

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

**STATE BOARD OF HEALTH
MEETING AGENDA
June 2nd, 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_NGY3ZGM2ZjUtMmQ5NC00MzI2LWFhMDMtNmJhZmRjNzk1MWE3%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: 286 562 031#

Find local number: <https://dialin.teams.microsoft.com/1ef7fc5c-3859-4a06-ba30-c622c05e60f9?id=286562031>

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 person 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 up to five (5) business days before the meeting by email to StateBOH@health.nv.gov, by mail to the Division of Public and Behavioral Health, 4150 Technology Way, Suite 300, Carson City, NV 89706, or by fax to (775) 687-7570. Any submissions after this deadline will be considered at the following Board of Health meeting. **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 April 28th, 2023 – *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. Central Nevada Health District – *Dr. Tedd McDonald, MD, District Health Manager*
- e. State of Nevada – *Dr. Ihsan Azzam, Chief Medical Officer, State of Nevada*
- f. Douglas County - *Dr. John Holman*
- g. Elko County- *Dr. Bryce Putnam*
- h. Esmeralda County - *Tony Philips*
- i. Humboldt County - *Dr. Charles Stringham*
- j. Lander County - *Dr. Troy Ross*
- k. Lincoln County - *Louise Buettner*
- l. Lyon County - *Dr. Robin Titus*
- m. Nye County – *Dr. Daniel Griffith*
- n. Storey County - *Dr. Scott Shepherd*
- o. White Pine County – *To be determined*

4) **ACTION ITEM:** Approval of the Following Consent Agenda Item

- a. Discussion and Possible Approval of Candidate Appointment of Kevin Grannis to the EMS Advisory Committee – *Bobbie Sullivan, Emergency Management Services, Program Manager, DPBH*
- b. Discussion and Possible Approval of Candidate Appointment of Ryan Mcintosh to the EMS Advisory Committee – *Bobbie Sullivan, Emergency Management Services, Program Manager, DPBH*
- c. Discussion and Possible Approval of Variance #747 regarding NAC square footage required for clinic procedure rooms, submitted by Digestive Health Center/Corinne Whaley – *Michael Kupper, Health Facilities Inspector III, Bureau of Health Care Quality and Compliance, DPBH*

5) **ACTION ITEM:** Discussion and Possible Approval of Variance #746 regarding NAC 450B.320, licensing of attendants: qualifications, submitted by Victoria Perea – *Bobbie Sullivan, Manager, Emergency Medical Services Program, DPBH*

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- 6) **ACTION ITEM:** Discussion and Possible Approval of Central Nevada Health District Public Health Regulations – *Caleb Cage, Acting Health Administrator/Dr. Tedd McDonald Acting County Health Officer*
- a. Invasive Body Decoration Establishment Regulations (Resolution No. 9-2023)
 - b. Mobile Home and Recreational Vehicle Parks Regulations (Resolution No. 10-2023)
 - c. Public Swimming Pools and Spas Regulations (Resolution 11-2023)
 - d. Food Regulations (Resolution No. 12-2023)
 - e. Sanitation and Safety of Public Accommodation Facilities (Resolution No. 13-2023)
 - f. Infectious and Communicable Disease Regulations (Resolution No. 14-2023)
 - g. Maternal and Child Health/Family Planning Regulations (Resolution No. 15-2023)
- 7) **ACTION ITEM:** Consideration and Possible Adoption of Proposed Regulation Amendments to Chapter 439 of the Nevada Administrative Code (NAC), 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, Division of Public and Behavioral Health*
- 8) **ACTION ITEM:** Consideration and Possible Adoption of Proposed Regulation Amendments to Chapter 449 of the Nevada Administrative Code (NAC), LCB File No. R043-22. Existing law requires the State Board of Health to adopt regulations for the licensing and regulation of residential facilities for groups, including separate regulations for the licensing and regulation of such facilities that provide care to persons with Alzheimer’s disease or other severe dementia. - *Tina Leopard, Health Facilities Inspection Manager, Bureau of Healthcare Quality and Compliance, Division of Public and Behavioral Health*
- 9) **ACTION ITEM:** Consideration and Possible Adoption of Proposed Regulation Amendments to Chapter 449 of the Nevada Administrative Code (NAC), LCB File No. R063-21. This regulation amendment falls in accordance with Assembly Bill 217 introduced during the 81st Legislative Session, which directs the State Board of Health to adopt regulations designating the types of facilities to which certain requirements to provide training to unlicensed caregivers apply; prescribing requirements relating to such training; prescribing the required content for the written plan for the control of infectious diseases developed by a designated facility; and providing other matters properly relating thereto. The proposed regulations LCB file R063-21 are designed with the intent to ensure free infection control training posted on the Division’s website is accessible to all unlicensed caregivers. - *Tina Leopard, Health Facilities Inspection Manager, Bureau of Healthcare Quality and Compliance, Division of Public and Behavioral Health*
- 10) **ACTION ITEM:** Consideration 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 of criminal convictions on background checks and fingerprinting submissions for Emergency Medical Services professionals. - *Bobbie Sullivan, Emergency Medical Services Representative II, Emergency Medical Services, Division of Public and Behavioral Health*
- 11) **ACTION ITEM:** Consideration and Possible Adoption of Proposed Regulation Amendments to Chapter 439 of Nevada Administrative Code (NAC), LCB File No. R107-22. These regulation amendments stem from the passage of Assembly Bill 254 introduced during the 80th Legislative Session which establishes and maintains a system for the reporting and analysis of certain information on Sickle Cell and its variants. The proposed regulations will update and require Nevada-licensed health facilities to report to the Chief Medical Officer as it relates to Sickle Cell and its variants. Additionally, the Chief Medical Officer shall coordinate with the Sickle Cell Data Collection of the Centers for Disease Control and Prevention to establish and maintain the system for reporting. - *Ashlyn Torrez, Health Program Specialist I, Office of Public Health Investigations and Epidemiology, Division of Public and Behavioral Health*

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- 12) **ACTION ITEM:** Consideration and Possible Adoption of Proposed Regulation Amendments to Chapter 439 of Nevada Administrative Code (NAC), LCB File No. R108-22. The proposed regulation amendments stem from the passage of Senate Bill 175 during the 81st Legislative Session establishing a system for the reporting and analysis of certain information on lupus and its variants. The proposed regulations will update and require Nevada-licensed health facilities to report to the Chief Medical Officer as it relates to lupus and its variants. Additionally, the Chief Medical Officer shall coordinate with the National Lupus Registry of the Centers for Disease Control and Prevention to establish and maintain the system for reporting. – *Ashlyn Torrez, Health Program Specialist I, Office of Public Health Investigations and Epidemiology, Division of Public and Behavioral Health*
- 13) **ACTION ITEM:** Consideration and Possible Adoption of Proposed Regulation Amendments to Chapter 441A of Nevada Administrative Code (NAC), LCB File No. R148-22. This proposed regulation amendment stems from Senate Bill 275 during the 81st Legislative Session establishing HIV Criminal Modernization. - *Tory Johnson, Health Program Manager II, Office of HIV, Division of Public and Behavioral Health*
- 14) **ACTION ITEM:** Review, Discussion, and Possible Adoption of Revised Board of Health Bylaws – *State Board of Health Members*
- 15) **INFORMATIONAL ITEM:** Update on Sentinel Events according to NRS 439.843 – *Jesse Wellman, Biostatistician, Office of Analytics*
- 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**

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/2023/2023_Nevada_State_Board_of_Health/
- 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 .