



State of Nevada
Board of Registered Environmental Health Specialists

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Notice of Public Workshop Proposed Bill Draft

The State of Nevada Board of Registered Environmental Health Specialists is proposing the addition, amendment and/or repeal of sections of the Nevada law pertaining to Chapter 625A of the Nevada Revised Statutes.

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

**Monday, December 4, 2017
10:00 a.m.**

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

Teleconference Access:

1-888-273-3658 Access Code 8751529

The following areas are under review for a proposed Bill Draft Request for presentation and consideration of approval at the 2019 Legislative Session.

- Change the Board's title to Board of Environmental Health Specialists
- Change from registration to "licensing" of Environmental Health Specialists
- Create a "provisional license" with supervisory requirements, education, training and experience equivalent to existing requirements for EHST
- Update existing language to reflect current professional, administrative and regulatory board requirements;

A copy of the proposed revisions is attached and is 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 law review process.

CHAPTER 625A - ENVIRONMENTAL HEALTH SPECIALISTS

GENERAL PROVISIONS

<u>NRS 625A.010</u>	Purpose of registration; certificate revocable. <i>Legislative declaration.</i>
<u>NRS 625A.020</u>	Definitions.
<u>NRS 625A.021</u>	“Board” defined.
NRS 625A.023	“Certificate of registration” and “certificate” defined.
<u>NRS 625A.025</u>	“Environmental health specialist” defined.
<u>NRS 625A.026</u>	“Environmental health specialist trainee” defined.
<u>NRS 625A.028</u>	“Practice of environmental health” defined.
NEW	“Registered Environmental Health Specialist” defined.
NEW	“Provisional License” defined.
NEW	“Temporary License” defined.
NEW	Applicability of chapter.

BOARD OF ~~REGISTERED~~-ENVIRONMENTAL HEALTH SPECIALISTS

<u>NRS 625A.030</u>	Creation; appointment, terms, qualifications and removal of members; election of Chair and Secretary <i>Vice Chair.</i>
<u>NRS 625A.040</u>	<i>Officers, Meetings, Quorum; Purpose; manner of calling; quorum; majority required for decision.</i>
<u>NRS 625A.050</u>	Compensation of Secretary and other members; payment of per diem allowance and travel expenses. <i>Salary of members; per diem allowance and travel expenses of members and employees.</i>
<u>NRS 625A.055</u>	Employment of <i>Executive Director</i> and compensation of professionals and other personnel; reimbursement of certain expenses.
NEW	<i>Duties; regulations.</i>
NEW	<i>Subpoenas; oaths; seal.</i>
NEW	<i>Inspection of premises by Board.</i>
<u>NRS 625A.060</u>	Deposit and expenditure of money received by Board <i>Deposits and use of fees; delegation of authority to take disciplinary action; deposit of fines; claims for attorney’s fees and costs of investigation.</i>
NRS 625A.070	Biennial reports; Contents; distribution of copies.
NRS 625A.080	Records of proceedings; annual audits; seal; regulations.

CERTIFICATES OF REGISTRATION LICENSES

NEW	<i>Qualifications of applicants.</i>
NRS 625A.090	Maintenance of register of applicants and holders of certificates licenses.
<u>NRS 625A.095</u>	Issuance of certificates <i>licenses</i> to qualified persons practicing in certain other fields.
<u>NRS 625A.100</u>	Application for certificate <i>license</i> ; information to be submitted with application; nonrefundability of fee.
<u>NRS 625A.105</u>	Payment of child support: Submission of certain information by applicant; grounds for denial of certificate; duty of Board. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]
<u>NRS 625A.105</u>	Payment of child support: Submission of certain information by applicant; grounds for denial of certificate; duty of Board. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings and expires by limitation 2 years after that date.]
<u>NRS 625A.110</u>	Environmental health specialist: Qualifications for certificate <i>license</i> ; exceptions; issuance of certificate <i>license</i> by reciprocity <i>endorsement</i> .
<u>NRS 625A.115</u>	Environmental health specialist trainee: Qualifications for certificate <i>provisional license</i> ; expiration and extension of certificate <i>provisional license</i> .
<u>NRS 625A.120</u>	Examination <i>for license</i> Applicability; place and time; identification by number; retention; reexamination.

<i>NEW</i>	<i>Issuance of license without examination.</i>
NRS 625A.125	Procedure upon denial of application.
NRS 625A.130	Fees; annual payment and registration; effect of failure to pay fees or submit annual registration.
NRS 625A.140	Contents of certificate.
<i>NEW</i>	<i>Regulations</i>
<i>NEW</i>	<i>Temporary license; environmental health specialist</i>
NRS 625A.150	Continuing education; exemptions.

DISCIPLINARY ACTION

NRS 625A.160	Grounds for disciplinary action.
NRS 625A.165	Suspension of certificate for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of certificate. [Effective until 2 years after the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]
NRS 625A.170	Unprofessional conduct.
NRS 625A.180	Authorized actions; private reprimands prohibited; orders imposing discipline deemed public records.
NRS 625A.185	Confidentiality of certain records of Board; exceptions.

UNLAWFUL ACTS; PENALTIES

NRS 625A.900	Unlawful to practice without certificate <i>license</i> ; penalties.
NRS 625A.910	Unlawful to use certain titles, abbreviations or letters without certificate <i>license</i> ; penalties.

GENERAL PROVISIONS

~~NRS 625A.010 Purpose of registration; certificate revocable~~ *Legislative declaration. The practice of environmental health is hereby declared to be a learned profession, affecting public safety and welfare and charged with the public interest, and is therefore subject to protection and regulation by the State. The purpose of registering environmental health specialists and environmental health specialist trainees is to protect the public health and safety and the general welfare of the people of this State. Any certificate of registration issued pursuant to this chapter is a revocable privilege, and no holder of such a certificate of registration acquires thereby any vested right.*

(Added to NRS by [1987, 1157](#); A [1995, 89](#); [2005, 1986](#))

NRS 625A.020 Definitions. As used in this chapter, unless the context otherwise requires, the words and terms defined in [NRS 625A.021](#) to [625A.028](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [1987, 1157](#); A [1995, 89](#); [1997, 1057](#); [2005, 1987](#))

NRS 625A.021 “Board” defined. “Board” means the Board of ~~Registered~~ Environmental Health Specialists.

(Added to NRS by [2005, 1985](#))

~~NRS 625A.023 “Certificate of registration” and “certificate” defined.~~ “Certificate of registration” or “certificate” means a certificate of registration as an environmental health specialist or environmental health specialist trainee issued by the Board pursuant to this chapter.

(Added to NRS by [2005, 1985](#))

NRS 625A.025 “Environmental health specialist” defined.

1. “Environmental health specialist” means a person who is engaged in the practice of environmental health and who holds a ~~certificate of registration~~ *license* as an environmental health specialist issued by the Board pursuant to this chapter.

2. The term does not include any person who practices in a field excluded from the definition of the “practice of environmental health” pursuant to subsection 2 of [NRS 625A.028](#), unless the person holds a ~~certificate of registration~~ *license* as an environmental health specialist issued by the Board pursuant to this chapter.

(Added to NRS by [2005, 1985](#))

NRS 625A.026 “ Environmental health specialist trainee” defined. “ Environmental health specialist trainee” means a person who is engaged in the practice of environmental health and who holds a ~~certificate of registration~~ *provisional license* as an environmental health specialist trainee issued by the Board pursuant to this chapter.

(Added to NRS by [2005, 1985](#))

NRS 625A.028 “Practice of environmental health” defined.

1. “Practice of environmental health” means the *science and practice of preventing human injury and illness by identifying and evaluating environmental sources and hazardous agents and limiting exposures to hazardous physical, chemical, and biological agents in air, water, soil, food, and other environmental media or settings that may adversely affect human health.* ~~use of public health principles in the application of the sanitary sciences, the biological sciences or the physical sciences to investigate, prevent or reduce environmentally acquired disease or illness.~~

2. The term does not include practice in the field of:

(a) Environmental health by a person whose primary work is performed by and for the Division of Environmental Protection of the State Department of Conservation and Natural Resources or for an entity whose activities are limited solely to issues relating to air quality;

(b) Industrial hygiene, public education, indoor air quality, health physics, mold assessment or mold remediation;

(c) Cleaning up and disposing of hazardous waste and substances performed by a person who is certified by the State Department of Conservation and Natural Resources pursuant to [NRS 459.400](#) to [459.600](#), inclusive, and the regulations adopted pursuant thereto, unless the clean up and disposal of the hazardous waste and substances is performed directly by and for a public health agency;

(d) Zoonotic disease ecology or vector-borne disease ecology, or both, when the practice in that field is performed as a specialty;

(e) Mining performed by an employee or contractor of a mining company engaged in mining operations in this State;

(f) Building inspections performed by a person whose primary purpose is to determine compliance with building and safety codes; ~~or~~

(g) Epidemiological investigations performed by a person whose primary profession or employment is as an epidemiologist or disease investigator, *or*

(h) Marijuana inspections performed by a person whose primary purpose is to determine compliance with law and regulations for the cultivation, distribution, and licensure of establishments or facilities where marijuana is grown, stored, processed or offered for sale; unless the marijuana is utilized as an agent or ingredient in food products.

(Added to NRS by [2005, 1985](#))

NEW “Registered Environmental Health Specialist” defined. Registered environmental health specialist means a person who has been awarded the Registered Environmental Health/Registered Sanitarian credential issued by the National Environmental Health Association.

NEW “Provisional License” defined. Provisional license means a license as an Environmental Health Specialist Trainee issued by the Board pursuant to NRS 625A.xxx.

NEW “Temporary License” defined. Temporary license means a license as an Environmental Health Specialist issued by the Board pursuant to NRS 625A.xxx.

NEW NRS 625A.xxx Applicability of chapter. This chapter does not apply to a person:

- 1. Holding a current license or certificate issued pursuant to -----, inclusive, of NRS, who practices within the scope of that license or certificate.*
- 2. Employed by the Federal Government who practices environmental health within the scope of that employment.*
- 5. Practicing environmental health in this State in association with an environmental health specialist licensed pursuant to this chapter if the person:*
 - (a) Practices in this State for not more than 45 days in a calendar year;*
 - (b) Is licensed to practice environmental health in another state where the requirements for such a license are equivalent to the requirements of this chapter; and*
 - (c) Holds the “registered environmental health specialist/registered sanitarian” credential issued by the National Environmental Health Association.*

BOARD OF REGISTERED ENVIRONMENTAL HEALTH SPECIALISTS

NRS 625A.030 Creation; appointment, terms, qualifications and removal of members; election of Chair and Secretary.

1. There is hereby created the Board of **Registered** Environmental Health Specialists, consisting of the Chief Medical Officer or his or her designated representative and four members appointed by the Governor.

2. After the initial terms, each member appointed by the Governor ~~must be appointed for~~ *serves* a term of 3 years.

3. Of the members of the Board appointed by the Governor after the initial appointments:

(a) Two must represent the general public. These members must not be:

(1) An environmental health specialist ~~or environmental health specialist trainee~~; or

(2) The spouse or the parent or child, by blood, marriage or adoption, of an environmental health specialist ~~or environmental health specialist trainee~~.

(b) Two *members* must be environmental health specialists *who hold a license issued pursuant to this chapter*; one *must be* employed by the health district containing Washoe County and one *must be* employed by the health district containing Clark County.

4. Each member of the Board must be a resident of Nevada.

5. An environmental health specialist appointed to the Board:

(a) must have practiced for the 3 years immediately preceding the appointment; and

(b) hold a current license issued pursuant to this chapter.

6. If a vacancy occurs during the term of a member appointed by the Governor, the Governor shall appoint a person similarly qualified to replace that member for the remainder of the unexpired term.

4. The Governor may, after notice and hearing, remove any member of the Board for misconduct in office, incompetency, neglect of duty or other sufficient cause.

5. The Board shall elect from its members who are not employees of the State a Chair and a ~~Secretary Vice Chair. The Chair must be elected biennially on or before July 1 of each even-numbered year. The Secretary continues in office at the pleasure of the Board.~~

(Added to NRS by [1987, 1157](#); A [1995, 89](#); [2003, 1188](#); [2005, 1987](#))

NRS 625A.040 *Officers, Meetings, Quorum*: ~~Purpose; manner of calling; quorum; majority required for decision.~~

1. *The Board shall elect from its members who are appointed by the Governor, a Chair and Vice Chair. The officers of the Board hold their respective offices at the pleasure of the Board.*
2. *The Board shall meet at least twice annually and may meet at other times on the call of the Chair or a majority of its members.*
3. *A majority of the Board constitutes a quorum to transact all business.*
4. *The Board shall comply with the provisions of chapter 241 of NRS, and all meetings of the Board must be conducted in accordance with this chapter.*

- ~~1. The Board shall hold at least one meeting annually to:
 - ~~(a) Review and evaluate applications for certificates of registration as environmental health specialists and environmental health specialist trainees.~~
 - ~~(b) Conduct examinations.~~
 - ~~(c) Review expenditures by the Board.~~
 - ~~(d) Prepare reports.~~
 - ~~(e) Transact any other business necessary to enable the Board to carry out its duties.~~~~
- ~~2. Special meetings of the Board may be called by the Secretary upon the written request of any two members of the Board or upon a written request signed by 10 environmental health specialists or environmental health specialist trainees, or any combination thereof.~~
- ~~3. Three members of the Board constitute a quorum to transact all business, and a majority of those present must concur on any decision.~~

(Added to NRS by [1987, 1157](#); A [1995, 90](#); [2005, 1987](#))

NRS 625A.050 ~~Compensation of Secretary and other members; payment of per diem allowance and travel expenses.~~ *Salary of members; per diem allowance and travel expenses of members and employees.*

- ~~1. The Secretary of the Board is entitled to receive:
 - ~~(a) A salary in an amount fixed by the Board; and~~
 - ~~(b) A per diem allowance and travel expenses at a rate fixed by the Board, while engaged in the business of the Board. The rate must not exceed the rate provided for state officers and employees generally.~~~~
2. *All other Members* of the Board are entitled to receive:
 - (a) A salary of not more than \$150 per day, as fixed by the Board, while engaged in the business of the Board; and
 - (b) A per diem allowance and travel expenses at a rate fixed by the Board, while engaged in the business of the Board. The rate must not exceed the rate provided for state officers and employees generally.
3. While engaged in the business of the Board, each employee of the Board is entitled to receive a per diem allowance and travel expenses at a rate fixed by the Board. The rate must not exceed the rate provided for state officers and employees generally.

(Added to NRS by [1987, 1157](#); A [1989, 1695](#); [2007, 2942](#))

NRS 625A.055 *Employment of Executive Director and compensation of professionals and other personnel; reimbursement of certain expenses.*

1. *The Board may employ and fix the compensation of an Executive Director and any other employee necessary to the discharge of its duties.*
2. The Board may employ and fix the compensation to be paid to attorneys, investigators and other professional consultants necessary to the discharge of its duties and may reimburse those employees for any actual expenses they incur while acting on behalf of the Board. Any reimbursement paid pursuant to this section is in addition to any per diem allowance or travel expenses paid to those employees pursuant to [NRS 625A.050](#).

3. The expenses of the Board and members of the Board, and the salaries of its employees, must be paid from the fees received by the Board pursuant to this chapter, and no part of those expenses and salaries may be paid out of the State General Fund.

(Added to NRS by [2005, 1986](#))

NEW - Duties; regulations. The Board shall:

- 1. Enforce the provisions of this chapter and any regulations adopted pursuant thereto;*
- 2. Prepare and maintain a record of its proceedings, including, without limitation, any administrative proceedings;*
- 3. Evaluate the qualifications and determine the eligibility of an applicant for any license pursuant to this chapter and, upon payment of the appropriate fee, issue the appropriate license o a qualified applicant;*
- 4. Adopt regulations establishing standards of practice for persons licensed and any other regulations necessary to carry out the provisions of this chapter;*
- 5. Require a person licensed pursuant to this chapter to submit to the Board documentation required by the Board to determine whether the person has acquired the skills necessary to engage in the practice of environmental health;*
- 6. Investigate any complaint received by the Board against any person licensed pursuant to this chapter;*
- 7. Hold hearings to determine whether any provision of this chapter or any regulation adopted pursuant to this chapter has been violated; and*
- 8. Unless the Board determines that extenuating circumstances exist, forward to the appropriate law enforcement agency any substantiated information submitted to the Board concerning a person who engages in the practice of or offers to engage in the practice of environmental health without the appropriate license issued pursuant to the provisions of this chapter.*

NEW - Subpoenas; oaths; seal. The Board may:

- 1. Issue subpoenas for the attendance of witnesses and production of books and papers;*
- 2. Administer oaths when taking testimony in any matter relating to the duties of the Board; and*
- 3. Adopt a seal which must be judicially noticed by the courts of this State.*

NEW - Inspection of premises by Board. A member or any agent of the Board may enter any premises in this State where a person who holds a license issued pursuant to the provisions of this chapter practices environmental health and inspect it to determine whether a violation of any provision of this chapter has occurred, including, without limitation, an inspection to determine whether any person at the premises is practicing environmental health without the appropriate license issued pursuant to the provisions of this chapter.

NRS 625A.060 ~~Deposit and expenditure of money received by Board.~~ *Deposit and use of fees; delegation of authority to take disciplinary action; deposit of fines; claims for attorney's fees and costs of investigation.*

- 1. All fees collected under the provisions of this chapter must be paid to the Board to be used to defray the necessary expenses of the Board. The Board shall deposit the fees in qualified banks, credit unions or savings and loan associations in this State.*
- 2. In a manner consistent with the provisions of [chapter 622A](#) of NRS, the Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect civil penalties therefor and deposit the money therefrom in banks, credit unions or savings and loan associations in this State.*
- 3. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 2 and the Board deposits the money collected from the imposition of civil penalties with the State*

Treasurer for credit to the State General Fund, it may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both

~~— 1. — The Secretary of the Board shall receive and account for all money paid to the Board and deposit it in banks, credit unions and savings and loan associations in this state.~~

~~— 2. — The compensation and expenses of the members and employees of the Board and the expenses of administering the provisions of this chapter must be paid from the fees received by the Board upon approval by the Board.~~

(Added to NRS by [1987, 1158](#); A [1989, 1696](#); [1999, 1529](#))

NRS 625A.070 ~~Biennial reports: Contents; distribution of copies.~~

~~— 1. — Before September 1 of each even-numbered year, for the biennium ending June 30 of that year, the Board shall file a written report of the activities of the Board with the Governor. The report must include the results of the annual audits of the fiscal records of the Board.~~

~~— 2. — A copy of the report must be mailed by the Board to:~~

~~— (a) — Each environmental health specialist; and~~

~~— (b) — Any other person who submits a written request to the Board for a copy.~~

(Added to NRS by [1987, 1158](#); A [1995, 90](#))

NRS 625A.080 ~~Records of proceedings; annual audits; seal; regulations.~~— The Board:

~~— 1. — Shall keep a record of its proceedings.~~

~~— 2. — Shall provide for an annual audit of its fiscal records.~~

~~— 3. — Shall procure a seal.~~

~~— 4. — May adopt such regulations as are necessary to enable it to carry out the provisions of this chapter.~~

(Added to NRS by [1987, 1158](#))

CERTIFICATES OF REGISTRATION

LICENSES

NEW Qualifications of applicants. Except as otherwise provided in [NRS 625A. xxx](#), to be eligible for licensing by the Board, an applicant for a license to engage in the practice of environmental health must:

1. Be a natural person of good moral character;

2. Pass an examination prescribed by the Board pursuant to [NRS 625A.xxx](#), as applicable;

3. Pay the fees provided for in this chapter; and

4. Submit all information required to complete an application for a license.

~~**NRS 625A.090 — Maintenance of register of applicants and holders of certificates.**— The Board shall maintain a register of all:~~

~~— 1. — Applicants for a certificate of registration as an environmental health specialist or environmental health specialist trainee. The register must contain:~~

~~— (a) — The name, age and place of residence of the applicant;~~

~~— (b) — The name and address of the employer of the applicant or address of the place of business of the applicant;~~

~~— (c) — The date of the application;~~

~~— (d) — The educational qualifications, practical training and experience of the applicant;~~

~~— (e) — The date on which the Board reviewed the application and the action taken;~~

~~— (f) — The number of the certificate of registration, if any, issued to the applicant; and~~

~~— (g) — Such other information as the Board considers necessary.~~

~~— 2. — Persons who hold certificates of registration as environmental health specialists or environmental health specialist trainees. The register must contain:~~

- ~~— (a) The name of the person;~~
 - ~~— (b) The name and address of the employer of the person or the address of the place of business of the person;~~
 - ~~— (c) The number of the certificate of registration, if any, issued to the person; and~~
 - ~~— (d) Such other information as the Board considers necessary.~~
- (Added to NRS by [1987, 1158](#); A [1995, 90](#); [2005, 1988](#))

NRS 625A.095 Issuance of ~~certificates~~ license to qualified persons practicing in certain other fields. The provisions of this chapter do not preclude a person who practices in a field excluded from the definition of the “practice of environmental health” pursuant to subsection 2 of [NRS 625A.028](#) from being issued a ~~certificate of registration~~ license by the Board if the person otherwise meets the requirements for the issuance of the ~~certificate~~ license.

(Added to NRS by [2005, 1986](#))

NRS 625A.100 Application for ~~certificate~~ license; information to be submitted with application; nonrefundability of fee.

1. An applicant for a ~~certificate of registration~~ license as an environmental health specialist or environmental health specialist trainee shall submit to the Board, through its Secretary:

- (a) A completed application on a form prescribed and furnished by the Board;
- (b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report;
- (c) The required fee;
- (d) Proof of the applicant’s educational qualifications, practical training and experience; and
- (e) All information required to complete the application.

~~2. The fee is not refundable.~~

(Added to NRS by [1987, 1158](#); A [1995, 90](#); [1997, 2117](#); [2005, 1988, 2710, 2807](#))

NRS 625A.105 Payment of child support: Submission of certain information by applicant; grounds for denial of certificate; duty of Board. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. In addition to any other requirements set forth in this chapter, an applicant for a ~~certificate of registration~~ license as an environmental health specialist or ~~environmental health specialist trainee~~ or the holder of such a certificate shall:

- (a) Include the social security number of the applicant in the application submitted to the Board.
- (b) Submit to the Board annually, through its Secretary, the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to [NRS 425.520](#). The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to subsection 1 in:

- (a) The application or any other forms that must be submitted for the issuance of the ~~certificate of registration~~ license; or

- (b) A separate form prescribed by the Board.

3. A ~~certificate of registration~~ license as an environmental health specialist or ~~environmental health specialist trainee~~ may not be issued by the Board if the applicant:

- (a) Fails to submit the statement required pursuant to subsection 1; or
- (b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by [1997, 2116](#); A [2005, 1989, 2710, 2807](#))

NRS 625A.105 Payment of child support: Submission of certain information by applicant; grounds for denial of certificate; duty of Board. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings and expires by limitation 2 years after that date.]

1. In addition to any other requirements set forth in this chapter, an applicant for a ~~certificate of registration~~ **license** as an environmental health specialist ~~or environmental health specialist trainee~~ or the holder of such a certificate shall submit to the Board annually, through its Secretary, the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to [NRS 425.520](#). The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance of the ~~certificate of registration~~ **license**; or

(b) A separate form prescribed by the Board.

3. A ~~certificate of registration~~ **license** as an environmental health specialist or ~~environmental health specialist trainee~~ may not be issued by the Board if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by [1997, 2116](#); A [2005, 1989, 2710, 2711, 2807](#), effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

NRS 625A.110 Environmental health specialist: Qualifications for ~~certificate~~ **license; exceptions; issuance of ~~certificate~~ **license** by ~~reciprocity~~ **endorsement**.**

1. Except as otherwise provided in this section, to be eligible for a ~~certificate of registration~~ **license** as an environmental health specialist, an applicant:

(a) Must:

(1) Possess a baccalaureate or higher degree from an institution of higher education approved by the Board;

(2) Have satisfactorily completed at least 45 quarter hours or 30 semester hours of academic work in basic science courses, including biology, chemistry, physics, geology, sanitary engineering or environmental engineering;

(3) Have passed the written examination pursuant to [NRS 625A.120](#); and

(4) Have at least 2 years of experience approved by the Board in the practice of environmental health;

(b) Must possess a baccalaureate or higher degree in environmental health or environmental health science from an institution of higher education approved by the Board and have passed the written examination pursuant to [NRS 625A.120](#);

(c) Must possess a master's degree in public health from an institution of higher education approved by the Board and have passed the written examination pursuant to [NRS 625A.120](#); or

(d) Must possess training or experience obtained during service in the military forces of this State or the United States which the Board determines is equivalent to at least 2 years of experience in the practice of environmental health and have passed the written examination pursuant to [NRS 625A.120](#).

~~— 2. Except as otherwise provided in this subsection, the Board shall issue a certificate of registration as an environmental health specialist to a person who is not qualified under subsection 1 if the Board determines to its satisfaction that the person:~~

~~— (a) Was actively engaged in the practice of environmental health in this State on July 1, 2005; and~~

~~— (b) Has completed at least 2 years of successful experience in the practice of environmental health.~~

~~□ To be eligible to be issued a certificate of registration pursuant to this subsection, a person must apply to the Board for a certificate of registration not later than July 1, 2007.~~

3. Notwithstanding the provisions of subsection 1 to the contrary, upon written application, the Board may issue a **certificate of registration license** as an environmental health specialist to a person by **reciprocity endorsement** if the person **is registered as:**

(a) ***Holds a valid and unrestricted license as an environmental health specialist, environmental health scientist or registered sanitarian in the District of Columbia or any state or territory of the United States; and***

(b) ***Holds current certification as an ~~An~~ registered environmental health specialist with the National Environmental Health Association; or***

~~— (b) An environmental health specialist, environmental health scientist or registered sanitarian in another jurisdiction recognized by the Board as having requirements for that registration which are substantially similar to the requirements for the issuance of a certificate of registration as an environmental health specialist in this State.~~

(Added to NRS by [1987, 1158](#); A [1995, 91](#); [2005, 1989](#))

NRS 625A.115 Environmental health specialist trainee: Qualifications for ~~certifieate~~ provisional license; expiration and extension of ~~certifieate~~ provisional license.

~~— 1. A person is eligible to engage in the practice of environmental health as an environmental health specialist trainee if the person possesses a baccalaureate or higher degree which includes the satisfactory completion of at least 45 quarter hours, or 30 semester hours, of academic work in basic science courses, including biology, chemistry, physics, geology, sanitary engineering or environmental engineering, from an institution of higher education approved by the Board.~~

~~2.1.~~ To engage in the practice of environmental health as an environmental health specialist trainee, a person:

~~— (a) Must be employed as a part of a training program in which the person engages in the practice of environmental health under the direct supervision of one or more other persons who hold certificates of registration as environmental health specialists; and~~

~~— (b) Must **must** file with the Board an application for a ~~certificate of registration~~ **provisional license** as an environmental health specialist trainee not later than ~~90~~ **30** days after the date on which the person initially becomes employed ***in a training position.*** ~~as a part of the training program~~~~

2. Upon application and payment of fees required pursuant to NRS 625A.130, the Board may issue a provisional license to engage in the practice of environmental health to a person who:

(a) Meets the educational requirements for licensure as an environmental health specialist;

(b) Is employed in a training position under the direct supervision of a licensed environmental health specialist; and

(c) Is completing the training experience required for certification by the National Environmental Health Association.

3. A provisional license issued pursuant to this section may be renewed not more than twice.

~~3.—Except as otherwise provided in this subsection, the certificate of registration of a person as an environmental health specialist trainee expires 3 years after the date on which the person initially becomes employed as a part of the training program in which the person engages in the practice of environmental health as an environmental health specialist trainee. If, upon completion of the 3-year period,~~

*4. If the person has met all requirements to be issued a ~~certificate of registration~~ license as an environmental health specialist other than passing the examination required pursuant to [NRS 625A.120](#), the Board may, upon a showing of good cause, grant the person a 1-year extension of the person's ~~certificate of registration~~ *provisional license* as an environmental health specialist trainee before the person must pass the examination. A request for such an extension must be submitted by the person in writing and received by the Board at least 60 days before the date on which the person's ~~certificate of registration~~ *provisional license* as an environmental health specialist trainee expires.*

(Added to NRS by [2005, 1986](#))

5. The Board may adopt regulations providing for the manner in which a provisional license as an environmental health specialist trainee may be converted to a standard license as an environmental health specialist.

NRS 625A.120 Examination for license.: ~~Applicability; place and time; identification by number; retention; reexamination.~~

1. Except for an applicant who may be issued a ~~certificate of registration~~ *license* as an environmental health specialist without an examination pursuant to [NRS 625A.xxx](#), an applicant who applies for a ~~certificate of registration~~ *license* as an environmental health specialist and who is otherwise qualified for the issuance of the ~~certificate~~ *license* must ~~appear personally and~~ pass the ~~written~~ *national examination for certification as a Registered Environmental Health Specialist* ~~certified by issued by~~ the National Environmental Health Association. ~~or an equivalent examination prepared by the Board.~~

2. The Board may prescribe the examination passing score required for licensing as an environmental health specialist; and

b. Any other subjects the Board requires to determine the fitness of an applicant to practice environmental health.

NEW *Issuance of license without examination.*

The Board may issue, without examination, a license as an environmental health specialist to a person who has the qualifications required pursuant to subsection 1 of NRS 625A.110 and who is certified as a Registered Environmental Health Specialist with the National Environmental Health Association, or successor organization.

~~—2.—The examination must be administered by the Board not less than once each year at such time and place in this State as the Board specifies.~~

~~—3.—The name of the applicant must not appear on the examination, and the applicant must be identified by a number assigned by the Secretary of the Board.~~

~~—4.—All examinations and the records pertaining to them must be filed with the Secretary of the Board and retained for at least 5 years.~~

~~—5.—If an applicant fails the examination, the applicant may be reexamined upon resubmission of an application accompanied by the required fee.~~

(Added to NRS by [1987, 1159](#); A [2005, 1990](#))

NRS 625A.125 Procedure upon denial of application.

1. Upon denial of an application for a ~~certificate of registration~~ *license*, the Board shall give the person written notice of its decision mailed to the person at his or her last known address by certified mail, return receipt requested. The notice must:

- (a) State the reason for the denial; and
- (b) Inform the person that he or she has the right to a hearing before the Board.

2. A written request for a hearing must be filed with the Board within 30 days after the notice is mailed. If a hearing is requested, the Board shall set a time and place for a formal hearing and notify the person of the time and place set for the hearing. The Board shall hold the hearing at the time and place designated in the notice.

(Added to NRS by [1987, 1161](#); A [1995, 92](#); [2005, 759, 1994](#))—(Substituted in revision for NRS 625A.190)

NRS 625A.130 Fees; ~~annual payment and registration; effect of failure to pay fees or submit annual registration.~~

1. The Board shall charge and collect only the following fees whose amounts must be determined by the Board, but may not exceed:

<i>Initial Application Fee</i>	<i>\$ 250</i>
<i>License Fee</i>	<i>100</i>
<i>Renewal of a License</i>	<i>100</i>
<i>Renewal of an Inactive License</i>	<i>50</i>
<i>Late License Renewal Fee</i>	<i>100</i>
<i>Reinstatement of an Expired License</i>	<i>200</i>
<i>Fingerprinting Fee</i>	<i>50</i>

2. All fees are payable in advance and may not be refunded.

3. If an applicant is an active member of Armed Forces, member's spouse, veteran or veteran's surviving spouse, the Board shall collect not more than one-half of the fee established pursuant to subsection 1 for the initial issuance of a license.

4. Except as otherwise provided in subsection 3, the fees must be set in such an amount as to reimburse the Board for the cost of carrying out the provisions of this chapter.

~~—1. Each applicant for a certificate of registration as an environmental health specialist or environmental health specialist trainee must pay a fee set by the Board not to exceed \$250.~~

~~—2. Each applicant for a certificate of registration as an environmental health specialist who fails an examination and who desires to be reexamined must pay a fee set by the Board not to exceed \$200 for each reexamination.~~

~~—3. Each person who holds a certificate of registration as an environmental health specialist or environmental health specialist trainee must pay to the Secretary of the Board on or before the date fixed by the Board an annual fee for the certificate of registration to be set by the Board not to exceed \$100. The annual fee for the certificate of registration must be collected for the year in which the person is initially issued the certificate of registration and for each year thereafter in which the person holds the certificate of registration.~~

~~—4. If a person holds a certificate of registration as an environmental health specialist or environmental health specialist trainee and the person fails to pay the annual fee for the certificate of registration within 60 days after it is due or submit all information required to complete the annual registration, the person's certificate of registration is automatically suspended. The Board must notify the person that the certificate~~

~~of registration has been suspended pursuant to this subsection. It may be reinstated pursuant to regulations adopted by the Board.~~

(Added to NRS by [1987, 1159](#); A [1995, 91](#); [1997, 2117](#); [2005, 1991, 2711, 2807](#))

NEW Regulations

1. The Board shall adopt regulations prescribing:

(a) *The period for which a license issued pursuant to the provisions of this chapter is valid, which must be not less than 1 year; and*

(b) *The manner in which a license issued pursuant to this chapter must be renewed.*

2. The Board may adopt regulations providing for the late renewal of a license and the reinstatement of an expired license, which may include requirements for continuing education.

3. The Board may, at the request of a person licensed as an environmental health specialist pursuant to this chapter, place a standard license on inactive status if the holder of the license does not engage in, or represent that the person is authorized to engage in, the practice of environmental health in this State.

NEW Temporary license; environmental health specialist.

1. The Board may issue a temporary license to engage in the practice of environmental health upon application and payment of the fee required pursuant to NRS 625A. xxx to any person who is so licensed in another state and who meets all the qualifications for licensing in this state.

2. A temporary license issued pursuant to this section:

a. *Is valid for not more than 6 months;*

b. *May be renewed not more than once; and*

c. *May be converted to a standard license upon payment of the license fee required by NRS 625A.xxx; and*

d. *submittal of any information required by the Board for conversion of such license.*

~~**NRS 625A.140 Contents of certificate.**—Each certificate of registration issued by the Board must be numbered and contain:~~

~~1. The designation “Registered Environmental Health Specialist” or “Environmental Health Specialist Trainee,” as applicable;~~

~~2. The name of the person registered;~~

~~3. The registration number;~~

~~4. The date of issuance;~~

~~5. The Great Seal of the State of Nevada;~~

~~6. The signatures of the Chair and Secretary of the Board.~~

(Added to NRS by [1987, 1160](#); A [1995, 91](#); [2005, 1992](#))

NRS 625A.150 Continuing education; exemptions.

1. The Board shall adopt regulations requiring participation in a program of continuing education as a prerequisite for the renewal of a ~~certificate of registration~~ *license* as an environmental health specialist.

2. The Board may exempt an environmental health specialist from the requirements for continuing education if he or she is able to show good cause why the requirements could not be met. ~~The exemption may not be granted to a person more than once in any 6-year period.~~

3. An environmental health specialist who submits evidence satisfactory to the Board that he or she has retired and is no longer engaged in the practice of environmental health is exempt from the requirements for continuing education established pursuant to this section.

(Added to NRS by [1987, 1160](#); A [1995, 92](#); [2005, 1992](#))

DISCIPLINARY ACTION

NRS 625A.160 Grounds for disciplinary action. The grounds for initiating disciplinary action under this chapter are:

1. Unprofessional conduct;
 2. Conviction of a felony relating to the practice of environmental health or any offense involving moral turpitude;
 3. The suspension or revocation of a certificate or license as an environmental health specialist by any other jurisdiction; or
 4. Failure to meet the requirements for continuing education.
- (Added to NRS by [1987, 1160](#); A [1995, 92](#); [2003, 2705](#); [2005, 1992](#))

NRS 625A.165 Suspension of certificate for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of certificate. [Effective until 2 years after the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Board receives a copy of a court order issued pursuant to [NRS 425.540](#) that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a ~~certificate of registration~~ *license* as an environmental health specialist or environmental health specialist trainee, the Board shall deem the ~~certificate of registration~~ *license* issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Board receives a letter issued to the holder of the ~~certificate of registration~~ *license* by the district attorney or other public agency pursuant to [NRS 425.550](#) stating that the holder of the ~~certificate of registration~~ *license* has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

2. The Board shall reinstate a ~~certificate of registration~~ *license* as an environmental health specialist or environmental health specialist trainee that has been suspended by a district court pursuant to [NRS 425.540](#) if the Board receives a letter issued by the district attorney or other public agency pursuant to [NRS 425.550](#) to the person whose ~~certificate of registration~~ *license* was suspended stating that the person whose ~~certificate of registration~~ *license* was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

(Added to NRS by [1997, 2116](#); A [2005, 1993, 2807](#))

NRS 625A.170 Unprofessional conduct. The following acts, among others established by the Board, constitute unprofessional conduct:

1. Willfully making a false or fraudulent statement or submitting a forged or false document in applying for a ~~certificate of registration~~ *license*;
2. Habitual drunkenness or addiction to the use of a controlled substance;
3. Engaging in any conduct in his or her professional activities which is intended to deceive or which the Board has determined is unethical; or
4. Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate any provision of this chapter or a regulation of the Board.

(Added to NRS by [1987, 1160](#); A [2005, 1993](#))

NRS 625A.180 Authorized actions; private reprimands prohibited; orders imposing discipline deemed public records.

1. If the Board finds after notice and a hearing as required by law, or after providing an opportunity for such a hearing, that disciplinary action is necessary, it may by order:

- (a) Place the environmental health specialist ~~or environmental health specialist trainee~~ on probation for a specified period or until further order of the Board;
 - (b) Administer a public reprimand; or
 - (c) Suspend or revoke his or her ~~certificate of registration~~ *license*.
2. If the order places an environmental health specialist or environmental health specialist trainee on probation, the Board may impose such limitations or conditions upon his or her professional activities as the Board finds consistent to protect the public health.
 3. The Board shall not administer a private reprimand.
 4. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.
(Added to NRS by [1987, 1160](#); A [1995, 92](#); [2003, 3424](#); [2005, 759, 1993](#))

NRS 625A.185 Confidentiality of certain records of Board; exceptions.

1. Except as otherwise provided in this section and [NRS 239.0115](#), a complaint filed with the Board, all documents and other information filed with the complaint and all documents and other information compiled as a result of an investigation conducted to determine whether to initiate disciplinary action against a person are confidential, unless the person submits a written statement to the Board requesting that such documents and information be made public records.
2. The charging documents filed with the Board to initiate disciplinary action pursuant to [chapter 622A](#) of NRS and all documents and information considered by the Board when determining whether to impose discipline are public records.
3. The provisions of this section do not prohibit the Board from communicating or cooperating with or providing any documents or other information to any other licensing board or any other agency that is investigating a person, including, without limitation, a law enforcement agency.
(Added to NRS by [2003, 3424](#); A [2005, 759](#); [2007, 2133](#))

UNLAWFUL ACTS; PENALTIES

NRS 625A.900 Unlawful to practice without certificate; penalties.

1. ~~On and after July 1, 2007, a~~ A person shall not engage in the practice of environmental health in this State unless the person holds a ~~certificate of registration~~ *license* as an environmental health specialist or an environmental health specialist trainee issued by the Board pursuant to this chapter.
2. Any person who violates any provision of this section is guilty of a misdemeanor.
(Added to NRS by [2005, 1985](#))

NRS 625A.910 Unlawful to use certain titles, abbreviations or letters without certificate; penalties.

1. A person shall not use the title “registered environmental health specialist,” *or the abbreviation REHS after his or her name unless the person holds certification from the National Environmental Health Association and holds a license as an environmental health specialist issued by the Board pursuant to this chapter.*

2. ~~A person shall not use the title “environmental health specialist,” or “environmental health specialist trainee “registered sanitarian” or “sanitarian,” or the abbreviation “R.E.H.S.,” “E.H.S.” or “EHST” or “R.S.” after his or her name, unless the person holds a certificate of registration license as an environmental health specialist issued by the Board pursuant to this chapter.~~

- ~~2.~~ A person shall not use the title “environmental health specialist trainee,” or any abbreviation or letters after his or her name that would suggest that the person is an *environmental health specialist or environmental health specialist trainee*, unless the person holds a ~~certificate of registration~~ *provisional license* as an environmental health specialist trainee issued by the Board pursuant to this chapter.

3. Any person who violates any provision of this section is guilty of a misdemeanor.
(Added to NRS by [1987, 1161](#); A [1995, 93](#); [2005, 1994](#))—(Substituted in revision for NRS 625A.200)