

**Minutes of the State of Nevada
Board of Registered Environmental Health Specialists Meeting
November 18, 2005 – 9:00 am**

Location: Ellis Island Casino and Brewery

Quorum Present: Teresa Long, R.E.H.S., Chairwoman
Daniel J. Maxson, R.E.H.S., Secretary
John Kukulica, FMP, Member
Karen Dorsey, R.E.H.S., FMP, Member
Cynthia L. Ulch, R.E.H.S., Member

Attendees

Name	Title/Organization
Teresa Long, R.E.H.S.	Board of R.E.H.S., Chairwoman/Washoe County District Health Dept.
Daniel J. Maxson, R.E.H.S	Board of R.E.H.S., Secretary/Environmental Health Supervisor, Clark County Health District
Karen Dorsey, FMP	Board of R.E.H.S., Member/President, Ellis Island Casino and Brewery
John Kukulica, FMP	Board of R.E.H.S., Member/Food & Beverage Director, Sands Regency Hotel and Casino, Reno
Cynthia L. Ulch, R.E.H.S	Board of R.E.H.S., Member/Nevada State Health Division, Public Health Rating and Survey Officer Representing the State Health Office
Peter S. Allen, R.E.H.S	Board of R.E.H.S., Past Chairman/Environmental Services, Ltd.
Leslie Wisniewski, CFSP	Consultant/Self-Employed, Industry
Richard Elloyan, R.E.H.S	State of Nevada, Bureau of Health Protection Services
Glenn D. Savage	Clark County Health District/Director of Environmental Health
Larry Marr	Industry
Steven Ross	Las Vegas Valley Water District
Dale Walsh, CIH	Converse Consultants
Bob Kuchar	Not signed in
Sandy Bigley	Board of R.E.H.S., Recording Secretary

1. Call To order

Chairwoman Long called the meeting to order at 9:06 am. A quorum was present and the meeting had been duly noticed.

2. Review, Amend and Approve Past Draft Minutes (Las Vegas Meeting, August 18, 2005)

It was motioned by Secretary Maxson, seconded by Member Dorsey and carried unanimously to approve the minutes of the August 18, 2005 with amendments for spelling, titles and the changing of the following: (1) Item #8, paragraph one to read, ...in getting her Assembly Bill (AB 260) passed...(2) Item #8, paragraph two to read, ...Daniel asked her to introduce a mandatory R.E.H.S Bill...(3) Item #8, paragraph three to read, ...presented with an Honorary R.E.H.S. Certificate...(4) Item #9, paragraph one to read, ...Doug worked his entire adult work life... and ...He worked for 28 years for...(5) Item #10, paragraph two bulleted item one, ...The Board does not want them to be forced to register...

3. *Review Secretary's Report (including finances and 2006 Fiscal Budget) – Daniel Maxson

Secretary Maxson distributed the Balance Sheet, Income and Expense Report and a Projected Budget using Mandatory Registration. These reports included a copy of the bank statement, a reconciliation summary and detail sheets (four) for the proposed Mandatory Registration budget. These documents show what has happened since June 30, 2005. Also distributed was a copy of the letter that is to be forwarded to the State of Nevada, Legislative Counsel Bureau, Mr. Paul V. Townsend, Legislative Auditor along with a copy of the Board member's contact information.

The letter, and applicable documents, is due no later than December 1, 2005. Secretary Maxson asked for feedback from the Board for any contact changes at the end of this meeting. This document will also be forwarded to the Governor's office. Member Ulch commented to please give Secretary Maxson the changes, as this letter needs to go out today. It must be received in a timely manner.

Chairwoman Long wanted it noted, for the record, that a budgetary meeting will need to be held when more definitive numbers can be gathered for the 2006 projected fiscal budget.

It was motioned by Member Dorsey, seconded by Member Kukulica and carried unanimously to accept the reports as given.

4. Report On Progress of Managing the Impact of AB 260 (Mandatory Registration) Post Legislation to the Board and Where We Are Now

Chairwoman Long commented that AB 260 passed on July 1, 2005. She has received about 15 applications. Washoe County is almost up to speed with fingerprint documentation.

Chairwoman Long noted that, as a Board, we are pressing on to get our legs under us, specifically herself. Chairwoman Long commented that it is uncharted territory for her and she has made mistakes, but is correcting them.

Chairwoman Long motioned to go out of agenda order to the Public Comment (Item #17) portion so this item could be discussed. Secretary Maxson seconded the motion. The motion carried, with Member Dorsey opposing stating that other people from the public may be late arriving and was afraid they may not have an opportunity to speak. This was duly noted with the caveat that the public comment portion could be re-opened if necessary. See Item #17.

It was motioned by Secretary Maxson, seconded by Member Kukulica and carried unanimously to make a part of these minutes the attachments and history of AB 260 and post them to the Board's Website. Chairwoman Long noted that they are already on the Website.

5. *Update on the Discussion and Possible Action on Administrative Changes Required Post-Mandatory Registration, to Include Hiring of Staff, Rental of Office Space, Purchase of Equipment and Installation of Utilities

Chairwoman Long commented that this item was on the last agenda. This was brought back to the Board because more changes will be affected. At one time there was talk about hiring an additional recording secretary, however that is not going to be done. Secretary Maxson asked that Recording Secretary Bigley provide a couple of additional names that may be used as a back up if Recording Secretary Bigley is unavailable. Ms. Bigley will do this.

Attendee Savage noted that he has discussed with Secretary Maxson and CCHD's Chief Health Officer, Dr. Kwalick that CCHD is willing to do what it can to help out. CCHD will allow Ms. Bigley to help out to the extent possible.

Chairwoman Long stated that she has a PO Box in Reno. Secretary Maxson commented that the recording secretary is here and a procedure needs to be developed for the easy flow of work. It was noted that it might be better to have the office in Reno vs. Las Vegas. Member Ulch asked Chairwoman Long if any discussion with Bob Sack had occurred regarding office space at the WCDHD such as CCHD offered in Las Vegas. Chairwoman Long did have a conversation with Mr. Sack and it was determined that office space is not available at this time.

Chairwoman Long stated that she is willing to lend resources, however she would like to know how the Board feels. The PO Box was established in the North after it was noted that Secretary Maxson was going to resign. It was noted that the information could be sent to Member Ulch, scanned and forwarded to the Board Secretary where they could keep actual "paper" history. Secretary Maxson commented that scanning is a lot of work, but provides protection. We may need two offices, say a small one in Washoe and a larger one in Las Vegas.

Member Ulch stated that document processing needs to be at the point of release. Chairwoman Long commented that until the Board obtains computers, etc., Bob Sack said we could use theirs. Secretary Maxson stated that we have budgeted for office equipment and prices have went down. Chairwoman Long commented that a committee might need to be formed. The process for scanning documents and document location was also reviewed. Chairwoman Long noted that the PO Box she currently has is for a six-month period. Secretary Maxson stated that once a new address is posted on the Website, the old PO Box will die.

Member Dorsey asked if Chairwoman Long could do a "home" office and maintain files. Chairwoman Long stated she could do that, however there was concern over liability issues and security of files. Secretary Maxson mentioned that there are places that offer secure "mini" offices. There was discussion on this item, with price ranges being mentioned from 150.00 per month to 400.00 per month. Member Ulch noted that she knows of a small space in her area that is about 150.00 per month and that she may be able to get a better offer than that. The office is already set up with locked doors and computer and phone hook-ups. She will investigate to see if it is still available. Member Ulch further noted that she can work on Board issues as it is part of her job description.

Secretary Maxson noted that in the past items were stored in his and Past Chairman Allen's basements. Past Chairman Allen commented, "This is not your dad's REHS Board." There was discussion that eventually the Board would need to have posted office hours. This could be a voice mail to start with, checking it on a regular basis.

It was motioned by Chairwoman Long, seconded by Member Dorsey and carried unanimously for Member Ulch to look into the issue of office space.

6. *Discussion of Changes to NAC 625A, Required Post-Mandatory Registration (Pete Allen, John Kukulica and Jim Pierce)

Past Chairman Allen reviewed the process of changing NAC's and mandatory registration. He noted that the process consists of workshops and hearings. It is recommended that this take place in 2006. A Board meeting, possibly via a conference call, will be called to discuss this item. A conference call is within the guidelines of the OML. Items that will need to be addressed include approved training program, administration of exams, CEU's, annual renewals, hearing process, reinstatements and disciplinary actions.

Past Chairman Allen further noted that the posting of the workshops and hearings are done in a similar manner to posting for a meeting. With the expansion of the Board, there is an expanded

list of interested parties. These contacts will be added to the posting list. There is a deadline of June 2006 to complete this process. If it is not completed by that time, it will have to go as a temporary process and wait until 2007 to institute a permanent process. There is also a period of 30 days for public comment.

Member Kukulica motioned, Secretary Maxson seconded and it was carried unanimously to hold the workshop, public hearing and regular Board meeting in late January or early February of 2006. It was noted that we need to insure that the postings are done at least 30 days prior to the meeting. Separate postings need to be done for each of the three topics.

7. *Discussion of NRS 622, and its Requirements Pertaining to the Board; Quarterly Disciplinary Action Report, Biennial Reports, Tally of Registrants, Certain Disclosures, Forms, Tickler File, Record Retention Schedule, Use of New Electronic/Paper Filing System. Action on who this will be assigned to.

Chairwoman Long commented that all of the above reports need to be submitted in a timely manner and in accordance with NRS 622. The Board was late on the last disciplinary and biennial reports. Chairwoman Long would like to assign someone to be responsible for these submissions. Secretary Maxson stated that he would provide Chairwoman Long with a tally of registrants. Chairwoman Long will continue with the disciplinary and biennial reports. It was noted that time frames for record retention varies depending on what it is. Past Chairman Allen suggested to use an Outlook, or similar type of calendar, to track time frames.

Chairwoman Long commented that in order to insure that there are complete histories a scanned electronic copy along with a paper copy should be retained. Member Ulch concurred, noting that it would better protect the Board from any perceived notions of alteration and would maintain the Board's creditability. Member Ulch motioned with Member Dorsey seconding the motion to adopt an electronic paper filing system and to accept Chairwoman Long's offer to maintain Disciplinary Action and Biennial reports. This motion carried unanimously.

8. *Need to Establish Sub-Committee's for the Following: Standard Operation Procedures (SOP's) for NAC Changes; Reviewing/Processing Applications and Issuing Certificates

Chairwoman Long stated there is a need for a sub-committee to review applications (make get as many as 90 at one time), issue certificates and associated work, assemble membership cards and mailing list, process applications, SOP's and By-Laws. Secretary Maxson volunteered to promulgate SOP's for certificates and order enough to last for a lengthy period of time. There was discussion on By-Laws for the Board. Attendee Ross stated he would make available a boilerplate template to use as a guideline for the By-Laws for the Board.

Member Ulch motioned, Member Dorsey seconded and it carried unanimously that Secretary Maxson would work on SOP's for the applications and certificates and the balance of the items in #8 would be tabled.

9. *Discussion on Fidelity Insurance (Coverage for Theft, Embezzlement, Etc., Essentially Bonding)

Chairwoman Long commented that at the last Board meeting there was discussion on bonding for the Board. At that time the Board decided not to act on this issue. However, since that time Chairwoman Long has touched base with the State Risk Management and due to the minimal cost suggested that the Board be bonded. State Risk Management uses Fidelity Insurance for coverage at the monthly cost of 2.95 per person. There was discussion on the need to do this. Member Dorsey motioned, Member Kukulica seconded the motion and it carried unanimously to utilize Fidelity Insurance and to bond each Board member.

10. *Discussion and Possible Action on Bank Account...(Requirement of Two Signatures, Online Banking, Who's Eligible to Write Checks, etc.)

Secretary Maxson reported on this item. He stated that Bank of America no longer requires two signatures. The Board is a sub-account of the Nevada State Treasury. If we choose to go to a two-signature account the Board has to either bow out of Bank of America or get our own account with our own tax identification number. Secretary Maxson commented that he is supportive of online banking where any Board member can, with a personal sign-on and password, review the account. Bank of America needs the approved minutes from a meeting that shows Chairwoman Long as the chairperson. Then either Secretary Maxson or Member Ulch will be able to write checks. Chairwoman Long stated she is more comfortable with online banking, and the use of a one-signature account, as long as all Board members have online access to view the account.

Secretary Maxson noted that the Board has what is called a corporate account. It is a unique account because it will allow online viewing to the Board while denying access to other Nevada State Treasury accounts, of which we are only one of the sub-accounts. Secretary Maxson commented that he is waiting for verification from Bank of America as to the cost. Chairwoman Long commented that she would like contact names at Bank of America to verify that more than one person has access to insure the checks and balances of the Board. Secretary Maxson will provide this information to her. Secretary Maxson reminded the Board that approved minutes from the August 18, 2005 meeting must be submitted to Bank of America.

11. *Review and Vote on Contract for Recording Secretary

A copy of the contract proposal for the recording secretary was distributed. At the request of the recording secretary item #2 which reads in part ...e-mail file attachment for editing within five calendar be changed to seven calendar days...Secretary Maxson motioned, Member Kukulica seconded the motion and it carried unanimously to change item #2 to seven calendar days.

12. *Discussion of Possible Memorandums of Understanding with the Human Resources or Personnel Departments of Agencies Affected by NRS 625A Regarding Delinquent or Non-Compliant Registrants.

This item will fall into the category of written SOP's. Chairwoman Long motioned, Member Ulch seconded and the motion carried unanimously to table this item.

13. Discussion on Status of REHS library's (North and South). Logistics of People Being Able to Check Books Out and Possibly Getting Information on Website.

The REHS library is housed at the Nevada Restaurant Association (NRA) and will continue at that site. The fax number for the NRA is (702) 878-5009. Their address is 1500 East Tropicana Avenue, Las Vegas, Nevada. There is a form available at the NRA for checking out resources. Member Kukulica recommended that the form be posted to the Website. Past Chairman Allen commented that all the administrative work is done at the NRA. Anyone can check out the collateral material. If you are unfamiliar with the library, you can go to NVREHS' Website. The logistics of the library were discussed and Member Kukulica will verify the best way to coordinate the information from National to the Board's Website.

14. Discussion on Open Window with NEHA (Must Compile a Spreadsheet with Contact Information for Interested Individuals and Send to NEHA)

Chairwoman Long stated that with the approval of the Board she would contract with National for them to administer the registrants and their information. The contract would run from January 1, 2006 through December 31, 2006. This would basically confirm that National would

recognize anyone that the Board says is an REHS and for a period of one year grandfather them.

Past Chairman Allen gave a historical narrative. In 1989 there was an open window. One person was grandfathered and they said they would not open the window again. Mr. Clare Schmutz, former Director of Environmental Health for Clark County Health District, however, stated that they would open the window if there was mandatory registration.

Chairwoman Long noted that the Board has to submit a spreadsheet of anyone who wants to register, noting that it can be accomplished in one of two ways; (1) contact National on an individual basis or (2) submit a list of interested parties to National.

Member Ulch commented that when we give them a list the Board will have ascertained their interest before we register them.

There was discussion on this item. Secretary Maxson commented that this item is not an action item and does not need a vote. Secretary Maxson stated that in the past, Past Chairman Allen signed routine contracts without the Board's permission. Past Chairman Allen stated that he believes the items were taken to the Board, or perhaps he was out of order by signing them.

Chairwoman Long stated that until the SOP's are developed the Board needs to run the organization and come up with a way to process applications. Member Ulch asked how many applications we currently have. Chairwoman Long believes there are 15.

Secretary Maxson asked if this item could be carried to the next agenda and move to a window of, say, March 1, 2006? Chairwoman Long stated that she previously assured Heidi Shaw that this would be the last request for a window time frame; however, the Board can meet, even if it is via a conference call, to confirm how we are going to proceed. Member Dorsey asked if some "bulleted" items could be determined, such as scanning, etc. Chairwoman Long commented that applications can be processed right away and that internal cursory guidelines can be written. Chairwoman Long and Member Dorsey will work on guidelines. Secretary Maxson stated that the Board can at least process applications that come in from public agencies that we know meet the standards.

Bob Kuchar commented that one of the 15 applications was his and will be receive acknowledgment of acceptance or rejection via mail? Secretary Maxson commented that in reviewing Mr. Kuchar's application, and the fact that he is sitting for the exam on January 10, 2006, he can assume he is approved. Chairwoman Long confirmed that his application does qualify.

15. *Review and Vote on NEHA Contract for Tracking CEU's.

Past Chairman Allen commented that the Board is moving in the right direction by having NEHA track CEU's. It is a big job. Secretary Maxson commented that he cannot remember what time frame there is for record retention for CEU's. They may need to be retained for a year or two. Chairwoman Long commented that if NEHA kept them we could always get a copy if needed.

There was discussion that a person could check his/her CEU's online, however could not get a copy of the actual certificate. It is the responsibility of the individual to retain a copy for his or her own records.

Secretary Maxson questioned if the Board would have access to actual documents. Member Ulch commented that NEHA always sends the report to the Board and as long as the documents can be verified, that should be sufficient. Secretary Maxson suggested we get a price, from NEHA, on an annual report.

The original motion by Member Kukulica and seconded by Member Ulch was to accept the agreement with NEHA to track CEU's. This was amended to request that Chairwoman Long contact Heidi Shaw at National requesting an annual report from NEHA be included verifying that CEU's from Nevada's candidates are as submitted. Member Ulch commented that the Board needs to request this from NEHA by December 1, 2005 so we have something to compare. After much discussion, the motion was withdrawn due in part to concerns in the NEHA contract. Member Dorsey motioned, Member Ulch seconded and the motion was carried unanimously to table this item until the next meeting.

16. Discussion of Fingerprinting Issues

This item was discussed in the public comment portion of this agenda that was taken out of order. See items #4 and #17.

17. Public Comment – Please note that no action may be taken on any matter raised during the public comment period, unless such matter itself has been specifically listed above as an agenda item.

Attendee Savage commented that Washoe County may be up to speed by December, however, there are approximately 110 Clark County Health District (CCHD) Environmental Health Specialists (EHS) not yet submitted. Attendee Savage noted that he had left a CCHD staff meeting to attend this meeting. He has concerns about the fingerprinting process questioning if EHS' that have already been fingerprinted have to spend money to do it again, noting that some of the EHS' have already been through a background check by CCHD's Human Resource Department. Are we reinventing the wheel? How are you going to proceed?

Attendee Savage commented that he had several conversations with Jimmy Vigilante, Lead Industry Chairperson for the State of Nevada Food Safety Task Force, regarding instituting a program with Industry. If they are doing pools, plan review, foodborne illnesses, aren't they protecting the public health? Should they be included for registration? According to CCHD's Chief Health Officer, Dr. Kwalick, they should. If they are not getting an opportunity to be registered, they may be losing out on jobs and promotions. There is also a question of legality by not allowing individuals to do business in the state.

Attendee Savage further noted that CCHD supported this legislation. There were many phone calls during this time. A lot of hard work and efforts were put forth both by the Board and non-Board entities (people). CCHD wants to go forward, not backward. If Industry is not allowed to be registered, they may not get an opportunity to be a consultant. Don't be an exclusive, elitist club for just a few governmental agencies.

Attendee Savage stated that he has budgeted to pay registration fees for his entire staff. CCHD makes sure that all CEU's are maintained and that EHS' are trained so they may pass the test.

Secretary Maxson received an email from Jimmy Vigilante regarding registration and the grandfathering clause. A copy of that email is attached to the minutes and made a part of the record.

Member Dorsey thanked Attendee Savage for his comments noting that they are well taken.

Member Dorsey asked Chairwoman Long to respond to the fingerprinting issue. Chairwoman Long commented that when the Bill was passed, representatives from the Attorney General's office Mr. Howle and Ms. Rasul reviewed the Bill. It was determined that anyone who applies in the State of Nevada has to be fingerprinted. Chairwoman Long researched this item to insure that it was not done in an arbitrary manner. Past Chairman Allen stated that the Board did not insert this section. Senator Heck introduced it. Attendee Savage asked that this be put in writing for him.

Secretary Maxson stated that in Las Vegas Valley you can get fingerprinted at the Las Vegas Metropolitan Police Department (LVMPD) on Cameron, off of Tropicana. The cost is 10.00 per card (20.00 total-one for the FBI and one for the State).

Secretary Maxson commented that CCHD has a Constable from Boulder City, Paul Klouse; can he do the fingerprinting for his fellow employees? He has offered to do them at no charge. He is certified. Attendee Elloyan commented that most of the fingerprints are computerized. It was noted that states and counties differ. Some only have criminals and deputies' fingerprints on file electronically.

Secretary Maxson asked Chairwoman Long to check with Nevada Repository to determine their requirements. Chairwoman Long agreed to do this. She noted that perhaps a day and time could be set aside to just to County employees.

Dale Walsh, Converse Consultants, questioned if fingerprinting is for a background check? Can you just provide a background check? Would I still need to go to LVMPD?

Chairwoman Long stated that it is the law if you apply for REHS status in Nevada you must submit two sets of fingerprints; one to the FBI and one to the State of Nevada. That is why there are two different sets of cards that need to be submitted. Chairwoman Long further stated that the Board has not as yet implemented a process for reviewing the applications.

Member Ulch stated that if you work for the Federal Government, Welfare, etc., you have to have to be fingerprinted each time for each agency.

Member Dorsey commented that from Industry's standpoint there are several private agencies that are accepted for fingerprinting submissions. There are some of the agencies that have the ability to submit them electronically.

Chairwoman Long had a conversation with Pamela Sebring at the Nevada Repository and that she stated that electronic fingerprinting is acceptable. Secretary Maxson asked for confirmation that if the prints are done electronically they can be submitted. Chairwoman Long stated that she would obtain verification.

Attendee Steve Ross, LVMPD, questioned if Washoe County is required to have work cards to work in a casino. Chairwoman Long stated they do not. Secretary Maxson asked Attendee Ross if LVMPD is computerized. Attendee Ross commented they are, via digital and then lasered. Member Dorsey noted that there are some independent fingerprinting agencies that are acceptable. Attendee Savage asked for clarification on the procedure.

Chairwoman Long stated that to put to rest rumors regarding an email that she sent out. Chairwoman Long commented that she made a mistake. She sent out an email memo to Board

members regarding information she received about grandfathering. There was a concern that the integrity of the Board would be watered down if someone didn't qualify. Chairwoman Long admitted that she wasn't familiar with the Open Meeting Law (OML) and blasted an email to the Board pouring her heart out. "My beliefs, my concerns, please respond." By asking them to respond, the OML was violated. Since this time Chairwoman Long has attended training on OML.

Chairwoman Long advised the Attorney General's representative that the OML was unintentionally violated and that it would never happen again. That email was the mistake.

Chairwoman Long researched this piece of legislation from beginning to end to determine who would be grandfathered and who was going to be affected by the law. All three health agencies were for grandfathering. The main concerns if they were not grandfathered was the lose of livelihood and being passed up for promotions.

Chairwoman Long noted that there was a flood of fears and that it was not her intention to discredit any consultant and their livelihood. If we take each individual on a case by case basis we open ourselves up to lawsuits. Chairwoman Long wants the Board to have the highest integrity.

Past Chairman Allen commented that he went to the AG's office training and mentioned that most people when asked if this action (email) violated the OML, most thought it did not and were surprised when they found out it did.

Attendee Savage commented that he did not believe this was done maliciously, everyone makes mistakes. You also have to be careful if you do something (grandfather) as a whole, you could open yourselves to a class action lawsuit.

Chairwoman Long noted that she understands and was trying to get input. Guidelines need to be established.

Secretary Maxson commented that Chairwoman Long was ultimately trying to resolve issues. Secretary Maxson and Past Chairman Allen spent many sleepless nights trying to hammer out amendments. Secretary Maxson has brought documents, to hopefully get back to the original intent, when Agenda Item #4 is discussed and be able to institute guidelines. Member Dorsey concurred that guidelines need to be established.

Attendee Savage commented that CCHD is embracing registration. His staff is willing to do what is necessary to speed it along. CEU's need to be reviewed. More in-house, and outside, training may need to be accomplished. There was a question if a list could be established, vs., individual pieces of paper for each person.

Attendee Walsh commented that the biggest problem is that the term "environmental health" is such a broad term. It needs to be defined. The term Sanitarian had a better focus on what you do. He is a Certified Industrial Hygienist (CIH) and went through the same thing. Now it seems you have to have a basic background to be a CIH and an EHS – they overlap. What is a REHS? Is it a mold specialist? A food inspector? Too broad of a term.

Past Chairman Allen commented that they went in with a laundry list of what it covers. The Bill was almost lost because of that. On advice of legal counsel, we "dumped" most of the term of what it covered and made it more generic.

Attendee Walsh commented that we may need to be “sub-specialized,” – chemical, engineer, general practitioner, etc. Testing may need to be diversified. As a CIH Attendee Walsh wants to do, say legionella, norovirus, etc., but if he has to do, say food safety, he is not interested. He is more interested and his expertise lies in clean-up. Chairwoman Long commented that she understands his position, but as an REHS he may be required to do other things. Member Dorsey stated that NRS 625A.020 clearly defines what an EHS is.

Past Chairman Allen noted that AB 260 has changed all of that. He doesn't believe that the intent was to have a whole list of what it is to be an REHS. That is the purpose of education.

Secretary Maxson commented that you can specialize in one area and still follow the National model. Some would like to have Mandatory Registration and some would not. Some private enterprises do the same things. Again, guidelines need to be established for the grandfathering process.

Secretary Maxson distributed copies of minutes of the Subcommittee of the Senate Committee on Commerce and Labor's 73rd Session held on May 9, 2005. Page one indicates who was there. On page four, beginning with Senator Heck's comments defines clarification. I think you could take language, if in the private sector, and you would not be required to be registered, but could voluntarily do so. Can you register with a grandfather clause, or do you have to sit for the exam? Trying to determine if private sector is treated like the public sector.

Attendee Walsh commented that looking to the future, if you are going to have to be registered to look at other issues and enforcement, such as mold, then he would rather be registered.

Secretary Maxson stated that in 2005 the Board took the position that this Bill might go forward and mold assessment was given exclusions and spelled out. What could happen, if Senator Coffin garnered enough support, mold would be a sub-specialist under REHS.

Past Chairman Allen noted that all that testified at the Commerce and Labor hearing wanted the time frame to be for an inclusive and specific period of time. The window is open and it will be closing. While the window is open, grandfather liberally.

Attendee Larry Marr asked for clarification. He worked at the Luxor for seven years (no longer there). He does not want to be eliminated because he is not an REHS.

Attendee Savage commented that he has worked with Attendee Marr for years when he was at the Luxor, where Mr. Marr did food, plan review, assisted with hotel management, food production, food inspections, etc. Chairwoman Long asked if Mr. Marr was employed on July 1, 2005. Mr. Marr stated he was. Mr. Savage stated that about July 1, 2005 Mr. Marr worked for the Luxor as head of food and beverage. There was a corporate change and a lot of people left. Mr. Marr went to Florida about that time, however he has done the work for seven years.

Chairwoman Long stated that the bill clearly states that on the date the bill passed, and if you were working on that date, you would be grandfathered.

Attendee Savage commented that Mr. Marr has taken information provided to him and trained chefs, etc. CCHD has partnered with him to do presentations to many types of environmental health people, risk management, food, pools, etc.

Member Dorsey stated that she had spoke with Mr. Marr on the phone and he is a perfect example of what we are facing with this decision. This shows concern and passion and speaks volumes on what we have to face. When Clare Schmutz was alive, we spoke to him about bringing his expertise to the Board as a “restaurateur.” These consultants are assets to Industry.

Attendee Elloyan asked if Mr. Marr would be able to apply for a job with a health division with his background? Chairwoman Long commented that he would not.

Secretary Maxson noted that this is a time of marked change. We are doing what California did in the 1940’s. It is pretty typical. The bottom line is it is up to the Board to enforce CEU’s, hold to standards and investigate complaints.

Past Chairman Allen commented that the first time this issue came up there was concurrence that it is the responsibility of the REHS to obtain 24 hours of CEU’s.

Member Ulch commented that if someone applies under the grandfather clause and does not complete their CEU’s, they will fall by the wayside and be dropped. Twenty four CEU’s can be obtained in one week of attending a food safety course.

Attendee Savage commented that one of his supervisors obtained 60 CEU’s in one year. It is important that Industry “comes along for the ride.” He further noted that CCHD is widening their horizon by becoming more involved in the bioterrorism field, nursing, consultants, etc., and we want to be able to work together and want them ready to help us.

Attendee Wisniewski, a private consultant, is concerned whether she can continue to do the same job (food safety) that she has for the last three years. Chairwoman Long commented that she may be called upon to do all facets of environmental health. It would be up to the agency whether someone would do food safety or, say, solid waste. Member Ulch concurred that sometimes it is an effort to comply with CEU’s.

There was further discussion between the attendees and Board regarding grandfathering, inclusions, exclusions, etc. Attendee Ross noted that he is a Certified Environmental Manger (CEM) and is governed by permits vs. regulations. Attendee Savage noted that he has 22 people in solid waste. If Mr. Ross doesn’t qualify, then neither do his 22 staff persons. It was noted that CEM’s and CIH’s have to have 40 hours of CEU’s. Hopefully by the end of this meeting there will be clarification.

Chairwoman Long commented that the Board does not want to negatively impact anyone’s work. Industry has to decide if they want to be an REHS or not. It is up to the people that hire you if they want you to have the credentials. Attendee Ross commented that people “glom” on to credential “initials,” and that if there is a state mandate the public would look for those initials (REHS)after your name. Secretary Maxson commented that whenever you have a new law it raises the bar.

At this time Secretary Maxson motioned, Member Dorsey seconded and it carried unanimously to return to Agenda Item #4.

18. *Set Date for Next Meeting

Chairwoman Long motioned, Secretary Maxson seconded the motion and it was carried unanimously that, (1) the next meeting will be a conference call on January 4, 2006 at 9:00 am and that (2) the February 22, 2006, 9:00 am meeting will be held in Reno at a location to be determined with the below three items to be held that day:

1. Workshop
2. Regulatory Meeting
3. Regular REHS Board Meeting

19. **Adjourn**

There being no further business, Chairwoman Long motioned, Secretary Maxson seconded and it was carried unanimously to adjourn the meeting 12:40 pm.

Respectfully submitted,
Sandy Bigley, Recording Secretary