

NOTICE OF PUBLIC HEARING

Intent to Adopt Regulations
(LCB File No. R052-16)

NOTICE IS HEREBY GIVEN that the State Board of Health will hold a public hearing to consider amendments to Chapters 392, 394 and 441A of the Nevada Administrative Code (NAC). This public hearing is to be held in conjunction with the State Board of Health meeting on September 9, 2016.

The State Board of Health will be conducted via videoconference beginning at 9:00 a.m. on Friday, September 9, 2016 at the following locations:

Division of Public and Behavioral Health 4150 Technology Way Room #303 Carson City, NV 89706	Southern Nevada Health District 280 S. Decatur Blvd Las Vegas, NV 89107	Division of Aging and Disability Services Early Intervention Services 1020 Ruby Vista Drive, Suite 102 Elko, NV
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The proposed changes to NAC’s 392.105, 394.250 and 441A.755 include the following:

- Declares *N. meningitidis* to be a communicable disease;
- Prohibits a child from being enrolled in grade 7 in a public or private school unless immunized against *N. meningitidis* after the student obtains 10 years of age;
- Prohibits certain persons from attending a university until the person submits to the university proof of immunity to *N. meningitidis*;
- Provides exceptions to such prohibitions; and
- Provides other matters properly relating thereto.

1. Anticipated effects on the business which the applicable NACs regulate:

- a. *Adverse effects*: Minimal; the adverse effects include additional registrar/school nurse staff time to check for the newly required immunization and increased record-keeping requirements for universities.
- b. *Beneficial*: The beneficial effect of these regulations is to reduce the risk of meningococcal disease in school and university populations.
- c. *Immediate*: Beginning with the 2017 school year, all public and private schools will be required to check incoming grade 7 student records, and all universities will be required to check incoming student records for immunity to *N. meningitidis*, or the proper exemptions, according to the schedules that will be established by the Division of Public and Behavioral Health (DPBH).
- d. *Long-term*: The DPBH has reviewed all school/university immunization regulations and

has been unable to identify any long-term adverse impacts on business.

2. Anticipated effects on the public:
 - a. *Adverse effects*: None.
 - b. *Beneficial*: Reduces the risk of meningococcal disease spread in school and university populations, thereby protecting the health of all Nevadans.
 - c. *Immediate*: Students entering grade 7 or as an incoming freshman to a university in fall 2017 will be required to show immunity to *N. meningitidis*, according to the schedule established by the DPBH, or have the proper exemptions on file or risk being excluded from school entry.
 - d. *Long-term*: Sustainable increases in adolescent immunization coverage rates for Nevada students. Increased immunization coverage in a population significantly reduces the possibility of a disease outbreak.
3. The estimated cost to the DPBH for enforcement of the proposed regulations would be minimal and handled through existing administrative processes as the vaccines to prevent meningococcal disease are already routinely provided to eligible children 0-18 years by the Division of Healthcare Financing and Policy through the Nevada Check-Up Program and the Vaccines for Children Program.

The proposed regulations do not overlap or duplicate any other Nevada state regulations.

Members of the public may make oral comments at this meeting. Persons wishing to submit written testimony or documentary evidence in excess of two typed, 8-1/2" x 11" pages must submit the

material to the Board's Secretary, Cody Phinney, to be received no later than August 24, 2016 at the following address:

Secretary, State Board of Health
Division of Public and Behavioral Health
4150 Technology Way, Suite 300
Carson City, NV 89706

Written comments, testimony, or documentary evidence in excess of two typed pages will not be accepted at the time of the hearing. The purpose of this requirement is to allow Board members adequate time to review the documents.

A copy of the notice and proposed regulations are on file for inspection and/or may be copied at the following locations during normal business hours:

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

Nevada State Library
100 Stewart Street
Carson City, NV 89701

Nevada Division of Public and Behavioral Health
3811 W. Charleston Blvd, Suite 207
Las Vegas, NV 89102

A copy of the regulations and small business impact statement can be found on-line by going to:
http://dpbh.nv.gov/Programs/VPD/dta/Community/Vaccine-Preventable_Diseases_-_Community/

Copies may be obtained in person, by mail, or by calling the Division of Public and Behavioral Health at (775) 684-5900 in Carson City. Copies may also be obtained from any of the public libraries listed below:

Carson City Library
900 North Roop Street
Carson City, NV 89702

Churchill County Library
553 South Main Street
Fallon, NV 89406

Clark County District Library
1401 East Flamingo Road
Las Vegas, NV 89119

Douglas County Library
1625 Library Lane
Minden, NV 89423

Elko County Library
720 Court Street
Elko, NV 89801

Esmeralda County Library
Corner of Crook and 4th Street
Goldfield, NV 89013-0484

Eureka Branch Library
80 South Monroe Street
Eureka, NV 89316-0283

Humboldt County Library
85 East 5th Street
Winnemucca, NV 89445-3095

Lincoln County Library
93 Maine Street
Pioche, NV 89043-0330

Mineral County Library
110 1st Street
Hawthorne, NV 89415-1390

Pershing County Library
1125 Central Avenue
Lovelock, NV 89419-0781

Tonopah Public Library
167 Central Street
Tonopah, NV 89049-0449

White Pine County Library
950 Campton Street
Ely, NV 89301-1965

Henderson District Public Library
280 South Green Valley Parkway
Henderson, NV 89012

Lander County Library
625 South Broad Street
Battle Mountain, NV 89820-0141

Lyon County Library
20 Nevin Way
Yerington, NV 89447-2399

Pahrump Library District
701 East Street
Pahrump, NV 89041-0578

Storey County Library
95 South R Street
Virginia City, NV 89440-0014

Washoe County Library
301 South Center Street
Reno, NV 89505-2151

Per NRS 233B.064(2), upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.