



MINUTES

NEVADA STATE BOARD of REGISTRATION for REGISTERED ENVIRONMENTAL HEALTH SANITARIANS

Meeting of September 6, 1995
Washoe County District Health Department
corner of Ninth and Wells Avenue
Reno, Nevada

Present

Clare Schmutz
Carl Cahill
Jim Pierce
Barbara Orcutt
Pete Allen

Also in Attendance

Diana Silsby
Bob Tankersley

1. Call to Order

Quorum present - 10:00am

2. Approval of Minutes of the June 21, 1995 Meeting

Minutes approved unanimously.

3. Secretary's Report

Carl Cahill reported that we currently have \$4,761.83. The Board's current membership is 27; pending action by the board may add an additional three members. This is a decrease in membership from last year.

4. Continuing Education Issues

Mr. Schmutz stated that when he was back in Denver, he attended the meeting of the registration board's chairmen, and they discussed a new NEHA examination and the study guidebook. The general consensus was that the study guide was a mess. It was voted that each chapter would be reviewed by volunteers. Mr. Schmutz signed up to review the general environmental and food chapters, and had a one-week turnaround to review it and return.

4. Continuing Education Issues (cont.)

The test will be available in October. The test will be \$80 for the first 1,000 printed; \$110 for the next 1,000 printed; and after 2,000 the price will go up again. If we sign a contract with this group, we would not know how to establish a fee. We must give thirty day notice if we wish to break our current contract with the Professional Examination Services.

1) Approval for CEU exemptions for 1995 for Pete Allen and Robert Yager.

Mr. Pierce stated he did not see any problems with the approval. Motion was made to approve CEU exemptions for 1995 for Pete Allen and Robert Yager.

2) Proposal to amend CEU requirements to two-years.

Mr. Pierce stated that a lot of people had expressed that our Board should mirror the National Environmental Health Association to save some confusion. He feels the intent is to make sure that everyone goes through some sort of educational process. Mr. Allen expressed that sometimes you can pick-up 30 CEUs one year, and CEUs can be harder to obtain the following year, so this proposal would be a lot more practical. Mr. Cahill stated it has been difficult to get WCDHD staff to get necessary CEUs due to budgetary constraints, and if it can be extended to two years, it would be easier.

Mr. Pierce stated that an issue would be whether to keep our current 10 CEU requirement or make it 24 like the National Board. Currently our regulations state 10 contact hours every year and the National requirement is 24 every two years. Our regulations actually state 20 every two years (10 per year).

Bob Tankersley addressed the Board stating that it would be easier to gain CEUs every two years, and give the opportunity to choose courses people are interested in over the two year period.

Mr. Cahill stated that we should have at least as stringent requirements as National. Mr. Schmutz stated that the Board should increase the CEUs to 24 contact hours every two years. Mr. Pierce stated that our regulations would need to be amended, and that we could possibly start in 1998, considering the need to go to LCB for amendment requirements and let REHSs know about the new change to our regulations.

The Board discussed the modification to 625A.020, which refers to 1 unit (10 contact hours). The modification to NAC 625A.020 would change to 2 units of continuing education units. Mr. Cahill stated several things will need to be changed, like the definition in our regulation, but it will need to be noticed for change.

Mr. Allen stated that NRS 625A.150 allows the Board to adopt regulations requiring registration in a program of continuing education as a prerequisite for renewal of a certification of registration.

2) Proposal to amend CEU requirements to two-years (cont).

Mr. Cahill made a motion to request Jim Pierce to submit proposed regulation amendment language for 625A.010 to change to 12 contact hours every two years to make it consistent with NRS; additionally, Sanitarian needs to be changed to Environmental Health Specialist. The Board approved the motion for Mr. Pierce to make proposed regulation changes and amendments to be submitted for Board review and public notice. This item will be added to the next agenda.

5. Request for Reciprocity by Edward Machaelwicz.

Mr. Michalewicz has been approved for reciprocity by the National Board. He is currently registered in the state of Texas and by National.

Mr. Allen requested the Board find out what criteria the National Board uses for reciprocity for the next meeting. Mr. Cahill will write to the National Board for their reciprocity standards.

The request for reciprocity for Mr. Michalewicz was approved unanimously.

6. Board Name and Implementation of Changes (REHS).

Mr. Pierce stated that when legislature started this last session, the attorney general's office wanted to do some housekeeping concerning our hearings procedures. The committee assigned to hear this changed the name from Sanitarian to Environmental Health Specialist, and the section was changed. Mr. Pierce stated that the name change will require a new seal, letterhead, account name, which will require expenditures for the Board and Board approval.

Mr. Pierce added that in accordance with the name change as approved by legislature, employees must be registered with this Board to use Environmental Health Specialist; if not registered they can use Environmentalist or Public Health Environmentalist. The Board agreed that if employees are not registered with this Board, they must be titled "Environmentalist" to avoid violation of the statutes. Mr. Pierce stated that Senator Townsend was all for mandatory registration, and that this Board should have the same restrictions and requirements of other State Boards.

Mr. Cahill said that we need to request the Board's Deputy Attorney General's opinion by letter to determine requirements or process for misuse or violation of rules in terms of using Environmental Health Specialist, or RS, or REHS.

6. Board Name (REHS) and Implementation of Changes (cont.)

Mr. Pierce will draft letter to Nancy Angres, State Chief Deputy District Attorney General for the Department of Human Resources, from Clare, Chairman, requesting procedural policy on what we will do if anyone uses REHS that is not registered with this Board; and how to get the information out to people (notification). The draft letter will be sent or FAXed to all Board members for review and comment prior to sending to Ms. Angres. Upon response from DAG, the Board will then amend the NACs so that in the event we want to pursue it, since the statutes makes it a misdemeanor, we will have it in our NACs to issue them a notice telling them what the law requires and that they have a period of time to cease and desist, or get registered, or follow due-process, such as filing a complaint with the courts.

Mr. Cahill said that once we have the DAGs opinion we will need to send a letter to all the employers, all political jurisdictions, federal agencies, etc., to notify them of the requirement. Mr. Cahill stated that once we have the opinion back from the DAG, we should have a conference call to discuss it and then send out letters.

The Board unanimously approved the purchases of the seal embosser, checking account name change, letterhead name, stamps, and other necessary items to conform with the new name consistent with NRS.

7. (1) Survey.

Mr. Pierce summarized the survey responses. Twelve responses were received, mostly by registered employees. **Question:** Are you eligible for registration? **Response:** 11-yes, 1-no. **Question:** Are you currently registered by the Board? **Response:** 8-yes, 4-no. **Question:** If you are registered, why? **Response:** pressure from the supervisor; hope that the Board would have triggered mandatory registration; maintain professional status and recognition from peers and public; personal pride and career development; personal achievement; reciprocity from the National to State. **Question:** If not registered, what are your reasons for not becoming registered? **Response:** No direct benefit since it is not required for the job; the National registration is just as good. **Question:** If not registered are there conditions under which you would become registered? **Response:** show where State registration would benefit over National registration (advantage to me). **Question:** List some things you think the Board should be doing or addressing? **Response:** educational programs, workshops to help candidates study, this includes outlining elements required for the test; control registration in the State, make it mandatory (lobbying), advancement opportunities in the job; notify and encourage registrants to attend meetings; get more involved with National.

Question: What do you see as the most compelling reason for becoming registered? **Response:** achieve uniform knowledge of basic abilities and prove educational aspects; status and prestige; registration signifies a level of expertise and confidence based on education and experience; help advance the environmentalist as a professional; personal career advancement, salary, promote the environmentalist as becoming recognized by the public as

7. (1) Survey.

professional. **Question:** What do you see as good ways to encourage registration?

Response: Employers need to offer time (administrative leave) to study, educational expenses to provide CEUs; provide study materials; make registration mandatory for some or all positions, certain positions; as an incentive improve the salary of those that are registered, provide a monthly newsletter to keep people informed of meetings; provide better visibility, i.e., press releases to promote the profession, work at the legislature, promote the Board to the National Environmental Health Association; peer pressure; make it worth the money for registration. **Question:** Would you like to be informed of Board meetings?

Response: 9-yes, 2-no.

Mr. Allen questioned the educational workshop issues, in respect to something that the Board should be involved in. Mr. Cahill stated he thought the Association should be taking care of that issue. Mr. Pierce said he understood from the survey that people would like the Board to promote itself more with the public. Mr. Cahill said he could possibly pass this information on to the Washoe County Public Information staff person to release this information for promotion. Mr. Pierce will also publish information about the Board in his newsletter which is widely distributed.

8. (2) Enforcement of statutes required for using REHS title.

Previously discussed by the Board in this meeting.

(3) New registration exam being developed by the National Environmental Health Association.

Mr. Schmutz stated he did not think it appropriate for this Board to buy study guides for employees; just to make it known that study guides are available.

Mr. Schmutz stated that NAI is a testing agency to proctor exams and order exams from them. They have an office located in Reno, and will proctor exams in Reno and Las Vegas.

Mr. Cahill stated that any individual who wants to register with this Board must apply with this Board and not the National Board. He said he will contact Nelson Fabian and let them know that their registrants cannot use REHS unless registered through the State Board of Environmental Health Specialists. He will ask about their reciprocity requirements also.

Mr. Pierce stated that National should be informed that they should relay to people that they are registered with the National, but they are not registered to work as an Registered Environmental Health Specialist in the State of Nevada unless they are registered with the State Board.

(3) New registration exam being developed by the National Environmental Health Association.

The Board will not take action on this agenda item until we get an opinion from District Attorney General on the issue of using the title when not registered with the State Board.

Ms. Orcutt stated that this will also elevate the image of the State Board, such as the Professional Engineering Board, if registration becomes mandatory.

Mr. Pierce read NRS 625A.020 which states: "an Environmental Health Specialist means a person who is qualified to advocate or recommend the use of sanitary measures for the public benefit by reason of educational practical training and experience as determined by the Board to be satisfactory." He stated his interpretation of this statute is to mean that if you are in the environmental health field, you are an "Environmental Health Specialist", but you cannot be an Environmental Health Specialist unless you are registered, and this would affect a lot of people in a lot of fields. Much of this will be contingent upon the decision of the DAG's response.

Mr. Cahill said that once the statute is written, it would be ex-post facto; those employees already employed would not be affected. Mr. Pierce said it would apply October 1st as stated by legislature. Mr. Allen said there is a "grandfather" clause in NAC. Mr. Schmutz questioned the prohibition of someone from having an Environmental Health Supervisor. Mr. Pierce stated this would be okay as long as they were not called Environmental Health Specialist Supervisor. Mr. Pierce said he will write in the letter to the DAG that this statute becomes effective October 1st. Mr. Cahill said that we have many questions to ask the DAG for opinion, and that would give us some direction to proceed with.

8. General Comment/Discussion

Mr. Allen told the Board that he had priced plaques for Posthumous Awards and the cost would be approximately \$70 per plaque. He stated that the Board needs to set criteria for posthumous awards and choose two names for awards at the next meeting. The criterion will include: registration with the Board, contribution to the field of public health (subjective for Board's decision); 20-years service. Mastrolanni, Warden, Hunter, Bohdan, Perretto, MacNamara and Reynolds were named as designees for awards. Mr. Allen stated that we should do at least three awards now, and possibly two awards per year; awarding Mastrolanni, Warden and Hunter now. Mr. Mastrolanni's family received his award several years ago. Mr. Warden and Mr. Hunter's certificate awards will be made and framed and given to their families.

8. General Comment/Discussion (cont.)

Jim Pierce read minutes of the April 13, 1994 Board meeting which read that "Mr. Schmutz stated that approximately three years ago the Board would give awards to Doc Mastroianni and Web Hunter a posthumous award. At that time, the Board was going to make it a political award with the Governor and the families present, but it was never done. Clare asked if the Board is interested in continuing with this award. The criteria was that the recipient be a past member and they contributed significantly to the field of environmental health. Carl stated that he would like to have an award for recognition posthumously, but without the political fanfare and the families would receive this. Clare stated that we would have to set guidelines to qualify. Pete said some of this could be subjective, but if we have a couple per year and you have certain criteria to follow and do it without the fanfare. Barbara Orcutt asked if we would be following through with the two awards, and had we contacted the families, and that it would be a shame to not follow through with this. Carl asked if we want this to be an award or a recognition of their contributions; preferably an award to give to the families. Pete stated that the criteria could include number of years of service, NEHA involvement, other awards received. Barbara stated that we may want to put a time period in the criteria. John Fuller said he would like to receive an award after 15 years of service while he is still alive. Pete said he would like to see two people per year awarded at the NEHA meeting. The Board resolved to establish a posthumous award, and bring it forward as a retirement award so it would be entirely posthumous, this will be considered as recognition. Pete Allen moved for an annual recognition for two retired Public Health Sanitarians and to draw up a list for posthumous recognition for the next meeting and come up with criteria at the same time. The motion was carried."

Mr. Cahill pointed out that this item should then have been added to this meeting's agenda, but was overlooked.

Mr. Cahill stated due to the cost of the plaques and our budget limits, we should make up a scroll or certificate as the posthumous award. Mr. Allen commented that as John Fuller stated to the Board previously, he would like the recognition while he is still alive; however, we need to take care of the posthumous awards that are significant, and have been discussed at past meetings.

Mr. Allen will set up a draft for Board members of criterion for the awards for presentation at the next meeting.

Mr. Cahill asked that the next meeting agenda include an action item on the selection of the two recipients and the criteria. Mr. Allen asked that we also decide on what type of award we will give to the recipients.

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8. General Comment/Discussion (cont.)

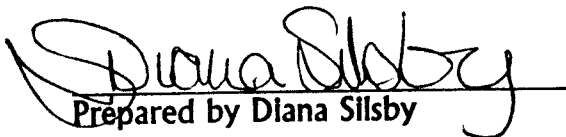
Mr. Pierce stated we could give the awards out to recipients or heirs at the NEHA meetings as part of the awards presentations.

Mr. Pierce mentioned to the Board that he had received test results (178/71.2%) from PES for Scott Leroy of New York. An application has not yet been received.

9. Schedule next meeting date.

A teleconference call will be scheduled at a later date. A meeting will be set concurrently with the NEHA meeting in April 1996.

Meeting adjourned at 12:10pm.


Prepared by Diana Silsby

original signed
By CARL CAHILL
Carl Cahill, Board Secretary