



MINUTES

SOUTHERN NEVADA DISTRICT BOARD OF HEALTH MEETING

March 28, 2024 – 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 – Mayor Pro Tempore, City of North Las Vegas (*in-person*)
Bobbette Bond – At-Large Member, Regulated Business/Industry (*via WebEx*)
Nancy Brune – Council Member, City of Las Vegas (*via WebEx*)
Pattie Gallo – Council Member, City of Mesquite (*via WebEx*)
Joseph Hardy – Council Member, City of Boulder City (*via WebEx*)
Brian Knudsen – Mayor Pro Tempore, City of Las Vegas (*via WebEx*)
Jim Seebock – Council Member, City of Henderson (*in-person*)
- ABSENT:** Tick Segerblom – Commissioner, Clark County
- ALSO PRESENT:** Linda Anderson, Harry Ben-Zvi, Georgi Collins, Forrest Darby, Jessika
(In Audience) Dragna, Bradley Mayer, Vincent Queano
- LEGAL COUNSEL:** Heather Anderson-Fintak, General Counsel
- EXECUTIVE SECRETARY:** Fermin Leguen, MD, MPH, District Health Officer
- STAFF:** Malcolm Ahlo, Adriana Alvarez, Emily Anelli, Larry Armstrong, Jonna Arqueros, Jacqueline Ayala, Maria Azzarelli, Tawana Bellamy, Haley Blake, Todd Bleak, Amanda Brown, Nicole Bungum, Dan Burns, Nikki Burns-Savage, Victoria Burris, Donna Buss, Joe Cabanban, Jonathan Contreras, Andria Cordovez Mulet, Shea Crippen, Corey Cunningham, Rebecca Cruz-Nanez, Cherie Custodio, Gerard Custodio, Liliana Davalos, Aaron DelCotto, Brandon Delise, Jason Frame, Jacques Graham, Heather Hanoff, Jeremy Harper, Maria Harris, Richard Hazeltine, Summer Holloway, Carmen Hua, Dan Isler, Danielle Jamerson, Heidi Laird, Ignacio Leycegui, Josie Llorico, Cassius Lockett, Erick Lopez, Randy Lockett, Sandy Lockett, Cassandra Major, Jonas Maratita, Blanca Martinez, Lourdes Medina, Bernadette Meily, Gabriela Montaldo, Samantha Morales, Annette Nakhonwong, Samilla Neal, Linda Nguyen, Brian Northam, Erin O'Malley, James Park, Kyle Parkson, Neleida Pelaez, Luann Province, Katarina Pulver, Larry Rogers, Alexis Romero, Kim Saner, Chris Saxton, Dave Sheehan, Karla Shoup, Jennifer Sizemore, Randy Smith, Betty Souza-Lui, Candice Stirling, Will Thompson, Greg Tordjman, Renee Trujillo, Jorge Viote, Donnie Whitaker, Edward Wynder, Lourdes Yapjoco, Merylyn Yegon

I. CALL TO ORDER and ROLL CALL

The Chair called the Southern Nevada District Board of Health Meeting to order at 9:01 a.m. Andria Cordovez Mulet, Executive Assistant, administered the roll call and confirmed quorum. Ms. Cordovez Mulet provided clear and complete instructions for members of the general public to call in to the meeting to provide public comment, including a telephone number and access code.

II. PLEDGE OF ALLEGIANCE

III. 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.

Member Nielson joined the meeting at 9:03 a.m.

Forrest Darby indicated that he was requesting a waiver. The Chair advised that the First Public Comment period was devoted to items appearing on the agenda and requested that Mr. Darby make his comments to the Second Public Comment period.

The Chair closed the First Public Comment period.

Member Bond joined the meeting at 9:04 a.m.

IV. ADOPTION OF THE MARCH 28, 2024 MEETING AGENDA (for possible action)

A motion was made by Member Nemeč, seconded by Member Nielson, and carried unanimously to approve the March 28, 2024 Agenda, as presented.

V. 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 22, 2024 *(for possible action)*
- 2. PETITION #29-24: Approval of the Interlocal Agreement between the Southern Nevada Health District and the Regional Transportation Commission of Southern Nevada for COVID-19 antigen test kit vending machines;** direct staff accordingly or take other action as deemed necessary *(for possible action)*
- 3. PETITION #31-24: Approval of an Interlocal Agreement between the Southern Nevada Health District and the Regional Transportation Commission of Southern Nevada to provide services to support the Southern Nevada Health District Community Partnership**

to Promote Health Equity, Year 1 grant awarded to the SNHD by the Centers for Disease Control and Prevention (CDC Award #NU58DP007746), referred to as Racial and Ethnic Approaches to Community Health (REACH); direct staff accordingly or take other action as deemed necessary (for possible action)

A motion was made by Member Black, seconded by Member Seebeck, and carried unanimously to approve the March 28, 2024 Consent Agenda, as presented.

VI. 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 for an existing unpermitted septic system located at 339 Alpine Way, Mt. Charleston, NV 89124 to allow the septic system to encroach on the property line;** direct staff accordingly or take other action as deemed necessary *(for possible action)*

Daniel Isler, Environmental Health Engineer Supervisor, presented the variance request for an existing unpermitted septic system located at 339 Alpine Way, Mt. Charleston, NV 89124 to allow the septic system to encroach on the property line. Mr. Isler advised that the staff recommended approval of the variance request, with three conditions. The petitioner was not in attendance.

The Chair opened for Public Comment.

Seeing no one, the Chair closed the Public Comment.

Further to an inquiry from the Chair, Mr. Isler advised that the system was functioning, in good working condition, and the only issue was the location.

After discussion, the following motion was made:

A motion was made by Member Nielson, seconded by Member Seebeck, and carried unanimously to approve the Variance Request for an existing unpermitted septic system located at 339 Alpine Way, Mt. Charleston, NV 89124 to allow the septic system to encroach on the property line with the following conditions:

- 1. Petitioner and their successor(s) in interest shall abide by all local governmental regulations requiring connection to community sewage systems. Use of the ISDS shall be discontinued and the structure it serves shall be connected by any community sewage system constructed in the future to within four hundred (400) feet of the applicant's property line when connection can be made by gravity flow and the owner(s) are notified and legally required to do so.*
- 2. Petitioners and their successor(s) will abide by the operation and maintenance requirements of the most current SNHD Regulations governing individual sewage disposal systems.*

3. *Permitting of the ISDS must be completed within one year of the date of approval of the variance. If the permit has not been approved within that period, this variance shall automatically expire and be of no further force and effect, unless application is made and approved for an extension of time prior to the expiration date by Petitioners or their successor(s) in interest.*

2. **Variance Request for an existing septic system, SNHD Permit #ON0033483, located at 8520 Jakes Pl., Las Vegas, NV 89143 to allow the septic system to encroach on the property line;** direct staff accordingly or take other action as deemed necessary (*for possible action*)

Daniel Isler, Environmental Health Engineer Supervisor, presented the variance request for an existing septic system, SNHD Permit #ON0033483, located at 8520 Jakes Pl., Las Vegas, NV 89143 to allow the septic system to encroach on the property line. Mr. Isler advised that the staff recommended approval of the variance request, with two conditions. The petitioner was not in attendance.

The Chair opened for Public Comment.

Seeing no one, the Chair closed the Public Comment.

After discussion, the following motion was made:

A motion was made by Chair Kirkpatrick, seconded by Member Nielson, and carried unanimously to approve the Variance Request for an existing septic system, SNHD Permit #ON0033483, located at 8520 Jakes Pl., Las Vegas, NV 89143 to allow the septic system to encroach on the property line with the following conditions:

1. *Petitioner and their successor(s) in interest shall abide by all local governmental regulations requiring connection to community sewage systems. Use of the ISDS shall be discontinued and the structure it serves shall be connected by any community sewage system constructed in the future to within four hundred (400) feet of the applicant's property line when connection can be made by gravity flow and the owner(s) are notified and legally required to do so.*
2. *Petitioners and their successor(s) will abide by the operation and maintenance requirements of the most current SNHD Regulations governing individual sewage disposal systems.*

3. **Variance Request for an existing septic system, SNHD Permit #ON0014664, located at 499 Sari Dr., Las Vegas, NV 89110 to remain encroaching on the property line;** direct staff accordingly or take other action as deemed necessary (*for possible action*)

Daniel Isler, Environmental Health Engineer Supervisor, presented the variance request for an existing septic system, SNHD Permit #ON0014664, located at 499 Sari Dr., Las Vegas, NV 89110 to remain encroaching on the property line. Mr. Isler advised that the staff recommended approval of the variance request, with two conditions. The petitioner was not in attendance.

The Chair opened for Public Comment.

Seeing no one, the Chair closed the Public Comment.

After discussion, the following motion was made:

A motion was made by Member Seebock, seconded by Member Black, and carried unanimously to approve the Variance Request for an existing septic system, SNHD Permit #ON0014664, located at 499 Sari Dr., Las Vegas, NV 89110 to remain encroaching on the property line with the following conditions:

- 1. Petitioner and their successor(s) in interest shall abide by all local governmental regulations requiring connection to community sewage systems. Use of the ISDS shall be discontinued and the structure it serves shall be connected by any community sewage system constructed in the future to within four hundred (400) feet of the applicant's property line when connection can be made by gravity flow and the owner(s) are notified and legally required to do so.*
- 2. Petitioners and their successor(s) will abide by the operation and maintenance requirements of the most current SNHD Regulations governing individual sewage disposal systems.*

VII. REPORT / DISCUSSION / ACTION

- 1. Receive, Discuss and Approve the Recommendations from the March 25, 2024 Finance Committee meeting regarding the SNHD Clinical Master Fee Schedule;** direct staff accordingly or take other action as deemed necessary (*for possible action*)

Donnie (DJ) Whitaker, Chief Financial Officer, presented the proposed updates to the Clinical Master Fee Schedule. Ms. Whitaker was joined by Donna Buss, Revenue Cycle Manager.

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 schedules. Ms. Whitaker outlined the review methodology and the proposed changes.

Member Nielson summarized the discussion from the Finance Committee meeting earlier in the week.

Further to an inquiry from Member Seebock, Ms. Whitaker advised that all the fees were moved to the 50th percentile mark.

A motion was made by Chair Kirkpatrick, seconded by Member Black, and carried unanimously to accept the recommendation from the Finance Committee and approve the Clinical Master Fee Schedule Updates, as presented.

- 2. Receive, Discuss and Approve the Recommendations from the March 25, 2024 Finance Committee meeting regarding the SNHD Federal Poverty Level (FPL) guidelines;** direct staff accordingly or take other action as deemed necessary (*for possible action*)

Randy Smith, Chief Executive Officer – FQHC, presented the update to the Federal Poverty Level (FPL) guidelines. Mr. Smith advised that the FPL guidelines changed annually in January,

with 2024 seeing an increase of 4.1% to the Consumer Price Index (CPI) from 2022 and 2023. The guidelines were used to adjust the sliding fee schedules.

A motion was made by Member Black, seconded by Chair Kirkpatrick, and carried unanimously to accept the recommendation from the Finance Committee and accept the Update Federal Poverty Level Guidelines, as presented.

3. Receive, Discuss and Approve the Recommendations from the March 25, 2024 Finance Committee meeting regarding the SNHD Clinical Sliding Fee Schedules; direct staff accordingly or take other action as deemed necessary *(for possible action)*

Mr. Smith advised that offering Sliding Fee Schedules, for qualifying patients, was a requirement for HHS, HRSA and various other pass-through grants. Mr. Smith outlined the HRSA requirements related to billing and collections. Mr. Smith confirmed that patients are seen regardless of their ability to pay and are not sent to collections to recover outstanding payments. Mr. Smith outlined a new Point of Care Discount, which would provide a 50% discount on fees if payment was made at the time of a visit, for patients that had an income of 200% or greater than the federal poverty level, who did not qualify for the sliding fee discount. Mr. Smith further outlined a market study of fees for FQHCs in Nevada.

Mr. Smith proceeded to outline the Clinical Sliding Fee Schedules and advised there were no changes from last year, except a recommendation to remove the follow-up visit category for the Sexual Health Clinic. This recommendation was due to the fact that the majority of follow-up visits are performed by nurses and would be covered by the nurse visit category.

Further to an inquiry from Member Nemeč, Mr. Smith advised that generally a self-attestation was completed for patients to declare and confirm their income.

A motion was made by Chair Kirkpatrick, seconded by Member Bond, and carried unanimously to accept the recommendation from the Finance Committee and approve the SNHD Clinical Sliding Fee Schedules, as presented.

4. Receive, Discuss and Approve the Recommendations from the March 25, 2024 Finance Committee meeting regarding the FY2025 Budget; direct staff accordingly or take other action as deemed necessary *(for possible action)*

Ms. Whitaker presented the FY2025 Budget, which begins on July 1, 2024 and ends on June 30, 2025, with the following highlights:

Highlights

- Staffing is projected to increase to 866.5 FTE, compared to 865 FTE.
- General Fund revenues project at \$106.9M, an increase of \$5.4M from FY24 augmented budget.
- Special Revenue Fund (Grants) decrease to \$64.2M, a decrease of \$25.6M from FY24 augmented budget
 - SB118 funding is expected to start in FY25, total of \$10.95M; an estimated \$6.1M is anticipated to be utilized in FY25.

- Lab Expansion Project is currently underway is expected to continue in FY25 with \$4.1M carryover budget.

Ms. Whitaker advised that the presented budget did not include any salary, COLA, or merit increases.

Revenues – General & Grants Fund

- Property tax revenue is expected at \$36.6M, an increase of \$2.5M or 7.4% compared to FY2024.
- General Fund Revenue increased from \$101.5M to \$106.9M, a \$5.4M or 5.3% increase from FY2024.
- Special Revenue Funds decreased from \$89.8M to \$64.2M due to the conclusion of grants, examples, state’s grant that covered the initial Environmental Health Increase, COVID-19 Disaster Relief, and COVID-19 Vaccine.

Expenditures – General Fund

- General Fund employee salaries and benefits for FY2025 total \$68.6M an increase of \$6.9M to 11% from FY2024. FY2025 budget includes a full year of expense for vacant positions that were partially accounted for in the FY2024 augmented budget.
- Additional personnel needed to support Environmental Health and the transition of positions back to General Fund from grant funding contributed to the increase in salaries and benefits along with conversion of Grant Funded FTEs to General Fund.
- Pharmacy Medical Supplies increase from \$17.6M to \$20.2M, an increase of \$2.6M or 15% which has a revenue offset account.

Expenditures – Grant Fund

- Special Revenue Funds expenses decreased from \$96.8 M to \$69.6 M due to the conclusion of grants. Examples: state’s grant that covered the initial Environmental Health Increase, COVID-19 Disaster Relief, and COVID-19 Vaccine.
- SB118 total new revenue is estimated at \$6.0 M in FY25. Anticipated FTE total is 13.5 positions (6 new) with estimated salaries and benefits of \$1.4M.
- PHI Grant estimated revenue total in FY25 is \$6.7M. Anticipated FTE total is 50 positions with estimated salaries & benefits of \$5.7M.

Ms. Whitaker further reviewed the:

- Expenditures and Revenues vs. Expenditures by Division
- Personnel by Division, comparing FY2023, FY2024 and FY2025
- Capital Fund
- General Fund – Three Fiscal Year Activity – General Fund, Special Revenue Fund, Bond Reserve Fund, and Internal Service Fund

A motion was made by Chair Kirkpatrick, seconded by Member Black, and carried unanimously to accept the recommendation from the Finance Committee and approve the FY2025 Budget, as presented.

5. **Receive, Discuss and Approve Recommendations from the March 25, 2024 Finance Committee regard the Financial Report, as of December 31, 2023;** direct staff accordingly or take other action as deemed necessary (*for possible action*)

Ms. Whitaker presented the Financial Report, as of December 31, 2023, related to the Combined Funds, General Fund and Special Revenue Fund.

Member Nielson advised that the financial report was information and there was no action required. Heather Anderson-Fintak, General Counsel, confirmed that the Finance Committee requested regular financial reports and no voting was required.

- VIII. 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**)

The Chair reminded the Board members that April was Public Health Week and encouraged Board members to recognize and highlight the work of the Health District staff.

The Chair requested that staff cease the use of waivers of lifeguards at facilities. The Chair further indicated that at many locations the technology was not working as thought and to pull back waivers as needed.

The Chair requested a meeting in April for the Free-standing Emergency Departments Working Group. Dr. Leguen advised that initially a meeting would be established with the Chair to obtain feedback on the information that staff had obtained, followed by a meeting of the working group.

IX. HEALTH OFFICER & STAFF REPORTS (*Information Only*)

- DHO Comments

In addition to his written report, Dr. Leguen advised that the first week in April was Public Health Week and a number of events were scheduled throughout the week for Health District staff.

Dr. Leguen further advised that March 24th was recognized as World TB Day. As Clark County had experienced several cases of TB in recent months in the school system, Dr. Leguen recognized the work by Health District staff and the strong collaboration with members of the Clark County School District (CCSD). Dr. Leguen advised that the Health District had spent over \$200,000 on the recent investigations.

X. 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

- XI. 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.

Member Black left the meeting at 10:28 p.m. and did not return.

Forrest Darby represented Tiburon Estates and advised that, last year, their community jacuzzi was closed due to an imminent health hazard. Mr. Darby further advised that replacement pool covers were purchased and installed; photographs of the replacement pool covers were provided to the Board. Mr. Darby indicated that a pool inspection was performed, and the inspector noted that the serial numbers on the pool covers were different. Mr. Darby indicated that the inspector advised that the community would no longer be grandfathered in and would require that the jacuzzi was re-plumbed. Mr. Darby requested that the community be placed under the self-regulation category as outlined in the Aquatic Facility Regulations.

Harry Ben-Zvi, of Taylor Association Management, spoke regarding Tiburon Estates III, which was a townhome community at Flamingo and Pecos. Mr. Ben-Zvi clarified that the community pool was not closed by the Health District, as the issue of the pool cover was discovered before the pool was opened. Mr. Ben-Zvi advised that the community has governing documents with a good track record of complying with the governing documents and operating their pools safely. Mr. Ben-Zvi indicated that the self-regulation category would be advantageous for the community as the homeowner association was funded solely by the owner. The self-regulation category would allow the community to maintain their pools safely, which currently costs the homeowners association approximately \$22,000 annually.

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

XII. ADJOURNMENT

The Chair adjourned the meeting at 10:35 a.m.

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

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