

CHAPTER.....

AN ACT relating to civil actions; providing that behavioral health specialists performing mobile crisis intervention services are immune from civil liability under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides certain persons with immunity from civil liability for certain acts or omissions under certain circumstances. (Chapter 41 of NRS) This bill provides that a behavioral health specialist performing mobile crisis intervention services by telephone or audio-video communication, whether for compensation or gratuitously, is immune from any civil liability in the performance of mobile crisis intervention services if: (1) the acts or omissions of the person are in good faith; and (2) the acts or omissions of the person do not constitute gross negligence or willful, wanton or intentional misconduct.

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

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

Section 1. Chapter 41 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A behavioral health specialist performing mobile crisis intervention services by telephone or audio-video communication, whether for compensation or gratuitously, is immune from any civil liability in the performance of mobile crisis intervention services if:

- (a) The acts or omissions of the person are in good faith; and*
- (b) The acts or omissions of the person do not constitute gross negligence or willful, wanton or intentional misconduct.*

2. As used in this section:

(a) “Audio-video communication” means communication by which a person is able to see, hear and communicate with another person in real time using electronic means.

(b) “Behavioral health specialist” means a psychiatrist who is licensed pursuant to chapter 630 or 633 of NRS, a psychologist, a physician assistant or an advanced practice registered nurse who is certified to practice as a behavioral health specialist, or a person who is licensed as a clinical social worker, clinical professional counselor or marriage and family therapist.

(c) “Mobile crisis intervention services” means services provided under the direction of a peace officer while engaging in



an emergency response to assist a person who is experiencing a behavioral health crisis by:

- (1) Stabilizing, de-escalating or resolving the crisis;*
- (2) Screening or assessing the person for safety; or*
- (3) Creating a safety plan.*

(d) “Peace officer” means any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive.

Sec. 2. The provisions of this act apply to a cause of action that accrues on or after July 1, 2021.

Sec. 3. This act becomes effective on July 1, 2021.

