



State of Nevada
Board of Registered Environmental Health Specialists

6160 Mae Anne Ave., Suite 3, Reno, NV 89523
(775) 746-9423 / Fax (775) 746-4105
www.nvrehs.org Email board@nvrehs.org

Notice of Workshop to Solicit Comments on Proposed Regulation LCB File No. xxxxx

The State of Nevada Board of Registered Environmental Health Specialists is proposing the addition, amendment and/or repeal of regulations pertaining to Chapter 625A of the Nevada Administrative Code.

A Public workshop to solicit comments from interested persons has been set as follows:

Monday – June 12, 2017 at 9:45 a.m.

Board Administrative Office
6160 Mae Anne Avenue, Suite 3
Reno, Nevada 89523

Teleconference Access:

1-888-273-3658 Access Code: 8751529

The purpose of the workshop is to solicit comments from interested persons on the proposed regulations. The proposed regulation adds new sections addressing Administrative Proceedings for the conduct of hearings, disciplinary proceeding and complaints against licensees and Proceedings Before the Board for petitions for adoption, amendment or repeal of regulation or for hearings and petitions for declaratory orders or advisory opinions and provides other matters properly relating thereto.

A copy of the proposed regulations may be obtained at the workshop or by contacting the Board of Registered Environmental Health Specialists, 6160 Mae Anne Avenue, Suite 3, Reno, Nevada 89523. Copies of the proposed regulations are available for viewing or printing on the Board's website www.nvrehs.org. Written comments will be accepted in hard copy or by email addressed to board@nvrehs.org.

All registrants and interested parties are encouraged to participate in the regulatory review process.

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements are necessary, please notify Loretta Ponton, Executive Director at (775) 746-9423 within 72 hours of meeting date and time.

This **Notice of Workshop to Solicit Comments on Proposed Regulation** has been sent to all registered Environmental Health Specialists and Environmental Health Specialist Trainees and persons on the agency's mailing list for administrative regulations.

NOTICE OF WORKSHOP

Page 2

This **Notice of Workshop to Solicit Comments on Proposed Regulation** has been posted on the Board's website www.nvrehs.org Nevada Administrative website www.nv.gov and Legislative website www.leg.state.nv.us and at the following locations:

Carson City Library, 900 North Roop Street, Carson City, NV 89701
Lincoln County Library, 63 Main Street Pioche, NV 89043
Churchill County Library, 553 South Main Street, Fallon, NV 89406
Lyon County Library System, 20 Nevin Way, Yerington, NV 89447
Las Vegas-Clark County Library District Headquarters, 833 Las Vegas Blvd. North, Las Vegas, NV 89101
Mineral County Public Library, PO Box 1390, Hawthorne, NV 89415
Douglas County Public Library, 1625 Library Lane, Minden, NV 89423
Pershing County Library, 1125 Central Avenue, Lovelock, NV 89419
Elko County Library, 720 Court Street, Elko, NV 89801
Storey County Treasurer & Clerks Office, Drawer D, Virginia City, NV 89440
Esmeralda County Library, Corner of Crook & 4th Street, PO Box 430, Goldfield, NV 89013
Tonopah Public Library, PO Box 449, Tonopah, NV 89049
Eureka County Library, 10190 Monroe Street, Eureka, NV 89316
Humboldt County Library, 85 East 5th Street, Winnemucca, NV 89445
Washoe County Library System, 301 South Center Street, Reno, Nevada 89049
White Pine County Library, 950 Campton Street, Ely, NV 89301
Battle Mountain Branch Library, 625 South Broad Street, Battle Mountain, NV 89820

Office of the Attorney General, 100 North Carson Street, Carson City, NV 8701
Office of the Attorney General, 5420 Kietzke Lane, Ste 202, Reno, NV 89502
Nevada Division of Public & Behavioral Health, 727 Fairview Drive, Suite D, Carson City, NV 89701
Board of Registered Environmental Health Specialists, 6160 Mae Anne Ave Suite 3, Reno NV 89523
Grant Sawyer State Office Building, 555 E. Washington Ave #3900, Las Vegas, NV 89101
Washoe County District Health Department, 1001 East 9th Street, Reno, NV 89501
Southern Nevada Health District, 330 S. Valley View Blvd, Las Vegas, NV 89107

Dated: May 10, 2017

ADMINISTRATIVE PROCEEDINGS

Conduct of hearings and disciplinary proceedings.

1. Each hearing of a contested case will be conducted in accordance with the provisions of chapter 233B of NRS and, if the hearing concerns a disciplinary proceeding, chapter 622A of NRS.

Complaints against licensees.

1. Any person who believes that another person registered by the Board has violated a provision of this chapter or chapter 625A of NRS may file a complaint with the Board on a form provided by the Board.

2. The Board may, on its own, initiate a complaint against a person registered by the Board.

3. A complaint must, without limitation:

(a) Identify one or more grounds for disciplinary action; and

(b) Contain a statement of facts in sufficient detail to enable the Board to understand the allegations.

4. The Executive Director of the Board, in consultation with legal counsel, shall review each complaint and decide if the complaint merits an investigation.

5. The Executive Director of the Board shall bring before the Board any complaint found to have merit.

6. For any proceedings regarding a complaint filed against an environmental health specialist trainee, the Board may require that the trainee be accompanied by any environmental health specialist who supervised or provided training related to the allegations contained in the complaint.

Recovery by Board of attorney's fees and costs. Pursuant to NRS 622.400, the Board may recover from a person reasonable attorney's fees and costs relating to any disciplinary proceedings involving the person.

Fees and expenses of witnesses. A witness who participates in a proceeding held by the Board is entitled to receive fees and reimbursement for mileage in the same amounts and under the same conditions as for witnesses in the courts of this state.

PROCEEDINGS BEFORE BOARD

Action by Board on its own motion; petition for adoption, amendment or repeal of regulation or for hearing.

1. The Board may act on its own motion. Any other request for the adoption, amendment or repeal of a regulation of the Board or for a formal hearing by the Board must be submitted to the Board as a petition.

2. Any interested person may submit a petition to the Board for the adoption, amendment or repeal of a regulation of the Board or for a formal hearing by the Board.

3. The petition must be in writing and addressed to the Chair of the Board.

4. An original and two legible copies of the petition must be filed with the Board. The Board may, when appropriate, direct that a copy of each petition be made available to any other person who the Board determines may be affected by the petition.

5. The petition must contain:

- (a) The full name and mailing address of the petitioner;*
- (b) If the adoption of a new regulation is proposed, the body or substance of the proposed regulation and the supporting facts and arguments;*
- (c) If the amendment or repeal of an existing regulation is proposed, the NAC citation of the regulation and the supporting facts and arguments;*
- (d) If a formal hearing by the Board is requested, the relevant facts which support the request; and*
- (e) A statement that the petition is made in accordance with the applicable provisions of the NRS.*

6. The petition must be signed by the petitioner. The signature constitutes a representation by the signer that:

- (a) He or she has read the petition;*
- (b) To the best of his or her knowledge, information and belief, the statements made therein are true.*

Petitions for declaratory orders or advisory opinions.

1. The Board will consider petitions for declaratory orders or advisory opinions as to the applicability of any statutory provision or any regulation or decision of the Board.

2. A petition for a declaratory order or an advisory opinion must be submitted in the same manner as a petition for adoption, amendment or repeal of a regulation.