

**ADOPTED REGULATION OF THE
STATE BOARD OF HEALTH**

LCB File No. R143-09

Effective May 7, 2010

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

AUTHORITY: §§1-4, NRS 450B.191, 450B.1915, 450B.195 and 450B.197 and section 1 of Assembly Bill No. 349, chapter 341, Statutes of Nevada 2009, at page 1532 (NRS 450B.1975).

A REGULATION relating to emergency medical technicians; providing procedures and requirements for certain emergency medical technicians to apply for an endorsement to administer immunizations, dispense medications and prepare and respond to certain public health needs; providing the circumstances under which an emergency medical technician may participate in certain public vaccination clinics; providing for the expiration and renewal of such an endorsement; and providing other matters properly relating thereto.

Section 1. Chapter 450B of NAC is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this regulation.

Sec. 2. 1. *To receive an endorsement to administer immunizations, dispense medications and prepare and respond to certain public health needs, an applicant must:*

(a) Provide verification of current certification as an intermediate emergency medical technician or advanced emergency medical technician which is issued pursuant to this chapter and chapter 450B of NRS;

(b) Provide proof of the successful completion of a training program for the influenza vaccine approved by the Health Division; and

(c) Demonstrate, under the direct supervision of a person who is licensed as a physician or physician assistant pursuant to chapter 630 of NRS or as an advanced practitioner of nursing

pursuant to chapter 632 of NRS, the administration of an injection of normal saline to a patient or volunteer.

2. An applicant is not required to pay a fee to receive an endorsement pursuant to this section.

Sec. 3. *1. A person who receives an endorsement pursuant to section 2 of this regulation may participate in:*

(a) A public vaccination clinic or training exercise sponsored by a local public health authority if:

(1) A list of the emergency medical technicians with an endorsement who are participating in the clinic or training exercise is approved by the Health Division before the clinic or training exercise begins; and

(2) The person who holds the endorsement is under the direct supervision of the local health officer, or his designee, of the jurisdiction in which the immunization is administered.

(b) A public vaccination clinic in response to any emergency if:

(1) A list of the emergency medical technicians with an endorsement who are participating in the clinic is provided to the Health Division within 48 hours after the event begins; and

(2) The person who holds the endorsement is under the direct supervision of the local health officer, or his designee, of the jurisdiction in which the immunization is administered.

3. As used in this section, “emergency” has the meaning ascribed to it in section 1 of Assembly Bill No. 349, chapter 341, Statutes of Nevada 2009, at page 1532 (NRS 450B.1975).

Sec. 4. *1. An endorsement issued pursuant to section 2 of this regulation expires on the date of expiration of the person’s certificate as an intermediate emergency medical technician*

or advanced emergency medical technician or on the date the certificate is suspended or revoked.

2. To renew such an endorsement, the person who holds the endorsement must, before his endorsement expires:

(a) Submit an application and meet the requirements to renew his certificate as an intermediate emergency medical technician or advanced emergency medical technician pursuant to NAC 450B.380 or 450B.420, as applicable;

(b) Demonstrate, under the direct supervision of a person who is licensed as a physician or physician assistant pursuant to chapter 630 of NRS or as an advanced practitioner of nursing pursuant to chapter 632 of NRS, the administration of an injection of normal saline to a patient or volunteer, or demonstrate, under the direct supervision of the local health officer or his designee, the administration of an injection of actual influenza vaccine; and

(c) Submit an application to renew his endorsement to administer immunizations evidencing that he has met the requirements of this section.

3. The Health Division shall not renew an endorsement to administer immunizations unless the Health Division also renews the applicant's certificate as an intermediate emergency medical technician or advanced emergency medical technician.

4. An applicant is not required to pay a fee to renew an endorsement pursuant to this section.

HEALTH DIVISION
Bureau of Health Statistics, Planning, and Emergency Response
Emergency Medical Systems Program
April 9, 2010, 2
LCB File # R143-09

Information Statement per NRS 233B.066

1. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

The proposed regulation amendments and Small Business Impact Questionnaire were mailed to permitted ambulance and fire-fighting agencies, hospitals and interested parties on October 1, 2009.

Notice of Public Workshops held October 19, 2009, in Carson City and Elko, and proposed regulation amendments were mailed to all Nevada county libraries, permitted ambulance and fire-fighting agencies, hospitals and interested parties. The Small Business Impact Summary was available during both workshops.

2. The number of persons who:
 - (a) Attended the hearing; 10
 - (b) Testified at each hearing; 0
 - (c) Submitted to the agency written statements; 0.
3. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

The proposed regulation amendments and Small Business Impact Questionnaire were mailed to permitted ambulance and fire-fighting agencies, hospitals and interested parties on October 1, 2009.

Of the 11 responses received only 9 met the definition of Small Business. One volunteer fire-fighting agency reported amendments would have direct adverse effect on the agency. All other reported no adverse effect to the extent of reporting amendments as beneficial. Small Business Impact Questionnaire Summary is available by contacting:

Office of Emergency Medical Systems
1000 East William Street, Suite 209
Carson City, NV 89701
(775) 687-7590

4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change. The statement should also explain the reasons for making any changes to the regulation as proposed.

Office of EMS staff worked with LCB to develop an agreeable amendment or addition to regulations. The proposed amendments to regulations were adopted by State Board of Health without revision.

5. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must Include:
 - (a) Both adverse and beneficial effects; and
 - (b) Both immediate and long term effects.

The regulations, as written, do not economically effect business. The regulations allow for a voluntary program for obtaining an endorsement. The benefits can be measured by the number of additional medical professionals available to assist during a public health emergency.

6. The estimated cost to the agency for enforcement of the proposed regulation,

Agency has expended \$2,565 of federal grant monies to update existing database to track endorsements issued and or renewed.

7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, name the regulating federal agency.

Agency is unaware of overlap or duplication.

8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

Federal regulations do not apply to the proposed amended regulations.

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

A new fee or increase is not provided as a provision of amended regulations.

10. If the proposed regulation is likely to impose a direct and significant economic burden upon a small business or directly restrict the formulation, operation or expansion of a small business. What methods did the agency use in determining the impact of the regulation on a small business?

Through use of Small Business Questionnaire it was determined that regulations do not pose economic burden upon small business.

SMALL BUSINESS IMPACT STATEMENT
(Nevada Revised Statutes 233B.0608)

Proposed Regulations Nevada Administrative Code (NAC) 450B

Endorsement to Administer Immunizations

Background:

The Office of Emergency Medical Systems within the Health Division is requesting approval to promulgate regulations for Chapter 450B-Emergency Medical Services that will allow Intermediate and Advanced Emergency Medical Technicians to administer influenza vaccine and dispense medications during a public health emergency or public vaccination clinics.

Recently, there has been increasing concern about the available licensed personnel to deliver influenza vaccine with the emergence of a novel influenza virus that could cause a new pandemic. Intermediate and Advanced Emergency Medical Technicians are not trained or typically authorized to administer immunizations or medications beyond their training and scope of practice.

Assembly Bill 349 enacted by 75th Session of Nevada Legislature authorizes an Intermediate or Advanced Emergency Medical Technician who holds an endorsement to administer immunizations, dispense medications and prepare and respond to certain public health needs in accordance with regulations adopted by State Board of Health. These regulations will amend NAC 450B and provide specific requirements necessary to train and prepare personnel to receive an endorsement.

Interested individuals can obtain a copy of the information packet, including the Small Business Impact Questionnaire, sent to all anticipated affected businesses (55), from Fergus Laughridge, Program Manager, Emergency Medical Systems at 1000 E William Street, Suite 209, Carson City, Nevada 89706.

1. A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Pursuant to NRS 233B.0608(2)(a), the Nevada State Health Division requested input from all anticipated affected individuals.

A Small Business Impact Questionnaire was sent to all anticipated affected businesses (55) along with written correspondence detailing the proposed regulations, including a copy of the proposed regulation changes, on October 1, 2009. The questions on the questionnaire were:

- 1) How many employees are currently employed by your business?
- 2) Will a specific regulation have an adverse economic effect upon your business?
- 3) Will the regulation(s) have any beneficial effect upon your business?

- 4) Do you anticipate any indirect adverse effects upon your business?
- 5) Do you anticipate any indirect beneficial effects upon your business?

The specific responses to these questions may be found in the attached document titled: “Small Business Impact Questionnaire Summary- NAC 450B Endorsement to Administer Immunizations.” Below is a table indicating the number of responses.

Total Number of Responses:	11
Q1- # Meeting Small Business Definition	9
Q2- # Having Direct Adverse Effect:	1
Q3- # Having Direct Beneficial Effect:	5
Q4- # Having Indirect Adverse Effect:	1
Q5- # Having Indirect Beneficial Effect:	3

2. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate including without limitation both adverse and beneficial effects and both direct and indirect effects.

Adverse effects would be additional training costs. Beneficial effects would be ability to assist during a public health emergency.

Indirect beneficial effects would be employee satisfaction. Indirect adverse effects would be that not all employees would be willing to participate.

3. A description of the methods that the Health Division considered to reduce the impact of the proposed regulation on small businesses and statement regarding whether the agency actually used those methods.

The Health Division’s Office of Emergency Medical Systems has provided educational standards and instructional guidelines. A PowerPoint course of instruction has been developed.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There is no anticipated additional cost to the agency for enforcement of the proposed regulation.

5. Total amount the Health Division expects to collect from any fees and the manner in which the money will be used.

These regulations do not establish new fees.

6. An explanation of why any duplicative or more stringent provisions than federal, state or local standards regulating the same activity are necessary.

No duplication or more stringent provisions are either created or are already in existence.