



MINUTES

Southern Nevada District Board of Health Meeting April 25 28, 2019 – 8:30 a.m.

**Southern Nevada Health District, 280 S. Decatur Boulevard, Las Vegas, NV 89107
Red Rock Trail Conference Room A and B**

BOARD: Marilyn Kirkpatrick – Chair, Commissioner, Clark County
Scott Black – Vice Chair, Councilmember, City of North Las Vegas
(Present) Nicole Brisson – Regulated Business/Industry
Michele Fiore – Councilmember, City of Las Vegas
Frank Nemeč – At-Large Member, Physician
Scott Nielson – At-Large Member, Gaming
Tick Segerblom – Commissioner, Clark County
Dan Stewart – Councilmember, City of Henderson
Brian Wursten – Secretary, Councilmember, City of Mesquite

(Absent): Bob Coffin – Councilmember, City of Las
Rich Shuman – Councilmember, City of Boulder City

ALSO PRESENT: None
(In Audience)

LEGAL COUNSEL: Heather Anderson-Fintak, Esq

**EXECUTIVE
SECRETARY:** Joseph P. Iser, MD, DrPH, MSc, Chief Health Officer

STAFF: Ernest Blazzard, Michelle Cintron, Amy Hagan, John Hammond, Jeremy Harper, Michael Johnson, Fermin Leguen, Larry Rogers, Christopher Saxton, John Shannon, Karla Shoup, Jennifer Sizemore, Jacqueline Wells, Leo Vega, Dan Vuksanovic

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

III. RECOGNITIONS

Dr. Iser introduced and congratulated this year's Public Health Heroes, Maria Soto-Henry and Michael Slonina, both LVMPD Volunteers and Lt. Dave Pollex, Clark County Code Enforcement.

IV. 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.

Lorraine Oliver, Community Health Nurse, stated she was extremely pleased that most members asked if the Health Start program was funded after the budget item vote at the last meeting. Ms. Oliver believes this is hope that the members think this program is worth looking at and hopefully funding. Ms. Oliver submitted three articles supporting the Healthy Start program ([Attachment 1](#)) and asked the Board for help in providing funding this program.

A former Healthy Start recipient who identified himself as "Kazi", stated he and his family are Afghanistan immigrants and benefitted greatly from the assistance received from Ms. Oliver and the Healthy Start program. The information he received was invaluable to his family's health and welfare and he asked the Board to continue funding the Healthy Start program.

Victoria Harding, SNHD/SEIU, added Ms. Oliver has been doing maternal child health for twenty-nine years and it is one of the biggest public health initiatives worldwide. Ms. Harding noted the District has a Maternal Child Health program that is evidence based and tax funded and it is not fully grant funded. The District will be losing twenty-nine years of experience by not moving Ms. Oliver to this program. The loss of the Healthy Start program is a great loss to the community and Ms. Harding asked the Board to somehow find money to keep a part of the Healthy Start program going in order to not lose the community-based knowledge that can do so much for so many people.

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

V. ADOPTION OF THE APRIL 25, 2019 AGENDA (for possible action)

A motion was made by Member Fiore seconded by Member Wursten and carried unanimously to approve the April 25, 2019 Agenda as presented.

VI. 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:** March 28, 2019 *(for possible action)*
2. **PETITION #06-19: Approval of Adjustment to Fund 706 and 707 for the Southern Nevada Health District FY20 Budget Beyond the April 1, 2019 Revised Statute (NRS) Deadline;** direct staff accordingly or take other action as deemed necessary *(for possible action)*
3. **PETITION #08-19: Approval of Contract with Saba Software, Inc. ("Saba") to Provide Implementation and Cloud Services for Hosting a Learning Management System (LMS);** direct staff accordingly or take other action as deemed necessary *(for possible action)*

Member Nielson would like further discussion regarding Consent Item VI.2.

A motion was made by Member Nielson seconded by Member Stewart and carried unanimously to approve items VI.1. and VI.3. on the Consent Agenda as presented.

Ernest Blazzard, Financial Services Manager, explained Petition #06-19 for an adjustment outside the approved dates to move numbers from one line to the next. It does not move any money between funds or change any numbers, it is simply a reporting adjustment for purposes of allowing the District to access the funds as needed throughout the year. This treatment was recommended by Clark County. Mr. Blazzard explained this is separate from the additional funds to be received from Clark County as it is part of the approved budget.

Jeffery Share, Budget Director for Clark County, reported the same thing was done last year. He explained the budget approved in April was sent without expenditure authority for FY20 for the two funds listed. The recommendation was for the District to ask the Board to request to the County that this adjustment is made to release the appropriations. The money was stuck in ending fund balance with zero ability to spend, so the recommendation this year, as it was last year, was to appropriate the money and if it is not used, it falls to the bottom, but if there is a need for it, it has been made available. Through the state's augmentation process, in Mr. Share's opinion, there would be no other way to release the money in either of these funds to spend in FY20, based on the direction of the Board.

A motion was made by Member Nielson seconded by Member Black and carried unanimously to approve items VI.2. on the Consent Agenda as presented.

VII. 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. Variance Request to Operate Two Public Bathing Places Not in Compliance with the Nevada Administrative Code (NAC) 444.130, NAC 444.450; Headwind Property Co., LLC, dba Desert Rose Resort, Located at 5051 Duke Ellington Way, Las Vegas, Nevada 89119; [Assessor's Parcel Number (APN) 162-28-101-008] for Health Permits PR0016297 and PR0016298 John Burgoon, for the Owners(s), Headwind Property Co., LLC;** direct staff accordingly or take other action as deemed necessary (***for possible action***)

Jeremy Harper, Environmental Health Supervisor, Aquatic Health Program, presented the variance request. Staff is of the opinion that granting the variance will not be detrimental or pose a danger to public health and safety. Approval of the variance was recommended with conditions. The applicants agreed to all conditions.

A motion was made by Member Wursten seconded by Member Brisson and carried unanimously to approve the Variance Request to Operate Two Public Bathing Places Not in Compliance with the Nevada Administrative Code (NAC) 444.130, NAC 444.450; Headwind Property Co., LLC, dba Desert Rose Resort, Located at 5051 Duke Ellington Way, Las Vegas, Nevada 89119; [Assessor's Parcel Number (APN) 162-28-101-008] for Health Permits PR0016297 and PR0016298 John Burgoon, for the Owners(s), Headwind Property Co., LLC. as presented.

VIII. REPORT/DISCUSSION/ACTION

- 1. Review/Discuss Pamphlet for Clark County School District – Education on Illegal Food Vendors;** direct staff accordingly or take other action as deemed necessary (***for possible action***)

Larry Rogers, Environmental Health Manager, introduced Matthew Mastalski and Kennedy Gallegosa from the UNLV School of Nursing, who presented "Shady Snacks" and the proposed "Shady Snacks" pamphlet ([Attachment 2](#)) regarding the illegal vendors at the Clark County School District. The Board provided recommendations to enhance the pamphlets.

There was no action taken on this item.

IX. BOARD REPORTS: The Southern Nevada District Board of Health members may identify and comment on Health District related issues. 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. (***Information Only***)

Councilman Stewart noted there is a bill to move approval of trauma centers to the State and asked for additional information. Bradley Mayer, Legislative Consultant, reported the bill is AB317, and has now been amended from the original version which essentially reverses the process currently in place. If passed, the state will have to determine if there is a trauma center need before the District is allowed to act. The Board will still maintain the ability to approve or not approve, however, the state must approve first. This bill was sponsored by Assemblywoman Maggie Carlton and is now

with the Senate. Dr. Iser advised that the District and the RTAB has a job to do that was assigned by the Board years ago and will continue to move forward with the process. As the Board passed the tool, the RTAB is using it to look at need within the entire county, primarily within the valley, and will make recommendations. Currently the process is 1) RTAB, 2) Board, 3) State, 4) Implementation, 5) Evaluation by the American College of Surgeons.

Member Segerblom believes it is not logical to move forward until it is known if the bill passes as it may make everything irrelevant.

Chair Kirkpatrick noted even if the bill passes and the state makes a recommendation, the work will already be done and move the process along. She noted the bill would have to establish regulations and a needs assessment tool and would become effective on October 1 if passed. Chair Kirkpatrick does not see any harm in having current discussions. She believes more stringent requirements were added to the conditions of the tool last month and the regulations have not been adopted to include the needs assessment tool, so there are still quite a few steps to have if needed. Chair Kirkpatrick added currently the tool is not part of the regulations because it has been a process that has been in place for two years to determine a process that works. It would need to be ratified that the tool is part of the consideration of the overall needs. Dr. Iser noted the adopted tool is not the only tool used in the process. Chair Kirkpatrick believes the tool should be adopted within the regulations.

Dr. Fildes reported in the last set of deliberations, it was identified there was not a need to add new trauma centers and it left a feeling of conflict with the applicants as well as the District. Dr. Fildes felt this conflict was best resolved by bringing a multi-member community-based task force to the table to discuss relevant measures regarding if a new center is needed and where it should be. That committee came up with a set of tools, not rules, that help in what might be considered policy decision making. The committee has responded to the direction given by the Board to create the tool and to fill out the data to review it and it is currently being edited and made as relevant as possible as a decision-making tool. In June, the RTAB will attempt to decide if there is a need and where the need(s) exist and determine the strengths of the applicant hospitals in those areas.

For the record, Chair Kirkpatrick has issues with some of the wording within the regulations and hopes there is an opportunity for the Board to address it.

Member Segerblom asked Legal Counsel to confirm if the assessment tool must become a regulation before it can be considered by the RTAB. Heather Anderson-Fintak, Assistant Legal Counsel explained that the tool is part of the procedure/process for the evaluation and there is no requirement for it to be part of the regulation. Chair Kirkpatrick believes the tool should be part of the regulations.

Vice Chair Black believes the tool is independent of anything other than assessing a need and is an almost finished tool. He suggested utilizing the tool to determine if there is a need. If there is no need, the Board's job is done. If there is a need, determine where the need exists and who can fill the need. At that time, whenever it may be, the application process can start. He asked the applicants that have already submitted applications to be patient as this may be a time-consuming process.

Chair Kirkpatrick reported staff efforts have improved illegal dumping issues. She thanked staff and encouraged community members to report illegal dumping.

X. CHO COMMENTS (OR HEALTH OFFICER & STAFF REPORTS)

Member Segerblom left the meeting at 10:10 a.m. and did not return

- Dr. Iser reported the District hosted Syphilis Awareness Day on April 16, 2019. SNHD also received a Proclamation by Governor Sisolak proclaiming April 2019 as Sexually Transmitted Disease Awareness Month.
- Vector season has started, there is one case of West Nile Virus. There will be an assessment done on this individual and traps will be set in the area where this person lives.
- Influenza season is coming to an end and final reports will be forthcoming.
- The Opioid Data to Action (OD2A) grant has been submitted. The District will also be applying for a HIV grant.
- There was one case of TB at a local high school. The first round of testing is complete, resulting in two positives. An update will be provided after the second round of testing.
- Dr. Iser presented the vending machine syringe exchange program to the Tonopah Board on April 24. They voted 5-0 not to allow the vending machines on Town of Tonopah property.

XI. INFORMATIONAL ITEMS

1. Chief Health Officer and Administration Monthly Activity Reports
2. Clinical Services Monthly Activity Reports
3. Community Health Monthly Activity Reports
4. Environmental Health Monthly Activity Reports

XII. 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.

Lorraine Oliver reported the Healthy Start program was 100% funded by HRSA, but along the way, part of the mandate was to get an OAG grant which paid approximately two-thirds of her salary and she questioned why this cannot continue. Also, MC VIE was funding one of the staff members and she questioned why this cannot continue as well. Ms. Oliver noted there were options to appeal or move to an alternative MCH-like grant that she does not believe were considered. The advantages of funding the Healthy Start program are there will be no constraints of the grant, but the opportunity to expand Healthy Start like work to other zip codes. The program could continue to document, keeping statistics to show they are still doing the mission of Healthy Start, putting them in the position to apply for the grant again in 2023-2024 with an arsenal of documentation for the next application. Ms. Oliver appealed to the Board to fund the Healthy Start program in some way.

Jacque Raiche-Curl, Environmental Health Supervisor, read a statement for the record regarding collective bargaining ([Attachment 3](#))

Victoria Harding, SNHD/SEIU, noted the contracts have never been bargained separately and she and Ms. Raiche-Curl have been through four negotiation sessions together. They attend joint labor management together and there is no difference between the units. As Chief Steward of the General Unit, Ms. Harding has been laser focused on the deadline well before the contract ends and she is trying to stay away from the shenanigans and stall tactics and work quickly as possible to settle a great contract. She is working with a management team that is striving to build a better District and she does not believe Ms. Raiche-Curl's issue is coming from them as it is the old way of doing things.

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

XIII. ADJOURNMENT

The Chair adjourned the meeting at 10:31 a.m.

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

/jw