

Steve Sisolak  
Governor



Richard Whitley, MS  
Director

**DEPARTMENT OF  
HEALTH AND HUMAN SERVICES**  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
*Helping people. It's who we are and what we do.*



Lisa Sherych  
Administrator

Ihsan Azzam,  
Ph.D., M.D.  
Chief Medical Officer

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## **NOTICE OF PUBLIC WORKSHOP**

NOTICE IS HEREBY GIVEN that the Division of Public and Behavioral Health will hold a public workshop to consider amendments to Nevada Administrative Code (NAC) 441A (LCB File Number R069-21).

The workshop will be conducted via teleconference beginning at 8 AM on December 28, 2021, at the following locations:

Via Zoom: <https://zoom.us/j/96062328500?pwd=NTZpNG5Cc0tXTGtNSi9TaG5ldz09>

Meeting ID: 96062328500

Join by phone  
833-548-0276 US Toll  
Passcode: 774065

These workshops will be conducted in accordance with NRS 241.020, Nevada's Open Meeting Law.

### **AGENDA**

1. Introduction of workshop process
2. Overview of proposed amendments to Nevada Administrative Code 441A
3. Public comment on proposed amendments to Nevada Administrative Code 441A (LCB File Number R069-21)
4. Public Comment

The proposed changes will revise Chapters 439 and 441A of the Nevada Administrative Code (LCB File Number R069-21) and are being proposed in accordance with NRS 439.200 and 441A.120.

The proposed regulations provide provisions for the following:

- Existing regulations prohibit, with certain exceptions, a person from attending a university until he or she submits to the university proof of immunity to certain communicable diseases. (NAC 441A.755) Section 4 of this regulation makes this requirement applicable to state colleges and community colleges on July 1, 2024.
- Section 3 of this regulation prohibits a person from attending a postsecondary educational institution until he or she submits proof of immunity to COVID-19, effective upon the submission of this regulation to the Secretary of State.
- Existing regulations require the Division of Public and Behavioral Health of the Department of Health and Human Services to establish the immunization schedule required for the admission of a student. (NAC 441A.755) Section 3 removes that requirement. Instead, section 2 of this regulation adopts by reference certain publications of the Centers for Disease Control and Prevention of the

United States Department of Health and Human Services, and section 3 requires the proof of immunity submitted by a student to demonstrate that the student has acquired immunity in accordance with those publications.

- Existing regulations exempt any student who is enrolled in a program of distance education and who does not attend a class on campus from immunization requirements. (NAC 441A.755) Section 3 requires a student who does not attend class on campus but attends a club, sport or other extracurricular activity on campus to demonstrate the required immunity.
- Existing regulations authorize certain persons to apply for a variance from a regulation of the State Board of Health. (NAC 439.200-439.280) Sections 1 and 3 of this regulation provide that any person who is required to submit proof of immunity to certain communicable diseases to attend a postsecondary educational institution is ineligible to request a variance from a regulation of the Board relating to that requirement.

Members of the public may make oral comments at this meeting. Persons wishing to submit written testimony or documentary evidence may submit them in person to Shannon Bennett, Nevada State Immunization Program Manager, at the following address:

Division of Public and Behavioral Health  
4150 Technology Way, Suite 210  
Carson City, NV 89706  
[iz@health.nv.gov](mailto:iz@health.nv.gov)

Members of the public who require special accommodations or assistance at the workshops are required to notify Shannon Bennett in writing to the Division of Public and Behavioral Health, 4150 Technology Way, Suite 210, Carson City, NV 89706, or by calling 775-350-5261 at least five (5) working days prior to the date of the public workshop.

You may contact Shannon Bennett by calling 775-350-5261 for further information on the proposed regulations or how to obtain copies of the supporting documents.

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

Division of Public and Behavioral Health  
4150 Technology Way, Suite 210  
Carson City, NV 89706

A copy of the regulations and small business impact statement can be found on the Division of Public and Behavioral Health's web page: [http://dpbh.nv.gov/Programs/SIP/dta/Statutes/IZ\\_Regulations/](http://dpbh.nv.gov/Programs/SIP/dta/Statutes/IZ_Regulations/)

A copy of the public workshop notice can also be found at Nevada Legislature's web page: <https://www.leg.state.nv.us/App/Notice/A/>

A copy of the public workshop notice can also be found at: <https://notice.nv.gov/>

A copy of this notice has been posted at the following location: Division of Public and Behavioral Health, 4150 Technology Way, First Floor Lobby, Carson City.

Copies may be obtained in person, by mail, or by calling the Division of Public and Behavioral Health at (775) 684-1030 in Carson City or (702) 486-6515 in Las Vegas.

Per NRS 233B.064(2), upon adoption of any regulations, 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.

**CANCELLED**