

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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## STATE BOARD OF HEALTH

### MEETING AGENDA September 10, 2021 9:00 a.m. to Adjournment

This meeting will be held online or by phone. The online and phone meeting location is:

Join Zoom Meeting

<https://zoom.us/j/93761644696?pwd=NHI3VE1BcUR5WjM4OFNQenBrcHFUdz09>

Meeting ID: 937 6164 4696

Passcode: 543698

One tap mobile

+16699009128,,93761644696#,,,,\*543698# US (San Jose)

Dial by your location

+1 669 900 9128 US (San Jose)

888 475 4499 US Toll-free

Meeting ID: 937 6164 4696

Passcode: 543698

Find your local number: <https://zoom.us/u/awfQvb79l>

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

**Limitations on Public Comment:** The Board of Health will provide public comment periods in compliance with the requirements of the Open Meeting Law. As set forth below, the public will be provided with an opportunity to provide specific public comment for individual action items, at the time of the Board's consideration of the item. Comments provided during a specific agenda item must be limited to topics relating to that item. Further, the public will be provided with an opportunity to provide general public comment, prior to the adjournment of the meeting. Public testimony may be presented by phone, computer, 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. 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 [StateBOH@health.nv.gov](mailto:StateBOH@health.nv.gov).

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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. **Use of obscenities or other behavior which disrupts the meeting to the extent that its orderly conduct is made impractical may result in the forfeiture of the opportunity to provide public comment or removal from the meeting.**

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

Members: Jon Pennell, DVM (Chair); Jeffrey Murawsky, MD; Monica Ponce, DDS; Charles Smith; Judith Bittner, RN; Trudy Larson, MD

2) ACTION ITEM: Consideration and Possible Adoption of Proposed Emergency Statement and Emergency Regulations amending Nevada Administrative Code (NAC) Chapter 441A, relating to COVID-19 vaccinations for State employees and State contractors working in State-operated, licensed healthcare settings or State-operated detention facilities.

PUBLIC COMMENT

3) GENERAL 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)

4) Adjournment – Jon Pennell, Chair

AGENDA POSTING LOCATIONS

NEVADA DIVISION OF PUBLIC AND BEHAVIORAL HEALTH – 4150 Technology Way, Carson City, NV 89706  
WASHOE COUNTY HEALTH DISTRICT – 1001 E. Ninth Street, Reno, NV 89512  
SOUTHERN NEVADA HEALTH DISTRICT - 280 S. Decatur Blvd, Las Vegas, NV 89107

On the Internet at the Nevada Division of Public and Behavioral Health website:

<https://dpbh.nv.gov/Boards/BOH/Meetings/2021/NVBOH2021/>

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 State 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 775-684-5850 no later than three (3) working days prior to the meeting date.

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

## EMERGENCY REGULATION OF THE BOARD OF HEALTH

Explanation – Language in *blue italics* is new.

AUTHORITY: NRS 441A.120

**Section 1.** Chapter 441A of the NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive, of this regulation.

**Section 2.** *“Contractor” defined. “Contractor” means any individual who is not employed in a State position, but who regularly completes work for the Department or Department of Corrections pursuant contract.*

**Section 3.** *“Department” defined. “Department” means the Nevada Department of Health and Human Services.*

**Section 4.** *“Employee” defined. “Employee” means any person legally holding a position in the public service as defined in NRS 284.013, for the Department or Department of Corrections.*

**Section 5.** *“Institution for vulnerable populations” defined. “Institution for vulnerable populations” includes:*

1. *Caliente Youth Center;*
2. *Desert Regional Center Intermediate Care Facility;*
3. *Desert Willow Treatment Center;*
4. *Lake’s Crossing Center;*
5. *Northern Nevada Adult Mental Health Services Dini Townsend Hospital;*
6. *Nevada Youth Training Center;*
7. *Psychiatric Residential Treatment Facility (PRTF) – Enterprise;*
8. *Psychiatric Residential Treatment Facility (PRTF) – North;*

9. *Psychiatric Residential Treatment Facility (PRTF) – Oasis;*
10. *Southern Nevada Adult Mental Health Services Rawson-Neal Hospital;*
11. *Southern Nevada Adult Mental Health Services Stein Hospital; and*
12. *Summit View Youth Center.*

**Section 6. “New Hire” defined.** *“New hire” means any individual not presently employed by the Department or the Department of Corrections who has accepted an offer for employment with the Department or the Department of Corrections.*

**Section 7. “Transfer” defined.** *“Transfer” means any individual employed by the State who has accepted an offer for a position within the Department or Department of Corrections.*

**Section 8. *Immunization mandate for State employees working in institutions for vulnerable populations; proof of vaccination.***

1. *Except as set forth in subsection 4, all Department of Health and Human Services employees, contractors or transfers who must enter an institution for vulnerable populations within the normal scope of their employment and all Department of Corrections employees must receive all necessary doses of the COVID-19 vaccine to become fully vaccinated on or before November 1, 2021.*

2. *Except as set forth in subsection 4, all Department of Health and Human Services employees, contractors or transfers who must enter an institution for vulnerable populations within the normal scope of their employment and all Department of Corrections employees, who are partially or fully vaccinated for COVID-19, must comply with the immunization schedule established by the Division of Public and Behavioral Health.*

3. *Except as set forth in subsection 4, all Department of Health and Human Services new hires, who must enter an institution for vulnerable populations within the normal scope of their*

*employment, and all Department of Correction new hires who are not vaccinated for COVID-19 must receive the first dose of the COVID-19 vaccine prior to the hire's start date and must receive all necessary doses of the COVID-19 vaccine necessary to become fully vaccinated to maintain employment.*

*4. Any individual subject to this section, who is seeking a religious or medical accommodation must submit a request for accommodation to their employer's personnel unit. The individual must provide all information reasonably necessary to evaluate the accommodation request, including the individual's name, the requested accommodation, the basis for the accommodation request with supporting information, and the individual's contact information.*

*5. Each division within the Department or Department of Corrections over an employee subject to this section may place the employee on administrative leave or temporary change of duty location while an accommodation request is pending review.*

*6. Proof of vaccination must be submitted to the personnel unit of the employing division at least five business days prior to the immunization requirements set forth by this section.*

The Board of Health has made a finding that an emergency affecting the health and safety of the public exists, and that adoption of the Emergency Regulation is appropriate.

Dated this \_\_\_ day of September, 2021.

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Lisa Sherych, Administrator  
Division of Public and Behavioral Health  
Nevada Department of Health and Human Services

I, Governor Steve Sisolak, endorse the Statement of Emergency presented by the State Board of Health.

Dated this \_\_\_\_ day of September, 2021.

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Steve Sisolak  
Governor