

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

### 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) Chapters 439 and 441A (LCB File Number R117-21)

The workshop will be conducted via video conference beginning at 1:00 PM on December 28, 2021, at the following locations:

Via Zoom: <https://zoom.us/j/99007443041?pwd=YTpRd0RlY2K3RySFROOQ3JXK0pVOG9lQT09>

Meeting ID: 990 0744 3041

Join by phone

888 475 4499 US Toll

Passcode: 026 96

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

#### AGENDA

1. Introduction of workshop process
2. Overview of proposed amendments to Nevada Administrative Code Chapters 439 and 441A
3. Public comment on proposed amendments to Nevada Administrative Code Chapters 439 and 441A (LCB File Number R117-21)
4. Public Comment

The proposed changes will revise Chapters 439 and 441A of the Nevada Administrative Code and are being proposed in accordance with NRS 439.200 and NRS 441A.120.

The proposed regulations provide provisions for the following:

- Existing law requires the State Board of Health to adopt regulations governing the control of communicable diseases in this State, including regulations specifically relating to the control of such diseases in medical and correctional institutions. (NRS 441A.120) Section 2 of this regulation requires an employee or contractor of the State Government who is required to enter into an institution for vulnerable populations as part of the regular scope of his or her employment or as part of his or her regular duties under the contract to be fully vaccinated for COVID-19, with certain exceptions. Specifically, section 2 authorizes an employee or contractor of the State Government who is new to his or her position and is not fully vaccinated for COVID-19 to enter into such an institution if he or she has received his or her first dose of a vaccine for COVID-19. Section 2 requires such an employee or contractor to continue to receive doses of vaccine until he or she is fully vaccinated in order to maintain his or her employment or continue to serve under the contract, as applicable. Section 2 also authorizes an

exception to the vaccination requirement where a reasonable accommodation is granted pursuant to federal or state law.

- 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 2 of this regulation provide that any employee or contractor of the State Government who is required by section 2 to be vaccinated for COVID-19 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 the material 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 775-301-5261 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 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.