

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**  
**December 2<sup>nd</sup>, 2022**  
**9:00 am to Adjournment**

Pursuant to NRS 241.020(3)(a) as amended by Assembly Bill 253 of the 81st Legislative Session, this meeting will be convened using a remote technology system, and at physical locations. The meeting can be listened to via telephone or viewed live over the Internet.

**Meeting Link:**

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_M2UwZmYwOGQtOWFhYy00ZGI1LTk2OTEtZWlyMDE0MDc2NDc1%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22455656b7-d121-4709-ba81-3f70d51b1100%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_M2UwZmYwOGQtOWFhYy00ZGI1LTk2OTEtZWlyMDE0MDc2NDc1%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22455656b7-d121-4709-ba81-3f70d51b1100%22%7d)

*Please Note: If you experience technical difficulties connecting online, please call into the meeting to participate by phone.*

**Join By Phone:**

+1-775-321-6111

Phone Conference ID: 153 453 179#

Find local number: <https://dialin.teams.microsoft.com/1ef7fc5c-3859-4a06-ba30-c622c05e60f9?id=153453179>

**Physical Locations:**

Southern Nevada Health District (SNHD)  
Red Rock Trail Rooms A and B  
280 S. Decatur Boulevard; Las Vegas, Nevada 89107

Nevada Division of Public and Behavioral Health (DPBH)  
Hearing Room No. 303  
4150 Technology Way Suite No. 300; Carson City, Nevada 89706

*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

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comments may be submitted electronically before, during, or after the meeting by email to [StateBOH@health.nv.gov](mailto:StateBOH@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. **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: Dr. Jon Pennell, DVM (Chair); Dr. Jeffrey Murawsky, MD (Vice Chair); Dr. Monica Ponce, DDS; Mr. Charles Smith; Ms. Judith Bittner; Dr. Trudy Larson, MD

2) **ACTION ITEM:** Approval of Meeting Minutes from September 2<sup>nd</sup>, 2022 – *Jon Pennell, Chair*

3) **INFORMATIONAL ITEM:** Quarterly County and District Health Reports

- a. Carson City Health and Human Services – Dr. Colleen Lyons, Health Officer and Nicki Aaker, Director, Carson City Health and Human Services
- b. Washoe County Health District - Kevin Dick, District Health Officer, Washoe County Health District
- c. Southern Nevada Health District – Dr. Fermin Leguen, MD, MPH, District Health Officer, Southern Nevada Health District
- d. Douglas County - Dr. John Holman
- e. Churchill County - Dr. Tedd McDonald
- f. Elko County- Dr. Bryce Putnam
- g. Esmeralda County - Anthony Philips
- h. Eureka County - J.J. Goicoechea
- i. Humboldt County - Dr. Charles Stringham
- j. Lander County - Dr. Troy Ross
- k. Lincoln County - Louise Buettner
- l. Lyon County - Dr. Robin Titus
- m. Mineral County - Dr. Tedd McDonald
- n. Nye County - Daniel Griffith
- o. Pershing County - Tyson McBride
- p. Storey County - Dr. James McLennan
- q. White Pine County - Daren Kunz

4) **ACTION ITEM:** Consideration and Possible Approval of Appointments to the Nevada Office of Minority and Health Equity (NOMHE) Advisory Committee – *Tina Dortch, Program Manager, Office of Minority Health and Equity*

5) **ACTION ITEM:** Consideration and Possible Approval of Candidate for Medical Technologist Position on the Medical Laboratory Advisory Committee – *Bradley Waples, Health Facilities Inspector, Bureau of Healthcare Quality and Compliance, DPBH*

6) **ACTION ITEM:** Consideration and Possible Approval of the Formation of Central Nevada Health District, pursuant to NRS 439.370 – *Marena Works, Churchill County Initiative*

7) **ACTION ITEM:** Consideration and Possible Approval or Denial of Variance #740 regarding requirements of NAC 444.790 “Lot Size”, submitted by Cathy Wise. The variance requests to build on a parcel that is less than one acre to install an individual sewage disposal system on a lot served by a well. – *Teresa Hayes, Health Program Manager, Environmental Health Section, DPBH*

8) **ACTION ITEM:** Consideration and Possible Approval or Denial of Variance #741 regarding NAC 432A.536 “Group Homes”, submitted by Mission Possible Montessori, LLC. The variance requests to have more than the number of children authorized by licensure as group home child care facility. - *Latisha Brown, Child Care Facilities Surveyor Manager, Bureau of Healthcare Quality and Compliance, DPBH*

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- 9) **ACTION ITEM:** Consideration and Possible Adoption of Proposed Regulation Amendments to Chapter 433 of Nevada Administrative Code (NAC), LCB File No. R009-22. The proposed regulation establishes a regulation relating to mental health; establishing a procedure for determining whether to involuntarily administer psychotropic medication to a patient at a public or private mental health facility; and providing other matters properly relating thereto. - *Joanne Malay, Deputy Administrator, DPBH*
- 10) **ACTION ITEM:** Consideration and Possible Adoption of Proposed Regulation Amendments to Chapter 439 of Nevada Administrative Code (NAC), LCB File No. R037-22. Programs for the treatment of persons who solicit prostitution to be certified by the Division of Public and Behavioral Health. - *Leticia Metherell, RN, CPM, Health Program Manager III, Healthcare Quality and Compliance, DPBH*
- 11) **ACTION ITEM:** Consideration and Possible Adoption of Proposed Regulation Amendments to Chapter 449 of Nevada Administrative Code (NAC), LCB File No. R048-22. Medical Facilities and Other Related Entities – Infection control and prevention, use of audio or video monitoring equipment, reporting national accreditation status to DPBH, practice of surgical technology, changes to home health agency, ambulatory surgical center, community-based living arrangement services, facility for hospice regulations & other matters - *Leticia Metherell, RN, CPM, Health Program Manager III, Healthcare Quality and Compliance, DPBH*
- 12) **ACTION ITEM:** Consideration and Possible Adoption of Proposed Regulation Amendments to Chapter 433 of Nevada Administrative Code (NAC), LCB File No. R093-22. The proposed regulations are needed in order to come into compliance and/or align regulations with NRS 433.631 and NRS 433.639.NRS 433.631 Peer Recovery Support Services which allows the Division to impose upon an adult who violates applicable sections of NRS 433.631, a civil penalty in an amount prescribed by regulation of the Board. - *Leticia Metherell, RN, CPM, Health Program Manager III, Healthcare Quality and Compliance, DPBH*
- 13) **ACTION ITEM:** Consideration and Possible Adoption of Proposed Regulation Amendments to Chapter 640D of Nevada Administrative Code (NAC), Music Therapists, LCB File No. R094-22. The proposed regulations are needed to be in compliance with Assembly Bill 330 of the 81st (2021) legislative session. Complaints & Equivalent Training Program Credit towards Licensure - *Leticia Metherell, RN, CPM, Health Program Manager III, Healthcare Quality and Compliance, DPBH*
- 14) **ACTION ITEM:** Consideration and Possible Adoption of Proposed Regulation Amendments to Chapter 640E of Nevada Administrative Code (NAC), Dietitians, LCB File No. R095-22. The proposed regulations are being moved forward as a result of Assembly Bill 73 and Assembly Bill 330 of the 81st (2021) Complaints & Equivalent Training Program Credit towards Licensure and other matters - *Leticia Metherell, RN, CPM, Health Program Manager III, Healthcare Quality and Compliance, DPBH*
- 15) **ACTION ITEM:** Approval of proposed 2023 State Board of Health meeting dates. – *State Board of Health Members*
- a. March 3<sup>rd</sup>, 2023
  - b. June 2<sup>nd</sup>, 2023
  - c. September 1<sup>st</sup>, 2023
  - d. December 1<sup>st</sup>, 2023
- 16) **ACTION ITEM:** Recommendations for future agenda items. – *State Board of Health Members*
- 17) **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)
- 18) Adjournment – *Jon Pennell, Chair*

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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/2022/NVBOH2022/>
- Nevada Public Notice website: <https://notice.nv.gov>
- 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) .