



MINUTES

**Southern Nevada District Board of Health Meeting
June 25, 2015 – 8:30 A.M.
Southern Nevada Health District, 330 S. Valley View Boulevard, Las Vegas, NV 89107
Conference Room 2**

Rod Woodbury, Chair, called the Southern Nevada District Board of Health meeting to order at 8:34 a.m.

**BOARD:
(Present)**

Bob Beers – Vice-Chair – Councilmember, City of Las Vegas
Michael Collins – At-Large Member, Registered Nurse
Cynthia Delaney – Councilmember, City of Mesquite
Douglas Dobyne – At-Large Member, Regulated Business/Industry
Chris Giunchigliani – Commissioner, Clark County
Tim Jones – At-Large Member, Environmental Specialist
Frank Nemec, At-Large Member, Physician (arrived at 8:39 a.m.)
Bill Noonan – At-Large Member, Gaming
Kenneth Osgood – At-Large Member, Physician
Mary Beth Scow – Commissioner, Clark County
Lois Tarkanian – Councilmember, City of Las Vegas
Rod Woodbury, Chair – Councilmember, Boulder City

(Absent):

John Marz – Councilmember, City of Henderson
Wade Wagner – Councilmember, City of North Las Vegas

**ALSO PRESENT:
(In Audience)**

Susan Crowley, Alternate, At-Large Environmental Specialist
Marietta Nelson, Alternate, At-Large Physician
Kathleen Peterson, former Alternate, At-Large Environmental Specialist
Lori Winchell, Alternate, At-Large Registered Nurse

LEGAL COUNSEL:

Annette Bradley, Esq.

EXECUTIVE

SECRETARY:

Joseph P. Iser, MD, DrPH, MSc, Chief Health Officer

STAFF: Heather Anderson-Fintak, Mary Ellen Britt, Jason Frame, Andrew Glass, John Hammond, Jay Johnson, Paul Klouse, Daniel LaRubio, Cassius Lockett, Sharon McCoy-Huber, Brian Northam, Shirley Oakley, Veralynn Orewyler, Jacqueline Reszetar, Patricia Rowley, Jennifer Sizemore, Bonnie Sorenson, Leo Vega, Jacqueline Wells,

CALL TO ORDER

PLEDGE OF ALLEGIANCE

RECOGNITIONS

- Environmental Health Badging Ceremony
Dr. Iser swore into office twelve new Environmental Deputy Health Officers.
- Employee Service Award
Mary Ellen Britt, Emergency Medical Services and Trauma Services Manager, was recognized for twenty-one years of service with the District. Ms. Britt will be retiring in July. Dr. Iser introduced John Hammond, Emergency Medical Services and Trauma Services Supervisor, who will be taking her place.

Dr. Iser thanked outgoing BOH At-Large Alternates Susan Crowley (Environmental Specialist), Dr. Marietta Nelson (Physician), Lori Winchell (Registered Nurse) and former alternate Kathleen Peterson (Environmental Specialist) for their time and commitment to the Board.

- I. **PUBLIC COMMENT:** A period devoted to comments by the general public about those items appearing on the agenda. Comments will be limited to five (5) minutes per speaker. Please step up to the speaker's podium, clearly state your name and address, and spell your last name for the record. If any member of the Board wishes to extend the length of a presentation, this may be done by the Chairman or the Board by majority vote.

Victoria Harding, SNHD employee and Vice President SNHD SEIU is pleased with the passage of SB314. Ms. Harding feels that board changes related to SB314 are irrelevant; however the structure of the District Health Officer and Chief Medical Officer can provide opportunities for the District. Ms. Harding noted there are existing employees that are licensed medical doctors whom could be appointed. Another option could be not filling that position as there is already someone who is qualified to do all aspects of the job without spending additional funds. Ms. Harding stated that issues developed over the last couple of years have bled into the community resulting in legislative changes. Instead of having one person, SB314 separates the administrative side from the public health side, giving opportunity to create stability within the health district.

Seeing no one else, the Chair closed this portion of the meeting.

II. **ADOPTION OF THE JUNE 25, 2015 AGENDA (for possible action)**

A motion was made by Member Osgood seconded by Member Jones and unanimously carried to adopt the June 25, 2015 agenda as presented.

- III. **CONSENT AGENDA:** Items for action to be considered by the Southern Nevada District Board of Health which may be enacted by one motion. Any item may be discussed separately per Board Member request before action. Any exceptions to the Consent Agenda must be stated prior to approval.

1. **APPROVE MINUTES/BOARD OF HEALTH MEETING:** May 28, 2015 ***(for possible action)***

2. **PETITION #13-15:** Approval of Intrastate Interlocal Contract Between the Department of Conservation & Natural Resources, Division of Environmental Protection and the Southern Nevada Health District; direct staff accordingly or take other action as deemed **necessary *(for possible action)***

3. **PETITION #14-15:** Approval of Interlocal Agreement Between the Regional Transportation Commission of Southern Nevada and the Southern Nevada Health District; direct staff accordingly or take other action as deemed necessary ***(for possible action)***

4. **PETITION 12-15:** Consider/Adopt Revision to Southern Nevada Health District Nursing Services Fee Schedule; direct staff accordingly or take other action as deemed necessary ***(for possible action)***

A motion was made by Member Beers seconded by Member Osgood and carried unanimously to adopt Items One, Two and Three on Consent Agenda as presented and further discuss Item Four.

Member Beer suggested that the Nursing Services Fee Schedule be delayed for one month in order to get a comparison of the new fees to the old fees.

A motion was made by Member Beers seconded by Member Osgood and unanimously carried to move the Nursing Fees Schedule revisions the July Board meeting agenda until comparison fees can be distributed to Board members.

- IV. **PUBLIC HEARING / ACTION:** Members of the public are allowed to speak on Public Hearing / Action items after the Board's discussion and prior to their vote. Each speaker will be given five (5) minutes to address the Board on the pending topic. No person may yield his or her time to another person. In those situations where large groups of people desire to address the Board on the same matter, the Chair may request that those groups select only one or two speakers from the group to address the

Board on behalf of the group. Once the public hearing is closed, no additional public comment will be accepted.

1. **Consider/Adopt Variance Request to Permit and Install a New Individual Sewage Disposal System (ISDS) on an Undersized Lot Served by an Off-Site Public Water Supply with a Deep Absorption Trench within Twenty (20) Feet of a Structure and Ten (10) Feet of the Property Lines (APN 129-02-410-046), Bruce and Jane F. Stofferahn, Joint Owners;** direct staff accordingly or take other action as deemed necessary **(for possible action)**

Paul Klouse, Environmental Health Manager and Daniel LaRubio, Environmental Health Engineer/Supervisor presented the variance request submitted by Bruce and Jane F. Stofferahn, Joint Owners of the property.

A motion was made by Member Giunchigliani seconded by Member Tarkanian and unanimously carried to adopt the Variance Request to Permit and Install a New Individual Sewage Disposal System (ISDS) on an Undersized Lot Served by an Off-Site Public Water Supply with a Deep Absorption Trench within Twenty (20) Feet of a Structure and Ten (10) Feet of the Property Lines (APN 129-02-410-046), for Bruce and Jane F. Stofferahn, Joint Owners, as proposed.

2. **Consider/Adopt Variance Request to Permit and Install a New Individual Sewage Disposal System (ISDS) on an Undersized Lot Served by an Off-Site Public Water Supply with a Deep Absorption Trench within Twenty (20) Feet of a Structure and Ten (10) Feet of the Property Lines (APN 129-36-111-034) Renae L. Julson and Linda M. Wheeler, Joint Owners;** direct staff accordingly or take other action as deemed necessary **(for possible action)**

Paul Klouse, Environmental Health Manager and Daniel LaRubio, Environmental Health Engineer/Supervisor presented the variance request submitted by Renae L. Julson and Linda M. Wheeler, Joint Owners of the property.

A motion was made by Member Osgood seconded by Member Scow and unanimously carried to adopt the Variance Request to Permit and Install a New Individual Sewage Disposal System (ISDS) on an Undersized Lot Served by an Off-Site Public Water Supply with a Deep Absorption Trench within Twenty (20) Feet of a Structure and Ten (10) Feet of the Property Lines (APN 129-36-111-034) for Renae L. Julson and Linda M. Wheeler, Joint Owners, as proposed.

V. REPORT/DISCUSSION/ACTION

1. **Review/Discuss Office of Emergency Medical Services and Trauma System Program Overview;** direct staff accordingly or take other action as deemed necessary **(for possible action)**

Mary Ellen Britt, Manager, Emergency Medical Services and Trauma System (EMS&TS) presented the overview of the program.

There was no action taken on this item.

The Chair called for a recess at 9:28 a.m. The meeting reconvened at 9:49 a.m.

2. **Review/Discuss SB314 and Discuss/Approve Resulting Structural, Procedural, and Administrative Changes and Supporting Governance Documents to Facilitate Compliance with SB314;** Bylaws, BGP-001, BGP-002; BGP-004; BGP-005; BGP-006; District Health Officer job description; Chief Medical Officer job description; and Advisory Board Authority Resolution; direct staff accordingly or take other action as deemed necessary **(for possible action)**

Chair Woodbury noted major changes related to SB314 are:

- The creation of a new Chief Medical Officer position;
- Reduction in the size of board, eliminating the registered nurse, environmental specialist, and one physician;

- Creation of new Public Health Advisory Board, composed of the three representatives eliminated from the Board and one representative appointed by each city represented on the Board (Boulder City, Las Vegas, Mesquite, Henderson, North Las Vegas; and
- Elimination of alternates from the Board.

Annette Bradley, Legal Counsel, stated the focus of Advisory Board is to advise the Board of Health on matters relating to public health, which is a very broad mandate. A resolution has been prepared for Board review that delineates authority to be granted to the Advisory Board. The term of Advisory Board appointees is two years, however, for the initial composition the nurse, environmental health representative and physician will only serve one year and thereafter, two year terms. There are no alternates for the Advisory Board or the Board of Health members. Advisory Board members are non-voting members of the Board of Health and therefore cannot serve as officers of the board.

With respect to the District Health Officer (DHO) and Chief Medical Officer (CMO) positions, Ms. Bradley explained the law provides that the District Health Officer is now a position that specifically administers the health district and the medical qualification has been removed. The Board is charged with identifying and developing a job description for the DHO. A draft job description has been composed and provided to the Board for that purpose. The DHO is responsible for, with the approval of the Board, developing a job description, recruitment, selection and setting the compensation for the Chief Medical Officer. A draft job description for the Chief Medical Officer has also been composed and provided to the Board.

Ms. Bradley noted that the Board needs to:

- Determine the function and mechanics of the of the Advisory Board;
- Approve job description, qualification, classification and oversee recruitment and selection process of District Health Officer;
- Approve job description for the Chief Medical officer developed by Dr. Iser.

Member Beers suggested in order to be in compliance with the law, the Board could appoint Dr. Iser as both District Health Officer and Chief Medical Officer, permanently or temporarily while the Board determines next steps.

Member Noonan agreed, and does not see why Dr. Iser cannot continue in both roles as he has both credentials.

Chair Woodbury expressed appreciation to current and past alternates for their service. The Chair noted that several outgoing members and alternates serve on committees that may be affected as of July 1.

Member Giunchigliani suggested if any of the outgoing members or alternates are still interested in serving, they should contact their local government expressing interest in being appointed to the Advisory Board.

Regarding Dr. Iser's current title, Ms. Bradley explained the statute has always been District Health Officer and Dr. Iser has been labeled Chief Health Officer. Now that the Chief Medical Officer position has been established, it has been changed to District Health Officer to eliminate confusion between the two. Dr. Iser's current contract states Chief Health Officer; however he was hired under the District Health Officer statute. This language will be corrected in future contracts.

A motion was made by Member Beers to appoint Dr. Iser as both District Health Officer and Chief Medical Officer through September 30, 2015.

Member Giunchigliani remarked the intent of the bill defines an Administrator now titled "District Health Officer" to manage the everyday affairs of the District, allowing the Chief Medical Officer to focus on public health. One of each is already employed by the District and no one has to be hired

or appointed. The model could be the existing position of Dr. Iser and the Director of Administration.

Member Nemec left the meeting at 11:01 a.m. and returned at 11:03 a.m.

Members Jones and Delaney agreed that Dr. Iser is qualified to serve in both positions and should do so until the Board defines the job descriptions.

Member Giunchigliani suggested the formation of a sub-committee to flesh out the details of SB315 compliance.

A motion made by Member Beers seconded by Member Osgood and carried unanimously to appoint Dr. Iser as both District Health Officer and Chief Medical Officer through September 30, 2015, during which time a sub-committee will be appointed who will establish detail on how the Board should proceed and in the interim, there is no change in the Chief Health Officer title.

It was determined that an Ad-Hoc sub-committee on SB314 compliance would be formed. This committee will address the job descriptions, board governance policies and the Advisory Board. The Chair will send an email to the Board members to confirm interest in this committee, which will be constituted as soon as possible and scheduled in accordance with NRS.

In regard to the reduction of the Board and its implications, the Chair confirmed that the Board would lose Tim Jones, Environmental Specialist, Michael Collins, RN, and one of the physicians, Dr. Frank Nemec or Dr. Kenneth Osgood, who will go from the full board to the Advisory Board.

Dr. Osgood indicated that he was not in active practice and it would be in bad faith for him to be a member of the Advisory Board. Dr. Osgood chose to reclude himself from this discussion.

Dr. Nemec is willing to serve either on the full Board or the Advisory Board.

*Dr. Nemec left the meeting at 11:26 a.m. and did not return
Dr. Osgood left the meeting at 11:26 a.m. and did not return*

After discussion, the Board determined that Drs. Nemec and Osgood were both valuable and credentialed members and were both qualified to serve in either position.

Member Giunchigliani suggested that a cut of the cards could be appropriate to determine which member stayed on the full Board and which member went to the Advisory Board.

A motion was made by Member Beers seconded by Member Tarkanian and carried unanimously to make the decision on which of the two physicians will be going to the Advisory Board with a cut of the cards, high card remains on the full Board and if Dr. Nemec has high card, persuade Dr. Osgood to participate on the Advisory Board.

The Chair called for a recess at 11:29 a.m. The meeting reconvened at 11:36 a.m.

Ms. Bradley was chosen to cut the cards. Member Beers explained that she would cut the deck twice and the first card showing would be for Nemec, in alphabetical order and the second for Osgood, high card stays on Board, low card moves to the Advisory Board. A ten of spades was cut for Dr. Nemec; an eight of diamonds was cut for Dr. Osgood. The Board will reach out to Dr. Osgood and encourage him to serve on the Advisory Board.

It was confirmed that Members Collins and Jones are both willing to serve on the Advisory Board.

Ms. Bradley introduced the full Board amended Bylaws and the Board Governance Policies (BGPs), both reflecting the new SB314 mandates.

A motion was made by Member Jones seconded by Member Osgood and carried unanimously to approve the Bylaws as presented.

Member Giunchigliani left the meeting at 11:43 a.m. and did not return

It was decided that the BGPs will be brought back to the full Board at the July meeting.

Member Scow noted that SB314 did not include a representative from unincorporated Clark County. Ms. Bradley advised that the law defined the composition of the Advisory Board as five representatives from the cities and the three former Board members. Ms. Bradley has conferred with Marion Miller and Sabra Smith at Clark County regarding the language and the fact that the county was specifically left out to determine if they had a different interpretation. The county's interpretation is the same, the cities will be appointing members to the Advisory Board and the county is not included.

Chair Woodbury indicated the City of Boulder City has already appointed a member to the Advisory Board and it is up to the individual cities to appoint its members.

Dan Musgrove, Legislative Consultant, clarified the intent of the sponsors of the legislation is that the Advisory Committee is a separate Board and not intended to meet with the full Board.

A motion was made by Member Beers seconded by Member Scow and carried unanimously to delegate consideration of the policy on how the Advisory Board will be structured to the Ad Hoc Committee formed earlier today.

- VI. BOARD REPORTS:** The Southern Nevada District Board of Health members may identify emerging issues to be addressed by staff or by the Board at future meetings, and direct staff accordingly. Comments made by individual Board members during this portion of the agenda will not be acted upon by the Southern Nevada District Board of Health unless that subject is on the agenda and scheduled for action.

Member Jones expressed he has been honored to be a Board member for the past nine years and looks forward to continuing to serve on the Advisory Board.

Member Collins is also honored to participate with the Board as both an Alternate and sitting Board member and regrets the registered nurse position is removed from board as it is vital to the community.

VII. HEALTH OFFICER & STAFF REPORTS

- CHO Comments
- Building Update
- Legislative Update

Dr. Iser updated the Board on Middle Eastern Respiratory Syndrome (MERS) outbreaks which are now in Korea. This infectious disease is not out of control and does not pose a significant health threat at this point.

Andy Glass, Director of Administration, has met twice with the management staff and reviewed the results of the Employee Satisfaction Survey. The management staff has compiled recommendations for each individual program determining issues that will be addressed, which were accomplished by employee group action. Meetings occur bi-monthly with management and communication is an issue that is being addressed within each division and workgroup.

Dr. Iser announced that Shirley Oakley, HR Administrator, is resigning and the recruitment to replace her Oakley has started.

Mr. Glass shared that construction is set to begin the second week of July at the new building site. There have been issues with tagging and illegal dumping which he expects to be eliminated once

construction begins. Temporary signage is expected to go up very soon. Phased in moving is expected to occur from late November to late December.

Bonnie Sorenson, Director of Clinics and Nursing Services, indicated the Electronic Health Records system implemented approximately five years ago is currently not serving the needs of Nursing Services, since the billing requirements of the Affordable Care Act and the accreditation process, without buying extra add-ons. Staff will begin researching another system as soon as possible.

- **Legislative Update**

Jennifer Sizemore, Public Information Officer, provided the highlights of the legislative amendments.

Member Dobyne informed there have been three major fires at recycling facilities over the last three years and asked if Environmental Health could provide a brief update. Brian Northam, Environmental Health Supervisor, emphasized that every facility has a fire permit in their application and must maintain compliance with their local fire jurisdiction which generally means an annual inspection. The District has no control over the fire aspect of recycling facilities and inspects from a public health perspective.

VIII. INFORMATIONAL ITEMS

1. Chief Health Officer and Administration – May 2015
2. Community Health – May 2015
3. Environmental Health – May 2015
4. Clinics and Nursing – May 2015

IX. PUBLIC COMMENT: A period devoted to comments by the general public, if any, and discussion of those comments, about matters relevant to the Board's jurisdiction will be held. No action may be taken upon a matter raised under this item of this Agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken pursuant to NRS 241.020. Comments will be limited to five (5) minutes per speaker. Please step up to the speaker's podium, clearly state your name and address, and spell your last name for the record. If any member of the Board wishes to extend the length of a presentation, this may be done by the Chairman or the Board by majority vote.

Victoria Harding, SNHD employee, and Vice President SNHD SEIU, stated specific comments were made to specific people regarding issues with the District, enough so that it resulted in legislation. It is important to remember that what the community sees is not from legal mandates but from the internal policies that dictate the day to day job operations. It is very important that the employees, who are on the front line, have the ability to provide feedback as they are the first to see unintended consequences of policy and procedural changes that affect the district and community. This mechanism is no longer in place and issues within the District are going out into the community. The simple fix to this is open communication and the necessary tools for the employees to do the best job that they can. Member Tarkanian inquired as to what piece specifically was needed. Ms. Harding replied there were areas in the District that are thriving and there are areas that are dying, Environmental Health being one of those. Member Tarkanian asked Ms. Harding to meet with her at another time to discuss further.

Seeing no one else, the Chair closed this portion of the meeting.

X. ADJOURNMENT

The meeting adjourned at 12:59 p.m.

Joseph P. Iser, MD, DrPH, MSc
Chief Health Officer/Executive Secretary

/jw