



State of Nevada

Board of Registered Environmental Health Specialists

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MINUTES OF PUBLIC MEETING December 4, 2017

Members Present: Tony Macaluso, Larry Law, Bob Stulac, Drew Skeen
Members Absent: Public Member Vacant
Staff Present: Loretta Ponton, Executive Director
Henna Rasul, Sr. Deputy Attorney General
Public Present: None

BOARD MEETING

Tony Macaluso, Chair called the meeting to order at 10:15 a.m. A voice roll call confirmed a quorum was present.

Public Comment: No public were in attendance.

Public Workshop / Board Work Session: Tony Macaluso turned the workshop over to Loretta Ponton to facilitate.

Ms. Ponton stated that there have been four comments received on the proposed language for revision to NRS 625A. All comments relate to requirements for current NEHA registration as referenced in the definition of Registered Environmental Health Specialist, use of the REHS designation as a professional designation and requiring "current" NEHA certification which imposes a financial burden upon individuals. Ms. Ponton stated that the concerns expressed were valid and that it is recommended to eliminate the proposed references.

Board members concurred in the comments received and with the recommendation to remove the NEHA certification requirements from the proposed language in the sections identified.

Tony Macaluso tabled the discussions at 10:45 stating Mr. Law and Mr. Drew are on time constraints so action items on the agenda will be taken out of order at this time; and the work session would continue after the action items.

Approval of Minutes: Tony Macaluso asked if there were any comments or revisions to the minutes of the September 11, 2017 meeting. Hearing none, called for a motion.

Bob Stulac made a motion, seconded by Larry Law to approve the minutes of September 11, 2017 meeting as presented. The motion passed.

Registrations Issued by Staff: Loretta Ponton stated fifteen new registrations were issued and two (2) trainees converted to REHS status since the last meeting.

Tony Macaluso asked if there were any questions. There were no questions.

Tony Macaluso called for a motion. Bob Stulac made the motion, seconded by Larry Law to ratify the registrations issued by staff as listed. The motion passed.

Executive Director's Report: Loretta Ponton directed the members to the written report, stating the Legislative Committee approved Board regulation LCB File No. 017-17 at their meeting of September 21, 2017 and the regulation has been filed and effective as of that date.

Ms. Ponton reported on registration statistics as of September 30, 2017 for FY 18 activity to align with the Board budget and financial reports. As of November 22, 2017, there are 251 current registrants and one (1) pending application.

Registration renewals opened November 16, 2017 with implementation of on-line renewals. The on-line system is being well received. Fifteen renewals were received the first week. A random audit of continuing education will be conducted after completion of the renewal period.

Financial Statements - Loretta Ponton directed the members to the FY18 1st Quarter financial statements. Ms. Ponton summarized the revenue and expenses of the Board reporting cash balance in the bank checking account of \$36,295.

Governor's Finance Office - Audit of Boards and Commissions - Ms. Ponton reported that the Executive Branch Audit Committee directed an audit of all Boards and Commissions. The Board's response and documentation was submitted October 25, 2017 prior to the November 3, 2017 deadline. Ms. Ponton stated that Boards are under scrutiny to determine whether they have proper oversight and are in compliance with administrative processes and procedures. Ms. Ponton stated the Board has been pro-active in maintaining proper oversight and is in compliance with state requirements. The audit is scheduled to be completed by June 2018.

Tony Macaluso asked if there were any questions on the FY 18 financial reports or Executive Director's report. Hearing none, called for a motion.

Larry Law made the motion to approve the Executive Director's report as presented. Drew Skeen seconded the motion. The motion passed.

Report from Board Chair - Tony Macaluso stated he had nothing to report other than to confirm the 2018 meeting schedule. The work on the proposed Bill Draft would continue to be an agenda item for future meeting discussions as it progresses.

The meeting dates for 2018 were set for March 19, 2018; June 11, 2018, September 17, 2018 and December 17, 2018 subject to revision as needed.

Public Workshop /Work Session (continued) - Tony Macaluso directed the members back to the work session document.

Loretta Ponton reviewed each section of the proposed language and revisions to current law explaining the rationale for each new and revised section.

Board members discussed in detail the revised definition of “Practice of environmental health” which is proposed to align with the NEHA definition, and the applicability of NRS 625A to specific practice areas. Bob Stulac stated the definition should retain references to the “use of public health principles” and “application of the sanitary sciences”; and Mr. Stulac expressed concern that the definition was too broad and should reflect only what is actually performed in Nevada. Mr. Macaluso and Mr. Law stated that at the county level, environmental health specialists are generalists and do practice in all areas.

Discussion continued on the practice fields to be excluded as listed in paragraph 2 including whether individuals who hold the Certified Industrial Hygienist (CIH) and Certified Environmental Manager (CEM) credentials should be specifically listed.

Ms. Ponton stated that the exclusions in paragraph 2 most likely should be combined with the new section “Applicability of chapter”; and that additional research would be conducted to more clearly address the issues identified.

Ms. Ponton asked members for comment on the “Applicability of chapter” section that identifies exclusions for persons and certain circumstances that would not require licensure with the Board. There was consensus to remove the requirement “in association with an environmental health specialist” in paragraph 3 and the REHS certification requirement if practicing less than 45 days in Nevada.

On the proposed revision to NRS 625A.110 pertaining to license by endorsement, members questioned the need for an individual to hold a license in another state if they have NEHA certification. Ms. Ponton explained the difference between current “reciprocity” and the license by endorsement language, which was predicated upon SB 69 requirements passed at the 2017 legislative session. Members also discussed whether NEHA certification should be required of all applicants. There was consensus that it would be more restrictive than current requirements; a specific example being California that has developed their own examination and their licensure requirements are much more restrictive than Nevada; the Board should recognize the credentials and licenses issued in states that are equivalent to Nevada’s requirements.

Ms. Ponton concluded the discussions stating she would continue development of the document with the recommended revisions discussed and would bring it back to the Board for further review and discussion at the next Board meeting.

Report from Legal Counsel: Henna Rasul stated she had nothing to report.

Public Comment: There was no public present.

Tony Macaluso adjourned the meeting at 12:30 p.m.