

Minutes
STATE BOARD OF HEALTH
June 8, 2018
9:00 a.m.

Division of Public and Behavioral Health
4150 Technology Way, Room 303
Carson City, Nevada 89706

Southern Nevada Health District
280 S. Decatur Blvd.
Red Rock Trail Room A & B
Las Vegas, Nevada 89146

Division of Aging and Disability Services
Early Intervention Services
1020 Ruby Vista Drive, Suite 102
Elko, Nevada 89801

BOARD MEMBERS PRESENT:

Jon Pennell, DVM (Las Vegas)
Jeffrey Murawsky, M.D. (Las Vegas)
Charles Smith (Las Vegas)
Monica Ponce, DDS (Las Vegas)

BOARD MEMBERS EXCUSED:

Dipti Shah, M.D.
Judith Bittner

DIVISION OF PUBLIC & BEHAVIORAL HEALTH (DPBH) STAFF PRESENT:

Julie Kotchevar, Administrator, Margot Chappel, Deputy Administrator, Leticia Metherell, Health Program Manager, Ihsan Azzam, Chief Medical Officer, Barrett Evans, Program Manager- EHS, Jesse Wellman, Biostatistician, Paul Shubert, Bureau Chief- HCQC

OTHERS PRESENT:

Linda Anderson, AG, Julie Slabaugh, AG, Connie McMullen, Personal Care Association, Robert Elliott, CCHHS, Nicki Aaker, CCHHS, Dustin Boothe, CCHHS, Jacqueline Raiche-Curl, SNHD, Jeremy Harper, SNHD, Karla Sharp, SNHD, Jake Yarberry, NvAND, Herbert Sequera, SNHD, Heather Anderson-Finlad, SNHD, Ashanti Lewis, Ferrari Public Affairs, Aurora Buffington, NvAND, Anne Lindsay, Diet Adv Group, Madeline Belaustegui, NvAND, Dr. Michael Johnson, SNHD, Michael DiAsio, Visiting Angels/PCAN, Tina Dortch, NV Office Minority Health & Equity

Chair Pennell opened the meeting at 9:00 a.m. Chair Pennell indicated the meeting agenda was posted in accordance with the Nevada Open Meeting Law.

Roll call was taken and it was determined that a quorum of the State Board of Health was present.

Chair Pennell welcomed Dr. Ihsan Azzam, the new Chief Medical Officer for the Division of Public and Behavioral Health.

Approval of Minutes:

Chair Pennell asked if there were any additions or corrections to the minutes from the May 4, 2018 meeting. No recommendations were made.

A motion was made to approve the minutes by Dr. Murawsky, seconded by Dr. Ponce and carried to approve the minutes of May 4, 2018.

Public Comment:

Connie McMullen, Personal Care Association of Nevada- Ms. McMullen informed last session, Senate Bill 388 was signed, which had to do with licensing of internet companies who are domiciled out of state, whom do business in placing people in the home here to serve as personal care attendants. Senate Bill 399 falls under employment agencies as defined in NRS 611.020. The association is ok with the Senate Bill as it was being interpreted by the State to be included in statute. However, they do not think it went far enough. The regulations did not mention internet services. Therefore, the association would like to see the statute go a little further. They would also like for some of the companies doing business as in Nevada looked at before rather than after a complaint is filed.

Barrett Evans, Program Manager for Environmental Health Services- Mr. Evans provided an update on the septic systems and private wells in the township of Belmont. The agency continues to receive public record increase for environmental health work regarding sewage disposal systems in Belmont. All inquiring parties have received the requested records and the records available to the Division. The Environmental Health section does not have evidence of septic failure now nor does the water quality testing indicate the water quality standards have exceeded the maximum contaminant levels considered safe by the US EPA. The Environmental Health section is actively monitoring the township in coordination with the Nevada Division of Environmental Protection and Nye County. The Environmental Health section will continue to work with property owners on a case by case basis to come up with appropriate solutions if failure events are to occur.

Consent Agenda:

Approval of Members to NOMHE's Advisory Committee on Minority Health

Consideration and Approval of Clark County Aquatic Facility Regulations

Consideration and Approval of the Regulations of the Carson City Board of Health Governing Food Establishments

Public Comment:

There was no public comment.

CHAIR PENNELL ENTERTAINED A MOTION ON ITEM 4, CONSENT AGENDA. A MOTION BY DR. MURAWSKY TO APPROVE THE CONSENT AGENDA WAS MADE AND SECONDED BY DR. PONCE; THE MOTION PASSED UNANIMOUSLY.

Consideration of Approval or Denial of Variance #692, NAC 449.74363.3- Crossroads of Southern Nevada (Charleston Residential Services). This item was withdrawn from the agenda.

Consideration and Adoption of Proposed Regulation Amendments to NAC 640E, LCB File No. R157-17, Dietetics. Leticia Metherell, Health Program Manager

Ms. Metherell provided an overview of the proposed regulation. The proposed regulations bring the Board of Health in compliance with Senate Bill 69. A public workshop was held, three individuals signed in as supporting the proposed regulations and no one signed in opposing them. Section two outlines the criteria in accordance with the bill in which the Executive Officer may issue a license by endorsement to a dietitian. Section three allows the Executive Officer to request any documents from licensed dietitians to carry out the duties. After conducting an analysis of the workload associated with the licensing and regulation of the dietitians, it was determined reduced fees would cover operating costs. Section four reduces several dietitian licensing fees.

Dr. Pennell inquired on the late renewal fee. The fee went from \$100 to \$5, which seems like it would not recoup much cost.

Ms. Metherell replied the statutes are setup in a way which late renewal fees are not charged because there is no grace period. The Legislative Counsel Bureau required a fee to be listed.

Public Comment:

There was no public comment.

CHAIR PENNELL ENTERTAINED A MOTION ON ITEM 6, LCB FILE NO. R157-17. A MOTION BY DR. MURAWSKY TO APPROVE THE PROPOSED REGULATION WAS MADE AND SECONDED BY DR. PONCE; THE MOTION PASSED UNANIMOUSLY.

Consideration and Adoption of Proposed Regulation Amendments to NAC 640D, LCB File No. R158-17, Music Therapists. Leticia Metherell, Health Program Manager

Ms. Metherell provided an overview of the proposed regulation. Senate Bill 69 requires the Board of Health to adopt regulations to be in compliance with the bill. A public workshop was held on the proposed regulations which no one signed in or provided testimony. The American Speech Language Association submitted written opposition to the regulation. The regulation of music therapists was established in statutes during the 2011 Legislative Session. The proposed regulations carry out the requirement of the bill as it relates specifically to the endorsement of the licenses. Therefore, there were no revisions made based on the input. Section two outlines the criteria in accordance with Senate Bill 69 in which the Executive Officer may issue a license by

endorsement to a music therapist. Section three allows the Executive Officer to request any documents to carry out the duties.

Dr. Pennell inquired why the American Speech Language Association was opposed to the regulation.

Ms. Metherell replied the association's opposition was the regulation of music therapists. The association did not truly understand what the regulations were doing.

Public Comment:

There was no public comment.

CHAIR PENNELL ENTERTAINED A MOTION ON ITEM 7, LCB FILE NO. R158-17. A MOTION BY MR. SMITH TO APPROVE THE PROPOSED REGULATION WAS MADE AND SECONDED BY DR. PONCE; THE MOTION PASSED UNANIMOUSLY.

Update on Community Based Living Arrangements:

Mr. Shubert reported Community Based Living Arrangement Services (CBLA) have been used by Southern Nevada Adult Mental Health Services and Northern Nevada Adult Mental Health Services for several years. Within the past few years, new regulations were adopted to specifically address facilities housing behavioral health clients in CBLAs. In 2017, the CBLA regulations were adopted. During the 2017 Legislative Session, a statutory definition was generated for CBLAs along with some framework for certification. The Legislative Counsel Bureau conducted an audit of clinical services' oversight of CBLA services and presented its findings with legislative committees in the latter part of 2017. The findings included several examples of unacceptable living environments for clients receiving services either in certified CBLAs and other living environments where clinical services was paying for services. Based on the audit findings, Health Care Quality and Compliance (HCQC) would become responsible for the certification of the CBLA providers and clinical services would remain responsible for contracting with certified providers. Clinical services would also be responsible for the continued assessment and individual plans for the clients. A transition plan for the certification activities was developed in January of 2018. HCQC has now taken over all the inspection/certification activities from clinical services. HCQC identified several areas where the current CBLA regulations are lacking and changes have been drafted to the regulations. The initial draft of modifications will be going to the Legislative Counsel Bureau next week and will then go through the public workshop process.

Update on Sentinel Events, Pursuant to NRS 439.843:

Mr. Wellman informed a sentinel event is an event which should never happen. The Sentinel Events Registry's purpose is to record the events and analyze the results. Assembly Bill 28 made some modifications which changed the definition of sentinel events. The healthcare acquired infections are no longer included as a sentinel event. The statutes include hospitals, obstetric centers, ambulatory surgical centers, independent centers for emergency medical care

and medical detoxification centers. To record a sentinel event, the facilities have two ways of reporting. The primary way is for a single event, which involves two forms, the initial report to sentinel events registry followed up by a root cause analysis. The other method of reporting is an annual summary report providing an overview of the events and activities related to patient safety. Mr. Wellman provided data analysis results. The system used to record sentinel events is now an electronic form. Most of the facilities followed the procedures and requirements to submit specific event and annual summary reports. Mr. Wellman thanked everyone from the Office of Analytics and the Division of Public and Behavioral Health, whom helped prepare the report.

Reports:

Nicki Aaker, MSH, MPH, RN, Director of Carson City Health and Human Services- Ms. Aaker reported the Adolescent Health Education Program continues to receive more requests for comprehensive training than abstinence training. There is more funding for abstinence training than there is for comprehensive. CCHHS continues to work with Nevada Health Centers and Carson Tahoe Health to place an electronic referral from their electronic health record directly to the Nevada Quitline. The community health needs assessment is complete and are working on the Community Health Improvement Plan.

Kevin Dick, District Health Officer for Washoe County Health District- Mr. Dick reported there were no additional cases of the measles relating to the recent measles case which had been contracted by a UNR student. At the end of the 2017-2018 flu season, there were 5,521 laboratory confirmed cases with 26 confirmed influenza deaths. An appeal has been made to increase the state funding for public health. The second Community Health Improvement Plan will be presented to the District Board of Health for approval at the June meeting. In conjunction with the Truckee Meadows Regional Planning Agency and Enterprise Community Partners, the development of a comprehensive regional plan for affordable housing continues.

Dr. Michael Johnson, Southern Nevada Health District- Dr. Johnson reported vector surveillance activities began May 14th. As of week 20 of the current flu season, there were 1,345 confirmed cases of influenza with 60 influenza associated deaths. On April 23rd, the first dental health clinic was opened at the health district for children and adults. The health district presented John “Rob” Phoenix, founder of the Huntridge Family Clinic, with an award at its Board of Health meeting on April 26th.

Recommendations for future agenda items:

No recommendations were made.

Public Comment:

There was no public comment.

The meeting adjourned at 9:57 a.m.