

# 2026 South Dakota Legislature

## House Bill 1023

### AMENDMENT 1023A FOR THE INTRODUCED BILL

1   **An Act to establish requirements and liability protection for registered nurses and**  
2   **licensed practical nurses serving on ambulance crews.**

3   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4   **Section 1. That § 34-11-2 be AMENDED:**

5                   **34-11-2.** Terms used in this chapter mean:

6       (1) "Ambulance," a vehicle that has a driver compartment and a patient compartment,  
7           and carries the equipment and supplies needed for the provision of emergency  
8           care, by personnel licensed or certified in accordance with chapter 36-4B, or  
9           authorized by section 4-3 of this Act, at the scene of and enroute from an  
10          emergency;

11      (2) "Ambulance service," any person or organization that is licensed by the department  
12          to provide:  
13           (a) Emergency medical services at the scene of and enroute from an  
14              emergency;  
15           (b) Transportation of a patient from a medical facility to another medical  
16              facility;  
17           (c) Transportation of a patient from a medical facility to a non-medical facility;  
18              and  
19           (d) Transportation of a patient from a non-medical facility to a medical facility;

20      (3) "Department," the Department of Health;

21      (4) "Medical director," a physician licensed pursuant to chapter 36-4 who is responsible  
22          for providing medical supervision and direction to an ambulance service; and

23      (5) "Program director," a physician assistant licensed pursuant to chapter 36-4A, or a  
24          nurse practitioner licensed pursuant to chapter 36-9A, who is authorized by § 34-  
25          11-12.2 and is responsible for providing supervision and direction to an ambulance  
26          service in place of a medical director.

1   **Section 2. That § 34-11-12 be AMENDED:**

2           **34-11-12. Each Except as otherwise provided for in section 3 of this Act, each**  
3           ambulance run must include:

4           (1)    One emergency:

5              (a)    Emergency medical technician ~~or one advanced, licensed pursuant to~~  
6              chapter 36-4B;

7              (b)    Advanced life support personnel, licensed pursuant to chapter 36-4B; or

8              (c)    Licensed practical nurse or registered nurse, authorized by section 3 of this  
9              Act; and

10           (2)    One ambulance operator certified in accordance with chapter 36-4B.

11           **Section 3. That a NEW SECTION be added to chapter 34-11:**

12           If an ambulance service has been granted a hardship exemption in accordance with § 34-11-  
13           12.2, each ambulance run must include the personnel required in § 34-11-12 or:

14           (1) One emergency medical responder, licensed pursuant to chapter 36-4B, and one  
15           registered nurse, authorized by section 4 of this Act; and

16           (2) One ambulance operator certified in accordance with chapter 36-4B.

17           **Section 3. That a NEW SECTION be added to chapter 34-11:**

18           A registered nurse or licensed practical nurse, licensed pursuant to chapter 36-9,  
19           may be employed by or serve as a volunteer for an ambulance service, provided that the  
20           nurse demonstrates competence in the skills, equipment, and medications used in the  
21           provision of emergency care, as determined and approved by the medical or program  
22           director.

23           Care provided by a registered nurse or a licensed practical nurse, employed by or  
24           volunteering for an ambulance service, must be within the scope of the nurse's license  
25           and under the direction and supervision of the medical or program director.

26           **Section 4. That a NEW SECTION be added to chapter 34-11:**

27           A registered nurse or licensed practical nurse, authorized by section ~~4~~ 3 of this Act,  
28           is not liable for civil damages for any act or omission in connection with care provided on

- 1      an ambulance run, unless the act or omission is inconsistent with the nurse's training, or
- 2      the act or omission was the result of gross negligence or willful misconduct.

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