



State of Nevada
Board of Registered Environmental Health Specialists

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MINUTES OF PUBLIC MEETING
March 14, 2016

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

The meeting was called to order at 10:08 a.m. by Tony Macaluso, Chair. A roll call confirmed a quorum was present with Tony Macaluso, and Bob Stulac present in Reno, Larry Law and Drew Skeen present in Las Vegas.

Loretta Ponton stated that member Anna Thornley has submitted her resignation from the Board to the Governor.

Public Comment: No public was in attendance.

Approval of the Minutes: Tony Macaluso asked if there were any comments or revisions to the minutes of the November 17, 2015 meeting. Hearing none, called for a motion. A motion was made by Larry Law, seconded by Bob Stulac to approve the minutes of the meeting of November 17, 2015. The motion passed with Drew Skeen abstaining.

Applications for Registration: Loretta Ponton stated she had reviewed the following applications for EHS trainee registration and recommends approval. All applicants have submitted the required documentation, fingerprinting and paid the registration fees and all are employed at the Southern Nevada Health District.

Vincentiu Anghel, Latonia Hall, Heather Woods, Diane Umuhzoza, Diana Padilla and Willandra Whiting.

A motion was made by Larry Law, seconded by Bob Stulac to approve the applications for environmental health specialist trainee registration for Vincentiu Anghel, Latonia Hall, Heather Woods, Diane Umuhzoza, Diana Padilla and Willandra Whiting. The motion passed unanimously.

Legislative Bill and Regulation Process: Loretta Ponton provided an overview on the legal process and timeline for the Legislative Bill process for creating new and/or making revisions to

laws as well as an overview of the administrative process required to create and/or revise regulations.

Draft Regulations and Proposed Revisions to NAC 625A: Loretta Ponton stated she has reviewed the Board's regulations, conducted research and based upon questions and comments raised by applicants and registrants, is presenting for discussion proposed new regulations and revisions to NAC 625A which are intended to provide clarity to existing regulations and add authority for existing processes not previously included in regulatory language. Loretta Ponton summarized the major areas being addressed in the proposed regulations.

Revisions to existing regulations:

NAC 625A.010 add a definition of "environmental health sciences" and remove definitions already defined in law;

NAC 625A.013 delineate training programs provided by a Nevada public health district or state health department, division or agency as approved by the Board;

NAC 625A.015 delineate that jurisdictions that require registration or certification by the National Environmental Health Association are recognized as substantially similar for purposes of registration by reciprocity;

NAC 625A.017 establish the term of registration as one year from date of initial registration, a change from calendar year, and establishes the late period for renewal of up to 60 days after expiration to be retroactive;

NAC 625A.020 changes continuing education requirement to one unit annually to align with the term of registration, the acceptable CE period to 12 months prior to date of renewal, and provide that a trainee is exempt from CE requirements;

NAC 625A.025 exemption of CE for retired individuals may be requested through renewal application with an attestation that they will not practice;

NAC 625A.030 establishes the authority to conduct random audits of continuing education;

NAC 625A.040 removes antiquated language.

Loretta Ponton continued stating new sections are being proposed to clarify requirements for registration and address general administrative requirements of the Board.

Paragraphs 1-6 identify the application and documentation requirements for initial registration; paragraph 7 identifies that NEHA certification meets the exam requirements for registration by reciprocity; paragraph 8 identifies acceptable basic science courses for education evaluation; and paragraph 9 establishes the requirements to convert from a trainee to registered environmental health specialists upon completion of the training program.

Paragraph 10 requires registrants to only practice under the name on their certificate; paragraph 11 requires notice and documentation of change in name; paragraph 12 establishes that all communications must be addressed to the Board and not to individual members; paragraph 13 sets the schedule of fees.

Discussion of each section of the proposed regulations was heard with the following revisions:

NAC 625A.010 Definitions - delete 8. "unit of continuing education";

NAC 625A.020 Continuing education: replace unit of continuing education with “12 contact hours”;

NAC 625A.040 Reinstatement - update paragraph 5 to conform to NAC 625A.020 regarding 12 contact hours;

New Section 8. Acceptable basic science courses to indicate “include, but not limited to”.

Larry Law made the motion, seconded by Bob Stulac to approve the draft regulatory language with revisions as discussed for submittal to the Legislative Counsel Bureau. The motion passed.

Application for Conversion of Trainee Certificate: Loretta Ponton stated a new application has been developed to address the need to standardize the process to convert a trainee registration to full REHS registration. The proposed application form incorporates information necessary to approve the applicant to take the national NEHA exam, and incorporates the Affidavit of Training Experience form into a single document. In addition, the applicant must sign the acknowledgment and declaration of accuracy and date. Previously there was no formal process to convert a trainee registration nor was it required to certify that the information was correct by signature.

The application forms were reviewed with minor revisions made to clarify the NEHA examination section.

A motion was made by Bob Stulac, seconded by Larry Law to approve the application for conversion of trainee certificate. The motion passed unanimously.

Website - Loretta Ponton stated the Board’s website was recently moved to a new hosting entity and is now maintained by the Board’s IT contractor. The website has not been updated since its inception.

Loretta explained that the State has a standardized format which can be utilized; however there is a monthly fee of approximately \$180, \$2,150 annually and there is an additional cost of approximately \$1,000 for the initial development which could take up to 10 months.

Another option is to maintain our independent website, the hosting and maintenance would remain the same with the maintenance being billed at \$125 per hour for actual work. The current IT contractor could develop the new site for a fixed cost, a proposal has been received estimating the cost at \$2,500 including maintenance for 6 months, payable in installments.

A discussion of the Board’s finances was heard with a consensus that the Board has sufficient funds to update the website but it would not be prudent to incur on-going liability for monthly hosting and maintenance fees through the State.

Larry Law made the motion, seconded by Bob Stulac to approve the update of the website and contract for the new website design with TAO Consultants at a cost not to exceed \$2,500, terms to be negotiated by Loretta Ponton. The motion passed.

Executive Director’s Report: Loretta Ponton directed the members to the written report. Loretta reported that the registration renewals went smoothly with 207 registrants renewing and 25 individuals not renewing. Seven new applications have been received and processed. Loretta

stated a listing of current registrants and those that have expired is provided in the packet. The updated listing will be posted to the Board's website.

Loretta Ponton summarized the financial statement for FY 16 through February 29, 2016 reporting a cash balance of \$44,823.66. Revenue received for the fiscal year totals \$24,080 with expenses of \$20,071 for a net balance of \$4,009. It was noted the expenses include the one-time expenses to move the office and website and legal fees related to the transition to the new Board administration.

Loretta reported the Board had not received a response to the demand letter sent to previous administrator and that 1099 forms had been issued for amounts paid to the administrator for 2013, 2014 and 2015.

Report from Board Chair: Tony Macaluso asked for available dates for the next Board meeting. The meeting of the Board was set for June 27th by teleconference, with access at the Board administrative office and Southern Nevada Health District.

Tony Macaluso stated the election of officers is usually scheduled for the first meeting of the fiscal year and asked if there were other items to be considered for the next agenda. Loretta Ponton stated agenda items will include the election of officers, FY 2017 budget and possibly a Workshop on the proposed regulations.

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

Public Comment: There was no public comment.

The meeting adjourned at 12:27 p.m.