

WASHOE COUNTY HEALTH DISTRICT

ENHANCING QUALITY OF LIFE

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July 30, 2019

MEMORANDUM

To: State Board of Health Members
From: Kevin Dick, Washoe County District Health Officer
Subject: Consideration and approval of the Regulations of the Washoe County District Board of Health Governing Food Establishments

At its regularly scheduled meeting on July 25, 2019, the Washoe County District Board of Health conducted a public hearing to take comment and consider adoption of proposed amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments. By unanimous vote (5-0 with two absent), the Board approved the proposed amendments.

Attached is the staff report provided to the Washoe County District Board of Health as well as the new food establishment regulations as approved by the Board. Approval of these regulations by the State Board of Health will incorporate additional provisions from the most current version of the U.S. Food and Drug Administration (FDA) Model Food Code, as well as minor edits and formatting corrections to the Regulations of the Washoe County District Board of Health Governing Food Establishments.

If you have any questions, please contact Amber English, Senior Environmental Health Specialist in the Food Safety Program at the Washoe County Health District at (775) 328-2629.

Staff Report
Board Meeting Date: July 25, 2019

TO: District Board of Health
FROM: Charlene Albee, EHS Division Director
775-328-2644, calbee@washoecounty.us
SUBJECT: Review, discussion and possible adoption of Proposed Amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments for the addition of provisions from the U.S. Food and Drug Administration Model Food Code, as well as minor edits and formatting corrections.

SUMMARY

The Washoe County District Board of Health (Board) must approve amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments (Regulations).

District Health Strategic Priorities supported by this item:

- 2. Healthy Environment:** Create a healthier environment that allows people to safely enjoy everything Washoe County has to offer.

PREVIOUS ACTION

The Washoe County District Board of Health last approved amendments to the Regulations on August 25, 2016.

The Business Impact Statement associated with the Proposed Amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments was considered and accepted by the District Board of Health at the regular District Board of Health meeting on June 27, 2019. The Board also approved the next regular meeting of the Board, July 25, 2019, as the public hearing to consider adoption of the proposed amendments.

BACKGROUND

The Food Safety Program is continuously striving to enhance the quality of services we provide to the public and promote active managerial control of risk factors most commonly associated with foodborne disease in food establishments. Although significant amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments were approved in 2016, additional amendments are required to achieve this goal. Below is a summary of the revisions that are being proposed to the Regulations:



regulatory changes. Discussion occurred and after clarification, no negative comments were received. All attendees seemed generally accepting of the proposed regulatory changes.

During the workshops, staff announced one change to the draft regulations that were posted on the Health District website. Section 060.205 *Food equipment, certification and classification* was changed to allow Health Authority approval for certain equipment rather than keeping the strict requirement that all equipment must be certified by the American National Standards Institute (ANSI). This change will allow Health District Staff to allow non-ANSI certified equipment in food establishments if the design of the equipment meets equivalent standards.

A copy of the PowerPoint presentation is attached for reference.

Upon review of the draft regulations after the workshops, it was observed that one section was erroneously omitted: Section 030.073 *Use of bandages, finger cots, or finger stalls*. This section was added back into the draft version.

FISCAL IMPACT

There is no fiscal impact from the Board adopting the proposed revisions to the Regulations.

RECOMMENDATION

Staff recommends the Washoe County District Board of Health adopt the Amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments for the addition of provisions from the U.S. Food and Drug Administration Model Food Code, as well as minor edits and formatting corrections.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be "Move to adopt the Proposed Amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments for the addition of provisions from the U.S. Food and Drug Administration Model Food Code, as well as minor edits and formatting corrections."

Summary of Changes - 2019 Proposed Amendments to the Regulation of the District Board of Health Governing Food Establishments

General Amendments - formatting edits, additions to cross-reference sections, and replaced the term “potentially hazardous food (time/temperature control for safety food)” with new definition “time/temperature control for safety food” throughout.

Chapter 010: DEFINITIONS

010.023 – “Asymptomatic” defined- Amended to add definition for “asymptomatic.”

010.035 – “Barbeque” defined- Amended to add clarification to outdoor cooking equipment that qualifies as a barbeque operation.

010.128 – “Confirmed disease outbreak” defined- Amended to add definition for “confirmed disease outbreak.”

010.187 – “Drinking water” defined- Amended to add definition for “drinking water.”

010.340 – “Foodservice trailer” defined- Amended to delete definition for “foodservice trailer” as this is included in the existing definition for “portable unit for service of food.”

010.435 - Indoor foodservice cart” defined - Amended to delete definition for “indoor foodservice cart” as this is included in the existing definition for “portable unit for service of food.”

010.535 - “Ornamental attraction of water” defined – Amended to remove definition.

010.545 – “Outdoor/indoor foodservice cart” defined - Amended to delete definition for “outdoor/indoor foodservice cart” as this is included in the existing definition for “portable unit for service of food.”

010.620 – “Potentially hazardous food (time/temperature control for safety food” defined - Amended to move remove “potentially hazardous” from the definition and move to new section 010.852 to retain alphabetical list of definitions.

010.660 – “Pushcart” defined- Amended to delete definition for “pushcart” as this is included in the existing definition for “portable unit for service of food.”

010.730 – “Risk Level II food establishment” defined - Amended to remove number of food items cooled and replaced with clarifying terms types of cooling activities.

010.735 – “Risk Level III” food establishment “defined - Amended to remove number of food items cooled.

010.830 – “Splash zone” defined- Amended to remove definition as term is not used in these regulations.

040.025 – Food protection manager certification- Amended to remove the requirement for documentation and implementation of a food safety plan.

Chapter 050: FOOD

050.005 – Safe, unadulterated, and honestly presented- Amended to remove repetitive language in Subsection B and C as these requirements are already covered in other sections of these regulations.

050.010(E) – Compliance- Amended to add clarification to labeling requirements and CFR reference for meat and poultry products.

050.035 – Wild mushrooms- Amended to recognize a regulatory authority's ability to approve the sale of wild mushrooms within a food establishment and regulate wild mushrooms according to their law.

050.040 – Game Animals- Amended to include source criteria for wild game animals

050.045 – Specifications for receiving temperature- Amended to remove specific receiving temperatures for milk and shellfish.

050.050 – Additives- Amended to add clarification to labeling requirements and CFR reference for additives.

050.065 – Service of food: Dairy products and nondairy creamers- Amended to remove as pasteurization of milk and protection from contamination and temperature control already covered in other sections of these regulations.

050.080 – Preparation and service of ice- Amended to remove repetitive language in this section as all concepts are already covered in these regulations.

050.085 – Shucked shellfish, packaging and identification- Amended to clarify packaged labeling requirements for shucked shellfish.

050.110 – Shellstock, maintaining identification- Amended to add requirement to record the date the last shellstock from the container is sold on the tag.

050.115 – Preventing contamination from hands- Amended to clarify that Subsection B does not apply where a ready-to-eat food is added as an ingredient to another food that does not contain a raw animal food and the combined product will be heated to at least 145°F (63°C).

050.130 – Preventing contamination from food for personal use- Amended to add new subparagraph to indicate separating raw animal foods during storage, preparation, holding and display from fruits and vegetables before they are washed and re-designated existing subparagraph to be consistent with FDA Food Code.

050.165 – Food contact with equipment and utensils- Amended to clarify that food may contact surfaces of linens and napkins as specified in Section 050.175.

050.340 – Reduced oxygen packaging without a waiver criteria- Amended title to clarify reduced oxygen packing without a waiver criteria. Amended to include specific cross-references and exceptions. Amended to include Subsection 7 – requirement for Health Authority approval prior to implementation. Amended to include a “keep frozen” label on all ROP fish.

050.350 – Food labels - Amended to re-order section and remove repetitive language.

050.375 – Pasteurized foods, prohibited reservice, and prohibited food - Amended to add cross-references and paragraph headers for clarification.

Chapter 060: EQUIPMENT, UTENSILS AND LINENS

060.115 – Pressure measuring devices, mechanical warewashing equipment - Amended to remove specific proscriptive language for ware washing pressure measuring device and replaced with the allowance to use manufacturer’s specifications.

060.130 – Dispensing equipment, protection of equipment and food - Amended to add Subsection E for the allowance for homogenous foods to be stored out of temperature as long as the specific construction requirements in this subsection are met.

060.147 – Condenser unit, separation - Amended to add new section for keeping condenser separate from food during storage.

060.205 – Food equipment, certification and classification - Amended to remove Subsection B and C which outlines exceptions to the requirements in the Food Code.

060.215 – Manual warewashing, sink compartment requirements - Amended to remove Subsection F which outlines exceptions to requirements not allowed in the Food Code.

060.245 – Temperature measuring devices, manual and mechanical warewashing - Amended to re-designate the existing Subsection into A and new B to require the availability of irreversible registering temperature indicators

060.252 – Cleaning agents and sanitizers, availability - Amended to add new section, to require that equipment and utensil cleaning agents and sanitizers be provided and readily accessible for use.

060.255 – Equipment, clothes washers and dryers, and storage cabinets, contamination prevention - Amended to allow the storage of linens or sing-use articles in a cabinet located in a locker room.

060.325 – Mechanical warewashing equipment, sanitization pressure - Amended to add more descriptive language for sanitization pressure requirements.

060.330 –Manual and mechanical warewashing equipment, chemical sanitization, temperature, pH, concentration, and hardness - Amended to add chlorine concentration ranges and changed "Minimum Concentration" to "Concentration Range" in the chart. Amended lead-in paragraph to change "exposure times" to "contact times" and "manufacturer's label use instruction or directions" to "EPA-registered

070.025 – Cleanable fixtures - Amended to remove prohibition of trough-type urinals. Revised language to be consistent with FDA Food Code.

070.030 – Handwashing sink, installation - Amended to remove repetitive language in Subsection D as requirement to keep fixtures clean is already covered in Section 080.165. Revised language to be consistent with the FDA Food Code.

070.032 – Backflow prevention, air gap Amended to add new section on backflow, air gap. Previously addressed in deleted section 070.040.

070.033 – Backflow prevention device, design standard - Amended to add new section on backflow prevention device design standards. Previously addressed in deleted section 070.040.

070.035 – Handwashing sink: use, operation and maintenance - Amended to add new subsection for handwashing sink accessibility and new subsection to require automated handwashing sinks be used per manufactures instructions. Removed Subsection A as handwash cleanser availably is addressed in new Section 080.096. Removed Subsection B as handwash sink signage is addressed in new Section 080.099.

070.040 – Systems for potable and non-potable water; backflow prevention - Amended to move cross-connection language from Subsection A to new Section 070.062(A). Amended to move Subsection B non-drinking water use language to new Section 070.011 and piping identification language to new Section 070.062(B). Amended to move language from Subsection C to new Sections 070.056 and 070.032. Amended to move Subsection D to new Section 070.059. Amended to move Subsection E to new Section 070.063. Amended to move Subsection F to new Section 070.057(A). Amended to move Subsection G to new Section 070.057(B). Amended to move Subsection H to new Section 070.062(B).

070.045 – Conditioning device, location and design - Amended to add clarifying language to section title.

070.047 Handwashing sinks, numbers and capacities - Amended to add new Subsection A to replace deleted Subsection 080.115(A). Amended to add new Subsection B for the allowance of automatic handwashing sinks. Amended to add new Subsection C for the use of chemical treated towelettes in limited types of operations and with Health District approval.

070.050 – Toilets and urinals - Amended language in to be consistent with FDA Food. Added new Subsection B to replace Subsection C. Amended to remove repetitive language in Subsection B– G as these items are covered in other areas within these regulations.

070.055 Mop sink - Amended to language to be consistent with FDA Food Code terminology.

070.056 Backflow prevention device, when required - Amended to add new section on backflow prevention device requirements.

070.057 Backflow prevention device, carbonator - Amended to add new section on backflow prevention device for carbonators.

070.137 - Areas, enclosures, and receptacles, good repair – Amended to add section for requirement to keep storage areas for receptacles in good repair.

070.170 - Storing refuse, recyclables and returnables, frequency – Amended to add clarification to the section title.

070.175 - Receptacles or vehicles – Amended to add section on refuse removal requirements.

070.180 - Community or individual facility – Amended to add section on requirement on proper disposal of solid waste not disposed of through the sewage system.

Chapter 080: PHYSICAL FACILITIES

080.010 Outdoor surface characteristics – Amended to add clarifying language and cross-references.

080.015 - Shelves – Amended to remove repetitive language as indoor surface characteristics are already addressed in Section 080.005 and 080.050.

080.045 - Wall and ceiling coverings and coatings – Amended to remove repetitive language already addressed in Subsections A and B.

080.050 - Walls and ceilings, attachments – Amended to add Subsection B to allow for exception to ceiling attachments when located in consumer areas.

080.065 – Ceilings, minimum height – Removed ceiling requirements

080.075 - Devices to electrocute flying insects – Amended to update requirements to electrocute flying insects per the FDA Food Code.

080.080 - Toilet rooms, enclosed – Amended to revise language to be consistent with FDA Food Code.

080.085 - Outer openings, protected – Amended to add exception to requirement for out openings to be protected.

080.092 - Outdoor refuse areas, curbed and graded to drain – Amended to add requirement for outdoor refuse areas to be curbed and graded to drain.

080.093 - Private homes and living or sleeping quarters, use prohibition – Amended to add requirement to add requirement for prohibiting food establishment operations in private living or sleeping quarters.

080.094 - Living or sleeping quarters, separation – Amended to add requirement for private living and sleeping quarters to be separated from food establishment operations.

080.095 - Private homes, and living or sleeping quarters, prohibitions – Amended to remove repetitive language in title addressed in new sections 080.093 and

100.040 - Chemicals for washing fruits and vegetables, criteria – Amended to clarify criteria for treatment, storage and processing of fruits and vegetables with chemicals. Amended to remove specific reference to Ozone as the requirement is covered in new Subsection A.

Chapter 110: HACCP AND OPERATIONAL PLANS

110.005 - When a HACCP plan is required – Amended to remove repetitive language in Subsection B as the requirement to submit a HACCP plan for reduced oxygen packaging is addressed in 050.340(B).

110.010 - Contents of a HACCP Plan – Amended to re-ordered language for contents of a HACCP plan to be consistent with FDA Food Code language.

110.015 - Confidentiality, trade secrets, HACCP plans – Amended to add section for the requirement for the Health Authority to keep proprietary information confidential.

110.020 - Conducting food processing operations without an approved HACCP plan prohibited – Amended to remove requirement for food pressing operations to have an approved HACCP plan. Instances for the requirement to submit an approved HACCP plan are already outlined in these regulations. The review and approval of food processing establishments operating under a HACCP plan is regulated by FDA and State of Nevada.

110.030 - Operational plans, when required – Amended to add specific activities requiring an operational plan.

110.035 - HACCP and operational plans, not transferable – Amended to add HACCP plans as not transferable from permit holder to permit holder.

Chapter 120: BARBECUES

120.005 - Barbecue, applicable requirements – Amended to add new subsection for the requirement to have a supporting permitted food establishment that can support barbeque operations.

120.010 - Barbecue, operational plan required – Amended to clarify the contents of an operational plan for a barbeque operation.

120.015 - Barbecue, construction of equipment, operation, location, cleaning – Amended to remove repetitive language already addressed in these regulations and remove proscriptive language regarding the construction of a barbeque operation. Amended to require cooking equipment be located in areas approved by fire authorities and any other entity having regulatory authority.

120.020 - Barbecue, protection from contamination, construction and maintenance of surfaces – Amended to remove repetitive language already addressed in these regulations.

120.025 - Barbecue, preparation and service of food, attendance by employee required, presence of customers within certain distances prohibited – Amended to update barbeque segregation distance

190.115 - Mobile unit, construction requirements – Amended to clarify that mobile units and portable units must comply with construction requirements already addressed in these regulations and removed repetitive language already covered in these regulations.

190.120 - Portable unit for service of food, menu restriction by type of unit – Amended to remove deleted terms “indoor food service carts,” “outdoor/indoor food service carts” and “pushcarts.” Amended to allow the service of certain foods if the unit is designed, constructed and approved by the Health Authority.

190.125 - Portable unit for service of food, operational restrictions – Amended to add clarifying language to section title. Amended to remove repetitive language already addressed in Section 190.120. Amended to allow the service of consumer ice on golf-cart style food units if certain construction requirements are met.

190.130 - Portable unit for service of food, water supply – Amended to remove deleted term “foodservice trailer” and replace with “portable unit for service of food.” Amended to re-ordered language regarding backflow prevention and filler hose identification to be consistent with FDA Food Code language.

190.140 - Portable unit for service of food, operation on pool decks – Amended to remove Subsection G for the requirement to submit an operational plan for portable units on pool decks.

Chapter 200 – Outdoor Food Establishments

200.025 Outdoor food establishment, general construction requirements – Amended to remove repetitive construction requirements already addressed in these regulations as Outdoor Food Establishments are subject to all construction requirements unless otherwise noted. Amended to add cross-references. Amended to add requirement for overhead protection of food cooking and holding equipment. Amended to remove proscriptive language for barriers from equipment.

200.030 - Outdoor food establishment, location – Amended to remove proscriptive language for location of Outdoor Food Establishment. Amended to require mechanical ventilation for enclosed areas. Amended to remove specific requirements regulated by other agencies. Amended to require cooking equipment be located in areas approved by fire authorities and any other entity having regulatory authority. Amended to add new Subsection D for the requirement for the Outdoor Food Establishment to be located where proper drainage is provided.

200.035 - Outdoor food establishment, operational plan required – Amended to remove the requirement to submit a HACCP plan if required by the Health Authority.

200.040 - Outdoor food establishments, food – Amended to remove repetitive language already addressed in these regulations. Amended to add the prohibition of cooling time/temperature control for safety food unless approved by the Health Authority. Amended to remove prohibition of basting and seasoning of food and condiment storage and service.

240.100 – Hearing conducted by the Food Protection Hearing and Advisory Board - Amended to remove proscriptive language regarding time and place for Food Protection Hearing and Advisory Board meetings.

240.105 - Hearings, appeals – Amended to change authority on appeal final decision making from the District Health Officer to the District Board of Health.

240.110 – Hearings, variances: conditions for approval, documentation, and justification - Amended to clarify the process for variance hearings including conditions for approval, documentation and justification.

240.115 - Variances or waivers, conditions for approval documentation and justification – Amended to clarify the process for the Health Authority to grant waivers including conditions for approval, documentation, and justification.

Proposed Amendments to the 2016 Food Regulations

June 4, 2019 1:00 pm

WASHOE COUNTY
HEALTH DISTRICT



Presentation Overview

- Overview of WCHD participation in the FDA Voluntary Retail Food Program Standards
- Overview of the development of the FDA Food Code through the Conference for Food Protection (CFP)
- Review proposed changes to the 2016 Food Regulations

WASHOE COUNTY
HEALTH DISTRICT



Voluntary Retail Food Program Standards

Item	Category	Requirement	Standard
1. REGULATORY FOUNDATION	Fully Met	100% met	1a, 1b, 1c, 1d, 1e, 1f, 1g, 1h, 1i, 1j, 1k, 1l, 1m, 1n, 1o, 1p, 1q, 1r, 1s, 1t, 1u, 1v, 1w, 1x, 1y, 1z
2. TRAINING AND PERSONNEL	100% met	100% met	2a, 2b, 2c, 2d, 2e, 2f, 2g, 2h, 2i, 2j, 2k, 2l, 2m, 2n, 2o, 2p, 2q, 2r, 2s, 2t, 2u, 2v, 2w, 2x, 2y, 2z
3. INSPECTION PROGRAM AND OTHER CERTIFICATIONS	100% met	100% met	3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 3j, 3k, 3l, 3m, 3n, 3o, 3p, 3q, 3r, 3s, 3t, 3u, 3v, 3w, 3x, 3y, 3z
4. HAZARD ANALYSIS AND RISK MANAGEMENT	100% met	100% met	4a, 4b, 4c, 4d, 4e, 4f, 4g, 4h, 4i, 4j, 4k, 4l, 4m, 4n, 4o, 4p, 4q, 4r, 4s, 4t, 4u, 4v, 4w, 4x, 4y, 4z
5. FOOD SAFETY AND FOOD PROTECTION PREPAREDNESS AND RESPONSE	100% met	100% met	5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 5m, 5n, 5o, 5p, 5q, 5r, 5s, 5t, 5u, 5v, 5w, 5x, 5y, 5z
6. COMPLIANCE AND ENFORCEMENT	100% met	100% met	6a, 6b, 6c, 6d, 6e, 6f, 6g, 6h, 6i, 6j, 6k, 6l, 6m, 6n, 6o, 6p, 6q, 6r, 6s, 6t, 6u, 6v, 6w, 6x, 6y, 6z
7. INDUSTRY AND COMMUNITY RELATIONS	Fully Met	100% met	7a, 7b, 7c, 7d, 7e, 7f, 7g, 7h, 7i, 7j, 7k, 7l, 7m, 7n, 7o, 7p, 7q, 7r, 7s, 7t, 7u, 7v, 7w, 7x, 7y, 7z
8. PROGRAM SUPPORT AND RESOURCES	100% met	100% met	8a, 8b, 8c, 8d, 8e, 8f, 8g, 8h, 8i, 8j, 8k, 8l, 8m, 8n, 8o, 8p, 8q, 8r, 8s, 8t, 8u, 8v, 8w, 8x, 8y, 8z
9. PROGRAM ASSESSMENT	100% met	100% met	9a, 9b, 9c, 9d, 9e, 9f, 9g, 9h, 9i, 9j, 9k, 9l, 9m, 9n, 9o, 9p, 9q, 9r, 9s, 9t, 9u, 9v, 9w, 9x, 9y, 9z



WASHOE COUNTY
HEALTH DISTRICT



Standard 1 – Regulatory Foundation

- Adoption of the proposed food safety regulations will result in:
 - Updated public health interventions and control measures for risk factors known to contribute to foodborne illness
 - Science-based regulatory foundation
 - Uniform regulation of industry

WASHOE COUNTY
HEALTH DISTRICT



Conference for Food Protection (CFP)

- Regulatory (all levels), Industry, Academia, Consumers
- Bi-annual meetings to propose revisions to the FDA Food Code
- Approved proposals from the CFP forwarded to FDA as recommended changes to the FDA Model Food Code
- If accepted by FDA, proposals are incorporated into newest version of the FDA Food Code

WASHOE COUNTY
HEALTH DISTRICT



Summary of Changes

- Formatting and minor text edits
- Addition of cross-references to other sections
- Addition of section headers to provide clarification
- Replaced the definition **potentially hazardous (time/temperature control for safety food)** with **time/temperature control for safety food** throughout
- Incorporation of provisions from the most current version of the FDA Food Code

WASHOE COUNTY
HEALTH DISTRICT



Highlights of Proposed Amendments

- Definition of Risk Level II and Risk Level III establishments (010.730 and 010.735)
- Person-in-charge (PIC) demonstration of knowledge and duties of the PIC (030.010 and 030.015)
- Employee Health Section (030.020-030.022)
- Requirement for employees to wear hair and beard nets or covers (030.075)
- Requirement for written procedure for responding to vomiting or diarrheal events (030.085)



Highlights of Proposed Amendments

- Requirement of the PIC to be a Certified Food Protection Manager (040.022)
- Remove requirement for documentation of a written food safety plan (040.025)
- Requirement to record the date the last shellstock from the container is sold/served on the tag (050.110)
- New cooking time in seconds (050.245)



Highlights of Proposed Amendments

- Requirement for the availability of irreversible registering temperature indicators to measure surface temperature of high-temperature warewashing machine (060.245)
- Requirement that all equipment must meet ANSI standards (060.205)
- Removed Chapter 180 – **Food Processing Establishments** - covered in the definition of **Food Establishment**



Highlights of Proposed Amendments

- Remove proscriptive language in Chapter 120 Barbecues and Chapter 200 Outdoor Food Establishments, and add requirement for outdoor cooking equipment to be located in areas approved by the fire authority
- Delete chapter 130 – Bed and Breakfast Facilities



Highlights of Proposed Amendments

- Chapter 190 Mobile/Portable Units:
 - Exemption from the requirement for mobile food units to obtain a temporary food permit when returning to the servicing area is not possible (190.020)
 - Remove repetitive language already addressed in regulations
 - Allow certain menu items or processes if approved by the Health Authority



Highlights of Proposed Amendments

- Allowance for food establishments to continue operations during periods of extended interruptions of electrical or water service if a written emergency plan is approved (230.005)
- Change the authority on appeal final decision making from the District Health Officer to the District Board of Health (240.105)
- Clarified the process for variance hearings and waiver requests (240.110 and 240.115)



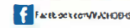
Next Steps

- **District Board of Health Hearings:**
Notice of Proposed Change:
Thursday, June 27, 2019 at 1:00pm
Public Hearing:
Thursday, July 25, 2019 at 1:00pm
- **State Board of Health:**
Friday, September 6, 2019 at 9:00am



Questions?

Food Safety Program
Environmental Health Services
foodsafety@washocounty.us





**DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIRECTOR'S OFFICE
OFFICE OF MINORITY HEALTH & EQUITY**
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August 19, 2019

Memorandum

To: Dr. Jon Pennell, Chair
Nevada State Board of Health

From: Tina Dortch, Program Manager
Nevada Office of Minority Health and Equity (NOMHE)

Re: NRS.232.482 There is hereby created in the Office an Advisory Committee consisting of nine voting members appointed by the Department and State Board of Health.

In accordance with Nevada Revised Statutes (NRS) 232.482, it is the responsibility of the State Board of Health to appoint six members of the Nevada Office of Minority Health and Equity (NOMHE) Advisory Committee on Minority Health (i.e. AC), as detailed below:

1. The Director of the Department shall appoint three members who have an interest in health issues related to minority groups.
2. **The State Board of Health shall appoint:**
 - a. Three members representing each geographic region of the State, including one member who resides in southern Nevada, one member who resides in northern Nevada and one member who resides in rural Nevada;
 - b. One member who is a representative of a non-profit organization located in the state;
 - c. One provider of health care in this state; and
 - d. One member of the public at large.
3. One Legislator who is appointed by the Legislative Commission shall serve on the Advisory Committee in an ex-officio, nonvoting capacity.

Of this writing, three of the nine NOMHE seats are currently vacant. By virtue of this correspondence, one candidate is being proposed to fill one of the vacancies. With this action, five of the six seats required to be filled by Board of Health appointments would be achieved.

NOMHE Staff Recommendation

Staff recommends that, effective with your ruling, the Nevada Board of Health appoint the following person to the Nevada Office of Minority Health and Equity Advisory Committee on Minority Health, to serve a two-year term:

- **Erik Jimenez** (Senior Policy Director, Nevada Office of the Treasurer)
 - *Representative based in N Nevada (Board of Health appointment)*

A copy of the candidate's resume is attached and a matrix denoting a selection process which addresses statutorily required ethic, geographic and professional diversity.

Presenter

Tina Dortch, Program Manager, Nevada Office of Minority Health and Equity

Erik Jimenez

101 N Carson St
Carson City, NV, 89701
(702) 480-9338
ejimenez@nevadatreasurer.gov

PROFESSIONAL EXPERIENCE

Nevada State Treasurer's Office

Carson City, NV

Senior Policy Director

Dec 2018 – Present

- Responsible for developing strategic and policy initiatives for the State Treasurer's Office.
- Responsible for all media and public inquiries for the State Treasurer's Office.
- Administer of the Nevada ABLE Savings Program, which gives people with disabilities the ability to save for a better future.
- Oversees Nevada's closed-loop payment processing system for cannabis businesses in Nevada.

Zach Conine for Nevada State Treasurer

Reno, NV

Political and Communications Director

Jul 2018 – Nov 2018

- Successfully aided Nevada State Treasurer Zach Conine to a statewide victory in 2018.
- Handled all external communications for the campaign, including: press releases, media requests, policy position papers, and opinion-editorials.
- Responsible for grassroots and grasstops organizing with county parties, labor organizations, business advocacy groups, etc.

Hillary Schieve for Reno Mayor

Reno, NV

Campaign Manager

Jul 2018 – Nov 2018

- Managed Mayor Schieve's reelection campaign, achieving a 30-point victory in a city-wide election.
- Responsible for all media relations and external communications from the campaign.
- Managed all earned and paid media efforts.
- Responsible for coalition building and grasstops organizing with faith-based, labor, business, and advocacy organizations.

Argentum Partners

Reno, NV

Director of Legislative Affairs

Jan 2015 – Jun 2018

- Represented numerous gaming, health care, technology, transportation, energy, education, and non-profit clients during the 2015 and 2017 sessions of the Nevada Legislature.
- Developed legislative strategies and sizable contribution plans for a variety of clients from 2015-2018. Successfully worked on campaigns for Reno City Council, Washoe County Commission, North Las Vegas City Council, and the Nevada State Assembly.
- Successfully managed issue campaigns in Nevada, South Carolina, and New Hampshire during the 2016 election cycle, which involved widespread earned media, grassroots organization, and grasstops political outreach.
- Successfully developed and implemented paid media plans for Reno City Council, Washoe County Commission, and issue advocacy campaigns from 2016 through the 2018 primary election.

EDUCATION

UNIVERSITY OF NEVADA RENO

Reno, NV

Master of Public Administration and Policy Public Administration (Dec 2016)

UNIVERSITY OF NEVADA RENO

Reno, NV

B.A. Political Science (Jun 2014)

BOARDS & COMMISSIONS

- City of Reno Access Advisory Committee, Chair (2018-current)

HONORS & AWARDS

- Twenty Under 40 Award, Reno Tahoe Young Professionals Network (2017)

REFERENCES

KATE MARSHALL, LIEUTENANT GOVERNOR, STATE OF NEVADA

(775) 771-5115 - kmarshall@ltgov.nv.gov - *Friend/Mentor*

MELANIE SCHIEBLE, NEVADA STATE SENATOR DISTRICT 9, NEVADA STATE SENATE

(702) 805-0105 - melanie.schieble@sen.state.nv.us - *Friend*

HILLARY SCHIEVE, MAYOR, CITY OF RENO

(775) 378-5589 - mayor@reno.gov - *Friend/Former employer*

ZACH CONINE, NEVADA STATE TREASURER, STATE OF NEVADA

(775) 600-9941 - zconine@nevadatreasurer.gov - *Employer*

NOMHE Advisory Committee on Minority Health Board Composition as of 19Aug2019

	Name	Ethnicity	N NV, S NV or Central NV	Notable Interest in Health Issues Re to Minorities	Nonprofit	Healthcare Provider	Representative from Public at Large
1	Cassandra Cotton (BoH Appointed)	African American	Southern NV	Former NOMH Advisory Bd Mbr	Nathan Adelson Hospice and Donor Network		
2	Sam Lieberman (Director Appointed)	Caucasian	Southern NV	Easter Seals; NV PEP, Alzheimer's, Independent Mobility			
3	Andre Wade (Director Appointed)	African American	Southern NV	LGBTQ awareness, disparities, resources			
4	Dr. Barbara Atkinson (BoH Appointed)	Caucasian	Southern NV	Commission to Study Bioethical Issues			
5	Dr. Jennifer Kawi (BoH Appointed)	Asian/Pacific Islander	Southern NV	Chronic Pain and Opioid Management		FQHC	
6	Andrea Gregg (BoH Appointed)	Caucasian	Northern NV		Workforce Development		

September 2019

NOMHE Advisory Committee on Minority Health (Board Composition)

Board of Health Recommended Appointment

submitted for consideration – September 6, 2019

	Name	Ethnicity	N NV, S NV or Central NV	Notable Interest in Health Issues Re to Minorities	Nonprofit	Healthcare Provider	Representative from Public at Large
	Erik Jimenez	Latino	Northern NV	Administrator of NV's ABLE Saving Program for Persons w/Disabilities			