

**PROPOSED REGULATION OF THE
STATE BOARD OF HEALTH**

LCB FILE NO. R105-22I

**The following document is the initial draft regulation proposed
by the agency submitted on 06/22/2022**

**PROPOSED REGULATION
OF THE DEPARTMENT OF HEALTH
AND HUMAN SERVICES
EMS Disqualifying Crimes**

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

AUTHORITY: NRS 450B.120; NRS 450B.130; NRS 450B.800

Sec. 1. NAC 450B.355 is hereby amended to read as follows:

1. To be certified as an emergency medical responder, an applicant must:
 - (a) Be 16 years of age or older;
 - (b) Have successfully completed the national standard for emergency medical responders developed by the National Highway Traffic Safety Administration of the United States Department of Transportation and approved by the Division;
 - (c) Maintain a certificate to provide cardiopulmonary resuscitation issued by the American Heart Association or an equivalent certificate approved by the Division;
 - (d) Submit a statement indicating he or she has complied with the provisions of [NRS 450B.183](#); ~~[and]~~
 - (e) Submit the appropriate form and the fee prescribed in [NAC 450B.700](#)~~[-]~~; *and*
 - (f) *Submit fingerprints as prescribed by NRS 450B.800.*
2. The applicant shall submit verification to the Division, signed by the person responsible for conducting the training, that the applicant has successfully completed the national standard specified in paragraph (b) of subsection 1.
3. Upon certification, an emergency medical responder may function within the scope of practice identified by the National Highway Traffic Safety Administration of the United States Department of Transportation in its publication designated “National EMS Scope of Practice Model” dated February 2007, which is hereby adopted by reference. A copy of the publication is available, free of charge, at the Internet address <http://www.ems.gov/education/EMSScope.pdf>.
4. An initial certificate as an emergency medical responder is valid for not more than 2 years as determined by the Division and expires on the date appearing on the face of the certificate.
5. *The Division may deny an application for certificate as an emergency medical responder, if the applicant has been convicted of:*
 - (a) *Murder, voluntary manslaughter or mayhem;*
 - (b) *Assault or battery with intent to kill or to commit sexual assault or mayhem;*
 - (c) *Sexual assault, statutory sexual seduction, incest, lewdness or indecent exposure, or any other sexually related crime;*
 - (d) *Abuse or neglect of a child or contributory delinquency;*
 - (e) *A violation of any federal or state law regulating the possession, distribution or use of any controlled substance or any dangerous drug as defined in chapter 454 of NRS, within the 7 years immediately preceding the date of application;*
 - (f) *Abuse, neglect, exploitation, isolation or abandonment of older persons or vulnerable persons, including, without limitation, a violation of any provision of NRS*

200.5091 to 200.50995, inclusive, or a law of any other jurisdiction that prohibits the same or similar conduct;

(g) Any offense involving fraud, theft, embezzlement, burglary, robbery, fraudulent conversion or misappropriation of property, within the 7 years immediately preceding the date of application;

(h) Any other felony involving the use or threatened use of force or violence against the victim or the use of a firearm or other deadly weapon, within the 7 years immediately preceding the date of application; or

(i) Any felony or misdemeanor for committing an act which, in the judgment of the Division, indicates that the applicant may not be able to function properly as an emergency medical responder or to care for patients for whom he or she would become responsible.

Sec. 2. NAC 450B.360 is hereby amended to read as follows:

1. To be certified as an emergency medical technician, advanced emergency medical technician or paramedic, an applicant must:

(a) Submit an application to the Division on a form prepared by it;

(b) Maintain a certificate to provide cardiopulmonary resuscitation issued by the American Heart Association or an equivalent certificate approved by the Division;

(c) Submit a statement indicating compliance with the provisions of [NRS 450B.183](#);

(d) Submit proof that the applicant has successfully completed a course that is at least equivalent to the national standard prepared by the National Highway Traffic Safety Administration of the United States Department of Transportation as a national standard for emergency medical technicians, advanced emergency medical technicians or paramedics, as appropriate, or an equivalent standard approved by the Administrator of the Division;

(e) Submit proof that the applicant has successfully passed an assessment developed by the National Registry of Emergency Medical Technicians for emergency medical technicians, advanced emergency medical technicians or paramedics, as appropriate; **[and]**

(f) Submit the fee prescribed in [NAC 450B.700\[-\]](#); **and**

(g) Submit fingerprints as prescribed by NRS 450B.800.

2. An emergency medical technician, advanced emergency medical technician or paramedic who is registered by the National Registry of Emergency Medical Technicians, or its successor organization, shall be deemed to have satisfied the requirements of paragraph (b) of subsection 1.

3. In addition to the requirements of subsection 1, to be certified as a paramedic, the applicant must maintain:

(a) A certificate to provide Advanced Cardiovascular Life Support issued by the American Heart Association or an equivalent certificate approved by the Division;

(b) A certificate to provide Pediatric Advanced Life Support issued by the American Heart Association or an equivalent certificate approved by the Division; and

(c) A certificate to provide International Trauma Life Support or an equivalent certificate approved by the Division.

4. The Division may deny an application for certificate as an emergency medical responder, if the applicant has been convicted of:

(a) Murder, voluntary manslaughter or mayhem;

(b) Assault or battery with intent to kill or to commit sexual assault or mayhem;

(c) Sexual assault, statutory sexual seduction, incest, lewdness or indecent exposure, or any other sexually related crime;

(d) Abuse or neglect of a child or contributory delinquency;

(e) A violation of any federal or state law regulating the possession, distribution or use of any controlled substance or any dangerous drug as defined in chapter 454 of NRS, within the 7 years immediately preceding the date of application;

(f) Abuse, neglect, exploitation, isolation or abandonment of older persons or vulnerable persons, including, without limitation, a violation of any provision of NRS 200.5091 to 200.50995, inclusive, or a law of any other jurisdiction that prohibits the same or similar conduct;

(g) Any offense involving fraud, theft, embezzlement, burglary, robbery, fraudulent conversion or misappropriation of property, within the 7 years immediately preceding the date of application;

(h) Any other felony involving the use or threatened use of force or violence against the victim or the use of a firearm or other deadly weapon, within the 7 years immediately preceding the date of application; or

(i) Any felony or misdemeanor for committing an act which, in the judgment of the Division, indicates that the applicant may not be able to function properly as an emergency medical technician, advanced emergency medical technician or paramedic or to care for patients for whom he or she would become responsible.

~~[4.]~~ 5. The Division shall impose against any person serving as an emergency medical technician, advanced emergency medical technician or paramedic without a valid certificate issued pursuant to this section or subsection 8 of [NRS 450B.160](#) an administrative penalty of:

(a) For services provided on or after January 27, 2017, and before July 1, 2018, \$100;

(b) For services provided on or after July 1, 2018, and before July 1, 2019, \$200; and

(c) For services provided on or after July 1, 2019, \$300.

~~[5.]~~ 6. The Division shall impose against a service for whom any person serves as an emergency medical technician, advanced emergency medical technician or paramedic without a valid certificate issued in accordance with this section or subsection 8 of [NRS 450B.160](#) an administrative penalty of:

(a) For services provided on or after January 27, 2017, and before July 1, 2018, \$20;

(b) For services provided on or after July 1, 2018, and before July 1, 2019, \$30; and

(c) For services provided on or after July 1, 2019, \$50,

↪ per day for each such person.

Sec. 3. NAC 450B.363 is hereby amended to read as follows:

1. The Division may issue a certificate as an emergency medical technician, advanced emergency medical technician or paramedic to an applicant trained in another state if:

(a) The applicant:

(1) Is a resident of Nevada;

(2) Will be a resident of Nevada within 6 months after applying for certification;

(3) Is a resident of another state and is employed by a service that has been issued a permit in Nevada; or

(4) Is attending a course of training held in this State and approved by the Division.

(b) The applicant submits the appropriate form and the fee prescribed in [NAC 450B.700](#).

(c) The applicant:

(1) Has successfully completed training in a course approved by the appropriate authority in the other state, which course was at least equivalent to the national standard prepared by the National Highway Traffic Safety Administration of the United States Department of Transportation as a national standard for emergency medical technicians, advanced emergency medical technicians or paramedics, as appropriate, or an equivalent standard approved by the Administrator of the Division, has successfully passed an assessment developed by the National Registry of Emergency Medical Technicians for emergency medical technicians, advanced emergency medical technicians or paramedics, as appropriate, and holds a valid certificate as an emergency medical technician, advanced emergency medical technician or paramedic or equivalent, as appropriate, issued by an authorized agency in the other state; or

(2) Holds a valid certificate as an emergency medical technician, advanced emergency medical technician or paramedic, as appropriate, issued by the National Registry of Emergency Medical Technicians.

(d) The applicant maintains a certificate to provide cardiopulmonary resuscitation issued by the American Heart Association or an equivalent certificate approved by the Division.

(e) The applicant submits a statement indicating compliance with the provisions of [NRS 450B.183](#).

(f) If the applicant is applying for a certificate as a paramedic, the applicant maintains:

(1) A certificate to provide Advanced Cardiovascular Life Support issued by the American Heart Association or an equivalent certificate approved by the Division;

(2) A certificate to provide Pediatric Advanced Life Support issued by the American Heart Association or an equivalent certificate approved by the Division; and

(3) A certificate to provide International Trauma Life Support or an equivalent certificate approved by the Division.

(g) The applicant's certification or registration with the National Registry of Emergency Medical Technicians or in the other state has not been revoked, terminated or suspended pursuant to any disciplinary proceeding.

(h) The Division receives verification of the applicant's certificate as an emergency medical technician, advanced emergency medical technician or paramedic or equivalent, as appropriate, from the issuing agency of the other state on a form provided by the Division.

i) The Division receives documentation, in the form of an attestation or other evidence deemed appropriate by the Division, that the applicant underwent a criminal background check of the other state within the past 7 years.

2. The Division may require the applicant to:

(a) Demonstrate his or her practical skills.

(b) Pass a written examination approved by the Division in accordance with the national standard prepared by the National Highway Traffic Safety Administration of the United States Department of Transportation.

3. A certificate as an emergency medical technician, advanced emergency medical technician or paramedic issued pursuant to this section must be renewed in accordance with the provisions of [NAC 450B.380](#).

Sec. 4. NAC 450B.363 is hereby amended to read as follows:

1. A certificate as an emergency medical responder expires on the date of expiration appearing on the certificate and, after the initial period, expires biennially. The Division shall designate the date of expiration of each certificate.

2. Such a certificate may be renewed if:

(a) The Division determines that the holder of the certificate has, before the date of expiration, successfully completed:

(1) A course in continuing training which is equivalent to the national standard prepared by the National Highway Traffic Safety Administration of the United States Department of Transportation as a refresher course for emergency medical responders and approved by the Division; or

(2) Any other program of continuing education offered by a training center or approved by the Division. Such a program may not be approved unless the requirement for attendance for that program is at least 12 hours for renewal of certification.

(b) *The holder has submitted fingerprints pursuant to NRS 450B.800 within seven years prior to the renewal and has not been convicted of a crime listed in subsection 5 of NAC 450B.355.*

(c) The holder submits, before the date the certificate expires, an application evidencing that he or she has met the requirements as set forth in ~~[paragraph]~~ paragraphs (a) and (b).

Sec. 5. NAC 450B.380 is hereby amended to read as follows:

1. A certificate as an emergency medical technician, advanced emergency medical technician or paramedic expires on the date of expiration appearing on the certificate and, after the initial period, expires biennially. The Division shall designate the date of expiration of each certificate.

2. To maintain certification, a certified emergency medical technician, advanced emergency medical technician or paramedic must, within the 12 months before expiration of his or her certificate, complete at least one verification of his or her skills conducted by:

(a) The medical director of the service; or

(b) A qualified instructor approved by the Division.

3. In verifying the skills of an emergency medical technician, advanced emergency medical technician or paramedic, the medical director or qualified instructor shall determine whether the emergency medical technician, advanced emergency medical technician or paramedic retains his or her skills in:

(a) Each technique for which certification has been issued and any applicable local protocols; and

(b) The administration of approved medications,

→ and enter that determination on a form provided by the Division.

4. To renew his or her certificate, an emergency medical technician, advanced emergency medical technician or paramedic must:

(a) Meet the requirements for renewal of the certificate as an emergency medical technician, advanced emergency medical technician or paramedic, as appropriate;

(b) Successfully complete courses in continuing training which are equivalent to the national standard prepared by the National Highway Traffic Safety Administration of the United States Department of Transportation as refresher courses for emergency medical technicians, advanced emergency medical technicians or paramedics, as appropriate, are offered by a training center or approved by the Division and have, in total, a requirement of attendance of not less than:

(1) Twenty-four hours for the renewal of certification as an emergency medical technician;

(2) Thirty hours for the renewal of certification as an advanced emergency medical technician; or

(3) Forty hours for the renewal of certification as a paramedic;

(c) Submit a statement indicating compliance with the provisions of [NRS 450B.183](#);

(d) Maintain a certificate to provide cardiopulmonary resuscitation issued by the American Heart Association or an equivalent certificate approved by the Division;

(e) If renewing a certificate as a paramedic, maintain:

(1) A certificate to provide Advanced Cardiovascular Life Support issued by the American Heart Association or an equivalent certificate approved by the Division;

(2) A certificate to provide Pediatric Advanced Life Support issued by the American Heart Association or an equivalent certificate approved by the Division; and

(3) A certificate to provide International Trauma Life Support or an equivalent certificate approved by the Division;

(f) ***Submit fingerprints pursuant to NRS 450B.800 within seven years prior to the renewal and has not been convicted of a crime listed in subsection 4 of NAC 450B.360;***

(g) Before the certificate expires, submit an application evidencing that he or she has met the requirements of this section; and

~~(g)~~ (h) Pay the appropriate fee prescribed in [NAC 450B.700](#).

5. An emergency medical technician, advanced emergency medical technician or paramedic who successfully completes a course described in subparagraph (1), (2) or (3) of paragraph (e) of subsection 4 will receive credit for the course toward the continuing training required by paragraph (b) of subsection 4.

6. An emergency medical technician, advanced emergency medical technician or paramedic who successfully renews his or her certificate to provide cardiopulmonary resuscitation issued by the American Heart Association or an equivalent certificate approved by the Division will receive 4 hours of credit toward the continuing training required by paragraph (b) of subsection 4.