

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

DRAFT STATE BOARD OF HEALTH
with the DIVISION OF PUBLIC AND BEHAVIORAL HEALTH (DPBH)
MEETING MINUTES
January 17, 2025
9:00 AM to Adjournment

Meeting Locations:

This meeting was held in one physical location as well as virtually via Microsoft Teams and by phone.

Online Meeting Link:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZGU3N2Y2NTctNmI3OC00ZDg4LTg2ODMtYTc4MTI5ODQ0NDU0%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22768e443d-3be6-48f0-9bb0-7e72f1276b8d%22%7d

Phone Conference Number:

+1-775-321-6111

Phone Conference ID:

564 670 894#

1. CALL TO ORDER/ROLL CALL

Board Members Present:

- Dr. Jon Pennell D.V.M, Chair
- Dr. Jeffery Murawsky M.D.
- Dr. Monica Ponce D.D.S
- Mr. Charles Smith
- Mr. Nathan Cartwright
- Ms. Jennifer Belza-Vinuya

Quorum was present.

Members Absent:

- All members were present.

Others in Attendance:

Cody Phinney (DPBH); Faythe Baltisberger (DPBH); Kelli Knutzon (DPBH); Vickie Ives (DPBH); Tina Dortch (DPBH); Daren Ackerman (DPBH); Leticia Metherell (DPBH); Bobbie Sullivan (DPBH); Ronna Dillinger (LLC); Mitch DeValliere (DPBH); Brooke Maylath (DPBH); Kevin Haywood (DPBH); Cindy Beard (DPBH); Loretta Moses (DPBH); Amber Howell (DCFS); Dr. Chad Kinglsey (External); Annie Vong (External); Kim Tatiano

(*Externa*); Dr. Patrick Nuzzo D.N. (*Externa*); Daren Winkleman (*NDEP*); Lea Cartwright (*Externa*); Jay Cafferata (*Externa*); Lindsey Miller (*Externa*)

2. ACTION ITEM: CONSIDERATION AND POSSIBLE APPROVAL OF MEETING MINUTES FROM JUNE 7TH, 2004, TABLED FROM THE SEPTEMBER 6TH, 2024 MEETING.

Chair Pennell asked for any comments or corrections from board members; Pennell then stated that Item 10 had been pulled previously as Mr. Smith had been unable to attend the meeting at that time; there were no additional comments. Chair then asked for a motion.

MOTION: Dr. Murawsky made a motion for approval with the removal of agenda item 10.

SECONDED: The motion was seconded by Mr. Smith.

PASSED: Passed unanimously; no public comment was given.

3. ACTION ITEM: CONSIDERATION AND POSSIBLE APPROVAL OF MEETING MINUTES FROM THE SEPTEMBER 6TH, 2024 MEETING.

Chair Pennell asked for any comments or corrections from board members; hearing none, Chair then asked for a motion.

MOTION: Dr. Murawsky made a motion for approval.

SECONDED: The motion was seconded by Mr. Smith.

PASSED: Passed unanimously; no public comment was given.

4. ACTION ITEM: CONSIDERATION AND POSSIBLE APPROVAL OF THE FOLLOWING CONSENT AGENDA ITEMS

- a) Discussion and Possible Approval of Candidate Reappointment of Lora Redmond (Carlson) BSN, RN, RNC-OB, C-FMC to the Maternal and Child Health Advisory Board, per NRS 442.133(2)(a) – *Vickie Ives, Bureau Chief, Child, Family, and Community Wellness, DPBH*
- b) Discussion and Possible Approval of Candidate Appointment of Mr. Nicolas Dunkle to the Nevada Office of Minority Health and Equity (NOMHE) Advisory Committee, as a member representing a provider of healthcare in this State per NRS 232.482(3) – *Tina Dortch, MPA, Program Manager, Office of Minority Health and Equity, DPBH*
- c) Discussion and Possible Approval of Candidate Appointment of Ms. Nancy Bowen to the NOMHE Advisory Committee, as a member representing a nonprofit organization located in the State per NRS 232.482(3) – *Tina Dortch, MPA, Program Manager, Office of Minority Health and Equity, DPBH*
- d) Discussion and Possible Approval of Candidate Appointment of Reverend Debra WhitlockLax to the NOMHE Advisory Committee, as a member representing a representing the public at large per NRS 232.482(3) – *Tina Dortch, MPA, Program Manager, Office of Minority Health and Equity, DPBH*
- e) Review and Approval of the Thomas Dermatology Compliance Agreement – *Daren Ackermann, Radiation Control Specialist III, Radiation Control Program, DPBH*

At this time Dr. Pennell received a personal call and excused himself from the meeting. Quorum was still present, so Dr. Murawsky volunteered to take over the meeting as chair. Dr. Pennell requested to be allowed time for a comment at the end of the meeting.

Aside from a noted typo to be fixed, Dr. Murawsky, acting as chair here on, asked for any comments or corrections from board members; there were none heard. Chair then asked for a motion.

MOTION: Mr. Smith made a motion to approve the consent agenda as noted with the name change for Nancy Bowen to Brown.

SECONDED: The motion was seconded by Dr. Murawsky.

At this time a public comment was taken from Tina Dortch which clarified that the name change would be from Brown to Bowen.

PASSED: Passed unanimously; there was no further public comment.

5. ACTION ITEM: CONSIDERATION AND POSSIBLE ADOPTION OF PROPOSED REGULATION AMENDMENT LCB FILE NO. R108-24, AMENDING NEVADA ADMINISTRATIVE CODE (NAC) CHAPTERS 459 AND 634B, AS A RESULT OF THE PASSAGE OF ASSEMBLY BILL 153 OF THE 82ND LEGISLATIVE SESSION (2023), REGARDING THE LICENSURE AND PRACTICE OF NAPRAPATHY

Presenter: Leticia Metherell RN CPM, Health Program Manager III (*DPBH – Bureau of Healthcare Quality and Compliance*) and a guest co-speaker, Dr. Patrick Nuzzo, DN a doctor of Naprapathy, co-founder of the Southwest University of Naprapathic Medicine, and chair of the Nevada Naprapathic Practice Advisory Board.

Summary:

Key Points:

- At a public workshop held on May 22nd, 2024, one individual testified in support of the regulations and the bill that passed. No one testified in opposition to the proposed regulations.
- The proposed regulations were heard before the Naprapathic Practice Advisory Board on October 15th, 2024. At the hearing, no one testified in opposition to or with concerns related to the proposed regulations. The advisory board voted unanimously to move forward the regulations as written.
- Metherell went into further detail of the regulation of all sections subject to its enforcement, giving a comprehensive overview and listing noteworthy sections from the proposed regulations.
 - Section 1: Adds Naprapaths as licensed practitioners of healing arts under NAC [459.554](#) subsect 4 so they may order x-rays for non-nuclear medicine studies.
 - Section 4 – 6: Defines terms related to Naprapathy
 - Section 7: Notes that a notice sent to applicants and licensees are valid if sent to last address provided to the division and authorizes the division to request any documents necessary.
 - Section 8: States the daily rate allowance and expense for Advisory Board members travelling for business.
 - Sections 9 – 12: Addresses the licensure and application process.
 - Section 13: Describes application process for registration as advisory positions.
 - Sections 14 – 16: Requires criminal background investigations for licensure.
 - Section 17: Designates applicants must pass the national Naprapathic exam to be licensed.
 - Sections 18 & 19: Addresses license renewal process and continuing education.
 - Sections 20 – 24: Addresses education program applicant must graduate.

- Section 25: Licensee must maintain liability insurance.
- Section 26: Care setting must follow national infection control and prevention guidelines.
- Section 27: Licensee action restrictions, i.e. falsifying records.
- Section 28: Regulates licensee advertising and promotional material.
- Section 29: Authorizes the Division's denial of license if applicant or licensee is convicted of certain crimes.
- Section 30: Convicted applicant may petition the Division not to deny or revoke license.
- Sections 31 & 32: Addresses disciplinary actions.
- Section 33: Addresses practice of Naprapathy without licensing.
- Section 34: Addresses complaints issued against licensee.
- Section 35: Addresses revocation and reinstatement process.
- Section 36: Suspended licensee must comply with terms of suspension, and the Division may modify terms under certain circumstances.
- Section 37: Addresses appeal process for disciplinary action against licensee.
- Section 38: Board of Health must hold a hearing if it receives a report pursuant to NRS [228.420](#) subsect 5.
- Section 39: Adds Naprapaths as licensed practitioners under [NAC 652.155](#) subsect 7 in relation to laboratory testing.

Leticia concluded with a recommendation the Board of Health to adopt the proposed regulation amendment to [NAC 634B](#) before opening the floor for questions from the Board.

Dr. Murawsky asked for any questions from board members, hearing none Murawsky went on to thank those involved in the process of setting standards to bring in this new licensed provider type to the state. Murawsky also posed a question of what source was used in reference to standards set in Section 23. Metherell indicated the standards were set by Dr. Nuzzo's university program. Dr. Nuzzo went into further detail, stating that their standards were set in accordance with accreditation under the Distance Education Accrediting Commission (DEAC). Murawsky then asked if the one-year internship requirement under section 24 subsect 2 is part of a national standard, which Nuzzo confirmed. Murawsky asked for any further questions and, hearing none, then asked for any public comment.

Public Comment:

Presenter: Dr. Patrick Nuzzo, DN

Summary: Section 19 subsect 5, in regard to the request for authenticated copies of CEUs should they be misplaced, Dr. Nuzzo believes that asking for authenticated copies puts undue burden on the practitioners who would then have to get their replacement copies notarized, which is not required in other states. Dr. Nuzzo stated that a photocopy of lost certificates should be sufficient. Dr. Murawsky asked to confirm with Leticia Metherell whether it was a standard for the Division to use the language to require notarization, or if it is a word the Division uses to mean an official copy. Metherell responded that upon further research it shows that the use of the word authenticated does mean notarization, and that she agrees with Dr. Nuzzo's suggestion to remove that language to avoid confusion and causing an unnecessary burden. Murawsky explained that he asks because in his personal experience from the allopathic medical board requires official and do not accept photocopies. Murawsky asks Cody Phinney if the Division has any opinion on whether the word be removed and instead decide what's acceptable on a case-by-case basis, or if there is need for some qualifier. Phinney and Metherell agreed that the word could be changed from authenticated to official with no issue.

With no other comment, Chair asked for a motion on the potential approval of the item with the correction in section 19 subsection 5 to remove the term authenticated and leave it as certificates.

MOTION: Dr. Ponce made a motion to approve.

SECONDED: The motion was seconded by Mr. Smith.

PASSED: Passed unanimously.

6. ACTION ITEM: CONSIDERATION AND POSSIBLE REMOVAL OF PROPOSED REGULATION AMENDMENT LCB FILE NO. 107-24P, REGARDING THE DELETION OF NEVADA ADMINISTRATIVE CODE (NAC) NAC 442.080

Presenter: Vickie Ives, Bureau Chief (*DPBH – Bureau of Child, Family, and Community Wellness*)

Summary: Ives gave a comprehensive presentation of the regulation for consideration, which proposes the removal of NAC 442.080 due to its redundancy regarding the handling of confidential materials by the Division, with a note that the name of the Bureau has since been changed. In relation, LCB File R107-24P asks for the repeal of the administrative code 442.080, as well as a change to NAC 442.090 to remove any reference to NAC 442.080.

Key Points:

- Ives explained that the Division's current staff onboarding requirements already mandate staff of the division, thus including any programs under the Division's oversight, to receive instruction on the handling of confidential information and materials.
- A public workshop was held on April 28th, 2023, which 21 division employees and 22 non-division employees attended; no comments were made in relation to the proposed deletion of NAC 442.080.
- Public feedback also showed adverse or beneficial impact through the small business impact questionnaire and a stakeholder meeting that was held.

Ives concluded her testimony, opening the floor to any questions from members of the board. Murawsky asked for any questions from board members before opening the public comment period. No comments were heard.

Chair asked for a motion on action item 6.

MOTION: Mr. Smith made a motion to approve the proposed regulation amendment LCB File R107-24P.

SECONDED: The motion was co-seconded by Mr. Cartwright and Dr. Ponce.

PASSED: Passed unanimously.

7. ACTION ITEM: CONSIDERATION AND POSSIBLE ADOPTION OF PROPOSED REGULATION AMENDMENT LCB FILE NO. 103-24P, AMENDING NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 432B, REGARDING ESTABLISHING LICENSING STANDARDS AND REQUIREMENTS TO OPERATE A QUALIFIED RESIDENTIAL TREATMENT PROGRAM (QRTP)

Presenter: Maria Janos, Social Services Chief (*DCFS*)

Summary: This item was removed from the agenda and deferred to the following meeting. No discussion was held; Murawsky moved the meeting forward to item 8.

8. ACTION ITEM: CONSIDERATION AND POSSIBLE APPROVAL OF PROPOSED 2025 MEETING SCHEDULE

- a) March 7th, 2025
- b) June 6th, 2025
- c) September 5th, 2025
- d) December 5th, 2025

Murawsky asked for a motion to approve the meeting dates.

MOTION: Mr. Cartwright made a motion to approve the proposed meeting dates.

SECONDED: The motion was co-seconded by Mr. Smith.

PASSED: Passed unanimously.

9. ACTION ITEM: RECCOMENDATIONS FOR FUTURE AGENDA ITEMS

Murawsky first asked for recommendations from the board members, then suggested a discussion over SB78 which is to be introduced during the upcoming legislative session. Murawsky asked for comment from the Division, to which Cody Phinney responded that it is a quote, “very comprehensive restructure of the State’s boards and commissions,” and suggested that, after the legislature begins in February, the Division would be able to provide an update at the next meeting scheduled for March 7th, 2025. Murawsky and Phinney agreed to revisit the topic at both the March meeting and June 6th meeting.

10. GENERAL PUBLIC COMMENT:

Chair opened the floor for public comment; No comments were heard at this time. Hearing none, Murawsky took the time to express his gratitude for Pierron Tackes’s service, as she has been the assisting Attorney General to the Board for the last four years and wish her luck as she has since moved on to another opportunity. Phinney affirmed the sentiment, stating Tackes has been a benefit to the Division both personally and professionally, and will be missed.

11. ADJOURNMENT

With nothing further, chair adjourned the meeting at 9:58am.