramedicine services pursuant to section 4 of this act shall submit a quarterly report to the ~~{State Board of Health}~~ health authority that issued the endorsement which must include, without limitation:

(a) Information concerning the community paramedicine services that were provided in lieu of emergency medical transportation ~~{to a hospital}~~, including, without limitation, the types of services provided and the number of persons for whom such services were provided;

(b) The impact of providing community paramedicine services on the overall services provided to patients; and

(c) Such other information as prescribed by the ~~{State Board of Health}~~ health authority or requested by the Legislature or the Legislative Committee on Health Care.

2. On or before February 1 of each year, ~~{the State Board of Health}~~ each health authority shall submit a report summarizing the information received concerning community paramedicine services pursuant to subsection 1 along with a summary of the impact of providing such services to patients in that manner to the Director of the Legislative Counsel Bureau for transmittal to the Legislature in odd-numbered years or the Legislative Committee on Health Care in even-numbered years.

Sec. 6. NRS 450B.020 is hereby amended to read as follows:

450B.020 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 450B.025 to 450B.110, inclusive, and section 2 of this act have the meanings ascribed to them in those sections.

Sec. 7. NRS 450B.072 is hereby amended to read as follows:

450B.072 "Fire-fighting agency" means a fire department or fire protection district of the State or a political subdivision which holds a permit issued pursuant to this chapter. ~~{The term does not include a person or governmental entity, other~~

~~than a governmental entity to whom a permit is issued in accordance with the provisions of NRS 450B.1985, which provides transportation of sick or injured persons to a medical facility.]~~

Sec. 8. NRS 450B.100 is hereby amended to read as follows:

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

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

2. A fire-fighting agency to provide ~~medical~~ :

(a) Medical care by emergency medical technicians, advanced emergency medical technicians or paramedics to sick or injured persons:

~~[(a)]~~ (1) At the scene of an emergency; or

~~[(b)]~~ (2) At the scene of an emergency and while transporting those persons to a medical facility ~~[(1)]~~ ; and

(b) Community paramedicine services, but only if the fire-fighting agency has obtained an endorsement on the permit to provide ~~community paramedicine~~ such services pursuant to section 4 of this act.

Sec. 8.5. NRS 450B.200 is hereby amended to read as follows:

450B.200 1. The health authority may issue a permit for ~~[(a)]~~ :

~~[(a)]~~ *(a) The operation of an ambulance ~~[(1)]~~ or an air ambulance ~~[(2)]~~ ;*

~~[(b)]~~ *(b) A vehicle of a fire-fighting agency ~~[(1)]~~ ;*

~~[(1)]~~ *(1) At the scene of an emergency ~~[(1)]~~ ; and*

~~[(2)]~~ *(2) To provide community paramedicine services, but only if the holder of the permit has obtained an endorsement on the permit to provide such services pursuant to section 4 of this act.*

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,

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

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

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

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

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

14 10. The issuance of a permit pursuant to this section or NRS 450B.210 does
15 not authorize any person or governmental entity to provide those services or to
16 operate any ambulance, air ambulance or vehicle of a fire-fighting agency not in
17 conformity with any ordinance or regulation enacted by any county, municipality or
18 special purpose district.

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

25 12. The Division shall maintain a central registry of all permits issued
26 pursuant to this section, whether issued by the Division or a district board of health.

27 13. The board shall adopt such regulations as are necessary to carry out the
28 provisions of this section.

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

30 450B.240 1. A person or governmental entity shall not engage in the
31 operation of any ambulance or air ambulance service in this state without a
32 currently valid permit for that service issued by the health authority.

33 2. A fire-fighting agency shall not provide the level of medical care provided
34 by an advanced emergency medical technician or paramedic to sick or injured
35 persons at the scene of an emergency or while transporting those persons to a
36 medical facility without a currently valid permit for that care issued by the health
37 authority.

38 3. *A person or governmental entity shall not provide community
39 paramedicine services or represent, advertise or otherwise imply that it is
40 authorized to provide community paramedicine services without a currently valid
41 permit with an endorsement to provide community paramedicine services issued
42 by the health authority pursuant to section 4 of this act.*

43 4. Nothing in this section precludes the operation of an aircraft in this state in
44 a manner other than as an air ambulance.

45 **Sec. 10.** NRS 450B.250 is hereby amended to read as follows:

46 450B.250 1. Except as otherwise provided in this chapter, a person shall not
47 serve as an attendant on any ambulance or air ambulance and a firefighter shall not
48 provide the level of medical care provided by an advanced emergency medical
49 technician or paramedic to sick or injured persons at the scene of an emergency or
50 while transporting those persons to a medical facility unless the person holds a
51 currently valid license issued by the health authority under the provisions of this
52 chapter.

1 2. *A person shall not provide community paramedicine services unless the*
2 *person:*

3 (a) *Is certified as an emergency medical technician, an advanced emergency*
4 *medical technician or a paramedic;*

5 (b) *Is employed by or serves as a volunteer for a person or governmental*
6 *entity which has a currently valid permit with an endorsement to provide*
7 *community paramedicine services issued by the health authority pursuant to*
8 *section 4 of this act; and*

9 (c) *Meets the qualifications and has satisfied any training required by*
10 *regulations adopted pursuant to section 4 of this act.*

11 **Sec. 11.** The provisions of subsection 1 of NRS 218D.380 do not apply to
12 any provision of this act which adds or revises a requirement to submit a report to
13 the Legislature.

14 **Sec. 12.** The provisions of NRS 354.599 do not apply to any additional
15 expenses of a local government that are related to the provisions of this act.

16 **Sec. 13.** NRS 450B.1985 is hereby repealed.

17 **Sec. 14.** This act becomes effective:

18 1. Upon passage and approval for the purpose of adopting any regulations and
19 performing any other preparatory administrative tasks necessary to carry out the
20 provisions of this act; and

21 2. On January 1, 2016, for all other purposes.

TEXT OF REPEALED SECTION

450B.1985 Exclusive method of issuance; authority of district board of health in certain larger counties to issue; situations in which certain medical care may be provided.

1. Except as otherwise provided in subsection 2, no permit may be issued pursuant to this chapter authorizing a fire-fighting agency to provide the level of medical care provided by an advanced emergency medical technician or paramedic to sick or injured persons while transporting those persons to a medical facility.

2. Except as otherwise provided in subsection 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 the level of medical care provided by an advanced emergency medical technician or paramedic to sick or injured persons at the scene of an emergency and while transporting those persons to a medical facility.