
ASSEMBLY BILL NO. 132—ASSEMBLYMEN CARRILLO, EISEN, DIAZ;
COHEN, DONDERO LOOP, MARTIN AND WHEELER

FEBRUARY 18, 2013

Referred to Committee on Judiciary

SUMMARY—Provides certain immunity from tort liability to persons employed by an agency to provide personal care services in the home. (BDR 3-151)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 tort actions; providing certain immunity from tort liability to persons employed by an agency to provide personal care services in the home; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing laws provide immunity from certain tort liability to governmental
2 entities and persons under various circumstances. (Chapter 41 of NRS) This bill
3 provides immunity from tort liability for the rendering of emergency care or
4 assistance to an elderly person or a person with a disability by a person employed
5 by an agency to provide personal care services in the home if that person: (1) has
6 completed certain courses or training in cardiopulmonary resuscitation or first aid;
7 (2) rendered the care or assistance in the course of his or her regular employment or
8 profession; and (3) rendered the care or assistance in good faith and in accordance
9 with his or her training.

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

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

3 *1. Any person who is employed by an agency to provide*
4 *personal care services in the home who:*

5 *(a) Has successfully completed a course in cardiopulmonary*
6 *resuscitation according to the guidelines of the American National*
7 *Red Cross or American Heart Association;*



1 ***(b) Has successfully completed the training requirements of a***
2 ***course in basic emergency care of a person in cardiac arrest***
3 ***conducted in accordance with the standards of the American***
4 ***Heart Association; or***

5 ***(c) Has successfully completed the training requirements of a***
6 ***course in the use and administration of first aid, including***
7 ***cardiopulmonary resuscitation,***

8 ***↪ and who in good faith renders emergency care or assistance in***
9 ***accordance with the person's training, in the course of his or her***
10 ***regular employment or profession, to an elderly person or a***
11 ***person with a disability, is not liable for any civil damages as a***
12 ***result of any act or omission, not amounting to gross negligence,***
13 ***by that person in rendering that care.***

14 ***2. As used in this section, "agency to provide personal care***
15 ***services in the home" has the meaning ascribed to it in***
16 ***NRS 449.0021.***

17 **Sec. 2.** This act becomes effective on July 1, 2013.

