

## Minutes

### STATE BOARD OF HEALTH

March 8, 2019

9:00 a.m.

#### **MEETING LOCATIONS:**

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

Grant Sawyer Building  
555 E. Washington Ave., Room 5100  
Las Vegas, Nevada 89101

#### **BOARD MEMBERS PRESENT:**

Jon Pennell, DVM (Las Vegas)  
Jeffrey Murawsky, M.D. (Las Vegas)  
Dipti Shah, M.D. (Las Vegas)  
Charles Smith (Las Vegas)  
Judith Bittner (Carson City)

#### **BOARD MEMBERS EXCUSED:**

Monica Ponce, DDS

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

Dr. Ihsan Azzam, Chief Medical Officer, Teresa Hayes, Program Manager- EHS, Margot Chappel, Deputy Administrator-Regulatory and Planning Services, Beth Handler, Deputy Administrator-Community Health Services, Tiffany Lewis, Rates and Cost Containment Manager, Joseph Filippi, Executive Assistant, Tammy Ritter, Community Health Nurse, Tina Gerber-Winn, Agency Manager-Community Health Services, Lindsey Doolittle, Public Health Rating & Survey Officer-EHS, Kyle Devine, Clinical Program Manager, Sandi Larson, State Epidemiologist, Kimisha Causey, Health Program Manager-OPHIE, Chidinma Njoku, Health Facilities Inspector

#### **OTHERS PRESENT:**

Linda Anderson, AG, Dr. Joseph Iser, SNHD, Deborah Munoz, Kindred Healthcare, Norman Wright, Nevada Antimicrobial Stewardship Program, Nicki Aaker, CCHHS,

Chair Pennell opened the meeting at 9:02 a.m.

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

**Public Comment:**

There was no public comment.

**Approval of Minutes:**

Chair Pennell asked if there were any additions or corrections to the minutes from the December 7, 2018 meeting. No recommendations were made.

A motion was made to approve the minutes by Dr. Shah, seconded by Dr. Murawsky and carried to approve the minutes of December 7, 2018.

**Consent Agenda:**

Approval of Compliance Agreement pursuant to NAC 439.280(3) related to NAC 444.790(1) at 1200 Charlys Way, Fallon, NV

Approval of Rate Changes for Community Health Nursing pursuant to NAC 439.500

**CHAIR PENNELL ENTERTAINED A MOTION ON ITEM 3, CONSENT AGENDA. A MOTION BY DR. MURAWSKY TO APPROVE THE CONSENT AGENDA WAS MADE AND SECONDED BY DR. SHAH; THE MOTION PASSED UNANIMOUSLY.**

**Consideration and Adoption of Proposed Regulation Amendments to NAC 441, Infectious and Toxic Agents, LCB File No. R187-18.** Kyle Devine, Clinical Program Manager

Mr. Devine stated NAC 441A provides guidance for reporting communicable diseases as well as investigating, preventing, suppressing and controlling specific communicable diseases. The proposed amendments will realign Nevada's regulations with updated national guidelines and recommendations for notifiable and reportable diseases by adding and removing reporting requirements and provide clarity by removing and cleaning up ambiguous wording and provide clear guidelines for reporting and follow up for reportable diseases. Chikungunya virus disease, Dengue, Carbapenem-resistant, Enterobacteriaceae, St Louis Encephalitis virus, Shiga toxin-producing Escherichia coli, Varicella, and Zika virus disease were added to the list of diseases considered reportable. Additional changes were made in sections pertaining to tuberculosis, measles, influenza, pertussis, rabies, rotavirus, seven of the enteric reportable diseases. Changes in the sections include testing, reporting, control, and/or investigation requirements to improve public health response. A public workshop was conducted. Comments were all taken into consideration during the regulation development. Staff recommends passage of this amendment.

Dr. Murawsky inquired on the reporting for Encephalitis in Section 8, #20, on the reference to one of the emendations for reporting for Encephalitis. He stated the intent was most likely for

presumptive infectious Encephalitis. Dr. Murawsky suggested a friendly amendment to clarify presumed infectious Encephalitis.

Dr. Iser stated Southern Nevada Health District is in support of the friendly amendment to include infectious Encephalitis.

Dr. Murawsky stated throughout the document there are references to websites. Dr. Murawsky is in support to limit the reference to the CDC.gov main page.

Dr. Iser agreed with Dr. Murawsky's suggestion.

Dr. Murawsky inquired if Section 22 within the regulation, provides enough strength for the public health departments to keep the communities safe or if it requires stricter language to be added to allow the public health department to fully protect the public.

Dr. Iser commented the regulation does not detract or add significantly to the role in protecting the public health. Dr. Iser believes the Southern Nevada Health District has that authority.

Dr. Murawsky clarified and asked Dr. Iser if there is a need for more quarantine controls and mandates for reporting and sharing of information.

Dr. Iser replied they have enough in Southern Nevada. Dr. Iser suggested talking to Ms. Anderson and others regarding quarantine authority. The quarantine authority is at the state level. Dr. Iser believes it could be strengthened in the long run.

Ms. Aaker commented she agrees with what Dr. Iser said. Ms. Aaker agrees with the isolation and quarantine being a local board of health. There is work in that area within their jurisdiction and she would entertain talking about it in the future.

Ms. Anderson noted the Chief Medical Officer has extreme powers that can be activated and tailored to a specific need. The isolation and quarantine powers are as broad as the Chief Medical Officer needs to protect the public.

Dr. Azzam stated there is a complete chapter about quarantine and isolation and the powers available for the local and State Chief Medical Officer.

Mr. Dick commented he agrees with the comments made. Mr. Dick stated he would explore with Dr. Iser what his ideas are for improvements with NRS.

Dr. Iser stated he could work with his two counterparts and the Division of Public and Behavioral Health on how it can be strengthened, if it needs to be strengthened.

Chair Pennell inquired on Section 16. NAC441A.200 online does not list a paragraph O. Chair Pennell stated he is uncomfortable with the changes not knowing what paragraph O is.

Ms. Larson stated she would verify where subsection O is and determine what it is referencing, for the Board to decide on the regulation.

Chair Pennell informed the 2008 edition of the Compendium of Animal Rabies is referenced and there is a 2016 edition.

Dr. Iser suggested to state the most recent instead of 2016.

Agenda item #4 was tabled to allow time to address the inquiries made by the board members.

**Reports:**

Nicki Aaker, Director of Carson City Health and Human Services (CCHHS)- Ms. Aaker reported National Public Health Week is April 1-7. The sexual health program has been active and surpassing all the goals they have set. Anti-vaping ads are being shown before the movies at Carson City's Fandango Galaxy Theater and Ironwood Theater in Douglas County. The Retention in Care Treatment Adherence Counselor provided service to 356 individuals in 2018. In Clinical Services, CCHHS has contracted with a third-party biller and will start in April. Subcommittees continue to work on the initiatives in the Community Health Improvement Plan. A new health inspector will be starting next Friday which will be working with the Douglas County project. A new contract is currently being negotiated with Douglas County to continue providing Environmental Health Services. Public Health Preparedness staff have delivered several trainings in the north and south on access and functional needs. A plan was presented to the Board of Supervisors for the use of the indigent tax refund. The county health rankings will take place on March 19<sup>th</sup>.

Kevin Dick, District Health Officer for Washoe County Health District (WCHD)- Mr. Dick reported the proposed budget was approved by the district Board of Health. Washoe County is experiencing a second peak to the flu season. The No-Notice exercise with local hospitals, to evacuate 20% of their acute beds within 90 minutes went well. The Health District has partnered with Children's Cabinet and Washoe County School District to deliver the signs of suicide program in middle schools. There are several bills relating to suicide prevention in the legislative session. This winter has been the cleanest burn season. WCHD along with Southern Nevada Health District, the State Division and Nevada Public Health Association have worked together to push forward Assembly Bill 97, which would provide for 15 million dollars in appropriation for public health and distributed to the health authorities based on population.

Dr. Joseph Iser, Chief Health Officer for Southern Nevada Health District- Dr. Iser reported on a recent incident of ricin exposure. The Health District was notified of a potential TB case in February and continues with follow up measures. The flu numbers are lower than last year. On behalf of accreditation, the site visit was conducted, and the Health District will work to finalize the accreditation in March. Rural health outreach will continue. The Health District has applied for additional funding to continue providing services in the rural areas. A State of the Health

District is planned in July. Dr. Iser announced his contract has been extended and he will be leaving the Health District on July 4, 2020.

Dr. Ihsan Azzam, Chief Medical Officer- Dr. Azzam reported the Division has complied with the Nevada Supreme Court order to set specific standards for dietary sodium at the State correctional facilities. The Division has advised the correctional facilities to follow the standards of the 2015-2020 Dietary Guidelines for Americans. Future inspections will include evaluation of compliance and adherence to these standards. Currently, the states of Washington, New York, Texas and Illinois are experiencing the worst measles outbreaks in decades. Failure to vaccinate is responsible for the resurgence of this serious infectious disease. Despite the large ongoing outbreak, there are no measles related cases to this outbreak identified in Nevada so far. The number of reported Congenital Syphilis cases in Nevada has doubled in the last three years and it continues to increase. The Division is thoroughly monitoring the numbers and conducting extensive public and provider education. A technical bulletin will be issued to health care providers to emphasize the importance of reducing the incidents of Congenital Syphilis. The influenza season is milder than previous seasons.

Agenda item #4 was brought back before the Board.

Ms. Anderson stated Section 9 of NAC441A.200 was amended and subsection O was added, which does have the 2016 version of the Compendium of Animal Rabies Prevention and Control. Mrs. Anderson noted in NAC441A.200, there is language allowing any subsequent versions of any of the documents. The Chief Medical Officer will review them and if there are any issues he/she would bring them before the Board. In NAC 441A.435, Chair Pennell pointed out the outdated version of the 2008 edition of the Compendium of Animal Rabies continues to be referenced. The Legislative Counsel Bureau ensured their intent was to change the language to be as adopted by reference. Ms. Anderson suggested when the amendment is adopted, to indicate the intent for the documents adopted by reference in Section 9 to be changed throughout all the regulations.

**Public Comment:**

Deborah Munoz, Kindred Healthcare- Ms. Munoz voiced concern regarding the increase with CRE patients. Within the last year there has been an increase in receiving patients with CRE from hospitals who do not notify of any infectious processes and it is very concerning. Kindred is very happy to see some increases in requiring facilities to mandate and report.

Norman Wright, Nevada Antimicrobial Stewardship Program- Mr. Wright stated he is in support of the amendment. The reporting factor brought up by Ms. Munoz is vital. Mr. Wright applauds the action as documented.

Ms. Anderson clarified if a motion is going to be made, the Board requests to add presumed infectious in front of Encephalitis in Section 20. The other Board's recommendation is any reference to a CDC specific website page document should include language that recognizes any

subsequent change will be recognized. The third amendment would be, any document adopted by reference should be cited throughout the regulations in the amendment to Section 9 where the documents were adopted by reference. Ms. Anderson stated the requested amendments are all housekeeping changes and do not require to go back to workshop.

**CHAIR PENNELL ENTERTAINED A MOTION ON ITEM 4, LCB FILE NO. R187-18. A MOTION BY DR. MURAWSKY TO APPROVE THE PROPOSED REGULATION WITH THE AMENDMENTS AS STATED WAS MADE AND SECONDED BY DR. SHAH; THE MOTION PASSED UNANIMOUSLY.**

**Recommendations for future agenda items:**

No recommendations were made.

**Public Comment:**

There was no public comment.

The meeting adjourned at 10:15 a.m.

DRAFT