



State of Nevada
Board of Environmental Health Specialists

6170 Mae Anne Ave., Suite 1, Reno, NV 89523
(775) 746-9423 / Fax (775) 746-4105
www.nvrehs.org Email board@nvrehs.org

MINUTES OF PUBLIC MEETING
January 21, 2020

Members Present: Tony Macaluso, Brian Northam, James Barnes, Drew Skeen,
Teresa Hayes
Members Absent: None
Staff Present: Loretta Ponton, Executive Director
Henna Rasul, Sr. Deputy Attorney General
Public Present: Amber English, WCHD, Jeri Huff, REHS

Tony Macaluso called the meeting to order at 10:30 a.m. A voice roll call confirmed a quorum was present.

Public Comment: There were no comments.

Board Orientation: Tony Macaluso welcomed Brian Northam and Teresa Hayes as new members of the Board. Loretta Ponton, Executive Director provided a brief review of the written new member orientation outline of board structure, operations and responsibilities.

Appointment of Chair and Vice Chair: Tony Macaluso stated that he will be retiring later this year and considering his retirement, opened the floor for discussion on the Chair position and the open Vice Chair position previously held by Larry Law.

Loretta Ponton explained the Board appoints members for each position. The Chair and Vice Chair serve at the discretion of the members. There is no requirement to appoint the Chair or Vice Chair annually.

Brian Northam stated he would be open to the Vice Chair position; no other Board members expressed an interest in either of the positions.

Tony Macaluso made the motion to appoint Brian Northam to the Vice Chair position. Teresa Hayes seconded the motion. The motion passed unanimously.

There was no action taken to appoint a new Chair, Tony Macaluso will retain the Chair position.

Approval of the Minutes: Tony Macaluso asked if there were any corrections or revisions to the meeting minutes of September 16, 2019. Hearing none, called for a motion.

Teresa Hayes made the motion, seconded by Jim Barnes to approve the minutes of September 16, 2019. The motion passed.

Registrations: Tony Macaluso asked if there were any comments or questions on the registrations issued by staff. Hearing none, Tony Macaluso called for a motion.

Brian Northam made the motion, seconded by Jim Barnes to ratify the registration actions taken by staff as listed in agenda item 6 a, new registrations and 6 b, EHST achieving REHS status as presented. The motion passed.

Registration Extensions: Tony Macaluso asked Loretta Ponton to present. Loretta Ponton reported that two (2) EHST trainees requested a one-year extension to their registrations pursuant to NRS 625A.115. Both individuals were registered in April 2017 under the previous registration requirements that stated EHST registration were for a maximum of 3 years from date of employment. The previous requirements also allowed 90 days for an applicant to submit their application for registration, thus delaying the issuance of the registration.

The new law effective July 1, 2019 revised the term to reflect the date of issuance of the registration, allowing the registration to be renewed 2 times. Under the new law, these individuals would have until April 2020 to pass their REHS examinations. Authorizations have been issued to both individuals for the NEHA REHS examination.

Due to the circumstances and transition to the new requirements, a one-year extension was granted pursuant to NRS 625A.115.

Tony Macaluso asked if there were any questions. Board members were in agreement with the action taken.

Brian Northam made the motion to ratify the 1-year extension of trainee status pursuant to NRS 625A.115 for Kaila Turner and Scott Burt. Jim Barnes seconded the motion. The motion passed.

Reinstatement Application - Jeri Huff, EHST: Tony Macaluso called upon Loretta Ponton to present. Loretta Ponton summarized the circumstances attributing to Ms. Huff's registration expiration and directed the members to the written explanation provided by Ms. Huff and the supporting letter for reinstatement submitted by Lindsey Doolittle, REHS and supervisor.

Tony Macaluso asked Ms. Huff if she would like to say anything. Ms. Huff indicated it was a mistake and confusion with the NEHA renewal and it would not happen again.

Tony Macaluso called for a motion.

Brian Northam made the motion to approve the reinstatement application of Jeri Huff. Jim Barnes seconded the motion. The motion passed.

Members discussed whether an administrative fine was appropriate for practice without a valid registration. There was consensus that the situation did not warrant an administrative fine and that the reinstatement fee was sufficient.

Board Policy 02 Moral Turpitude/Criminal History: Loretta Ponton presented the revised Policy, which has been updated to incorporate the provisions of AB 319 of the 2019 Legislative Session. AB 319 requires regulatory bodies to establish a process for a pre-determination of whether a criminal act would preclude the person from obtaining a license or registration issued by the Board.

Tony Macaluso asked for comments; hearing none called for a motion.

Teresa Hayes made the motion to approve Policy 02 Moral Turpitude/Criminal History as presented. Brian Northam seconded the motion. The motion passed.

REHS Registration Eligibility Criteria: Tony Macaluso called upon Loretta Ponton to present.

For informational purposes and clarification, Ms. Ponton reviewed the comparison of Nevada REHS Examination eligibility criteria and the NEHA examination criteria explaining the differences and Nevada's authority to establish state specific criteria as delineated in the Examination Agreement with NEHA approved by the Board in August 2019.

Nevada law provides that an individual with a Bachelor's degree in Environmental Health or Environmental Sciences and an individual with a Master's degree in Public Health are eligible to take the NEHA examination and upon passage obtain REHS registration in Nevada.

Ms. Ponton stated that the question is whether an EHST who meets these educational requirements are eligible for REHS status without having completed a 2-year training/experience criteria. Historically, most EHST applicants do not fall within these two categories.

Discussion with Board consensus that an individual EHST who meets the requirements for REHS registration without training/experience should be eligible to obtain REHS status. Also discussed was that documented training and/or experience obtained prior to EHST registration could be included in the 2-year requirement when determining eligibility for REHS status.

Tony Macaluso called for a motion.

Brian Northam made the motion that an EHST who meets the requirements for REHS registration without training/experience due to having a Bachelor's Degree in environmental health or a Master's degree in public health is eligible for REHS status upon passing the NEHA REHS examination, effective immediately. Teresa Hayes seconded the motion. The motion passed unanimously.

Public Workshop - LCB File No. R075-19: Loretta Ponton opened the public workshop at 11:11 a.m. stating this is the second workshop on regulations implementing the new law. The regulations as drafted by the Legislative Counsel Bureau incorporate the intent of the Board and

comments received at the first workshop. Ms. Ponton asked if there were any individuals from the public in attendance. Hearing none, the Public Workshop was closed at 11: 13 a.m.

Consideration of LCB File No. R075-19: Tony Macaluso opened the floor for discussion of regulation LCB File No. R075-19 and any proposed revisions to the regulation.

Ms. Ponton presented a proposed revision to Sec 24 by adding paragraph 5 which addresses the exemption from training and experience requirement for an EHST with a Bachelor's Degree in environmental health or a Master's Degree in public health. Ms. Ponton also reviewed a proposed revision to Sec. 25, paragraph 4 to remove the word "suspended" and replace with "expired".

There were no further proposed revisions to LCB File No. R075-19.

Tony Macaluso called for a motion.

Brian Northam made the motion to approve the LCB File No. R075-19 as revised. Teresa Hayes seconded the motion. The motion passed.

Executive Director's Report: Ms. Ponton directed the members to the written report and provided a summary of registration statistics, stating that 20 registrants with a December 31 expiration date have not yet renewed their registrations.

Financial Statements - Ms. Ponton provided a review of the Board's FY 20 financial statements as of December 31, 2019. Revenue is reported at \$20,687.50 and Expenses at \$17,675.37, which includes expenses of moving the administrative office. Net income/loss as of 2nd Quarter is \$3,018.18. Cash balance as of December 31, 2019 is \$ 45,541.41.

Tony Macaluso made the motion to accept and approve the financial report as presented. Brian Northam seconded the motion. The motion passed.

Loretta Ponton reported on the Governor's Executive Audit Committee status report of the Boards 1 Audit, the Sunset Subcommittee of the Legislative Commission and the State emphasis on reviews of regulatory Boards including the issues and publicity surrounding the State Dental Board and State Board of Pharmacy.

Report by Deputy Attorney General: Henna Rasul stated she had no report.

Report by Board Chair - Tony Macaluso reviewed the 2020 proposed Board Meeting schedule and confirmed the next meeting date of April 6, 2020. There were no reports or comments from Board members.

Public Comment: Tony Macaluso asked for public comments. There were no public comments.

Adjournment: Tony Macaluso adjourned the meeting at 11:43 a.m.