



MINUTES

SOUTHERN NEVADA DISTRICT BOARD OF HEALTH MEETING

April 27, 2023 – 9:00 a.m.

Meeting was conducted In-person and via Webex Webinar

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

MEMBERS PRESENT: Marilyn Kirkpatrick, Chair – Commissioner, Clark County (*in-person*)
Scott Nielson, Vice-Chair – At-Large Member, Gaming (*in-person*)
Frank Nemeec, Secretary – At-Large Member, Physician (*in-person*)
Scott Black – Council Member, City of North Las Vegas (*in-person*)
Nancy Brune – Council Member, City of Las Vegas (*in-person*)
Pattie Gallo – Council Member, City of Mesquite (*via WebEx*)
Joseph Hardy – Council Member, City of Boulder City (*in-person*)
Tick Segerblom – Commissioner, Clark County (*in-person*)

ABSENT: Bobbette Bond – At-Large Member, Regulated Business/Industry
Brian Knudsen – Council Member, City of Las Vegas
Michelle Romero – Mayor, City of Henderson

ALSO PRESENT: Linda Anderson, Jeri Burton, Mikelle Cieri, Georgi Collins, Harold Collins, Pattie Curry, Sharie Denton, Carlo Entorline, Alexis Esparza, Ahsaki Hardy, Tony Hedgereth, Mardie Hill, Chris Hilton, Maya Holmes, Cody Hoskins, Karissa Johnson, Jason Klumb, Julianna Levine, Michelle Maese, Cheryl Malone, Bradley Mayer, Stephanie Montgomery, Fabiola Morales, Stacie Sasso, Gail Simpkins, Debbie Springer, Grace Vergara-Mactal, Jocelyn White, Cassidy Wilson, Thomasine Wilson
(In Audience)

LEGAL COUNSEL: Heather Anderson-Fintak, General Counsel

EXECUTIVE SECRETARY: Fermin Leguen, MD, MPH, District Health Officer

STAFF: Elizabeth Adelman, Jason Agudo, Brandon Alford, Adriana Alvarez, Rashida Alvarez, Anna Angeles, Maria Arganoza-Priess, Larry Armstrong, Maria Azzarelli, Nancy Barry, Sean Beckham, Tawana Bellamy, Haley Blake, Murphy Boudreaux, Jennifer Bowers, Kevin Bratcher, Jazmin Bravo-Rosas, Amanda Brown, Lori Bryan, Nicole Bungum, Anna Burgess, Cory Burgess, Daniel Burns, Victoria Burris, Donna Buss, Erika Bustinza, Yvette Butac, Joe Cabanban, Serafina Cabinte, Michael Castelo, Nicole Charlton, Melissa Constantin, Andria Cordovez Mulet, Fidel Cortes Serna, Shea Crippen, Stacy Cruz, Rebecca Cruz Nanez, Beverly Cuasito, Brenda Deas, Cesar dela Pena, Aaron DelCotto, Chris DeLisle, Brandon Delise, Edna DelRosario, Karnjit Dhillon, Shannon Dickey, Jessica Dietz, Lily Dominguez, Jonabel Durga, Tara Edwards, Regena Ellis, Emily Elzeftawy, Rosemary Ensign, Lizette Enzenauer, Corina Estrella, Renee Fejeran, Brian Felgar, Alessandro Figueredo-Perello, Gimmeko Fisher-Armstrong, Jayde Fox, Jason Frame, Kimberly Franich, Peter Froio, Tina Gillam, Jacques Graham, Dianne Haddix, John Hammond, Heather Hanoff, Victoria Harding, Maria Harris, Amineh Harvey, Forrest Hasselbauer, Richard Hazeltine, Victoria Hedge, Carmen Hua, Jocelyn Huyo-A, Dan Isler, Mallory Jett Edwards, Loretta Jennings, Jessica Johnson, Michael Johnson, Horng-Yuan Kan, Theresa Ladd, Heidi Laird, Kit Lam, Fernando Lara, Cort Lohff, Josie Llorico, Cassius Lockett, Deneen Locklear, Cort Lohff, Sandy Luckett, Jonas Maratita, Nancy Mata, Robert McMahan, Maria Mendola, Kim Monahan, Gabriela Montaldo, Stephanie Montgomery, Mary Murphy, Christian Murua, Semilla Neal, Alice Ngari, Elias Nmanie, Lorraine Oliver, Verallynn Orewyler, Kyle Parkson, Melanie

Perez, Sui Ching Phung, Laura Plascencia, Tasheka Powell, Luann Province, Zuwen Qiu-Shultz, Larry Rogers, Alexis Romero, Arc Rufo, Kim Saner, Christopher Saxton, Albert Sedano, Dave Sheehan, Karla Shoup, Randy Smith, Marnita Smith Dent, Betty Souza-Lui, Bruno Stephani, Amy Stines, Deshawn Thompson, Louis Thompson, Will Thompson, Randall Ulrich, Robert Urzi, Shylo Urzi, Lizbeth Vasquez, Rosie Vielman Garcia, Yolanda Villalobos, Michelle Villanueva, Jorge Viote, Brian Weissenburger, Donnie Whitaker, Candyce White, Rebecca Wright, Edward Wynder, Merylyn Yegon

I. CALL TO ORDER and ROLL CALL

The Chair called the Southern Nevada District Board of Health Meeting to order at 9:02 a.m. Andria Cordovez Mulet, Executive Assistant, administered the roll call and confirmed quorum.

II. PLEDGE OF ALLEGIANCE

III. RECOGNITION

1. Albert Sedano (Southern Nevada Community Health Center) and Brian Felgar (Office of Communications)

- 2023 Health Literacy Award for Published Materials “Sexual Health Journal for People with HIV” – Institute for Healthcare Advancement (IHA)

Mr. Sedano and Mr. Felgar received the 2023 Health Literacy Award from the Institute for Healthcare Advancement for their published brochure titled “Sexual Health Journal for People with HIV”, which focused on sexual health for people living with HIV/AIDS. The Institute for Healthcare Advancement strives to help everyone across the healthcare system to integrate health literacy into their professional practice and development. The Board of Health congratulated Mr. Sedano and Mr. Felgar on this award and thanked them for their commitment to the Health District and to our community.

Member Black joined the meeting at 9:05 a.m.

IV. FIRST 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 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 Chair or the Board by majority vote.

Michelle Maese, SEIU President, commented that SEIU members have been in a Class and Compensation Study for over a year, and it was still not completed. Ms. Maese further advised that SEIU’s Representation Director would provide information to the Board of Health and advised that SEIU wanted to ensure a resolution for their members.

Jason Klumb, SEIU Representation Director, commented on SEIU’s disappointment and challenges surrounding the negotiations of the Class and Compensation Study. Mr. Klumb advised that SEIU developed a wage recommendation by removing the two bottom steps in the wage scale and creating two new top steps in the wage scale, moving everyone accordingly, and presented same to Human Resources. Mr. Klumb further advised that the bargaining union has done all the work. Mr. Klumb requested that the Board of Health assist in a resolution.

Rosemary Ensign commented on a fear of limited wage increases, the increase in the PERS contribution that would result in a 1% raise and requested the Board’s assistance in a resolution.

Lorraine Oliver commented on the Class and Compensation Study and that SEIU has tried to work with Human Resources. Ms. Oliver further indicated the need to have someone in charge of Human Resources that is not a contractor. Ms. Oliver commented on the issue regarding use it/lose it vacation

hours when staff are at the maximum of annual carryover, and encouraged the Board of Health to review the issue to ensure that it was resolved. Ms. Oliver suggested that workers be invited to provide their perspective on the job they are doing and what is outlined in their job description. Ms. Oliver stated that the workers wanted a decent wage. Ms. Oliver concluded by commenting on the removal of the "I/II" in certain job classifications, such as administrative assistant.

Member Brune joined the meeting at 9:19 a.m.

Grace Vergara-Mactal, SEIU Executive Director, thanked SEIU members for their work in the community. Further, Ms. Vergara-Mactal commented on the Class and Compensation Survey, which they have been trying to work with Human Resources for over a year, and requested the Board of Health to direct Health District Leadership to work with SEIU for the members to be respected, paid, and protected.

Regena Ellis commented on the movement of the Sexual Health Clinic into the Federally Qualified Health Center (FQHC). Ms. Ellis indicated that when the FQHC was being established, she did not recall a discussion about removing or replacing any of the public health services with the FQHC. Ms. Ellis indicated that the FQHC was intended to be a primary care center and function on its own. Ms. Ellis referenced the Southern Nevada Community Health Center (SNCHC) Finance and Audit Committee meeting in March 2023, wherein it was indicated that the Sexual Health Center was being brought into the FQHC as a recommendation from the HRSA Operational Site Visit conducted in 2022, and that HRSA was more interested in the number of participants receiving services rather than compliance indicators. Ms. Ellis further raised that once the Sexual Health Clinic was part of the FQHC then staffing and services would be streamlined, which indicated planned service changes to the Sexual Health Clinic. Ms. Ellis concluded by providing a statement from the providers and staff in the Sexual Health Clinic reiterating their concerns regarding the transition of the Sexual Health Clinic into the FQHC and indicated that the FQHC should continue to provide services as a separate entity. Ms. Ellis requested that the Board of Health protect public health.

Marnita Smith-Dent commented on the dedication of Health District staff for the community, that staff should be appreciated, and that staff should be provided with opportunities for advancement and that staff's salaries should reflect their dedication. Ms. Smith-Dent stated that it took a special person to work in public health, and that staff wanted the public to know that they were dedicated and wanted the Board of Health to know that staff feel they should be paid for what they provide.

Victoria Harding commented on the events since she spoke at the last Board of Health meeting, wherein she worked Friday, Monday and Tuesday and then went on vacation. Ms. Harding stated that while she was on vacation her position was eliminated, along with the entire Organizational Development team. Ms. Harding stated that she thought that the fear tactics had finished. Ms. Harding outlined how the Organizational Development team was moved out of Human Resources and then back into Human Resources. Ms. Harding indicated that the members of the Organizational Development team brought their concerns to Dr. Leguen, and they were advised that their fears were unfounded. Ms. Harding indicated that, after her comments at the last Board of Health meeting, people were upset with her comments, but no one approached her, nor spoke to her about the elimination of her position, which is found out through emails. Ms. Harding stated that she did not want to work in a place with retaliation, discrimination, or harassment. Ms. Harding indicated that she did not know if she had a job after next week. Ms. Harding concluded that three positions were made in Human Resources, but that the four staff members, including herself, in Organizational Development would have to apply for those positions.

Harold Collins commented on Agenda Item VIII.2, Petition #26-23, related to the audit and the finding of noncompliance of a revised statute. Mr. Collins stated that the issue was very lightly addressed in the petition and that there were no specifics nor accountability provided. Mr. Collins stated that he worked at the Health District for a short time and identified issues in the Human Resources Department regarding non-accountability. Mr. Collins stated that the Health District had deep issues, that the union and personnel have tried to tell the Board of Health of issues with Leadership and indicated that the Board of Health needed to take action.

The Chair advised that there was a bill sponsored by Senator Donate related to public health funding (SB118) and encouraged members to support this bill.

Seeing no one further, the Chair closed the First Public Comment portion.

V. ADOPTION OF THE APRIL 27, 2023 MEETING AGENDA *(for possible action)*

Item VI.3 was removed from the Consent Agenda for discussion.

A motion was made by Member Black, seconded by Member Nielson, and carried unanimously to approve the April 27, 2023 Agenda, as amended.

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:** February 23, 2023 *(for possible action)*
2. **PETITION #24-23: Approval of the Interlocal Contract between the Southern Nevada Health District and the Regional Transportation Commission of Southern Nevada (RTC) to provide services to support the Southern Nevada Health District Community Partnership to Promote Health Equity, Year 5 grant awarded to the SNHD by the Centers for Disease Control and Prevention (CDC Award #NU58DP006578-05-00), referred to the Racial and Ethical Approaches to Community Health (REACH);** direct staff accordingly or take other action as deemed necessary *(for possible action)*
3. ~~**PETITION #25-23: Approval of the Agreement between the Southern Nevada Health District and FORVIS LLP, Professional Auditing Services;**~~ direct staff accordingly or take other action as deemed necessary *(for possible action)*
4. **PETITION #27-23: Approval of the Intrastate Interlocal Contract between the Southern Nevada Health District and the State of Nevada, Department of Conservation and Natural Resources regarding the Safe Drinking Water Program;** direct staff accordingly or take other action as deemed necessary *(for possible action)*
5. **PETITION #28-23: Approval of the Interlocal Agreement between the Southern Nevada Health District and the Regional Transportation Commission of Southern Nevada for the installation of two COVID-19 antigen test-kit vending machines in support of the COVID-19 Health Disparities Grant funded by the Center for Disease Surveillance and Control;** direct staff accordingly or take other action as deemed necessary *(for possible action)*
6. **PETITION #29-23: Approval of an Amendment to the Interlocal Agreement between the Southern Nevada Health District and Clark County, Nevada on behalf of the Department of Family Services for Services provided to the Thrive by Zero to Three Prevention Services Program for the period from April 2023 to March 31, 2024, with the option to extend for additional three one-year options (#606087-21);** direct staff accordingly or take other action as deemed necessary *(for possible action)*

The Chair removed Item VI.3 from the Consent Agenda for discussion.

A motion was made by Member Hardy, seconded by Member Black, and carried unanimously to approve the April 27, 2023 Consent Agenda, as amended.

Discussion – Item V1.3: PETITION #25-23: Approval of the Agreement between the Southern Nevada Health District and FORVIS LLP, Professional Auditing Services; direct staff accordingly or take other action as deemed necessary (*for possible action*)

Donnie (DJ) Whitaker, Chief Financial Officer, and Kevin Bratcher, Procurement Specialist, outlined the request for proposal and selection process for auditing services.

A motion was made by Member Nielson, seconded by Member Black, and carried unanimously to approve the Agreement between the Southern Nevada Health District and FORVIS LLP, Professional Auditing Services.

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.

There were no items heard.

VIII. REPORT / DISCUSSION / ACTION

1. Receive and Discuss a Legislative Update; direct staff accordingly or take other action as deemed necessary (*for possible action*)

Bradley Mayer of Argentum Partners provided the Board of Health with an update of the recent legislative session related to the following bills that affect the Health District:

- AB220 – Revises provisions relating to water conservation
- SB92 – Revises provisions relating to sidewalk vendors
- AB53 – Revises provisions relating to sale of tobacco products
- SB118 – Revises provisions relating to public health
- SB361 – Revises provisions relating to solid waste
- SB172 – Revises provisions governing the ability of a minor to consent to certain health care services
- SB439 – Revises provisions relating to communicable diseases
- SB441 – Revises provisions relating to public health (repeals SB4)

2. Receive, Discuss and Approve Recommendations from the April 26, 2023 Finance Committee meeting regarding Petition #26-23: Plan of Correction to the State of Nevada Department of Taxation to the Fiscal Year 2022 Annual Audit Report; direct staff accordingly or take other action as deemed necessary (*for possible action*)

Ms. Whitaker advised that the final step in the audit process was a requirement to respond to the Department of Taxation to address the appropriation activity related to the audit finding of the Noncompliance with Nevada Revised Statutes Budget Requirements NRS 354.626. The Department of Taxation requested a plan of correction, approved by the Board of Health, to be submitted that outlines the action taken to prevent recurrence of the finding. There was a discussion on whether a budget augmentation could be completed after the close of the fiscal year (June 30th).

A motion was made by Chair Kirkpatrick, seconded by Member Brune, and carried unanimously to accept the recommendations of the Finance Committee and approve the Plan of Correction to the State of Nevada Department of Taxation to the Fiscal Year 2022 Annual Audit Report, as presented.

3. Receive, Discuss and Approve Recommendations from the April 26, 2023 Finance Committee meeting regarding the SNHD Sliding Fee Schedule; direct staff accordingly or take other action as deemed necessary *(for possible action)*

Randy Smith, FQHC Operations Officer, provided an overview of the Sliding Fee Schedule. Mr. Smith outlined the HRSA Sliding Fee Discount Program requirements, along with the Federal Poverty Guidelines, billing, and collection requirements. Mr. Smith further outlined the Sliding Fee charges, slide adjustments, patient payments, and a market study of fees for FQHCs in Nevada. Mr. Smith proceeded to outline the proposed sliding fees for Primary Care, Sexual Health Clinic, Family Planning, and Ryan White. Mr. Smith concluded that the majority of the fees have remained the same, with the addition of nursing visits to further reduce barriers to care for patients.

Further to an inquiry from Member Nemec regarding the fees for diagnostic imaging, clinical laboratory tests and the 340B Pharmacy, Mr. Smith advised that there were agreements with providers to perform diagnostic imaging and clinical laboratory tests. Mr. Smith further advised that the Health Center maintained relationships with specialist providers to have them see patients at a reduced cost. Mr. Smith advised that the 340B Pharmacy was available and most medication was available at no cost. Dr. Leguen further advised that the thought in time would be for the Health Center to have a fund available to support uninsured patients to assist them when they needed to go to a specialist.

Member Hardy left the meeting at 10:37 a.m. and did not return

Further to an inquiry from Member Nemec regarding the impact of billed services to an insurer, Mr. Smith advised that the charges were the same for the office fees.

Further to an inquiry from Member Brune regarding whether any additional revenue received by the Health Center was restricted to being invested back into the Health Center, Mr. Smith advised that any revenue received was to support the needs of the services and would be invested back into supporting the Health Center. Dr. Leguen added that the Health Center was operating in a negative, and was trying to expand the services available, along with increasing marketing efforts to receive more patients.

A motion was made by Chair Kirkpatrick, seconded by Member Brune, and carried unanimously to accept the recommendations made by the Finance Committee and approve the Sliding Fee Schedule, as presented.

4. Receive, Discuss and Approve Recommendations from the April 26, 2023 Finance Committee meeting regarding the Billing Fee Schedule Updates; direct staff accordingly or take other action as deemed necessary *(for possible action)*

Ms. Whitaker and Donna Buss, Revenue Cycle Manager, presented the Billing Fee Schedule updates. Ms. Whitaker advised that the Billing Fee Schedule was reviewed annually to add new fees or to adjust existing fees based on analysis within the market. Ms. Whitaker further advised that uninsured individuals would see minimal or no impact of the proposed changes, based on the availability of the Sliding Fee Schedule. Ms. Whitaker outlined the review methodology and the proposed changes.

A motion was made by Member Black, seconded by Member Nemec, and carried unanimously to accept the recommendations of the Finance Committee and approve the Billing Fee Schedule Updates, as presented.

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)**

Member Segerblom encouraged the Human Resources Department to work the union regarding the issues raised in Public Comments to ensure that matters were resolved. The Chair requested that the Board of Health be advised once the matters have been resolved.

X. HEALTH OFFICER & STAFF REPORTS (Information Only)

- DHO Comments

In addition to his written report, Dr. Leguen advised that the Human Resources Department initiated conversations with SEIU to work on the Class and Compensation Survey and the Interim Human Resources Director has had multiple meetings with SEIU representatives on the survey. Dr. Leguen confirmed that Health District Leadership will continue to work with SEIU.

Dr. Leguen advised of the intention to provide the Board of Health with presentations at each meeting on the different areas/programs of the Health District, with the first being an overview of the Southern Nevada Public Health Lab and an overview of the Southern Nevada Community Health Center.

- Overview of the Southern Nevada Public Health Lab (SNPHL)

Dr. Michael Johnson, Director of Community Health, accompanied with Dr. Horng-Yuan Kan, Laboratory Director, provided an overview of the Southern Nevada Public Health Lab (SNPHL).

Member Black left the meeting at 11:01 and did not return

- Overview of the Southern Nevada Community Health Center (SNCHC)

Mr. Smith provided an overview of the Southern Nevada Community Health Center (SNCHC).

Further to an inquiry from Member Brune, Mr. Smith advised that individuals did not have to reside in the zip codes listed to obtain services from the SNCHC. Dr. Leguen advised that the zip codes listed represented the areas where the largest portion of patients reside.

Further to an inquiry from Member Segerblom, Dr. Leguen confirmed that the SNCHC was a division of the Health District and not a separate entity. Dr. Leguen advised that the move of the Sexual Health Clinic into the SNCHC did not imply that there would be a loss of jobs or that the employees would be required to do something that was not in their job description. The services delivered to patients would remain the same. The integration of the Sexual Health Clinic would provide a better service to patients, as patients would have the ability to address various medical issues, and not just sexual health. Further to a follow-up from Member Segerblom, Dr. Leguen advised the Leadership had already met with employees, more than once, to prepare the entire team. After the initial meeting, Leadership had met with the providers individually, along with the rest of the team.

Member Segerblom left the meeting at and did not return

XI. INFORMATIONAL ITEMS

1. Administration Division Monthly Activity Report
2. Community Health Division Monthly Activity Report
3. Community Health Center (FQHC) Division Monthly Report
4. Disease Surveillance and Control Division Monthly Activity Report
5. Environmental Health Division Monthly Activity Report

6. Primary & Preventive Care Division Monthly Activity Report

XII. SECOND 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. Comments will be limited to five (5) minutes per speaker. If any member of the Board wishes to extend the length of a presentation, this may be done by the Chair or the Board by majority vote.

Regena Ellis commented on the movement of the Sexual Health Clinic into the Federally Qualified Health Center (FQHC) and the concern from staff about the livelihood of public health. Ms. Ellis indicated that staff supported the FQHC, as it provides access to care, but they wanted to keep what they currently had. Ms. Ellis stated that the Sexual Health Clinic was a place to go that you did not have to see a provider to be treated. Ms. Ellis commented that the FQHC was absorbing the public health services to increase the number of clients being seen. Ms. Ellis stated that staff were not afraid of change but for the survival of public health services. Ms. Ellis encouraged the Board of Health to look at the fee schedule related to people's income. Ms. Ellis stated that providers and staff from the Sexual Health Clinic have advised that they did not want to be part of the FQHC and wanted to maintain the public health services at the Health District and not inside an FQHC. Ms. Ellis concluded that the blending of services and funding was very concerning.

Rosemary Ensign commented that if employees were appreciated, Leadership would figure out a way to get them raises.

Victoria Harding commented that Leadership was not listening to issues raised, that decisions were already made, Leadership was not listening and that there was a lot of worry about things, which won't change until Leadership sits down for a conversation.

Harold Collins reiterated his comments on Agenda Item VIII.2, Petition #26-23, surrounding the audit, and indicated that the issue was with the approval of the reallocation of funds. Mr. Collins indicated that it was a symptom of a deeper issue in the organization, which had been raised by the bargaining union, due to a lack of accountability, policies and procedures. Mr. Collins commented that he tried to raise issues with Leadership while employed at the Health District and that work needed to be developed before the next public health emergency, particularly in the workforce. Mr. Collins further commented that he had written to the Board of Health that he was available to discuss issues and had not received any request for a meeting or additional information, so assumed that the Board of Health was disinterested in making improvements. The Chair advised that, at this time, the current Legislative Session was the Board's main priority.

Seeing no one further, the Chair closed the Second Public Comment portion.

XIII. ADJOURNMENT

The Chair adjourned the meeting at 11:44 a.m.

Fermin Leguen, MD, MPH
District Health Officer/Executive Secretary

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