

Amendment No. 710

Senate Amendment to Assembly Bill No. 129 Second Reprint	(BDR 40-157)
Proposed by: Senate Committee on Health and Human Services	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

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: 5/14/2019

A.B. No. 129—Requires certain first responders to receive certain training concerning persons with developmental disabilities.
(BDR 40-157)



ASSEMBLY BILL NO. 129—ASSEMBLYWOMEN MUNK;
BENITEZ-THOMPSON AND MONROE-MORENO

FEBRUARY 12, 2019

Referred to Committee on Health and Human Services

SUMMARY—Requires certain first responders to receive certain training concerning persons with developmental disabilities. (BDR 40-157)

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

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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 response; requiring certain first responders to receive training concerning identifying and interacting with persons with developmental disabilities; providing ~~certain immunity from civil liability to a person who is required to complete such training and the State or any political subdivision of the State that employs such a person;~~ that receiving such training does not change the standard of care for which such first responders are responsible; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides for the licensure of ambulance attendants and firefighters and the certification of emergency medical technicians, advanced emergency medical technicians, paramedics and peace officers. (NRS 289.550, 450B.160, 450B.180) **Sections 2, 4 and 11** of this bill require each applicant for such licensure or certification to complete training concerning persons with developmental disabilities before initial licensure or certification, as applicable. **Sections 1, 3, 5-10 and 12** of this bill make conforming changes. **Section 13** of this bill requires a person who, on October 1, 2019, is licensed as an ambulance attendant or firefighter or certified as an emergency medical technician, advanced emergency medical technician, paramedic or peace officer to submit proof on or before October 1, 2020, that he or she has completed the additional training concerning persons with developmental disabilities required by **section 2, 4 or 11**.

Section 10.5 of this bill provides ~~immunity from civil liability to~~ that a person who is required to complete training concerning persons with developmental disabilities ~~for any death, bodily injury or damage to property that occurs as a result of his or her failure to receive such training or act in a manner consistent with the training, unless the failure results from willful misconduct or bad faith. Section 10.5 also provides that the State or any political subdivision of the State that employs such a person is immune from civil liability for any death, bodily injury or damage to property that occurs as a result of the failure of the person to receive the required training or act in a manner consistent with the training.~~ shall not be held to a higher standard of care and does not have a duty greater than had he or she not received the training with respect to the identification, diagnosis or treatment of a developmental disability.

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

Section 1. NRS 450B.064 is hereby amended to read as follows:

450B.064 “Emergency medical services registered nurse” means a registered nurse who is issued a certificate to serve as an attendant by the State Board of Nursing pursuant to subsection ~~4~~ 9 of NRS 450B.160.

Sec. 2. NRS 450B.160 is hereby amended to read as follows:

450B.160 1. The health authority may issue licenses to attendants and to firefighters employed by or serving as volunteers with a fire-fighting agency.

2. Each license must be evidenced by a card issued to the holder of the license, is valid for a period not to exceed 2 years and is renewable.

3. An applicant for a license must file with the health authority:

(a) A current, valid certificate evidencing the applicant’s successful completion of a program of training as an emergency medical technician, advanced emergency medical technician or paramedic, if the applicant is applying for a license as an attendant, or, if a volunteer attendant, at a level of skill determined by the board.

(b) A current valid certificate evidencing the applicant’s successful completion of a program of training as an emergency medical technician, advanced emergency medical technician or paramedic, if the applicant is applying for a license as a firefighter with a fire-fighting agency.

(c) A signed statement showing:

(1) The name and address of the applicant;

(2) The name and address of the employer of the applicant; and

(3) A description of the applicant’s duties.

(d) *Proof that the applicant has completed the training required by subsection 4.*

(e) Such other certificates for training and such other items as the board may specify.

4. *In addition to the training required by subsection 3, each applicant for a license must complete training concerning identifying and interacting with persons with developmental disabilities.*

5. The board shall adopt such regulations as it determines are necessary for the issuance, suspension, revocation and renewal of licenses.

~~5.5~~ 6. Each operator of an ambulance or air ambulance and each fire-fighting agency shall annually file with the health authority a complete list of the licensed persons in its service.

~~6.5~~ 7. Licensed physicians, registered nurses and licensed physician assistants may serve as attendants without being licensed under the provisions of this section. A registered nurse who performs emergency care in an ambulance or air ambulance shall perform the care in accordance with the regulations of the State Board of Nursing. A licensed physician assistant who performs emergency care in an ambulance or air ambulance shall perform the care in accordance with the regulations of the Board of Medical Examiners.

~~7.5~~ 8. Each licensed physician, registered nurse and licensed physician assistant who serves as an attendant must have current certification of completion of training in:

(a) Advanced life-support procedures for patients who require cardiac care;

(b) Life-support procedures for pediatric patients who require cardiac care; and

(c) Life-support procedures for patients with trauma that are administered before the arrival of those patients at a hospital.

1 ↪ The certification must be issued by the Board of Medical Examiners for a
2 physician or licensed physician assistant or by the State Board of Nursing for a
3 registered nurse.

4 ~~8.9.~~ 9. The Board of Medical Examiners and the State Board of Nursing shall
5 issue a certificate pursuant to subsection ~~7.8~~ 8 if the licensed physician, licensed
6 physician assistant or registered nurse attends:

7 (a) A course offered by a national organization which is nationally recognized
8 for issuing such certification;

9 (b) Training conducted by the operator of an ambulance or air ambulance; or

10 (c) Any other course or training.

11 ↪ approved by the Board of Medical Examiners or the State Board of Nursing,
12 whichever is issuing the certification.

13 10. *As used in this section, "developmental disability" has the meaning*
14 *ascribed to it in NRS 435.007.*

15 Sec. 3. NRS 450B.171 is hereby amended to read as follows:

16 450B.171 Except as otherwise provided in this chapter, unlicensed relatives
17 of a sick or injured patient and other persons may ride in an ambulance if there are
18 two attendants in the ambulance, each of whom is licensed pursuant to this chapter
19 or exempt from licensing pursuant to subsection ~~6.7~~ 7 of NRS 450B.160.

20 Sec. 4. NRS 450B.180 is hereby amended to read as follows:

21 450B.180 1. Any person desiring certification as an emergency medical
22 technician, advanced emergency medical technician or paramedic must apply to the
23 health authority using forms prescribed by the health authority.

24 2. The health authority, pursuant to regulations and procedures adopted by the
25 board, shall make a determination of the applicant's qualifications to be certified as
26 an emergency medical technician, advanced emergency medical technician or
27 paramedic and shall issue the appropriate certificate to each qualified applicant.

28 3. A certificate is valid for a period not exceeding 2 years and may be
29 renewed if the holder of the certificate complies with the provisions of this chapter
30 and meets the qualifications set forth in the regulations and standards established by
31 the board pursuant to this chapter. The regulations and standards established by the
32 board must provide for the completion of ~~4.1~~ 4:

33 (a) A course of instruction, within 2 years after initial ~~licensure~~ certification,
34 relating to the medical consequences of an act of terrorism that involves the use of a
35 weapon of mass destruction. The course must provide at least 4 hours of instruction
36 that includes instruction in the following subjects:

37 ~~1.1~~ (1) An overview of acts of terrorism and weapons of mass destruction;

38 ~~1.2~~ (2) Personal protective equipment required for acts of terrorism;

39 ~~1.3~~ (3) Common symptoms and methods of treatment associated with
40 exposure to, or injuries caused by, chemical, biological, radioactive and nuclear
41 agents;

42 ~~1.4~~ (4) Syndromic surveillance and reporting procedures for acts of terrorism
43 that involve biological agents; and

44 ~~1.5~~ (5) An overview of the information available on, and the use of, the
45 Health Alert Network.

46 ↪ The board may thereafter determine whether to establish regulations and
47 standards requiring additional courses of instruction relating to the medical
48 consequences of an act of terrorism that involves the use of a weapon of mass
49 destruction.

50 (b) *Training before initial certification concerning identifying and*
51 *interacting with persons with developmental disabilities. Training completed*
52 *pursuant to this paragraph also satisfies the requirement for such training*
53 *prescribed by NRS 450B.160 or section 11 of this act, if applicable.*

4. The health authority may suspend or revoke a certificate if it finds that the holder of the certificate no longer meets the prescribed qualifications. Unless the certificate is suspended by the district court pursuant to NRS 425.540, the holder of the certificate may appeal the suspension or revocation of his or her certificate pursuant to regulations adopted by the board.

5. The board shall determine the procedures and techniques which may be performed by an emergency medical technician, advanced emergency medical technician or paramedic.

6. A certificate issued pursuant to this section is valid throughout the State, whether issued by the Division or a district board of health.

7. The Division shall maintain a central registry of all certificates issued pursuant to this section, whether issued by the Division or a district board of health.

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

9. As used in this section:

(a) "Act of terrorism" has the meaning ascribed to it in NRS 202.4415.

(b) "Biological agent" has the meaning ascribed to it in NRS 202.442.

(c) "Chemical agent" has the meaning ascribed to it in NRS 202.4425.

(d) *"Developmental disability" has the meaning ascribed to it in NRS 435.007.*

(e) "Radioactive agent" has the meaning ascribed to it in NRS 202.4437.

~~(e)~~ (f) "Weapon of mass destruction" has the meaning ascribed to it in NRS 202.4445.

Sec. 5. NRS 450B.1905 is hereby amended to read as follows:

450B.1905 1. A program of training for certification as an emergency medical technician must be:

(a) Supervised by a physician and approved by the health authority; or

(b) Presented by a national organization which is nationally recognized for providing such training and approved by the board.

2. A program of training for certification as an emergency medical technician must follow the curriculum or educational standards prepared by the United States Department of Transportation as a national standard for emergency medical technicians.

3. The board may adopt regulations which prescribe other requirements of training for certification as an emergency medical technician.

4. An owner of an ambulance shall not offer emergency medical care to a patient in urgent need of medical care or observation unless the attendant has successfully completed a program of training for certification as an emergency medical technician or is exempt, pursuant to subsection ~~(6)~~ 7 of NRS 450B.160, from the requirement to obtain that training.

5. The board may by regulation prescribe additional requirements for receiving and maintaining certification as an emergency medical technician. The curriculum or educational standards for training must be:

(a) At the level of advanced first aid; or

(b) At least equivalent to any curriculum or educational standards prepared by the Department of Transportation as a national standard for emergency medical technicians.

Sec. 6. NRS 450B.191 is hereby amended to read as follows:

450B.191 1. A program of training for certification as an advanced emergency medical technician must be supervised by a licensed physician and approved by the health authority.

2. A program of training for certification as an advanced emergency medical technician must include an approved curriculum in intravenous therapy and the

management of a passage for air to the lungs. Only a certified emergency medical technician with experience as established by the board is eligible for this training.

3. In order to maintain certification, each advanced emergency medical technician must annually:

(a) Comply with the requirements established by the board for continuing medical education; and

(b) Demonstrate his or her skills as required by regulation of the board.

4. The board may by regulation prescribe the curriculum and other requirements for training and maintaining certification as an advanced emergency medical technician. The curriculum must be at least equivalent to any curriculum or educational standards prepared by the United States Department of Transportation as a national standard for advanced emergency medical technicians.

5. A person shall not represent himself or herself to be an advanced emergency medical technician unless the person has on file with the health authority a currently valid certificate demonstrating successful completion of the program of training required by this section.

6. Except as authorized by subsection ~~64~~ 7 of NRS 450B.160, an attendant or firefighter shall not perform, and the owner, operator, director or chief officer of an ambulance or a fire-fighting agency shall not offer, emergency care as an advanced emergency medical technician without fulfilling the requirements established by the board.

Sec. 7. NRS 450B.195 is hereby amended to read as follows:

450B.195 1. Only a certified emergency medical technician with experience as established by the board is eligible for training as a paramedic.

2. A program of training for certification as a paramedic must be supervised by a licensed physician and approved by the health authority.

3. To maintain certification, each paramedic must annually:

(a) Comply with the requirements established by the board for continuing medical education; and

(b) Demonstrate his or her skills as required by regulation of the board.

4. The board may by regulation prescribe the curriculum and other requirements for training and maintaining certification as a paramedic. The curriculum must be at least equivalent to any curriculum or educational standards prepared by the United States Department of Transportation as a national standard for paramedics.

5. A person shall not represent himself or herself to be a paramedic unless the person has on file with the health authority a currently valid certificate evidencing the person's successful completion of the program of training required by this section.

6. Except as authorized by subsection ~~64~~ 7 of NRS 450B.160, an attendant or firefighter shall not perform, and the owner, operator, director or chief officer of an ambulance or a fire-fighting agency shall not offer, emergency care as a paramedic without fulfilling the requirements established by the board.

Sec. 8. 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 ~~64~~ 7 of NRS 450B.160, except as otherwise provided in subsection 5 or in geographic areas which may be

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

3. An air ambulance carrying a sick or injured patient must be occupied by a licensed attendant, or a person exempt from licensing pursuant to subsection ~~6~~ 7 of NRS 450B.160, in addition to the pilot of the aircraft.

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

5. A person who operates or uses a vehicle owned by a fire-fighting agency is not required to be licensed under this chapter, except that such a vehicle may not be used to provide the level of medical care provided by an advanced emergency medical technician or paramedic to sick or injured persons:

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

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

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

Sec. 9. NRS 450B.655 is hereby amended to read as follows:

450B.655 “Dedicated advanced life support ambulance” means an ambulance equipped to provide advanced life support that:

1. Is capable of transporting a patient from a special event to a hospital but, upon delivering the patient, immediately returns to the site of the special event; and

2. Is staffed by:

(a) At least one licensed attendant who is an emergency medical technician and one licensed attendant who is a paramedic; or

(b) At least two other attendants, each with an equivalent or a higher level of skill than the levels described in paragraph (a) and each of whom is licensed pursuant to this chapter or exempt from licensure pursuant to subsection ~~6~~ 7 of NRS 450B.160.

Sec. 10. NRS 450B.660 is hereby amended to read as follows:

450B.660 “First-aid station” means a fixed location at the site of a special event that is staffed by:

1. At least one licensed attendant who is an emergency medical technician, advanced emergency medical technician or paramedic; or

2. A person with a higher level of skill than the levels described in subsection 1 who is capable of providing emergency medical care within his or her scope of practice and is licensed pursuant to this chapter or exempt from licensure pursuant to subsection ~~6~~ 7 of NRS 450B.160.

Sec. 10.5. Chapter 41 of NRS is hereby amended by adding thereto a new section to read as follows:

~~1. An attendant, firefighter employed by or serving as a volunteer with a fire-fighting agency, an emergency medical technician, advanced emergency medical technician, paramedic or a peace officer who, while acting in the course of his or her employment, is immune from civil liability for any death, bodily injury or damage to property that occurs as a result of his or her failure to receive has received the training required pursuant to NRS 450B.160 or 450B.180 or section 11 of this act, or his or her failure to identify or interact with any person with a developmental disability in a manner consistent with the training received pursuant to NRS 450B.160 or 450B.180 or section 11 of this act, unless the failure results from willful misconduct or bad faith.~~

~~2. The State or any political subdivision of the State that employs a person described in subsection 1 is immune from civil liability for any death, bodily injury or damage to property that occurs as a result of the failure of the person to~~

~~receive the training required pursuant to NRS 450B.160 or 450B.180 or section 11 of this act, or the failure of the person to identify or interact with any person with a developmental disability in a manner consistent with the training received pursuant to NRS 450B.160 or 450B.180 or section 11 of this act, shall not be held to a higher standard of care and does not have a duty greater than had he or she not received the training with respect to the identification, diagnosis or treatment of a developmental disability.~~

Sec. 11. Chapter 289 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Peace Officers' Standards and Training Commission shall require, as a condition of the certification of each peace officer, the completion of training concerning identifying and interacting with persons with developmental disabilities.

2. Training completed pursuant to this section also satisfies the requirement for such training prescribed by NRS 450B.160 or 450B.180, if applicable.

3. As used in this section, "developmental disability" has the meaning ascribed to it in NRS 435.007.

Sec. 12. NRS 289.450 is hereby amended to read as follows:

289.450 As used in NRS 289.450 to 289.650, inclusive, *and section 11 of this act*, unless the context otherwise requires, the words and terms defined in NRS 289.460 to 289.490, inclusive, have the meanings ascribed to them in those sections.

Sec. 13. A person who, on October 1, 2019, is:

1. Licensed as an attendant or firefighter pursuant to NRS 450B.160;

2. Certified as an emergency medical technician, advanced emergency medical technician or paramedic pursuant to NRS 450B.180; or

3. Certified as a peace officer pursuant to chapter 289 of NRS,
➤ must submit on or before October 1, 2020, proof that he or she has completed the training required, as applicable, by subsection 4 of NRS 450B.160, as amended by section 2 of this act, paragraph (b) of subsection 3 of NRS 450B.180, as amended by section 4 of this act, or section 11 of this act.