

**STATE BOARD OF HEALTH
MINUTES**

**August 17, 2007
9:00 a.m.**

**Southern Nevada Health District
625 Shadow Lane
Las Vegas, Nevada**

BOARD MEMBERS PRESENT:

Frances (Sponer) Barron
Jade Miller, DDS, Chairman
Joan Anjum, RN
Lubna Ahmad, MD
Vishvinder Sharma, MD
William E. Quinn, IV, Vice Chairman

BOARD MEMBERS NOT PRESENT:

Roger Works, DVM

HEALTH DIVISION STAFF PRESENT:

Alex Haartz, Secretary, State Board of Health, Administrator, Nevada State Health Division
Janet Osalvo, Executive Assistant, Nevada State Health Division
Jennifer Dunaway, Health Facilities Surveyor IV, Bureau of Licensure and Certification
Lisa Jones, Chief, Bureau of Licensure and Certification

ADDITIONAL TESTIMONY PRESENTED BY:

Mary Anderson, MD, MPH, Washoe County District Health Officer

OTHERS PRESENT:

Annette Wells, Las Vegas Review Journal
Dee Hicks, RN
Jimmy Munoz, Diamond Residential
Susanne Sliwa, Deputy Attorney General, Office of the Attorney General

Jade Miller, DDS, Chairman, opened the meeting at 9:00 a.m. Dr. Miller indicated that the meeting was properly posted at the locations listed on the agenda in accordance with the Nevada Open Meeting Law.

1. Roll Call and approval of minutes from the June 22, 2007 Board of Health meeting.

Janet Osalvo, Executive Assistant, Nevada State Health Division, stated that Dr. Works was excused. A quorum was established.

Dr Miller spoke in recognition of the new and retired Board members. Dr. Miller indicated that Ms. Dee Hicks, RN, is remarkable and has served for eight (8) years on the Board. Ms. Hicks has been a mentor for all incoming Board members, an advocate for the public and committed to protecting the public. Dr. Miller thanked Ms. Hicks for her continued and outstanding service while serving on the Board. Dr. Miller then opened the floor for other Board members' comments to Ms. Hicks.

Ms. Sponer thanked Ms. Hicks for her years of service, wise counsel and for being a great role model. Ms. Sponer then wished Ms. Hicks to take pleasure in a wonderful retirement.

Mr. Quinn stated that Ms. Hicks has been a part of many changes and improvements within the Health Division. Mr. Quinn indicated that Ms. Hicks has provided good insight, expertise and common sense decisions for the Board. Mr. Quinn then congratulated Ms. Hicks for her retirement.

Alex Haartz, Secretary, State Board of Health indicated that a plaque was prepared for Ms. Hicks in recognition of her years of service on the Board.

Ms. Hicks was presented with the plaque for recognition of her eight (8) years of service on the Board and for serving the citizens of Nevada.

Ms. Hicks stated that it has been a real privilege serving with the Board members for eight (8) years. Ms. Hicks then indicated that she has known her replacement, Joan Anjum, RN, for several years and spoke highly of Ms. Anjum's reputation and knowledge. Ms. Hicks then congratulated Ms. Anjum on her appointment.

Dr. Miller recognized Dr. Joey Villaflor, who was not in attendance, for his eight (8) years of service on the Board. Dr. Miller indicated that Dr. Villaflor had served three (3) of eight (8) years as Chairman on the Board. Dr. Miller stated that Dr. Villaflor was well connected in the community and assisted in the Board achieving many goals.

Dr. Miller indicated that Dr. Villaflor is not in good health at this time. Dr. Miller thanked and congratulated Dr. Villaflor for his service while on the Board and wished him a quick recovery. Dr. Miller then opened the floor for other Board members' comments to Dr. Villaflor.

Mr. Quinn commended Dr. Villaflor for his exceptional knowledge of Board issues. Mr. Quinn stated that Dr. Villaflor always worked for the best interest of the citizens of Nevada. Mr. Quinn then stated that Dr. Villaflor will be missed as a member.

Ms. Sponer stated that Dr. Villaflor is a very reliable individual and always found time to serve the citizens of Nevada and the Board.

Dr. Miller indicated that a plaque was also prepared for Dr. Villaflor commemorating his service on the Board from July 1, 1999 until June 30, 2007. Dr. Miller then welcomed new Board members, Dr. Lubna Ahmad and Ms. Joan Anjum. Dr. Miller asked Dr. Ahmad and Ms. Anjum to introduce themselves to the Board members.

Dr. Ahmad thanked Dr. Miller for the warm welcome. Dr. Ahmad stated that she is a board certified Endocrinologist and has been in private practice in Las Vegas since 1998. Dr. Ahmad then provided personal information concerning her background and family.

Ms. Anjum stated that she is originally from Brooklyn, New York, and has been a nurse for 35 years. Ms. Anjum indicated that she worked for ten (10) years in New York and has been in Nevada for 28 years. Ms. Anjum indicated that she works part-time with students at the University of Southern California and also at Desert Springs Hospital in Las Vegas. Ms. Anjum then provided personal information concerning her background and family.

Dr. Miller asked if there were any changes to the June 22, 2007 State Board of Health minutes.

MOTION: Dr. Sharma moved to approve the minutes of June 22, 2007 Board of Health meeting.

SECOND: Mr. Quinn

Dr. Miller asked if there was any public comment.

Ms. Sponer indicated that she had not had a chance to review the June 22, 2007 minutes and requested additional time to review the minutes.

Dr. Miller extended approval of the June 22, 2007 meeting minutes until later in the meeting. Dr. Miller then asked Ms. Sponer if she had received a copy of the minutes.

Ms. Sponer clarified for Dr. Miller that a copy of the minutes had been received.

3. Consent Agenda

Dr. Miller asked Board members if either consent agenda item number 3A or 3B would need to be pulled for further discussion.

There being no comments regarding items on the consent agenda:

MOTION: Ms. Sponer moved to approve consent agenda items 3A and 3B as presented by staff.

SECOND: Dr. Sharma

PASSED: UNANIMOUSLY

4. Senate Bill 244 of 2007 Legislative Session relating to emergency medical services; requiring the State Board of Health to develop a system of collecting data relating to waiting times at hospitals; requiring hospitals to participate in the collection of data. Discuss implementation of the study or delegate the responsibilities, pursuant to Section 1(8) and provide direction to the State Health Division.

Alex Haartz, Secretary, State Board of Health, indicated that item #4 should have been placed on the agenda as an informational item rather than an action item as was listed. Mr. Haartz stated that the Board needs to provide direction for Health Division staff concerning the required study to determine the amount of time it takes ambulance services to transfer a patient to a hospital emergency room and the amount of time it takes for hospital staff to take responsibility for the patient. The 2005 Legislature passed Senate Bill (SB) 458 that required a study to take place in Clark County. SB 244 is the outcome of the Legislature's on-going concern that in Clark County, excessive time was elapsing from the point an ambulance arrived at a hospital's emergency department to when the hospital assumed responsibility for the patient.

Mr. Haartz stated, as with SB 244, the State Health Division (HD) was allowed to delegate the responsibilities of implementing the study and as a result, the Southern Nevada Health District (SNHD) developed a working group and implemented the study. There were several issues concerning implementation of the study and with the ability of acquiring some of the reports. Mr. Haartz indicated that it was clear from the available data that while wait times had decreased, there were still concerns on whether the issue was resolved. The collection of data ability expired on December 31, 2006.

Mr. Haartz stated that during the 2007 Legislative Session there was a lot of discussion regarding continuation of the study and how the study would be implemented. Participants in the discussion were representatives from the HD, SNHD, the Nevada Hospital Association and ambulance services. There was a desire to continue the study therefore, the Legislature passed SB 244. Instead of placing the study under the authority of the State Health Division, authority was placed at the State Board of Health level. SB 244 was written with language indicating that the Board could require Washoe and the rural counties to participate in the study if the local authorities felt there was a need. Another part of the bill directs the Board to adopt regulations and carry on the delegation of duties. The Board has been directed by SB 244 to adopt regulations.

Mr. Haartz stated that this item was placed on the agenda to request the Board to provide direction for staff on the required actions. Mr. Haartz then recommended that the Board consider the following (3) actions for staff:

- The Board would direct staff to prepare regulations for adoption at the December 7, 2007 Board of Health meeting and that those regulations contain a mechanism by which responsibilities can be delegated to a county or district board of health, pursuant to SB 244, Subsection 11.
- The Board would delegate the Board's responsibilities, pursuant to SB 244, Subsection 8, to the Southern Nevada District Board of Health. The basis for this recommendation is based upon the fact that since 2006, the Southern Nevada Health District (SNHD) has been collaboratively leading a working group of hospitals and emergency services providers in the collection and analysis of wait time data. The SNHD already has a process in place. The State Board of Health members have been provided a copy of a petition that will be presented by SNHD staff at the Southern Nevada District Board of Health meeting on August 23, 2007. The petition recommends the Southern Nevada District Board of Health to accept delegation from the Board.
- The Board would recommend that the regulations don't include an affirmative decision that Washoe County participates in the study prior to rural counties. The Board would direct staff to write the regulations allowing rural counties to have the ability to "opt in" and participate in the study consistent with the language of SB 244.

Mr. Haartz indicated that Mary Anderson, MD, MPH, Washoe County District Health Officer, is present at the meeting today to provide a report under item #6C and could possibly answer any questions at that time.

Mr. Quinn requested clarification from Mr. Haartz whether the Legislature had approved funding for agencies to conduct the study.

Mr. Haartz clarified for Mr. Quinn that the Legislature did not allocate any funding. SB 244 Section 1, Subsection 10 states that the agencies participating in the study would share the expenses.

Mr. Quinn stated in favor of staff suggestion that Clark County continue conducting the study.

Dr. Sharma requested clarification of the type of data that was collected from the study by SNHD and asked that SNHD clarify the reasons for the wait time problem, whether it was from crowded conditions for treatment of mental health patients or for other reasons.

Mr. Haartz indicated that the data extracted from the SNHD study reflected that wait times were generally less than the 30 minute maximum. Mr. Haartz stated that the availability of hospital beds for mental health patients was another report that could be extracted from the study and this information would be requested from SNHD.

Dr. Sharma requested clarification of the Legislature's plan upon receipt of this information.

Mr. Haartz indicated that it was apparent during the 2007 Legislative Session the intent was to acquire the pertinent data first and then address possible solutions for the wait time issues.

Mr. Quinn asked whether SNHD could provide an update at the next State Board of Health meeting held in Las Vegas concerning the wait time issues.

Mr. Haartz clarified that Dr. Lawrence Sands, Chief Health Officer, SNHD, would be asked to include an update as part of his report at the next Board meeting held in Las Vegas on October 19, 2007. Mr. Haartz then indicated that a decision would be made by the Southern Nevada District Board of Health on whether to accept delegation of continuing the study, or not, by the October meeting.

Ms. Sponer stated that she had reviewed the enrolled version of SB 244 on the Legislative website as well as the meeting minutes. Ms. Sponer indicated that Senator Joseph Heck had stated in the minutes that the reason SB 244 is a continuation of SB 458 was that the HD was instructed to produce and put in place regulations in 2005 and this was not accomplished. Ms. Sponer expressed her concern of this process being repeated without a solution.

Mr. Haartz stated that during the 2007 Legislative Session it was discussed that a requirement for participation in the study was counties with a population of 400,000 or more, which is Clark County. Mr. Haartz indicated that Emergency Medical Services is regulated by the local District Board of Health and the Board regulates hospitals. There was concern discussed about the local authority being unable to regulate hospitals. The local health district/department could mandate how ambulances operate, but not how hospitals receive patients. Nevada Revised Statutes 450B.790(1) state that the hospital must accept the patient within 30 minutes. Mr. Haartz stated that he believes this was the reason it was directed to the Board. The bill also requires the local board's of health to adopt regulations for ambulances to participate in the study.

Ms. Sponer requested clarification of the intent of the Legislature when implementing SB 244.

Mr. Haartz clarified for Ms. Sponer that the intent was to have a data reporting system, pursuant to SB 244, and this data would be reported to the Legislature.

Ms. Sponer asked if the Board had received any data pertaining to the study.

Mr. Haartz clarified for Ms. Sponer that data has not been received by the Board. SNHD contracted with a software vendor and found that the software had some limitations and all of the required data from the reports was unattainable. Over the last six (6) months the SNHD has been working with the vendor to create a way to obtain the reports that are required. Mr. Haartz stated that NRS already requires hospitals to receive transfer patients from emergency transport within 30 minutes but it was never tied to hospital licensure. The Legislature has directed the Board to adopt regulations linking licensure to the 30 minute rule. The HD will be implementing proposed regulation amendments to Nevada Administrative Code (NAC) 449 at the December 7, 2007 meeting to address this linkage.

Mr. Haartz then stated that SB 244 clearly allows delegation and responsibility to be allocated to the local level however, it is clear the data needs to be reported to the HD and the Legislature.

Ms. Sponer stated that data results should have been reported to the Board and its Chairman within two (2) years.

Mr. Haartz then stated that the SNHD would be asked to update the Board at the October 19, 2007 on the type of software that is available for acquiring wait time data, the type of data that was acquired, the working group's current members and the type of information that has been acquired.

Mr. Quinn stated in favor of SNHD being delegated to acquire the data pursuant to SB 244 and that the Board would maintain oversight of the project. Mr. Quinn indicated that acquiring data while experiencing a steady growth rate in Nevada and learning to control wait times in conjunction with growth, would be a possible way to control the problem.

Ms. Sponer requested clarification of how the Board of Health would track progress of the study. Mr. Haartz indicated that the Board would want to participate in how the data would be collected. SB 244 gives some description of the minimum data that should be collected during the study. At this time there has been no information received concerning wait times and transfer times in the 14 rural counties. The Board has the option to require the county to implement a system for the collection of data. If the Board believes there is a problem in any of the rural counties the Board could direct that county to participate.

Mr. Quinn requested clarification whether Washoe County could participate in the study due to substantial growth rate.

Mr. Haartz clarified for Mr. Quinn that the Washoe County Health Officer could request Washoe County participation in the study or the Board could request Washoe County participate based upon given data.

Dr. Miller asked whether a letter would be sent to the Reno Emergency Medical Services Authority (REMSA) and each county requesting the county health officer to respond on whether the county would "opt in" and participate in the collection of data.

Mr. Haartz indicated that Health Division staff would send the appropriate letter to REMSA and each of the 14 rural counties. Mr. Haartz then stated that staff would also send a letter on behalf of the Board to Dr. Mary Anderson, Washoe County Health Department, each Chief Executive Officer (CEO) of the hospitals and emergency medical services, the fire departments, REMSA and request each to clarify whether there was an issue or not in terms of transfer time. Mr. Haartz then indicated that the Board would be updated with the information that is acquired from the counties.

Dr. Miller stated that Health Division staff would prepare proposed regulations that include the provisions that Mr. Haartz recommended. Dr. Miller indicated that the proposed regulations would include oversight by the State Board of Health on the data reporting process, how frequent the data will be reported to the Board and whether Washoe County and other counties have concerns of being compliant.

Ms. Sponer stated that SB 244 is unfunded and indicated concerns of whether patients are being treated within a timely manner.

Mr. Haartz indicated that during the 2007 Legislative Session, the working group participants for Southern Nevada determined that it was not the intent of SB 244 to provide monetary sanctions. It was felt that public reporting of the information would be sufficient to ensure compliance of ambulance services and hospitals.

1. Approval of the minutes from the June 22, 2007 meeting.

Dr. Miller asked whether Board members had reviewed the June 22, 2007 Board of Health minutes and if approval could be sought at this time.

There being no changes, additions or deletions to the June 22, 2007 Board of Health minutes.

MOTION: Ms. Sponer moved that the minutes from the June 22, 2007 Board of Health meeting be approved.
SECOND: Mr. Quinn
PASSED: UNANIMOUSLY

5. Information Item: Discussion and update on the process of reviewing the 2006 edition of the American Institute of Architects Guidelines for Design and Construction of Health Care Facilities.

Jennifer Dunaway, Health Facilities Surveyor IV, Bureau of Licensure and Certification (BLC), stated that the American Institute of Architects Guidelines (AIA) have been utilized for physical environment regulations for 13 facility types licensed by BLC. Nationally, the guidelines are revised by the Federal Guidelines Committee of the American Institute of Architects every two (2) to four (4) years. The committee consists of a multidisciplinary group of architects, engineers, state and federal government representatives and the private sector representing health care facilities.

Ms. Dunaway indicated that the guidelines provide specific requirements for the design and functionality of a health care facility, with an emphasis on promoting patient satisfaction and improved outcomes. In this manner the Guidelines differ from uniform or international building codes that provide requirements specific for building construction.

Ms. Dunaway stated that in July 2006, the American Institute of Architects (AIA) published a revised edition of the guidelines. As stated in the Nevada Administrative Code (NAC) 449.0105(2), each revision of the Guidelines shall be reviewed by the Board to ensure suitability for the state. At the December 2006 Board meeting, BLC staff provided the members with information that included seven (7) items in particular that were identified as needing modification or exclusion from the recommendation. The Board also heard testimony from the public opposing the adoption of the guidelines primarily due to the requirement for single patient rooms in hospitals. The Board voted to not approve the Guidelines and directed BLC to consider additional public comments that would be reported at a future Board meeting.

Ms. Dunaway indicated that two (2) public workshops were held in July 2007, one in Carson City and the other in Las Vegas. Items discussed during the workshops were the requirement for single patient rooms in an acute care hospital for medical surgical units, obstetric facilities (labor and delivery) in-hospital skilled nursing units and a typical patient room in small primary care hospitals; concerns about pre-approval of functional program requirements and interpretations of certain guidelines, and the definition of renovations.

Ms. Dunaway indicated that BLC had requested the Nevada Hospital Association (NHA) and the Nevada Health Care Association (NHCA) to provide their memberships' viewpoint on the aforementioned issues.

Ms. Dunaway provided the Board members with copies of the minutes from the AIA Guideline public workshops and a comparison chart outlining key issues and rationale for adoption, revision or exclusion. Ms. Dunaway additionally provided articles that discuss the pros and cons of single versus semi-private rooms.

Ms. Dunaway then stated that BLC staff will provide additional information that will be acquired from industry associations, along with a formal recommendation regarding the adoption of the 2006 edition of the AIA Guidelines at the December 7, 2007 Board meeting.

Mr. Quinn asked Ms. Dunaway whether architects had affirmed with the outcome of the workshops. Mr. Quinn then stated that intent of the postponement for approval of the guidelines was for the architects to have time to address the changes proposed for the AIA Guidelines.

Ms. Dunaway clarified for Mr. Quinn that architects would prefer the hospital maintain the ability of making the decision whether private or semi-private rooms would be available. The decision to request approval of

the AIA Guidelines at the December 7, 2007 Board meeting would provide additional time to meet with the Chief Executive Officer and Chief Financial Officer of the NHA and the NHCA for a valued opinion.

6. Reports

A. Chairman - Jade Miller, DDS

Dr. Miller asked whether the December 7, 2007 would have the ability of being changed to December 14, 2007.

Mr. Quinn and Ms. Sponer indicated that changing the meeting to December 14, 2007 would cause conflict with their schedules.

Ms. Sponer indicated that any dates except December 14 and 15 in 2007 would be best.

Dr. Miller stated that the December 7, 2007 Board meeting will then remain on that date.

B. Alex Haartz, Administrator, Nevada State Health Division

Mr. Haartz indicated the future actions that are required of the Board. The first, staff would be presenting the proposed regulation changes for trauma designation. The Southern Nevada Health District recently amended trauma regulations and the Health Division staff would be presenting proposed regulation amendments to NAC 450B, Centers for Treatment of Trauma. The intent is to update the trauma regulations to simplify and become current with the standards. Additionally, there would be proposed regulation amendments concerning immunizations for college students as well as child care.

Mr. Haartz stated that proposed regulation amendments will be presented to the Board for increased fees for food establishments and public health sanitation. Fee increases were a result of the 2007 Legislative Session. The Governor approved the budget bill with the inclusion of increased fees. Mr. Haartz indicated that proposed regulation amendments will be requested for radiological health concerning materials, x-ray machines and changes would also make the regulations consistent with the Nuclear Regulatory Commission's regulations. The wait time regulations will be presented for approval and the AIA Guidelines will be presented at the December 7, 2007 Board meeting. In February 2008, the Health Division will be presenting the immunization regulations. The next three (3) Board meetings will include proposed regulation amendments.

Mr. Haartz indicated that the State Health Officer recruitment interviews will be conducted the last week in September 2007. The Department of Health and Human Services' Director, Mike Willden, would participate in the interview process and it is anticipated that an offer will be made and accepted to fill that position prior to the October 19, 2007 Board meeting.

Mr. Haartz stated that there was a United States Geological Survey (USGS) Research Study made on selected water wells within Churchill County and there was naturally occurring polonium 210 identified. The USGS chose to notify the owners of the selected wells and state that polonium may be a health concern and directed owners to contact the local healthcare provider. This resulted in a great deal of activity that reached the Secretary of Agriculture and the Secretary of Health at the Federal level due to the concern of whether polonium was possibly linked to the childhood leukemia cluster that Churchill County and the City of Fallon experienced in late 1999 through 2002. Unfortunately, the USGS performed the study in isolation not informing federal or state agencies of the study. The USGS had sampled wells

known to have excess gross alpha radiation that had originally been sampled by the Centers for Disease Control and Prevention (CDC) in 2001. There was a great deal of concern among the public, including concern that two (2) wells were used to water two (2) local dairies. The Food and Drug Administration (FDA) performed emergency sampling of dairy products and determined that Churchill County milk was suitable for consumption.

Mr. Haartz indicated that there was newspaper coverage concerning pertussis (whooping cough) outbreak in Nevada. In Northern Nevada, especially in Elko County, there have been about 20 cases among children and adults, which are far more than expected. Over the past week Health Division staff from the Community Health Nurses Program, Immunization Program and the Public Health Preparedness Program went to Elko and along with local providers had two (2) mass vaccination clinics where as many as 1,000 individuals were vaccinated for pertussis and other diseases as well. There were 3,000 immunizations provided. It was discovered that a number of children were found to be under-immunized. Mr. Haartz indicated that Salt Lake City, Utah has about 800 cases of pertussis per year and continually works to control the outbreak. Many families move to and from Salt Lake City and Northern Nevada each year. The Health Division is monitoring Battle Mountain, Winnemucca, on whether there is any increase in the number of pertussis cases.

Ms. Sponer requested clarification of whether the Board will be updated on the Mental Health Crisis Unit in Las Vegas.

Mr. Haartz clarified for Ms. Sponer that during the June 22, 2007 Board meeting, approval was given to WestCare to operate with a Compliance Agreement through December 31, 2007, for WestCare's funding would expire in October 2007. The direction given, was if WestCare didn't secure additional funding and wanted to continue operations, WestCare needed to request a variance for consideration of approval at the December 7, 2007 Board meeting. The question is whether WestCare will receive additional funding or request a variance.

Ms. Sponer requested a report to be provided for Board members at the October 19, 2007 meeting, her understanding is that the back-up in emergency rooms is very acute for mental health patients and if a facility loses their Joint Commission on Accreditation of Healthcare Organizations (JCAHO) accreditation, they would also lose their Medicare accreditation.

Ms. Jones stated that the accreditation is a state status where the facility is not subject to the BLC survey for Medicare. The Health Division contracts with Medicare as the state agency. If the facility loses its accreditation, the survey compliance will be completed by the state agency, and actions will be taken on the conditions of participation that are not met.

Dr. Miller stated that there are two (2) reports that will be requested to hear updates at the October 19, 2007 Board meeting, data concerning hospital wait times and the mental health crisis in Southern Nevada.

C. Washoe County District Health Department – Mary Anderson, MD, MPH, District Health Officer

Dr. Anderson stated that there was recent discussion with the Food and Drug Administration (FDA) and the Nevada State Health Division concerning whether Washoe County has the authority to inspect food processing and manufacturing establishments, pursuant to Nevada Revised Statutes (NRS) 585 and NRS 446. Currently there is not a regular pattern of inspections that is taking place. There is a legal difference of opinion among the Attorney General's Office (AG) and the District Attorney's Office (DA) concerning whether Washoe

County has the authority to enforce food processors in Washoe County. There have been several discussions on this issue, but without a written decision from the AG or County DA's office, there is a roadblock for acceptance of the new State Food Code NAC 446, a delay of the FDA, State Health Division and Washoe County Health District partnership agreement, a possible influence on agency budgets not yet considered, as well as many other factors. Ms. Anderson stated that after conversations with Barbara Cassons, Director, FDA, San Francisco, Region-9, it was determined that after a legal opinion is received by Washoe County, Ms. Cassons will be invited to attend a meeting that includes Washoe County, State Health Division, AG and DA to address the surrounding issues.

Dr. Anderson stated that the next issue is coordinating outbreak issues. Historically there have been outbreaks associated with facilities located within Washoe County as in other counties. In April 2006, there was an interim process developed in coordinating outbreak investigations of facilities that involved the Bureau of Licensure and Certification (BLC), the Bureau of Health Protection Services (BHPS), The State Office of Epidemiology and the Washoe County District Health Department. However, to date no formal process has been established. The interim agreement did help to solve some issues but it is time to move forward and establish the formal process with these agencies.

Dr. Anderson indicated that there have been mosquito pools and chickens which tested positive for three (3) of four (4) causes of Encephalitis within Washoe County; West Nile Virus, Western Equine Encephalitis and St. Louis Encephalitis. The positive results have been sent to the State Health Lab at the University of Nevada Reno and it was determined that only the West Nile Virus strain was present in human cases. Because the mosquito pools were positive for Western Equine and St. Louis Encephalitis, further tests would be made to distinguish effect and treatment on human cases, if applicable.

Mr. Haartz stated that in light of Dr. Anderson's report, as of Monday, August 13, 2007, there were two (2) laboratory confirmed human cases of West Nile Virus this year, which is fewer than last year. Mr. Haartz indicated speculation of the reason for there being fewer cases is due to effective vector control efforts within Washoe, Clark and rural counties.

Dr. Anderson stated that Scott Monsen, Vector Borne Disease Program Coordinator, Washoe County District Health Department, highly complimented the State Agriculture Lab for having quick turn-around on identifying the positive strain, which is very important for vector control. Dr. Anderson indicated that in warm weather, a mosquito can go from an egg to a biting adult within about four (4) days. When it takes one (1) to two (2) weeks to acquire results of a lab test, the ability to eliminate a positive pool from generating positive mosquitoes is nearly impossible.

Dr. Anderson indicated that the Washoe County District Board of Health was asked to consider an accreditation for the Washoe County Health Department. An accreditation request is voluntary and it is known that when a department does not apply for an accreditation, the department tends to fall behind.

Ms. Sponer requested clarification of what a crediting body stands for.

Dr. Anderson clarified for Ms. Sponer that an accrediting body is through the National Association of Public Health Officials.

Ms. Sponer congratulated Dr. Anderson for the desire to seek accreditation.

Dr. Anderson indicated that a basis for accreditation is going to be the operational definition of Local Health Department and is nationally disseminated.

Dr. Anderson then stated that Dr. Robert Myles, a long-term member of the Washoe County District Board of Health, was selected for the Western Region Director's award from the National Association of Local Boards of Health. The award will be presented to Dr. Myles on September 18, 2007 in Anchorage, Alaska. Dr. Myles served on the Washoe County District Board of Health for more than ten (10) years. Dr. Myles also established, upon departure from the Board, the Washoe County District Board of Health Scholarship for persons wishing to pursue a career in public health.

Dr. Anderson indicated that videoconferencing is now a capability in the conference room at the Washoe County District Health Department. The conference room would accommodate a small group and possibly save funds that would normally be used for travel expenses.

D. Environmental Commission – Frances Sponer, Board of Health Designee

Ms. Sponer thanked Chairman, Dr. Miller, for appointing her to represent the Board as part of the Environmental Commission (EC). Serving on the EC is interesting and a lot is learned from the experience. There is a meeting schedule for 2008 and Ms. Sponer offered to forward the information to Board members. Ms. Sponer stated that the next meeting is scheduled to be held on September 6, 2007 with several important issues on the agenda. The EC website is very robust with detail on nearly every issue the commission represents. Some items of interest that are coming up are arsenic rule exceptions, a regulation change related to mines within Nevada and waste landfill cover requirements. Ms. Sponer stated that Nevada Power had a huge fine to pay in the amount of approximately \$94M for emissions. The next briefing coming up is on mercury storage and the Hawthorne, Nevada site. The Hawthorne site already stores some mercury. Ms. Sponer stated that there are pictures on the Hawthorne website that shows barrels where storage of mercury occurs and there has been a lot of media in the past concerning this issue. The Hawthorne area is the largest storage of mercury in the United States and is a large concern.

Mr. Haartz requested clarification of Ms. Sponer whether the federal agency is trying to consolidate other states' storage of mercury to Hawthorne and whether the EC is adopting regulations related to mercury pursuant to results of the 2007 Legislative Session.

Ms. Sponer clarified for Mr. Haartz that the EC is looking at regulations related to fees and accidental release into the environment from the storage of mercury.

Ms. Sponer stated that if any Board member would like additional information related to the EC, she would forward that information to them.

6. Public Comment and Discussion

Dr Miller indicated that Mr. Haartz had asked of his ability to participate in the State Health Officer interviews and that he would be out of town and unavailable. Dr. Miller encouraged other Board members to participate in the interviews that would take place in the afternoon on September 25, 2007 and all day on September 26, 2007.

Ms. Sponer indicated that she would be available to participate in the interviews and would like to be part of the panel.

Mr. Haartz indicated that a suggestion would be made to Mike Willden, Director, Department of Health and Human Services, for Ms. Sponer to participate in place of Dr. Miller.

Dr. Miller requested that since there are two (2) new Board members an updated contact list needs to be distributed.

Ms. Sponer indicated a personal conflict with the October 19, 2007 Board meeting and asked whether the meeting could be changed to be held sooner or the following week.

Mr. Haartz stated that if the meeting was held sooner than October 19, 2007, there would be a problem for compliance with the law and conflict with timeframes that were in place for adoption of regulations. It would be best for the October meeting to be changed to a later date rather than an earlier date.

Mr. Quinn stated that the meeting should be held on October 19, 2007 as scheduled.

Mr. Haartz stated that traditionally, the Health Division Executive Assistant would send Board members a list of proposed meeting dates for 2008.

There being no further comments, Dr. Miller adjourned the meeting at 10:50 a.m.