

**NEVADA STATE DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
CHILD CARE ADVISORY COMMITTEE MEETING (CCAC)**

MINUTES

Date: September 11, 2014

Time: 1:30pm

Videoconference Locations:

Division of Public and Behavioral Health  
727 Fairview Drive, Suite E  
Carson City, Nevada 89701

Division of Child and Family Services  
6171 West Charleston Blvd.  
Building 8, Conference Room A  
Las Vegas, NV 89146

Division Child and Family Services  
1010 Ruby Vista, Suite 101  
Elko, Nevada 89801

Also available via teleconference  
CALL IN NUMBER: 1-398-2342  
ACCESS CODE: 1530727

MINUTES

Committee Members Present

Carrie Paldi, Co-Chair, Creative Kids Learning Center (Las Vegas)  
Diane Nicolet, Co- Chair, E.L. Cord (Carson City)  
Andrea Davis, Kids Kottage (Carson City)  
Sara Kreutz, Noah's Ark (Elko)  
Sue Joyner, Dayton Valley Learning Center (Carson City)  
Christine Stern, YMCA (Las Vegas)  
Rachel Perez, Kids Quest (Via phone)

Child Care Licensing Staff Present

Kyle Devine, Bureau Chief (Las Vegas)  
Latisha Brown, Child Care Program Manager (Las Vegas)  
Terri Buster, Supervisor (Las Vegas)  
Anna Lisa Acosta, Supervisor (Carson City)  
Rachel Netz, Child Care Surveyor (Elko)  
Tammy Hutchinson, Child Care Surveyor (Carson City)  
Tiffany Kaplan, Child Care Surveyor (Carson City)  
Lisa Roberts, Child Care Surveyor (Carson City)

Members Not Present

Tiffany Alston, Sunrise Children's Foundation, Las Vegas  
Austin Olson, ATC, Reno

Others Present

Alice LeDesma, Children's Services Coordinator, Washoe County Social Services (Carson City)  
Sherry Waugh, Child and Family Research Center (Carson City)  
Denise Tanata-Ashby, Children's Advocacy Alliance (Las Vegas)

**1. Opening remarks, Introductions, and Roll Call**

Carrie Paldi presided over the meeting.

Carrie Paldi introduced and welcomed Kyle Devine, Bureau Chief of Health Care Quality and Compliance, which the Bureau that Child Care Licensing has now been placed.

Carrie Paldi reported that CCAC member, Stephanie Moye, representing northern Nevada home child care has resigned her position.

Diane Nicolet reported that she spoke to Stephanie Moye and Stephanie explained the difficulties of getting a substitute to attend the meetings and devoting the time needed to her job. If she had to leave early or could not attend meetings she would be letting down the committee and the work of the committee so she made a decision to resign.

Roll call was taken to establish a quorum; there were 6 members present of 9 members and it was determined there was a quorum. A seventh member had called and said she would be late. The meeting was called to order at 1:36 pm.

**2. Public comments**

There were no public comments.

**3. The committee expressed appreciation to Andrea Davis for taking the minutes of the last meeting.**

Carrie Paldi stated that the document should indicate they are the minutes. A question was raised as to Sara Kreutz's location at the previous meeting. Rachel Netz clarified that she participated by phone.

**MOTION:** Diane Nicolet made a motion to approve the minutes of the August 12, 2014 meeting as is, with the exception of adding "minutes" to the first page.

**SECOND:** Sue Joyner

**PASSED:** UNANIMOUSLY

#### **4. Discussion and approval of Southern Nevada Family/Group Care Committee Member**

Carrie Paldi reported that she had reached out and contacted several people and sent them applications, but no home care providers have responded; she received five additional names that she will contact them in the next couple of days. She will also contact Margaret Olberg, a Washoe County home care provider that is very involved with the home care provider community. Carrie Paldi expressed that it is very concerning that there are currently no home care providers represented on the committee.

#### **5. Presentation of revised nutrition/physical activity regulation changes and question and answer period**

Denise Tanata Ashby reported that Jessica Lamb wanted to be at the meeting, but is flying from Atlanta.

Denise Tanata Ashby had requested at the last CCAC meeting for the committee members to send questions and concerns to her in writing so they could look at them ahead of time and provide a response. She took all of the comments and concerns and consolidated them into different issue areas that were being addressed and she provided responses in a table which was provided. Denise Tanata-Ashby stated that she provided most of the responses because of timing. Jessica Lamb and Monica Morales didn't have a chance to review the full document and may have additional responses. Denise Tanata-Ashby stated that she wasn't speaking for Jessica Lamb and Monica Morales in her responses.

Denise Tanata Ashby stated that she preferred that the issues be addressed one issue at a time instead of going through the entire document and then discussing.

The first issue was regarding the requirement for facilities to provide an on-site location for mothers to breast feed as appropriate.

There was some concern about space, not that they were opposed to breast feeding mothers, but they didn't have the space or were unsure how other families would feel about it occurring in the open. Denise Tanata-Ashby recognizes that there may be some facilities that do not have space available so she is recommending, rather than taking it out completely, to potentially put a wavier or variance in the regulations. They could work with the surveyors to determine which facilities would be applicable to the wavier. Facilities could provide an area, even if it is just a screen to make it more private. Any new facilities would need to have space available for breast feeding mothers.

Carrie Paldi asked Latisha Brown about the wavier process. Latisha Brown explained that Child Care Licensing (CCL) no longer has a wavier process; everything now goes through the Board of Health. The Board of Health has a variance process which begins when an application for a variance is submitted. There is a fee associated with the

variance process which she believes is between \$100 and \$300. Once the application and fee are submitted, it is put on the agenda for the next Board of Health meeting, which meets quarterly. Carrie Paldi asked if the facility would be held under the regulation until the variance is granted and Latisha Brown stated the facility would be held under the regulation until the variance was granted.

Carrie Paldi stated that it was very concerning for her that there would be a \$100 to \$300 cost associated with the variance which would not be an issue for a corporate center, but it could be prohibitive for a small mom and pop center. Denise Tanata-Ashby voiced that it was also concerning for her if that was the process.

Kyle Devine stated that other options could be looked into. There is an option called a compliance agreement which could be an agreement between a facility and the state medical director, currently Dr. Green. It could be put into place for a period of 30 days; anything beyond that needs to be approved by the Board of Health.

Latisha Brown clarified with Kyle Devine that a compliance agreement would hold a facility over until the Board of Health could review.

Sue Joyner stated that she has been in child care for over 30 years and is a mother that breast fed five children and she did not feel that the choice about breast feeding needs to be regulated. Most mothers that breast feed are willing to be flexible and feed their infants when and where they are hungry and it isn't a problem. She has had many women come and breast feed their infants in the center and it has never been an issue. To put it into a regulation is over reaching. Most women who breast feed are discreet enough and comfortable to breast feed where their baby is. With the space limitations of so many centers, requiring an area to nurse that isn't an office, bathroom or classroom basically leaves a closet and she doesn't want anyone going into a closet to nurse.

Carrie Paldi said that her facility does not have infants, but another private provider expressed their concern to her that, although they were completely comfortable with it, if a parent was not discreet while breast feeding how other parents might react. She said she also discreetly nursed, but did find some discrimination, but she does not feel that there are those barriers in a child care center. It is obviously the best for children which it is why they want to incorporate it in the regulation, but there are some challenges to centers regarding it.

Latisha Brown wanted to clarify what Sue Joyner stated. Latisha Brown said that we want to encourage the personal choice of a mother to breast feed, but a personal choice does not need to be regulated. Carrie Paldi said that is what she was hearing and that is a valid point.

Kyle Devine brought up that he believed there was a statute that allows women to breast feed anywhere whether it is discreet or not. Denise Tanata Ashby brought up that the language of the statute allows for anyone to breast feed in a public place. Most child care centers would not be considered a public place, but a private business. Denise said

that originally, they had the language that was in the current proposed regulation and providers asked for language explaining what an appropriate breast feeding space was included in the regulation. After meeting with licensing they were asked to remove the specifics. This regulation in no way mandates breast feeding; it doesn't go into personal choice at all, it just states that for facilities with infants, and maybe this needs to be clarified, they should have space available to breast feed. She said there were some other Bureau's within the Health Division and the breast feeding community that felt strongly about this issue and there would be a lot of hesitation about removing this regulation. Denise Tanata Ashby said that she feels like if surveyors go out and see that there is no possible space available that the facility could maybe not be given demerits for not having that. She said they want to work with surveyors to be able to help them identify appropriate spaces which could be in a classroom or office. She said there may be public agencies that could provide funds to purchase screens to make a more private location. There basically just needs to be a chair and some privacy; it doesn't need to be a lot of space.

Carrie Paldi asked if, during the research regarding this proposed regulation, there have been issues with mothers wanting to breast feed their child and not being allowed to, and if that is what was prompting the regulation. Denise Tanata Ashby responded that she did not know, but it was based on the national standards. She stated, in talking with other states, that this was not a big issue and that most facilities are supportive of breast feeding and providing that opportunity.

Latisha Brown stated that she worked for a facility that had infants as a supervisor and that it was not an issue that they encountered. They had space available and a lot of mothers would come at their lunch and breast feed. She stated that as a Manager at CCL, she has never heard any of the Surveyors say it was a problem with a facility restricting breast feeding or hearing that it was not allowed. CCL has not received any complaints on this issue. Carrie Paldi asked if it really needed to be regulated; she understands why it is there, but she questioned the necessity of regulation.

Members understood that it was part of the national standard, but questioned if it needed to be regulated. Denise Tanata Ashby said that they just wanted to make sure that a facility would not be allowed to tell a parent that they could not breast feed.

Terri Buster asked Denise Tanata Ashby if CCL would be able to regulate this regulation the way they would like. If it reads "shall", they would never be out of compliance; what would we be regulating? Are the regulations the venue to put it in or would it be better suited somewhere else. Denise Tanata Ashby said surveyors would be looking for the space because that automatically implies that it is allowed.

Sue Joyner reported that she goes out of her way to make space available to parents. Some parents have infants that don't attend her center, but their older children do. She finds a space for them if they need to feed their baby. She has a sign posted that they are a breast feeding friendly center. If a parent doesn't feel comfortable with that, they wouldn't have to send their child to her facility. She stated that there are so many other

things that surveyors need to look at when doing inspections and she doesn't think it is necessary for them to need to look at a private breast feeding area. Regulating it is a little over the top.

The next issue was regarding the requirement for facilities to provide fresh fruits and vegetables when available. Denise Tanata Ashby reported that the concerns were of the cost of the fruits and vegetables as well as the cost of the kitchen renovations and equipment that would be required because the preparation of these items requires commercial services.

Denise Tanata Ashby clarified that this provision was only required for those facilities that provide meals or snacks. She recommended moving this regulation to subsection 5 to make it clearer that this regulation only applies to facilities serving meals or snacks.

Diane Nicolet had a concern about subsection 5 language "unless directed by a parent". She said that some parents direct the center to do some very "wacky things" so it concerns her that that statement would be in law. Denise Tanata Ashby stated she would address that later.

Denise Tanata Ashby stated that one of the main pieces regarding these regulations involved training and providing resources so they thought it would be helpful if they created a list of fruits and vegetables that do not require a lot of preparation or fruits and vegetables that cost less. She stated that this can be in the training provided to the facilities.

Denise Tanata Ashby stated that it was not their intent to require items that would involve purchasing commercial equipment such as refrigerators. If they are not already providing food or milk they wouldn't need to because of the new regulations. Latisha Brown recommended they contact the agencies that regulate food service in the different locations.

Carrie Paldi said that this was a major concern for many of the people that she talked to. She said her center was told that if they slice an apple they needed a commercial kitchen surface. They used to serve apples and oranges, but they no longer serve them. It is not cost effective to serve packaged pre-sliced apples and oranges. Carrots are nutritious, but you have to worry about the choking hazard for younger children. They used to serve milk, but no longer do so because of the requirement of commercial refrigerators. For many of the sites, it is not just the cost of the commercial refrigerator, but the cost of renovation. The commercial refrigerators are larger so they would need to remove part of the existing counters or cabinets. Her fear is that facilities that are currently providing snacks will stop providing snacks. In an effort to provide better nutrition to children we may be removing some children's nutrition altogether.

Denise Tanata Ashby asked for clarification about who does the health inspections in the different areas. She was told that it was Southern Nevada Health District, Washoe County Health Department, Carson City Health Department, and the state inspects in the

rural areas. Denise Tanata Ashby said she would look into the requirements, but she said that the original purpose of this was to combat the high rate of childhood obesity.

Denise Tanata Ashby reported that there were a lot of comments that were provided to her that the facilities didn't want to restrict giving children more food if they were hungry, but she said that what they are seeing is kids overeating. People are saying that the meal provided at school is the only meal the children are getting so it is even more important that the meal is a healthy meal. She also acknowledged that people that sit on committees such as the CCAC already have higher standards and are already doing these things, but there are a lot of facilities that do not have the same level of quality as the facilities represented at the CCAC. Her organization wants to improve the academics, development, health and nutrition of children, so the bar needs to be raised.

Latisha Brown stated that there will need to be an element of training to raise the bar. Providers will need some training to determine whether a child is eating just to eat or eating because they are hungry. Her feeling is that we need to educate first and then raise the bar.

There was discussion about foods that the parents provide that is sometimes not nutritious; Denise Tanata -Ashby stated that the food provided by parents is not restricted, only food provided by the facility.

Another issue was regarding the feeding plan. Denise Tanata Ashby pointed out that the feeding plan is already required in the current regulations under NAC 432A.385.o. She said as far as she knows if a parent requested the facility do something unacceptable, the facility would not have to provide care for that child.

Carrie Paldi questioned about the lengths of times the children are at the facility and the number of times they are offered food, and if they are required to be fed fruits and vegetables.

Latisha Brown said when it says fruits and vegetables "should be" provided; that is the biggest issue for licensing; we are not sure on our end how we would write someone up on a "should be" or if we would even write someone up on a "should be". Denise Tanata Ashby answered that they are aware of that and it has been talked about making it shall be instead of should be, but in order to accomplish the main goal, they want it in the regulations. They recognize there will be facilities that have issues such as the rurals and that is why they put "when available" in there. They don't want to put anything in the regulations that is impossible, but they do want to move in the direction where facilities are providing healthy foods, including fresh fruits and vegetables, because we know that is best for children. They are definitely open to language and what that would look like and implementation. We can look at other states and see how they are implementing this and how they are addressing the barriers and issues that are coming up.

Denise Tanata Ashby said they plan on doing a lot of education and training regarding the USDA food program. She said, after speaking with the program administrators in the state, that the program has a low utilization rate. Carrie Paldi stated the paperwork was a nightmare. Denise Tanata -Ashby replied that they could assist in making the program more user friendly and inform providers that the program was available and offer technical assistance in filling out the paperwork.

Carrie Paldi replied that assisting with paperwork for that program would be beneficial because she said that is a problem with many centers. She knows of many centers that are on the food program and spend an inordinate amount of time on the paperwork.

Diane Nicolet stated that she thought Latisha Brown brought up an excellent point; that before we raise the bar, we need to have the infrastructure in place first. She said she read throughout the document about information, education, resources and training and that is fabulous but she would personally like to see the evolution of the plan before we start requiring people to do things, including the Surveyors. She would like to know more about what the plan is to support raising the bar. Sue Joyner agreed with Diane Nicolet.

Denise Tanata Ashby asked if she meant the plan for training.

Diane Nicolet stated that what concerns her colleagues throughout the state is that they raise the bar and then they are told to go figure out how to do it. She said if we want our colleagues and our professionals in Nevada to embrace this and to ultimately nurture healthy lifestyles, in general, and to bring more money to our state to make bigger and better things happen, we need to work on the infrastructure first.

Denise Tanata Ashby said that she can't speak on behalf of Jessica Lamb and Monica Morales, but they have stated that they currently have resources available and are in the process of planning to do training and outreach with providers as well as Surveyors. Diane Nicolet said she was glad to hear that but hearing it and seeing it are two different things. She said she was adamant that she wanted to see an infrastructure that is being created so that we can slowly onboard these fabulous ideas. She does not think the fabulous ideas should come first. There are a billion fabulous ideas that get covered up in the grave because we don't have the infrastructure in place.

Denise Tanata Ashby stated that they have talked about this and it is a catch-22 situation. Do you create the infrastructure before you know what it is going to apply to, specifically about the training. They are trying to identify which standards they want to put in place, which standards there will be the most appetite for and then create the training and resources that go specifically to those standards that we want to put in place.

Diane Nicolet said that she does not think we need to have law to do that. She thinks we just need to have commitment to the concept and belief, then when we see things are working we can then make it law; we provide the support first. Sue Joyner agreed.



Alice LeDesma stated that one of the questions that she has had after continuing to read through the documents is a fundamental question. She said no one, providers, parents, legislators, surveyors or whoever, is going to argue with any of these concepts. People are debating about something that everybody agrees with. The question she keeps coming up with is why do we think that regulations are the best way to do this? To put this in a situation that is compliance based, to raise the standards tends to not go over well. When you have providers at both ends of the spectrum with one end doing well and the other end needing improvement and you put Surveyors in there trying to figure out what is in compliance and what isn't, then you get others, parents, providers asking how am I going to comply, is this an interpretation, is it black or white, a yes or no. You have jurisdictional and geographical issues and she is not sure why we would want to include in regulations at this early stage of the game. When you are trying to set people's mind on raising the standard on health, nutrition and physical activity why would we want to set this in a regulatory stance? This sets people at odds because you are in a punitive standpoint to say we really want you to do best practice on this, but if you don't, here's a corrective action plan. It is already setting people up for some level of failure. She is not sure that is the best delivery vehicle at this point.

Denise Tanata Ashby responded that this has been a work in progress for over two years. It originally started with a workgroup of 20 or 30 members which she was not a part of. There were representatives from Early Childhood Education, Health, and Licensing that were involved with looking at the process of what are some of the tools that we can use to reduce the rate of childhood obesity. This is a national trend; almost every state in the country is looking at redoing their regulations to meet more of these national standards so we are not the only state going through this process right now. They did outreach with providers; she did a tour of the entire state of Nevada doing presentations in Las Vegas, Elko, Carson City and Reno talking about the proposed standards and getting feedback. They sent a survey out to every licensed center in the state of Nevada and requested feedback on the proposed regulations. They got 140 responses back statewide, from both of those processes. Overall, the responses they got back from teachers, directors and owners were very positive. Some of the specific issues that have been brought up here were addressed. When they were asked to put in what an appropriate breast feeding environment was, they put that in there. The fresh fruits and vegetables weren't in the original version, that was a recommendation from the State Early Childhood Advisory Council to include the fresh fruits and vegetables. When the fresh fruits and vegetables was added the concern came up about the rural areas, so "whenever possible" was added. So why this should be regulation versus just doing training is the reason she gave previously. A lot of you would come to the training and implement some of these practices but, there are a lot of places that won't. What they are seeing is that those lower quality facilities tend to be the places that don't charge as much as some of the other facilities; these tend to be the places where kids with the most needs, who have the lowest access to nutritious food and the lowest access to educational opportunities go. The idea is to raise the bar, to raise the standards and put in minimum requirements for facilities so all of our kids have access to higher quality. A lot of centers are going to go above and beyond this and that is fantastic, but we need to raise the minimum bar and that is what we are recommending to do.

Diane Nicolet agreed, but she just wants to see the infrastructure in place to support her colleagues with resources and education. She said that she was totally in favor of most of this. There are just a few words and it is just a little much for our surveyors. She believes that more surveyors would need to be hired and some money will need to be spent, but she would like to see the infrastructure in place. She thinks it is a mistake, she sees two things- recommendation versus law and believes that we need to start with recommendations, resources and training mechanisms. She sees education versus enforcement and it would be better to do education before we move into enforcement.

Denise Tanata Ashby said that they are doing those concurrently. She said that as we are talking about these, none of this is requirement right now. As they are talking about what the requirements would be they are talking about training and resources and what infrastructure needs to be in place to support them. So that is happening right now; it is happening concurrently. The idea is to have the resources and infrastructure in place; it has to be a concurrent process.

Diane Nicolet said that she would like to see that plan before we pick apart each one of the regulations because there's still a lot of work to do on these. She would like to see a document that shows the plan throughout the state to shore up any enforcement that would follow.

Denise Tanata Ashby responded that she was happy to make that request to Jessica Lamb and Monica Morales. She said, on their behalf, it's not going to be a complete document because of part of what she's learned, even just today, with the discussion about the Health Departments. We needed to have this discussion so we recognized that this was an issue so we can address that and look at the infrastructure, but we wouldn't have known that had we not had this discussion. Talking about the USDA food program, knowing that it is a cumbersome process, we can begin to start working with them to see how to do that. She said that we didn't know what those infrastructure pieces needed to be before we started going through this process. So I think we are happy to put together a document that outlines what that process is, but that recognizing that as we go through this we may recognize other things that we need to work on that are going to be issues. It's possible that we implement the regulations and this happens all the time and we identify a problem that none of us thought of that we have to deal with. So the idea of having those provisions in place to be able to address those issues and having some level of flexibility, we recognize that. She expressed that she was happy to talk to Jessica Lamb and Monica Morales and see if they can put something together in writing that talks about the concurrent efforts of trying to put the language in place for the regulations as well as the training and the overall infrastructure issues. They are in conversations with WIC, and with the food program and a variety of places to talk about how can they work together, how they can use some resources to help support some of this so those conversations are taking place.

Carrie Paldi had a question about the grant money and if there was an earmarked amount to pay for training and infrastructure and asked what the budget was for that.

Denise Tanata -Ashby responded that there is a CDC grant that the Health Division is receiving that will provide the training. The Division has entered into a contract with the Children's Cabinet to begin doing some of the training with the providers. Right now they are waiting to find out what they need to train on which is what is trying to be firmed up here so they can figure out what resources to attach to the provisions. She does not know the amount of money that is involved. They are looking at agencies with a similar purpose such as WIC to see if they can assist with this.

The state is also looking at going after the Pre-K development grant which is a multi-million dollar grant to help build infrastructure around early childhood education and this grant includes nutrition. There is a specific statement that states that child care centers should be following the meal patterns of the USDA food program. She is also in discussion with the Department of Education's Early Learning and Development Program to see if what they are doing aligns with the pre-K grant so it's possible there might be additional resources in that grant to support some of this work and the infrastructure.

Christine Stern questioned if there was some reason that they couldn't have greater autonomy in developing an improvement plan specific to these initiatives. She asked that in looking at regulations, can't we address this more effectively if we are doing it within our own environments. We know our obstacles and hardships and she was wondering if there could be some sort of greater autonomy. There's a state guideline that is provided and they implement them based on what resources they have available, until there's money available. Her facility has a very comprehensive plan regarding nutrition and physical fitness with benchmarks that they must meet which includes assessments that must be turned in which are all part of the YMCA system. She just feels that every entity has their own issues and challenges and isn't there something we could set up regarding the infrastructures where the facilities would work with that based on their own entities.

Latisha Brown asked Christine Stern if she was saying, for example, if there was a regulation that said your meals and snacks that are provided must meet the current USDA standards and then your facility would be responsible to provide CCL your plan to review regarding how you would choose to implement that based on the options that are given to you by the USDA food program rather than Licensing. You would prefer reading the plan yourself and laying out your own plan.

Christine Stern said yes, this is what she was saying.

Denise Tanata -Ashby said that is in many ways what they did. The first version was more specific but some of that was taken out. Some of the specifics that are in the proposed regulations regarding the milk and juices are there in order to meet the national standards; they are not specific in the USDA food program guidelines. The USDA food program guidelines are set as the minimum amounts of food to eat and we are trying to put a cap on it. She said that guidelines have already been created, but they don't get

utilized and what she has seen is that if you don't require it; people probably won't do it because they don't have to.

Latisha Brown stated that Child Care Licensing currently doesn't have the USDA guidelines in the regulations so if we put them in there we would have a minimum and then they can reach higher. So if we put them in there, that would be a start and concurrently put in place education for the providers so they can build at least to the USDA and then they can continue to build through the infrastructure beyond the USDA. It would then be a step process.

Christine Stern stated that if you want to step it up further, using the model of the Department of Education on a national level everything is incentivized with money so those that go over and above they get some sort of monetary allowance. Maybe creating a plan beyond the minimum could have rewards.

Denise Tanata Ashby stated that they are also working with QRIS so that some of the standards that don't make it into the regulations may be put into QRIS which would be an incentive like Christine is talking about. But the fallback from that, from a state/federal standpoint is that if they are not in the regulations they wouldn't count towards us meeting the national standards. That is why they are looking at the regulations, because that is what the Feds are looking at.

Terri Buster asked how many states are implementing the national standards as they are written.

Denise Tanata Ashby responded that there were no states that are doing all of them. She discussed the National Resource Center for Health and Safety in Child Care and Early Education, a document released April 2014 that showed the progress of the different states. Nevada ranks very low, but would be near the top if all of the proposed regulations were implemented.

Latisha Brown questioned if the USDA standards met the national standards. Denise Tanata -Ashby stated that they do not meet the national standards 100%; they meet quite a few, but not all. She said that if we implemented the USDA standards, that would put us higher than we are now. Denise Tanata Ashby said she would be hesitant to take out some of the pieces that clarify. The USDA clarifies the minimum amount of food a child should get in a day, but it doesn't limit it, which would better address the childhood obesity issue. Latisha Brown said that what she is hearing is that the providers want to see a pathway for success so we would like to give them steps that they can accomplish. She sees it as a pathway to start at the minimum and then to teach them what they need to know in order to limit the foods and build that within their program.

Terri Buster saw this as a compromise to escalate Nevada higher than we currently are.

Sue Joyner spoke about her concern of implementing so much of the national standards at one time; she feels it should be something that they are building on. She said once they

are in the regulations, they are there and we wouldn't be able to back track. She liked Diane Nicolet's idea of an infrastructure and the guidelines. She agrees with the regulations, but as a business owner she needs to work to get there, she can't just change everything in one day.

Diane Nicolet said she liked what Latisha Brown said. She said that what if all of the important nuances of things like 1% or 2% milk were part of training and addendums, resource documents and the law, the USDA would be what that we train to. Our collateral documents are the actual child and adult food program documents. So our law would be rather simple yet very complicated and we work to it.

Denise Tanata Ashby replied that even with the proposed changes we would not be meeting the standards. We are not trying to meet all 47 standards, some would be overly burdensome. So they were going through the list trying to find things that would be reasonable to implement. She said the proposed regulations were not on the timeline of the State Legislature, it is Nevada Administrative Code so they would be submitted to the Board of Health and go through the process that includes public hearings and business impact statements. She would like them to be implemented sooner rather than later, but they are not on any type of timeline. If we want to look at the infrastructure and make sure we have that in place before these are submitted, that is all up for discussion, and she thinks that can happen. There are some Federal funding things that need to be taken into consideration, one being the pre-K development grant. Denise Tanata-Ashby's primary concern with starting with just the USDA food program guidelines and taking out some of the other pieces is that the USDA guidelines do not set any limits on amounts of foods served and that does not get to the issue of preventing childhood obesity which is the purpose of these standards. She thinks what is happening is that people are seeing all of the color on the page and it represents changes, which makes people put up defenses. She is also hearing some new concerns that she has not previously heard.

Kyle Devine reported that as far as regulations go, we are beyond the time frame to submit regulations, if they were submitted now, they would be temporary. We need to wait until after the Legislative session to submit any regulations so that gives time to work the issues out. He said that the whole conversation has been inspiring to him and he has enjoyed it; the majority of his career has been working in child and adolescent health and he has been in this realm and feels that this is bringing him back to some of his roots. He said that he is confident that working together that we will be able to work this out so that it meets everybody's needs. He said from his standpoint, we have his support and he looks forward to working with everyone to hopefully improve the health of our kids.

Carrie Paldi thanked him for taking time out of his schedule to attend the meeting and invited him to attend future meetings.

Diane Nicolet pointed out a page from a document that Denise Tanata Ashby sent out titled "Achieving a Healthy Weight", page 14, called the "child care obesity prevention quick reference chart". She asked if there was any way we could utilize the information in this document. She said that the way things are written right now are too specific; she

would like to recommend that it be generalized a little more. She said that she, herself, embraces change, but after talking to her colleagues she gleaned quite a bit of information. She is confident that by sharing information we will end up with a good product.

Denise Tanata -Ashby explained that the page Diane Nicolet was speaking about was an abbreviated version of the standards. She said that's the way the federal government makes the determination if the criteria is being met is; if you have it in statute or regulations. So in one way it's good to have the guidelines or educational materials, but it doesn't count if it is not in regulations and not mandated because people don't have to do it.

Diane Nicolet asked for the Surveyors thoughts on building an infrastructure of regulation. Anna Lisa Acosta responded that the biggest concern from a licensing standpoint is the proposed regulations that state "should" or "when possible" are not enforceable. There will always be a reason why they can't do it.

Diane Nicolet then asked licensing what would be a good place to start to raise the bar to improve child care and childhood obesity and nutrition in Nevada where would we begin as far as enforceable regulations. Latisha Brown replied that for her, it would be education. She believes there is a lack of knowledge and understanding of where to find resources and she would like the surveyors to be able to get the information out there to show the providers there is a pathway to success. She also doesn't feel that there is enough recognition for providers that do go above and beyond the minimum standards. We should be building a want to be better, a want to succeed and outshine everyone else with the providers. Right now it seems that everyone is in survival mode. In survival mode people get stagnant and don't reach for the stars. To be able to reach for the stars you need to be educated and you need to know that we are here to get you there. That is where we need to bridge that gap. We all need to work together and to realize that we are working together for a common goal.

Terri Buster stated that she agreed with Latisha Brown and also stated that she was big on measurability and she wants to make sure that it makes sense for everybody. The language is hard for her right now. Some of the things in the proposed regulations are not able to be measured. So much hard work was done on this and it is just sitting there because of the language, because we can't enforce it, because we can't measure it so the goal, ultimately won't be met.

Latisha Brown stated that that is why she thinks the education piece is important because she thinks that the proposed regulations are ultimately achievable and, over time, we can get there. You have to crawl before you walk or run. Nevada as a whole needs to reach up and not get comfortable with just sitting. We have to build that pathway to success; we need to find Nevada's start, we need to find a Nevada plan to get it done.

Denise Tanata Ashby reported that Jessica Lamb and perhaps she will be going out on surveys to see what happens during a survey. Given Kyle Devine's comments about how

long the process will take and concurrently as we recognize what we want to do we will look at some of the specifics in the regulations and see what resources we need and what training needs to be developed and what infrastructure needs to be in place. Denise Tanata -Ashby recommended perhaps setting the regulations aside for the time being and they could do some outreach to see what the barriers are and how they could address them and how they could make this easier to implement and make the process smoother and after that if there are things that we can just not fix or if there are resources that just don't exist then we can come back and take some of the things out. She just doesn't want to throw everything out because it just doesn't exist this very second. These are things that we know are best for kids and frankly could lead to more resources. If the Feds are looking at this, it could have an impact on how we can be competitive with other Federal resource that could help with these things. Her plea was to not just disregard everything, but that since we have time, to look at it. She asked to go through some of the things that she hasn't addressed yet. She began going through the list of questions she had received. She said it was good to have the questions because it will help inform them of some of the training that is needed.

Denise Tanata Ashby said that they would talk with the various Health Departments and see how we can work through those issues on page one of her document. Regarding the milk and cost, one of the things they are going to do is to look into some of the cost comparison studies of the various types of milk, skim, 1%, 2%, whole milk.

Denise Tanata Ashby reported that she had an email question regarding fruit juice. She clarified that facilities are not required to serve fruit juice, but if they do they would need to limit it. There was also an email question about the requirement of a commercial refrigerator for fruit juice; she will look into that.

Denise Tanata Ashby stated that concerns regarding regulating what staff eat and personal food choices were reported to her. The idea is that teachers are role models for the children. She has talked to many providers regarding this and most tend to agree that if you are sitting with the children eating, that you shouldn't be eating things that the kids aren't eating or unhealthy items. The regulations don't say that you can't eat things, but you shouldn't do it in front of the children. If a teacher is eating with the kids they should model appropriate behavior which includes proper nutrition.

Denise Tanata Ashby stated that someone commented the complexity of creating a nutrition plan, including breastfeeding was currently out of their expertise. She reported that there are currently regulations that require facilities to develop a feeding plan as well as menus and also consult with an agency to provide support on nutrition information but they will also provide additional training, technical support and resources. She was looking at the workbook that licensing uses for inspections and she did not see a reference to the feeding plan itself and asked if surveyors currently look at that. She asked if surveyors looked at a random few children's feeding plans at each inspection. Latisha Brown responded that that is what surveyors do as well as look at menus. Denise Tanata Ashby responded that if a parent wanted their 3 year old to be served whole milk instead of skim that would be in that child's feeding plan.

Diane Nicolet asked if, that during surveys, if surveyors looked at breast feeding plans for infants. Anna Lisa Acosta responded that we look at any type of feeding plan that the facility has. For most facilities the food service is in the facility statement, if there are any changes, objections, exceptions or restrictions that a parent has, that is included in the enrollment paperwork. If they are fine with what is in the facility statement and they have signed it; that is considered your feeding plan.

Diane Nicolet asked what a feeding plan means to Denise Tanata Ashby and her group. She said that it is in the proposed regulations for every child to have a nutrition plan, including a breast feeding plan. She asked for clarification about what that means.

Denise Tanata Ashby responded that NAC 432A.385.1(o) is already in regulations which she read. In that regulation the only thing they would add is to include specific cues indicated by the infant to indicate hunger or cues to determine when the child is full and the introduction of age appropriate solid foods utilizing appropriate guidelines established by the USDA's Child and Adult Food Program.

Denise Tanata Ashby further stated that under section 5, when we get into the specifics, they added unless otherwise directed by the parent, guardian or physician pursuant to the plan required in NAC 432A.385.1(o). So basically they are saying if your facility serves food, whole milk must be served to children 12 to 24 months of age who are not fed human milk. If a parent told the facility I don't want my 18 month old to have whole milk, but 1% that would be in the feeding plan.

Carrie Paldi pointed out that your plan could be as simple as your statement that states that the center provides morning and afternoon snack and parents provide lunch. You would have a posted menu. You would have something on your registration form that indicates if the child has any special dietary restrictions or allergies and that would be your feeding plan.

Carrie Paldi had a question about enforcing the portion sizes limits. Denise Tanata Ashby said there was a similar question regarding physical activity. She wasn't sure how to address the question. Anna Lisa Acosta responded that if the facility is putting on enrollment forms or menus that the snacks and meals will be age appropriate portions and a survey is not conducted at meal time, surveyors would have no way of observing if the portion sizes were appropriate. Carrie Paldi said that this was difficult too with family style meal service and for centers that are accredited, family style meal service is required. Denise Tanata Ashby asked how surveyors enforce similar items now such as what they had for snack if we were not there at snack time. Licensing responded that we talk to teachers, children, look in trash cans etc. to determine if snack was served. Denise Tanata Ashby said that they felt that it would be similar with the portion sizes; they do not expect providers to go around with a measuring cup or anything like that. She said that the serving size could be put on the menu, for example, the menu could indicate 3 – 5 chicken nuggets and ½ cup of fresh fruit would be served. Surveyors would be looking at the techniques the facility is using to ensure that appropriate serving sizes are being



offered. Latisha Brown stated that seeing what is being served for snack is easier to observe than portion size. If pretzels are on the menu for snack that day, she can look in the cupboard and see that pretzels are present and there appears to be a sufficient amount for the number of children in the facility. Carrie Paldi stated that adding portion sizes to the menus could get pretty cumbersome; there is the toddler age group, preschooler age group and the school-age age group so you are writing menus for multiple age groups which could be quite cumbersome. Denise Tanata Ashby stated that the portion sizes are in the Child Care and Adult Food Program (CCAFP) guidelines. She said a strategy might be to place the serving size charts in the food prep areas and where they are serving the food. She said there are two pieces, one is that you are utilizing the CCAFP guidelines which include portion sizes and the second is the serving juice where portion sizes come into play. Latisha Brown stated that she thinks the serving size will still be a work in progress.

Denise Tanata Ashby reported that there were concerns raised that these regulations were based on current knowledge and current knowledge and best practices change based on new research and findings. She reported that is why it is in NAC not NRS and that it references USDA because they are changed from time to time. She said that CCL would need to be aware and inform providers of the current guidelines. It is common practice in regulations to reference federal or national guidelines. Carrie Paldi expressed that in the report that was provided to the members that was compiled in April 2014 referenced information from the food pyramid and that the food pyramid has not been used in at least 3 to 4 years. She found it interesting that even a most recent report is referencing something on a Federal level that is no longer used.

Latisha Brown reported that the current issue is that now, if they are not following the NAC they can be fined for it and do they really want to be fined for it if it is something they don't really have to do. She said the concern is that even if it is not statute, disciplinary action can still be taken. What would dictate something serious enough to be fined for, suspended for or revoked for?

Denise Tanata Ashby said these have been vetted through national experts, Early Childhood experts, health experts, and nutrition experts and these are their recommendations. There is potential for changes because there are new ideas that come up all the time.

Latisha Brown said she understands, but the regulations are supposed to be the minimum and when you start to fine people based on a recommendation and not a requirement, that is where the fear comes in.

Alice LeDesma said that, when you put specifics into NAC and they change, it is not particularly easy to change. It is easier to change NAC than NRS, but it's not a cake walk. The more specifics that you put in, such as 1%, 2%, whole milk, full strength juice, all these things, you look at the regulations currently and you can see how outdated they are. It's a struggle to change NAC; it takes months and months and months. We have a bit of time in front of us, even if we agreed today. The more specific we get, in a

couple of years, we may change our mind. 10 years ago, the health department did not want centers to cut fruit in their child care facilities. Alice said she argued that for 2 1/2 years, they wanted pre-packaged meals. This is what we are trying to overturn.

Anna Lisa Acosta responded that the safe sleep practices have changed. At one time mothers were told to put babies on their stomachs and now it is on their backs.

Terri Buster asked what other states doing; are they putting specifics in regulations or how they are working around it to still promote health.

Denise Tanata -Ashby answered that she could pull examples from some of the other states who have put some of these regulations in place. She said that it is relatively new because some states are starting to see that it has an impact on some of their other funding. That is why a lot of states are starting to do this work, including the State of Nevada. She said she will see what she can find, but a lot of states are in the exact same point in the process that Nevada is.

Alice LeDesma responded that many times it is very dependent on their regulation process. Is it a state process, do they have to go to legislature or is it just a licensing board that they have to go through. If you have to go through a state legislative process to change law, you will find that you have regulations that do not have very much in them. If they just have to go through an advisory board process, it is easier. Florida has 47 counties and they are all individually monitored, they have a lot of sets of regulations and their process doesn't take as much time to change so they have a lot of specifics. The state of Oregon has nothing in their regulations so what they do is put addendums in their regulations like program standards. That is how both their regulations for foster care and child care are set up. So they change their program standards and providers acknowledge it, much like a contract. Washoe County has a lot in their regulations that are addendums. So while she can't cite them on compliance issues for that, it is suggested such as you will comply with the USDA. The addendums are approved by their advisory board so they do not have to go through the state to be approved and codified. So if a provider doesn't know what something means, they can look in the addendum.

Rachel Perez stated that her company operates in several states and she works with many state licensing entities. She has seen many states go to a star system that are standards to aspire to. So if a center just wants to do the minimum, they are a one star, but if they want to go above and beyond, they may get a four star. It doesn't mean they aren't meeting their regulations; they are going above and beyond. The state of Oklahoma, Texas and other states have as well. It may be something that we would want to look at to encourage centers to go further.

Carrie Paldi stated that, in the interest of time, we would give Denise Tanata Ashby 15 additional minutes for her presentation and then we will move to the remaining items on the agenda. She thanked Denise for spending the entire afternoon with the group and said that although it may seem like the group is attacking, they just want to make sure all of the concerns and questions are expressed and she hoped Denise's understood that their

concerns were not personal and that her efforts in all of the work that she does is appreciated.

Denise Tanata Ashby said a concern was reported about the children not getting enough sleep and that perhaps it would be better if it just applied to school age children having quiet activities rather than all children. She wanted to clarify the general idea was basically not having a regulation in place that would mandate or force a child into sedentary activity when it is not appropriate for that child just making sure there were other options available. Denise said that some sleep problems may be due to nutrition and lack of physical activity. There was a recommendation to add a regulation prohibiting the use of screen during nap time.

Denise Tanata Ashby reported there were a lot of questions about the physical activity and what licensing would be looking for and how would it be measured or evaluated, if the inspectors have the qualifications necessary to evaluate this, etc. She said that they would be working with licensing to develop some of the technical assistance to provide additional training and resources that are appropriate so they have the tools necessary to do that. When she was talking with licensing that was something that came up about how the physical activity would be monitored, one of the things that they talked about was having the plan for physical activity included in the overall early care and education plan which is already a requirement so it could be as easy as we will utilize XYZ or it could be as specific as we provide these activities for these age groups so there is some flexibility there. It would be a matter of looking at their plan and seeing if there is a reference to physical activity in their plan and does their plan meet some of the requirements in the regulations. The other part might be through observation that licensing already does. She doesn't want to speak for licensing, she is just thinking through the process. This is one of the pieces that need to be worked out.

Denise Tanata Ashby said there was another question asking if outside time met the daily requirement of 60 to 90 minutes and 90 to 120 minutes of physical activity required in the new regulations. Denise Tanata Ashby said yes, absolutely it does. It could be met indoors or outdoors.

Denise Tanata Ashby said there was a question about the weather in Northern Nevada. There is a limit of what could be done indoors because of the cold. She said that outdoor play is already required, weather permitting. In Southern Nevada, they sometimes have extremely hot temperatures, making outdoor play unsafe for children.

Denise Tanata Ashby reported a concern about teachers participating in the physical activity and their personal health, capability, comfort level, potential injury, workman's comp cost, etc. She replied that the regulation states that "when they can safely to do so". It is just teacher modeling the behavior that is why it is included.

There was the recommendation that nap time be added to times that video and screen time not be allowed to be used in addition to meal and snack time which is already in the proposed regulations.

Denise Tanata Ashby reported that other comments she received were more general and not directed at a specific provision. A lot what was previously talked about, such as, family input, cultural norms, cultural impact, personal beliefs regarding eating and food, there were concerns that this is a family issue not a center issue. Parents often bring foods that wouldn't meet these guidelines and the center has no control over what parents bring in; they can't oversee that. Denise said that this in no way tries to control what the parent brings in. Part of the training to be offered is to teach providers and teachers about how to talk to parents about food and let them know what resources are out there for parents. Through the Southern Nevada Health District they have a grant pending that would allow them to create resources specific for parents and to develop some tools on-line as well as posters and brochures which would include menu ideas, ideas for what parents could pack in a child's lunch. They know that a lot of centers have gone from providing meals to having parents bring food in. You can't mandate what comes in, when talking about portion sizes and limits, it is just what is provided by the center that would be regulated. They just see that as a first step in trying to address these issues.

Denise Tanata Ashby said that there was some concern that they were turning the Caring for Our Children standards into regulations. She thinks the group has already addressed this.

Another question was raised about how licensing would regulate these and if there is the man power. Denise Tanata -Ashby said that there have been numerous revisions after talking with licensing, directors, owners and the committee. Licensing has been involved in the discussion since the beginning. That is why they are coming to the CCAC.

Denise Tanata Ashby reported that there was a concern that with all of the new regulations that facilities that are currently providing food will stop providing food. They realize that is a possibility, but they hope with training, technical assistance, and the provision of additional resources that they can help alleviate that. If we could make it easier and get more people on the food program, more centers will start offering food. It is a potential concern.

Denise Tanata Ashby said some of the other concerns were general issues with implementing and that licensing should use their time differently to focus on bigger issues such as unlicensed facilities which is a problem in the rural areas. Again there were concerns with the language and definition of some terms that were brought up. Some resources mentioned were the Child Care Weather Watch, USDA Food Program to make it easier for providers. Concerns about training must match sustainability, which we have talked about. Denise Tanata Ashby said they recognize there are other issues and she is working on many other early childhood issues, this is just one.

Denise Tanata Ashby wanted to talk about Accommodation facilities. She said she had more questions rather than answers for Rachel Perez, Accommodation representative and

licensing. Some of the concerns that came up were about accommodation facilities not having the space or the means to serve food and most don't serve food. Denise said that if they don't currently serve food they wouldn't have to. She saw a point of confusion where it was said that children in care for less than five hours must be offered one healthy snack after 4 hours and a snack after 2 1/2 hours. Denise Tanata Ashby is unsure that if they don't serve food or allow parents to bring in food how that works. Rachel Perez responded that if the child indicates they are hungry, they call the parent and the parent takes them somewhere and feeds them or gives them water, whatever the case may be. Rachel Perez said that something else that came up was that some of the other facilities that do provide food have only a snack bar license from the Health Department, so that limits the type of food that can be provided. So that would also need to be looked into because it then goes back to the whole commercial kitchen requirement. She said that with a snack bar license from the health department, the type of food that can be served is limited. If they were required to serve more, they would have to upgrade everything and they just don't have the space for that and the cost is extraordinary. She would be willing to help research the cost of if the Children's Advocacy Alliance could research, that would help clarify a lot of issues. This research would also help with the special events. Sometimes you have to have an events license too.

Carrie Paldi asked Rachel Perez for clarification. She asked that if they have the snack bar, isn't that food that is paid for on an account. It is not provided to everybody, only those who have paid. Rachel Perez said this was correct. Carrie stated that even if a facility had a snack bar license, it is still optional, depending on if the parents want to participate in that.

Denise Tanata Ashby replied that she is not sure what regulations apply to accommodation facilities and which ones do not; there may be some exclusions from current regulations. Regarding accommodation facilities, she is not sure what is already required for those facilities. She really doesn't think a lot of these regulations would apply to the accommodation facilities. She clarified that if an accommodation facility is not already currently providing food to a child, then these regulations regarding portion sizes or any of that would not apply, because the facility is not providing food and it wouldn't require you to provide food, if you don't already. As far as the facilities that have the snack bars, I see that as the parents making the decision, almost like the parent bringing food in, but maybe there would need to be some clarity. It is not as if the facility was providing a meal or snack to every child in the facility although she would love to have regulations there about what the snack bars can provide or offer to kids. But this is not being addressed. She recognizes that accommodations are there for entertainment and it's an additional service. She said that accommodation facilities that are providing care for longer periods of time and special events that can go for up to 10 hours a day for a couple of weeks, in her opinion, in order to reach what the purpose of what the regulations are trying to do, if it is longer term care if a special events facility or accommodation facility is providing food that is meant to be a source of nutrition for a child, then they should have to follow the guidelines.

Rachel Perez responded that for some special events, such as at the convention center, they are leasing a space for a short time they only have access to what the convention center can provide to them such as their vendors at the convention center; so it gets a little more difficult.

Denise Tanata Ashby said the question would be, are you providing that food or are the parents.

Rachel Perez responded that it depends on the event; sometimes the contract states that when they go into a convention center that if they want to provide food that they have to use their vendors and suppliers and then it gets into the portion control. It is mostly prepackaged items. They are much different than a typical child care facility. Her recommendation would be to see how it works in child care facility setting and then perhaps they can work to adopt some of the new regulations that would apply to accommodation and special events facilities. See what would make sense and what would be too difficult.

Denise Tanata Ashby stated that this would be a deeper conversation with licensing. She sees that some exclusions for those types of facilities already exist and this would not take them away. A lot of the same exclusions would still be applicable. She just needs to see what exclusions do apply and where are the exclusions that don't apply and see what we would need to address. She sees things in the current regulation, NAC 432A.380.3 requires children in a facility for 10 hours or less be offered at least one meal and two snacks or two meals and one snack.

Rachel Perez responded that they may be open for 10 hours in a day, but a child does not remain in their care for 10 hours. For special events, they can have a child for up to 10 hours only with approval from licensing; they don't typically have children there for 10 hours.

Denise Tanata -Ashby stated that she is unsure how licensing currently regulates that now. So she would need to have a discussion about how licensing currently regulates this and what exclusions currently exist to determine if we would need to go in and add specific exclusions. She said to be honest, if a facility is providing care for 6,8, 10 hours a day, that is different from the athletic clubs, casinos where children are there for only a couple of hours.

Diane Nicolet asked Rachel Perez if when they are providing a special event, if parents have to provide immunization records. Rachel responded that they do have to provide immunization records.

Carrie Paldi reported that we had gone past our time for Denise Tanata Ashby's presentation and to recap, it seems that there are still issues that she needs to work out with licensing because they are such a different type of facility. Denise Tanata Ashby told Rachel Perez that it might be helpful for her to look at the responses that she had

listed on the document that she provided and see if those answer her issues or not. Rachel said she did not receive a copy of that document.

The Committee thanked Denise Tanata Ashby for her work and efforts and for taking time to answer their questions. She said that she wasn't really sure what the next steps would be at this point.

Carrie Paldi said that it was on their agenda today to make a recommendation, but she does not think they will get to that. The next CCAC meeting is December 9, Rachel Perez will look at the responses once we send them to her and she will discuss any questions with Denise Tanata Ashby, possibly outside the meeting. At the next meeting, with what Denise Tanata Ashby has provided the group with today, at least have a discussion about what next steps are and we should be able to communicate with her afterwards.

Diane Nicolet stated that she would like to suggest that there is a recommendation; she is not sure if anyone agrees, but the recommendation is that we are going to continue to review these regulations and Denise Tanata Ashby is going to bring back, with the help of Jessica Lamb and Monica Morales, information, a plan for training and resources and technical assistance.

Carrie Paldi asked if we would be asking for that if someone is available for the December 9<sup>th</sup> meeting. Diane Nicolet asked if the committee would need to vote on that. Carrie Paldi stated that based on what Lisa Roberts sent, with the A.G.'s advice, since it wasn't a change into regulations, it was not necessary to vote on that. But if Denise Tanata Ashby is comfortable with doing that, we could schedule her for our next meeting immediately after public comment for 45 minutes to one hour so that she wouldn't need to remain for the entire meeting.

Denise Tanata Ashby said that she would be happy to do that and also, because of the work she does she would like to receive notices as a member of the public to observe the meetings, even if they do not involve her. Carrie Paldi said she would be glad to forward her that information. She said that Denise Tanata Ashby will come to the December 9 meeting with information about some of the infrastructure ideas that they have and then we may be in a place where we can talk as a group and finally make a recommendation about proceeding or at least next steps.

Denise Tanata Ashby stated that if it is easier, and if we get to that point, they have done this before, to break the regulations down into separate recommendations, it may make it easier to say, we support specific ones. Carrie Paldi said that may make it a little easier; there are pieces that people can definitely live with and some that they do not like. Denise said that it would make it easier on their end to see where they have support and where there is opposition. Carrie Paldi said that that would be an action step for our next meeting if Denise Tanata -Ashby could provide us with that document; Denise said that she would try.

**6. Discuss and make recommendation on the proposed nutrition/physical activity regulations**

Due to time constraints, remaining issues and questions, this item was tabled.

**7. Update from Child Care Licensing**

Latisha Brown reported that there were no updates from licensing; right now the biggest issue is the nutrition/physical activity piece. She thanked all of the committee members that came today and spoke up regarding this. We were able to validate each other's concerns and she appreciates that partnership.

**8. Update from Committee Members**

There were no committee member updates.

**9. Public comments**

There were no public comments.

**10. Adjournment**

Meeting adjourned at 4:29pm.

**AGENDA POSTING LOCATIONS**

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

Child Care Licensing, 727 Fairview Drive, Suite E, Carson City

Child Care Licensing 3811 W. Charleston Blvd., Building B, Suite 112, Las Vegas

Child Care Licensing 101 Ruby Vista, Suite 101, Elko

Nevada State Library and Archives, 100 Stewart Street, Carson City

Legislative Building, 401 S. Carson Street, Carson City

Grant Sawyer Building, 555 E. Washington Avenue, Las Vegas

Nevada State Division of Public and Behavioral Health web page: <http://health.nv.gov>

Child and Family Services, 6171 West Charleston Blvd., Bldg. 8, Conference Room A, Las Vegas, 89146

In the event of videoconference technical difficulties, the meeting may be conducted by teleconference from the same locations. We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements are necessary, please notify Lisa Roberts in writing at the Division of Public and Behavioral Health, 727 Fairview Drive, Carson City, Nevada 89701 or by calling (775) 684-4421 before the meeting date