

ASSEMBLY BILL NO. 142—ASSEMBLYMEMBER MARZOLA

PREFILED JANUARY 29, 2025

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to industrial insurance. (BDR 53-876)

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

CONTAINS UNFUNDED MANDATE (§ 1) (NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 industrial insurance; revising the list of persons who constitute a first responder for the purpose of provisions governing the circumstances under which a first responder may receive compensation under industrial insurance for certain stress-related claims; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, with certain exceptions, an injury or disease sustained by
2 an employee that is caused by stress is compensable under industrial insurance if it
3 arose out of and in the course of his or her employment. Existing law deems an
4 injury or disease caused by stress that afflicts an employee who is a first responder
5 to arise out of and in the course of employment if the employee proves by clear and
6 convincing medical or psychiatric evidence that the employee has a mental injury
7 which is caused by extreme stress for which the primary cause was the employee
8 witnessing an event or series of events during the course of his or her employment
9 that involved: (1) the death, or the aftermath of the death, of a person as a result of
10 a violent event; or (2) an injury, or the aftermath of an injury, that involves grievous
11 bodily harm of a nature that shocks the conscience. Existing law defines the term
12 “first responder” for the purposes of those provisions to include: (1) a salaried or
13 volunteer firefighter; (2) a police officer; (3) an emergency dispatcher or call taker
14 who is employed by a law enforcement agency or public safety agency in this State;
15 or (4) an emergency medical technician or paramedic who is employed by a public
16 safety agency in this State. (NRS 616C.180)

17 This bill adds a civilian employee of a law enforcement agency who provides
18 support services to the law enforcement agency to the list of persons who constitute
19 a first responder for the purposes of provisions governing the circumstances under
20 which a first responder is authorized to receive compensation under industrial



21 insurance for certain stress-related claims. Additionally, this bill specifies that the
22 term "law enforcement agency," for the purposes of those provisions, means any
23 agency, office, bureau, department, unit or division created by any statute,
24 ordinance or rule which has a duty to enforce the law and employs any person upon
25 whom some or all of the powers of a peace officer are conferred. Finally, this bill
26 also specifies that the term "public safety agency," for the purposes of those
27 provisions, means: (1) a public fire department, fire protection district or other
28 agency of this State or a political subdivision of this State, the primary functions of
29 which are to control, extinguish and suppress fires; (2) a law enforcement agency;
30 or (3) an emergency medical service.

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

1 **Section 1.** NRS 616C.180 is hereby amended to read as
2 follows:

3 616C.180 1. Except as otherwise provided in this section, an
4 injury or disease sustained by an employee that is caused by stress is
5 compensable pursuant to the provisions of chapters 616A to 616D,
6 inclusive, or chapter 617 of NRS if it arose out of and in the course
7 of his or her employment.

8 2. Except as otherwise provided in subsection 4, any ailment or
9 disorder caused by any gradual mental stimulus, and any death
10 or disability ensuing therefrom, shall be deemed not to be an injury
11 or disease arising out of and in the course of employment.

12 3. Except as otherwise provided by subsections 4 and 5, an
13 injury or disease caused by stress shall be deemed to arise out of and
14 in the course of employment only if the employee proves by clear
15 and convincing medical or psychiatric evidence that:

16 (a) The employee has a mental injury caused by extreme stress
17 in time of danger;

18 (b) The primary cause of the injury was an event that arose out
19 of and during the course of his or her employment; and

20 (c) The stress was not caused by his or her layoff, the
21 termination of his or her employment or any disciplinary action
22 taken against him or her.

23 4. An injury or disease caused by stress shall be deemed to
24 arise out of and in the course of employment if the employee is a
25 first responder and proves by clear and convincing medical or
26 psychiatric evidence that:

27 (a) The employee has a mental injury caused by extreme stress
28 due to the employee directly witnessing:

29 (1) The death, or the aftermath of the death, of a person as a
30 result of a violent event, including, without limitation, a homicide,
31 suicide or mass casualty incident; or



1 (2) An injury, or the aftermath of an injury, that involves
2 grievous bodily harm of a nature that shocks the conscience; and

3 (b) The primary cause of the mental injury was the employee
4 witnessing an event or a series of events described in paragraph (a)
5 during the course of his or her employment.

6 5. An injury or disease caused by stress shall be deemed to
7 arise out of and in the course of employment, and shall not be
8 deemed the result of gradual mental stimulus, if the employee is
9 employed by the State or any of its agencies or political subdivisions
10 and proves by clear and convincing medical or psychiatric evidence
11 that:

12 (a) The employee has a mental injury caused by extreme stress
13 due to the employee responding to a mass casualty incident; and

14 (b) The primary cause of the injury was the employee
15 responding to the mass casualty incident during the course of his or
16 her employment.

17 6. An agency which employs a first responder, including,
18 without limitation, a first responder who serves as a volunteer, shall
19 provide educational training to the first responder related to the
20 awareness, prevention, mitigation and treatment of mental health
21 issues.

22 7. The provisions of this section do not apply to a person who
23 is claiming compensation pursuant to NRS 617.457.

24 8. As used in this section:

25 (a) "Directly witness" means to see or hear for oneself.

26 (b) "First responder" means:

27 (1) A salaried or volunteer firefighter;

28 (2) A police officer;

29 (3) An emergency dispatcher or call taker who is employed
30 by a law enforcement *agency* or *other* public safety agency in this
31 State; ~~for~~

32 (4) *A civilian employee of a law enforcement agency, other*
33 *than an employee described in subparagraph (3), who provides*
34 *support services to the law enforcement agency; or*

35 (5) An emergency medical technician or paramedic who is
36 employed by a public safety agency in this State.

37 (c) *"Law enforcement agency" has the meaning ascribed to it*
38 *in NRS 289.010.*

39 (d) "Mass casualty incident" means an event that, for the
40 purposes of emergency response or operations, is designated as a
41 mass casualty incident by one or more governmental agencies that
42 are responsible for public safety or for emergency response.

43 (e) *"Public safety agency" means:*

44 (1) *A public fire department, fire protection district or other*
45 *agency of this State or a political subdivision of this State, the*



1 *primary functions of which are to control, extinguish and suppress*
2 *fires;*

3 *(2) A law enforcement agency; or*

4 *(3) An emergency medical service.*

5 **Sec. 2.** The provisions of NRS 354.599 do not apply to any
6 additional expenses of a local government that are related to the
7 provisions of this act.

