

**Draft Minutes**  
**STATE BOARD OF HEALTH**  
**March 18, 2020**  
**9:00 a.m.**

**MEETING LOCATIONS:**

Division of Public and Behavioral Health  
4150 Technology Way, Room 303  
Carson City, Nevada 89706

Teleconference

**BOARD MEMBERS PRESENT:**

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

**BOARD MEMBERS EXCUSED:**

All Board Members Present

**DIVISION OF PUBLIC & BEHAVIORAL HEALTH (DPBH) STAFF PRESENT:**

Lisa Sherych, Administrator; Joseph Filippi, Executive Assistant; Rex Gifford, Administrative Assistant III; Dave Cochrane, Chief, Reno Fire Department; Jason Soto, Chief Reno Police Department;

**OTHERS PRESENT:**

Linda Anderson, Attorney General's Office; Dave Cochrane, Chief, Reno Fire Department; Jason Soto, Chief Reno Police Department

Joseph Filippi opened the meeting at 9:00 a.m.

Roll call was taken, and it was determined that a quorum of the State Board of Health was present.

**1. Consent Agenda:**

**Consideration and Adoption of Proposed Emergency Statement and Emergency Regulation Amendment of NAC 441A.305, Presented by Linda Anderson, Chief Deputy Attorney General.**

Ms. Anderson stated this regulation before the Board is for consideration to be approved without going through the normal regulation process due to the Governor's emergency proclamation and the current COVID-19 outbreak. If approved by the Board, this regulation would only be in effect for 120 days. With the Governor's emergency directive closing all non-essential business today the importance of the meeting was elevated to occur as soon as possible. Ms. Anderson also explained that public notice of an emergency a meeting, such as this meeting, can be done without the three-day notice. Ms. Anderson notified the Board she was going to read the statement of emergency and requested that the Board approve the statement of emergency and proposed regulations. Ms. Anderson explained that if the statement of emergency and regulations are approved that the Executive Officer for the Board, Lisa Sherych would sign and submit the regulations to the Governor. If the Governor signs and approves the statement of emergency and regulations, then the statement of emergency and regulations would be effective as of today.

Ms. Anderson read the following statement of emergency:

The Board of Health has determined that an immediate need exists for an emergency regulation amending the Nevada Administrative Code (NAC) 441A.305 to require the Health Authority to disclose information related to COVID-19 to first responders including fire fighters, police officers, and persons providing emergency services. As COVID-19 continues to spread throughout Nevada communities, public health authorities require accurate and personal information from individuals with the suspected communicable disease. Nevada law prohibits the public health authority from disclosing personal information without the consent of the individual except in limited circumstances. The Nevada Legislature and Board of Health have balanced the privacy interests of every individual to their confidential medical information with the need for disclosure of that information for the protection of others and the community. Due to the recent spread of the disease COVID-19 was not specifically listed as a communicable disease that was significantly related to the occupation of a fire fighter, police officer, and person providing emergency services. This amendment to NAC 441A.305 will require the health authority to disclose information to first responders who have been exposed to COVID-19. During the pandemic the health authority must also provide the information of individuals who are being monitored for COVID -19 exposure to dispatch of the first responder agencies upon request. This emergency regulation will provide better protection to first responders who are critical during this pandemic.

Ms. Anderson now referred to the emergency regulation. Asking to amend NAC 441A.305 and in subsection one we are adding COVID-19, then in subsections two and four it is being requested to be amended to read as "provided in subsection six". Subsection six is where the change occurs "The health authority must provide the identification and location of any person who is being monitored by the health authority due to exposure to COVID-19 to the dispatch of any agency of a fire fighter, police officer, or person providing emergency medical services upon request. The dispatch shall always further disclose the identity or location of a person being

monitored for exposure to COVID-19 in response to a call for services for the person or at the person's address. In this change we are attempting to make sure that our first responders have the information that they need to protect themselves while still limiting the information being communicated beyond the person's consent. It will only be utilized by the dispatch when they request it from the health authorities. It is on the first responders to make sure that information remains protected as first responders do in other circumstances.”

Ms. Anderson made herself available for any questions from the Board.

None of the Board members had any questions.

Chair Pennell opened the meeting for public comment.

**Public Comments:**

David Cochrane, Reno Fire Chief stated that he is in support of these proposed regulations and that Ms. Anderson did an excellent job of presenting what is needed and why it is needed. Chief Cochrane did highlight spoken support for this amendment by Jason Soto, Chief of the Reno Police Department. Chief Cochrane stated that it is not only important for our first responders but also the community. We will be keeping the first responders safe, and by keeping them safe they can continue to deliver service to the community that could be in dire need for services in the weeks and months to come. In addition, we are going to drastically reduce the risk of first responder's exposure, putting themselves at risk. There is a possibility they could transmit COVID-19 among the community. Because they are the ones that are going to continue to be out there working in and among the community. Thank you for your time and thank you for taking the steps to convene this emergency meeting.

Jason Soto, Chief, Reno Police Department stated, on behalf of the City of Reno, both the Reno Police Department and the Reno Fire Department are the two largest agencies in terms of calls for service in the greater Reno area. I first want to thank this board and this body, it is a privilege to be speaking to you today. I know you have more decisions on your plate than any of us in terms of what's going on in our community. I just wanted to thank you for your leadership during this time. This is extremely important to me. I am very passionate about making sure that responders stay healthy in terms of working through this COVID-19 pandemic. I know we are in uncharted territory. This personal and confidential information is as important to me as it is to you and to first responders. We understand the need for privacy and personal information. What we want to do is have the location information available so that when we respond to calls for service, we are ensuring first responders we have the proper equipment and the proper information for our response to those addresses. Odds are we probably won't respond to them at all, but if we do, we want to make sure that we keep, not only our departments healthy and safe, but everyone else that could be potentially on that scene. I am certainly in support of this. I know that again, you have many hard decisions to make, we and thank you for bringing this forward today. You are true professionals and true leaders. Thank you for your time.

Chair Pennell thanked Chief Cochrane and Chief Soto for everything that they do.

Chair Pennell asked if any members would like to make public comments.

**Public Comments:**

Public Comment: There was no public comment.

**CHAIR PENNELL ASKED FOR A MOTION FOR CONSIDERATION AND ADOPTION OF THE AMENDMENT. DR. SHAH ENTERTAINED A MOTION TO APPROVE. THE MOTION WAS SECONDED BY DR. MURAWSKY; THE MOTION PASSED UNANIMOUSLY.**

Meeting adjourned at 9:14 am