

Joe Lombardo
Governor



Richard Whitley,
MS
Director

DEPARTMENT OF
HEALTH AND HUMAN SERVICES



NEVADA DIVISION of PUBLIC
and BEHAVIORAL HEALTH



Cody Phinney,
MPH
Administrator

Ihsan Azzam,
Ph.D., M.D.
Chief Medical
Officer

NEVADA STATE BOARD OF HEALTH
MEETING AGENDA
September 1st, 2023
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_YTFmMzhkNGUtNTY1ZS00NjAxLWJjMWMtZTdiNzJiYzQzNmVj%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22e2f9f008-841c-437d-b037-927c30ea003e%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: 196 838 95#

Find local number: <https://dialin.teams.microsoft.com/1ef7fc5c-3859-4a06-ba30-c622c05e60f9?id=19683895>

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, 3rd Floor
4150 Technology Way; 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 3:00 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. 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; Dr. Trudy Larson, MD

1. ACTION ITEM: Approval of Meeting Minutes from June 2nd, 2023 – *Jon Pennell, Chair*

2. INFORMATIONAL ITEM: Quarterly County and District Health Reports

- a. Carson City Health and Human Services – Dr. Colleen Lyons, Health Officer and Nicki Aaker, Director
- b. Washoe County Health District - Kevin Dick, District Health Officer
- c. Southern Nevada Health District – Dr. Fermin Leguen, MD, MPH, District Health Officer
- d. Central Nevada Health District - Dr. Tedd McDonald
- e. Douglas County - Dr. John Holman
- f. Elko County- Dr. Bryce Putnam
- g. Esmeralda County - Anthony Philips
- h. Humboldt County - Dr. Charles Stringham
- i. Lander County - Dr. Troy Ross
- j. Lyon County - Dr. Robin Titus
- k. Nye County - Daniel Griffith
- l. Storey County - Dr. Scott Shepherd
- m. White Pine County - TBD

3. ACTION ITEM: Consent Agenda for Approval

- a. Discussion and Possible Approval of Compliance Agreement for Valley Hospital Medical Center, relating to Nevada Administrative Code (NAC) 449.312(1) and 439.280(3) for the Temporary Remote Emergency Department Located on the Desert Springs Hospital Campus – *Steve Gerleman, Health Facilities Inspection Manager, Health Care Quality and Compliance (HCQC), DPBH*
- b. Discussion and Possible Approval of Accreditation Commission for Health Care, Inc. (ACHC) to be an Approved Accreditor for Out-Patient and Office-Based Surgery Facilities

in Nevada, pursuant to Nevada Revised Statutes (NRS) 232.482. – *Dorothy Sims, Health Facilities Inspection Manager, HCQC, DPBH*

- c. Discussion and Possible Approval of Candidate Appointment of Dr. Rozanne Bentt to the Nevada Office of Minority Health and Equity (NOMHE) Advisory Committee, pursuant to NRS 232.482 – *Tina Dortch, MPA, Office of Minority Health and Equity, DPBH*
- d. Discussion and Possible Approval of Candidate Appointment of Margarita Salas Crespo to the NOMHE Advisory Committee, pursuant to NRS 232.482 – *Tina Dortch, MPA, Office of Minority Health and Equity, DPBH*
- e. Discussion and Possible Approval of Candidate Appointment of Dr. Mario Gaspar de Alba to the Maternal and Child Health Advisory Board, pursuant to NRS 442.133 – *Tami Conn, MPH, Section Manager, Maternal, Child and Adolescent Health, DPBH*
- f. Discussion and Possible Approval of Candidate Appointment of Erika Nematian, MPH, to the Maternal and Child Health Advisory Board, pursuant to NRS 442.133 – *Tami Conn, MPH, Section Manager, Maternal, Child and Adolescent Health, DPBH*
- g. Discussion and Possible Approval of Candidate Appointment of Dr. Roshanda Clemons to the Maternal and Child Health Advisory Board, pursuant to NRS 442.133 – *Tami Conn, MPH, Section Manager, Maternal, Child and Adolescent Health, DPBH*
- h. Discussion and Possible Approval of the Reappointment of Dr. Keith Brill to the Maternal and Child Health Advisory Board, pursuant to NRS 442.133 – *Tami Conn, MPH, Section Manager, Maternal, Child and Adolescent Health, DPBH*
- i. Discussion and Possible Approval of the Reappointment of Fatima Taylor to the Maternal and Child Health Advisory Board, pursuant to NRS 442.133 – *Tami Conn, MPH, Section Manager, Maternal, Child and Adolescent Health, DPBH*
- j. Discussion and Possible Approval of the Reappointment of Dr. Melinda Hoskins to the Maternal and Child Health Advisory Board, pursuant to NRS 442.133 – *Tami Conn, MPH, Section Manager, Maternal, Child and Adolescent Health, DPBH*
- k. Discussion and Possible Approval of the Reappointment of Dr. Marsha Kirgan to the Maternal and Child Health Advisory Board, pursuant to NRS 442.133 – *Tami Conn, MPH, Section Manager, Maternal, Child and Adolescent Health, DPBH*
- l. Discussion and Possible Approval of Variance #748 regarding NAC 459.556 (1)(d), requirements for Administrative Controls: Minimum exposure techniques of x-ray machines, submitted by UMC Orthopedic and Spine Institute, Becky Christensen – *John Follette, Manager, Radiation Control Program, DPBH*
- m. Discussion and Possible Approval of Variance #749 regarding NAC 459.556 (1)(d) and 459.556(2), requirements for Administrative Controls: Minimum exposure techniques of x-ray machines, submitted by UMC Express Care, Becky Christensen – *John Follette, Manager, Radiation Control Program, DPBH*
- n. Discussion and Possible Approval of Variance #750 regarding NAC 449.3154(7) specifically regarding Facility Guidelines Institute (2018 Edition, Section 2.5.2.2.6), psychiatric hospital requirements regarding toilet rooms, submitted by Lakes Crossing Center – *Michael Kupper, Health Facilities Inspector III, Health Care Quality and Compliance (HCQC), DPBH*
- o. Discussion and Possible Approval of Variance #752 regarding NAC 444.790(1) regarding lot size, submitted by Mason 1, LLC – *Teresa Hayes, Health Program Manager, Environmental Health Section, DPBH*

- 4. **ACTION ITEM:** Discussion and Possible Approval of Variance #751 for Vegas Stronger regarding NAC 449.013(i) regarding Facilities for Treatment with Narcotics, Medical Unit, submitted by Vegas Stronger– *M. Jeanne Hesterlee, Health Facilities Manager, Health Care Quality and Compliance (HCQC), DPBH*

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5. ACTION ITEM: Consideration and Possible Adoption of Proposed Regulation Amendments set forth in LCB File No. R002-22, amending the Nevada Administrative Code (NAC) Chapter 441A are required in accordance with Senate Bill (SB) 211 of the 2021 Legislative Session and Nevada Revised Statutes (NRS) Chapter 441A. The changes in legislation establish requirements relating to testing for sexually transmitted diseases (STD) and human immunodeficiency virus (HIV). The proposed regulations will update NAC Chapter 441A in accordance with the requirements set forth in SB 211 as current regulations do not outline the requirement to consult with patients about whether they wish to be tested for HIV or STDs. – *Preston Nguyen Tang, Health Program Officer I, Office of HIV, DPBH*
 6. ACTION ITEM: Consideration and Possible Adoption of Proposed Regulation Amendments to Chapter 439 of the Nevada Administrative Code (NAC), set forth in LCB File No. R035-22. This regulation falls in accordance with Senate Bill 114 introduced during the 81st Legislative Session which prescribes requirements concerning the testing and labeling of certain commodities or products containing hemp or cannabidiol that are intended for human consumption in this State; specifying when such a commodity or product is deemed to be adulterated; providing for the submission and investigation of complaints concerning such products; and providing other matters properly relating thereto. - *Teresa Hayes, Health Program Specialist III, Environmental Health Services, DPBH*
 7. ACTION ITEM: Reconsideration and Possible Adoption of Proposed Regulation Amendments to Chapter 450B in Nevada Administrative Code (NAC), LCB File No. R105-22. This regulation amendment would clarify the effect on criminal convictions on background checks and fingerprinting submissions for Emergency Medical Services professionals, including an updated change from the Legislative Council Bureau. - *Bobbie Sullivan, Emergency Medical Services Representative II, Emergency Medical Services, Division of Public and Behavioral Health*
 8. ACTION ITEM: Recommendations for future agenda items. – *State Board of Health Members*
 9. 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)
 10. Adjournment – *Jon Pennell, Chair*

AGENDA POSTING LOCATIONS

NEVADA DIVISION OF PUBLIC AND BEHAVIORAL HEALTH – 4150 Technology Way, Carson City, NV 89706

NEVADA STATE LIBRARY AND ARCHIVES – 100 N. Stewart Street, Carson City, NV 89701

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/2023/2023_Nevada_State_Board_of_Health/

Nevada Public Notice website: <https://notice.nv.gov>
Legislative Counsel Bureau website: <http://leg.state.nv.us>

All written comments 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 .