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# STATE BOARD OF HEALTH

## MEETING AGENDA

December 10<sup>th</sup>, 2020

9:00 am to Adjournment

This meeting will be held via teleconference only. Pursuant to Governor Sisolak's March 22, 2020, Declaration of Emergency Directive 006, the requirement contained in NRS 241.023(1)(b) that there be a physical location is suspended in order to mitigate the possible exposure or transmission of COVID-19 (Coronavirus).

Meeting Locations:

**Meeting link:**

<https://nvhealth.webex.com/nvhealth/j.php?MTID=m1a5a5859bc3635a276dd8cbb8001ec7a>

**Meeting number:**

**146 630 1642**

**Password:**

**itC776DMpiB**

**Join by phone:**

**+1-415-655-0002 United States Toll**

**Access code: 146 630 1642**

*Please Note: Agenda items may be taken out of order, combined for consideration, and or removed from the agenda at the chairperson's discretion.*

1) Call to order/roll call – Jon Pennell, Chair

Members: Jon Pennell, DVM (Chair), Jeffrey Murawsky, M.D., Monica Ponce, DDS, Charles Smith, Judith Bittner, Dipti Shah, M.D.

2) PUBLIC COMMENT

Because there is no physical location for this meeting, public testimony under this agenda item may be presented by phone or written comment. Because of time considerations, each caller offering testimony during this period for public comment will be limited to not more than **2:00 minutes**. To provide public testimony by telephone during this period of public comment, members of the public may call any time after 9:00 a.m. on December 10, 2020. A person may also have comments added to the minutes of the meeting by submitting them in writing either in addition to testifying or in lieu of testifying. Written comments may be submitted electronically before, during, or after the meeting by email to [jpfilippi@health.nv.gov](mailto:jpfilippi@health.nv.gov). You may also mail written documents to the Division of Public and Behavioral Health, 4150 Technology Way, Suite 300, Carson City, NV 89706, or fax them to (775) 687-7570.

3) Approval of minutes from September 4<sup>th</sup>, 2020. – Jon Pennell, Chair

PUBLIC COMMENT  
FOR POSSIBLE ACTION

4) Consent Agenda Items:

- a) Consideration and appointment of members Dr. Dale Carrison, Carl Bottorf, Sean Burke, James Wohlers to the Committee on Emergency Medical Services, Pursuant to NRS 450B.151(1) – Karen Beckley, Bureau Chief, Health Planning and Preparedness, DPBH
- b) Consideration and appointment of member Andrea Gregg to the Nevada Office of Minority Health and Equity (NOMHE) Advisory Committee Pursuant NRS 232.482 – Tina Dortch, Program Manager, NOMHE
- c) Approval of Compliance Agreement pursuant to NAC 652 related to the provisions of NAC 652.195. at Arcpoint Labs (Laboratory License #5656) regarding the COVID-19 outbreak and the need to serve the public in the State of Nevada in the collection of specimens for the purpose of COVID-19 laboratory testing by a CLIA certified laboratory, operation of additional collection sites in compliance with NAC 652.195 – Bradley Waples, Health Facilities Inspector 3, Bureau of Health Care Quality and Compliance (HCQC), DPBH
- d) Approval of Compliance Agreement pursuant to NAC 652 related to the provisions of NAC 652. at University Medical Center of Southern Nevada Pathology (Laboratory License #1507) Due to the COVID-19 outbreak and the need to expand testing BHCQC is postponing the enforcement of the certification of an office laboratory assistant in accordance with NAC 652.4855 so that a physician can delegate to medical assistants employed by The Laboratory that have been found competent to collect laboratory specimens to do so during the COVID-19 emergency crisis in compliance with NAC 652.4855 – Bradley Waples, Health Facilities Inspector 3, Bureau of Health Care Quality and Compliance (HCQC), DPBH
- e) Approval of Compliance Agreement pursuant to NAC 652 related to the provisions of NAC 652.195. at Matzinger Institute of Healing (Laboratory License #11055) regarding the COVID-19 outbreak and the need to serve the public in the State of Nevada in the collection of specimens for the purpose of COVID-19 laboratory testing by a CLIA certified laboratory, operation of additional collection sites in compliance with NAC 652.195 – Bradley Waples, Health Facilities Inspector 3, Bureau of Health Care Quality and Compliance (HCQC), DPBH
- f) Approval of Compliance Agreement pursuant to NAC 652 related to the provisions of NAC 652.210. at Southern Nevada Public Health Laboratory (Laboratory License #3828) regarding the COVID-19 outbreak and the need to expand testing for the public in the State of Nevada in the collection of nasopharyngeal swabs by individuals only certified to collect nasopharyngeal swabs in compliance with NAC 652.210 – Bradley Waples, Health Facilities Inspector 3, Bureau of Health Care Quality and Compliance (HCQC), DPBH

- g) Approval of Compliance Agreement pursuant to NAC 652.370 related to the provisions of subsection 2 of NAC 652.370. at Laboratory Corporation of America (Laboratory License #1465) regarding the COVID-19 outbreak and the need to keep individuals safe through social or physical distancing. – Bradley Waples, Health Facilities Inspector 3, Bureau of Health Care Quality and Compliance (HCQC), DPBH
  - h) Approval of Compliance Agreement pursuant to NAC 449 related to the provisions of NAC 449.0105. at Renown Health (License #669) to provide off campus services to Sierra Ridge Health and Wellness Suites in compliance with NAC 652.195 – Paul Shubert, Bureau Chief, Health Care Quality and Compliance (HCQC), DPBH or Bradley Waples, Health Facilities Inspector 3, Bureau of Health Care Quality and Compliance (HCQC), DPBH
  - i) Approval of Compliance Agreement pursuant to NAC 652 related to the provisions of NAC 652.195 at IC Labs (Laboratory License #11189) regarding the COVID-19 outbreak and the need to keep individuals safe through social or physical distancing. – Bradley Waples, Health Facilities Inspector 3, Bureau of Health Care Quality and Compliance (HCQC), DPBH
  - j) Approval of Compliance Agreement pursuant to NAC 652 related to the provisions of NAC 652.195 At MinuteClinic Diagnostic of Nevada PC-W. Ann (Exempt Laboratory License #4748) regarding the COVID-19 outbreak and the need to expand testing to serve the public in the State of Nevada in the collection of specimens for the purpose of COVID-19 laboratory testing by a CLIA certified laboratory, use of a location other than set forth in their license in compliance with NAC 652 – Bradley Waples, Health Facilities Inspector 3, Bureau of Health Care Quality and Compliance (HCQC), DPBH
  - k) Approval of Compliance Agreement pursuant to NAC 449.190 related to provisions of NAC 449.0302 Section 2 with At Peace Inc. DBA At Peace Home Care regarding the delay of fees for a change of location of the facility in the amount of \$1,374.00 - Paul Shubert, Bureau Chief, Health Care Quality and Compliance (HCQC), DPBH
  - l) Approval of Compliance Agreement pursuant to NAC 652 related to the provisions of NAC 652.4855 at Renown Regional Medical Center Clinical Laboratory (Exempt Laboratory License #1510) regarding the COVID-19 outbreak and the need to expand testing to serve the public in the State of Nevada in the collection of specimens using medical assistance that have been found competent to perform waved blood glucose point-of-care testing to do so during the COVID-19 emergency – Bradley Waples, Health Facilities Inspector 3, Bureau of Health Care Quality and Compliance (HCQC), DPBH
  - m) Consideration and Approval of Variance #711 regarding restriction on operation from specific fixed location, pursuant to NAC 446.742 submitted by Front Sight Firearms Training Institute – Lindsey M. Doolittle, Environmental Health Specialist IV, DPBH
  - n) Consideration and Approval of Variance #713 regarding patient bathrooms and hand washing sinks, pursuant to NAC 449.3154 submitted by Renown Health – Steve Gerleman, Health Facilities Inspection Manager, DPBH
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**PUBLIC COMMENT  
FOR POSSIBLE ACTION**

- 5) Consideration and Adoption of Proposed Regulation Amendments to Chapters 392, 394, 432A, and 441A of Nevada Administrative Code (NAC), LCB File Number R046-20. - Shannon Bennett, Immunization Program Manager, Immunization Program, DPBH

**PUBLIC COMMENT  
FOR POSSIBLE ACTION**

- 6) Consideration and Adoption of Proposed Regulation Amendments to NAC 457 Cancer, NAC 459 Hazardous Materials, NAC 653 Radiation Therapy and Radiologic Imaging, The NAC 457, NAC 459 and NAC 653 regulation changes, LCB File No. R043-20 - Karen Beckley, Bureau Chief, Health Planning and Preparedness, DPBH

**PUBLIC COMMENT  
FOR POSSIBLE ACTION**

- 7) Consideration and discussion regarding letters submitted by Senator Pat Spearman, Chair of the Sunset Subcommittee of the Legislative Commission regarding the need to address death reporting. – State Board of Health Members

**PUBLIC COMMENT  
INFORMATIONAL ITEM**

- 8) Reports
- a) Carson City Health and Human Services - Nicki Aaker, MSN, MPH, RN, Director Carson City Health and Human Services and Susan Pintar, MD, Carson City Health Officer
  - b) Washoe County Health District - Kevin Dick, District Health Officer, Washoe County Health District
  - c) Southern Nevada Health District - Dr. Fermin Leguen, Acting Chief Health Officer, Southern Nevada Health District
  - d) State of Nevada – Ihsan Azzam, PhD, MD, MPH, State of Nevada, Chief Medical Officer, DPBH

**PUBLIC COMMENT  
FOR POSSIBLE ACTION**

- 9) Recommendations for future agenda items. – State Board of Health Members

**PUBLIC COMMENT  
FOR POSSIBLE ACTION**

- 10) PUBLIC COMMENT (Action may not be taken on any matter brought up under this agenda item until scheduled on an agenda for a later meeting)

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Because there is no physical location for this meeting, public testimony under this agenda item may be presented by phone or written comment. Because of time considerations, each caller offering testimony during this period for public comment will be limited to not more than **2:00 minutes**.

11) Adjournment – Jon Pennell, Chair

**NOTICES OF PUBLIC MEETING HAVE BEEN POSTED AT THE FOLLOWING LOCATIONS:**

**In accordance with Nevada Governor Sisolak’s Declaration of Emergency Directive 006 there will not be a physical location for the Board of Health Meeting. The public is strongly encouraged to participate by computer or phone and downloading any material provided for the meeting at the website addresses below.**

- As per Nevada Governor Sisolak’s Declaration of Emergency Directive 006; Subsection 3: The requirements contained in NRS 241.020 (4) (a) that public notice agendas be posted at physical locations within the State of Nevada are suspended.
- As per Nevada Governor Sisolak’s Declaration of Emergency Directive 006; Subsection 4: Public bodies must still comply with requirements in NRS 241.020 (4)(b) and NRS 241.020 (4)(c) that public notice agendas be posted to Nevada’s notice website and the public body’s website, if it maintains one along with providing a copy to any person who has requested one via U.S. mail or electronic mail.
- As per Nevada Governor Sisolak’s Declaration of Emergency Directive 006; Subsection 5: The requirement contained in NRS 241.020 (3)(c) that physical locations be available for the public to receive supporting material for public meetings is suspended.
- As per Nevada Governor Sisolak’s Declaration of Emergency Directive 006; Subsection 6: If a public body holds a meeting and does not provide a physical location where supporting material is available to the public, the public body must provide on its public notice agenda the name and contact information for the person designated by the public body from whom a member of the public may request supporting material electronically and must post supporting material to the public body’s website, if it maintains one.

On the Internet at the Nevada Division of Public and Behavioral Health website: <http://www.dpbh.nv.gov>

On the internet at the Nevada Public Notice website: <https://notice.nv.gov>

On the internet at the Legislative Counsel Bureau website: <http://leg.state.nv.us>

Written comments in excess of one typed page on any agenda items which requires a vote are respectfully requested to be submitted to the Board of Health at the above address five (5) calendar days prior to the meeting to ensure that adequate consideration is given to the material. We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting.

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Secretary of the State Board of Health in writing at: Division of Public and Behavioral Health, 4150 Technology Way, 3rd Floor, Carson City, NV 89706, or by calling Joseph Filippi at 775-684-5850 no later than three (3) working days prior to the meeting date.



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Supporting material for this meeting can be obtained from the Division of Public and Behavioral Health, by calling Joseph Filippi at 775-684-5850 or emailing [jpfilippi@health.nv.gov](mailto:jpfilippi@health.nv.gov).