

## WASHOE COUNTY DISTRICT BOARD OF HEALTH MEETING NOTICE AND AGENDA

### Members

Kitty Jung, Chair  
Julia Ratti, Vice Chair  
Neoma Jardon  
Dr. George Hess  
David Silverman  
Dr. John Novak  
Michael D. Brown

Thursday, April 23, 2015  
1:00 p.m.

Washoe County Administration Complex  
Health District South Conference Room  
1001 East Ninth Street  
Reno, NV

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### PUBLIC HEARING ITEMS SCHEDULED ON THIS AGENDA

(Complete item descriptions on second page.)

- **Proposed Approval and Adoption of Revisions to the Health Department Fee Schedule**

**Items for Possible Action.** All items numbered or lettered below are hereby designated for possible action as if the words “for possible action” were written next to each item (NRS 241.020). An item listed with asterisk (\*) next to it is an item for which no action will be taken.

1:00 p.m.

1. **\*Determination of Quorum**
2. **\*Pledge of Allegiance**
3. **\*Public Comment**

Any person is invited to speak on any item on or off the agenda during this period. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item. Limited to three (3) minutes per person.

4. **Approval of Agenda**  
April 23, 2015
5. **Approval of Draft Minutes**  
March 26, 2015
6. **Recognitions**

#### A. Promotions

1. Sara Dinga – from Public Health Emergency Response Coordinator to Director of Programs and Projects 3/31/15
2. Jessica Cabrales – from OAI to OSS, CCHS 4/1/15

## **7. Proclamations**

1. Bike Week  
Accepted by Julie Hunter
2. Women's Health Week  
Accepted by Kelli Goatley-Seals
3. Air Quality Awareness Week  
Accepted by Charlene Albee
4. Emergency Medical Services Week  
Accepted by Christina Conti

## **8. Consent Items**

Matters which the District Board of Health may consider in one motion. Any exceptions to the Consent Agenda must be stated prior to approval.

### **A. Air Quality Management Cases**

Staff Representative: Charlene Albee

1. Recommendation to uphold citations not appealed to the Air Pollution Control Hearing Board.
  - a. Aspen Development Corporation – Case No. 1172, Citation No. 5367
2. Recommendation of cases appealed to the Air Pollution Control Hearing Board.
  - a. Deny the Appeal of A Plus Restoration (John Langon) – Case No. 1171, Citation No. 5297 – Uphold the Citation

### **B. Budget Amendments/Interlocal Agreements**

1. Ratification of Intrastate Interlocal Contract between the State of Nevada, Department of Conservation and Natural Resources, Division of Environmental Protection and the Washoe County Health District for the period upon Board of Examiners approval through June 30, 2017 in the total amount of \$250,000 (\$125,000 per fiscal year) in support of the Safe Drinking Water Act (SDWA) Grant Program; and if approved, authorize the Chairman to execute.  
Staff Representative: Erin Dixon

## **9. Public Hearings**

1. **Proposed approval and adoption of revisions to the Health Department Fee Schedule, specific to the addition of new fees for Air Quality Management and Environmental Health Services, collection beginning July 1, 2015.**  
Staff Representative: Erin Dixon

## **10. Regional Emergency Medical Services Authority**

Presented by Jim Gubbels

1. Review and Acceptance of the REMSA Operations Reports for March, 2015
- \*2. Update of REMSA's Community Activities during March, 2015.

- 11. Presentation, discussion and possible approval of the Regional Emergency Medical Services Authority (REMSA) Compliance Checklist, which will be used to determine REMSA's Franchise compliance with the Amended and Restated Franchise Agreement for Ambulance Service**  
Staff Representative: Brittany Dayton
- 12. Review, discussion and acknowledgment of Business Impact Statements regarding Proposed Amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments; and other matters properly related thereto; and set a public hearing for possible adoption of Proposed Amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments for May 28, 2015 at 1:00 pm.**  
Staff Representative: Dave McNinch
- 13. Approve Interlocal Agreement between the Washoe County Health District, also known as the Rabies Control Authority, and Washoe County Regional Animal Services to outline the responsibilities between the parties, for the control of rabies in Washoe County**  
Staff Representative: Jim Shaffer
- 14 Acknowledge receipt of the Health District Fund Financial Review for March Fiscal Year 2015 and 2016 Budget Update. Provide possible direction to staff regarding FY16 Budget.**  
Staff Representative: Anna Heenan
- 15. Presentation, Discussion and Possible Acceptance of the April 2015 Nevada Legislative Session Report and Discussion and direction to staff regarding legislation or legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County Health District**  
Staff Representative: Kevin Dick
- \*16. Staff Reports and Program Updates**
  - A. Air Quality Management, Charlene Albee, Director**  
Program Update, Divisional Update, Program Reports
  - B. Community and Clinical Health Services, Steve Kutz, Director**  
Program Report – National STD Awareness Month, Divisional Update, Program Reports
  - C. Environmental Health Services, Bob Sack, Director**  
EHS Division Update, Program Updates - Food, IBD, Land Development, Safe Drinking Water, UST/LUST, Vector-Borne Disease, Waste Management, EHS Inspections / Permits / Plan Review
  - D. Epidemiology and Public Health Preparedness, Dr. Randall Todd, Director**  
Program Updates for Communicable Disease, Public Health Preparedness, and Emergency Medical Services
  - E. Office of the District Health Officer, Kevin Dick, District Health Officer**  
District Health Officer Report – Budget, Legislature, Community Health Improvement Plan, Truckee Meadows Healthy Communities, Quality Improvement, Program Cost Analysis, Other Events & Activities and Health District Media Contacts

## **\*17. Board Comment**

Limited to announcements or issues for future agendas.

## **18. Emergency Items**

## **\*19. Public Comment**

Any person is invited to speak on any item on or off the agenda during this period. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item. Limited to three (3) minutes per person.

## **20. Adjournment**

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**Possible Changes to Agenda Order and Timing.** Items on the agenda may be taken out of order, combined with other items, withdrawn from the agenda, moved to the agenda of another later meeting; moved to or from the Consent section, or they may be voted on in a block. Items with a specific time designation will not be heard prior to the stated time, but may be heard later. Items listed in the Consent section of the agenda are voted on as a block and will not be read or considered separately unless withdrawn from the Consent agenda.

**Special Accommodations.** The District Board of Health Meetings are accessible to the disabled. Disabled members of the public who require special accommodations or assistance at the meeting are requested to notify Administrative Health Services in writing at the Washoe County Health District, PO Box 1130, Reno, NV 89520-0027, or by calling 775.328.2416, 24 hours prior to the meeting.

**Public Comment.** Public comments are welcomed during the Public Comment periods for all matters whether listed on the agenda or not. All comments are limited to three (3) minutes per person. Additionally, public comment of three (3) minutes per person may be heard during individual action items on the agenda. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Board meeting. Persons may not allocate unused time to other speakers.

**Response to Public Comment.** The Board of Health can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The *Open Meeting Law* does not expressly prohibit responses to public comments by the Board of Health. However, responses from the Board members to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Board of Health will consider, Board members may choose not to respond to public comments, except to correct factual inaccuracies, ask for Health District Staff action or to ask that a matter be listed on a future agenda. The Board of Health may do this either during the public comment item or during the following item: "Board Comments – Limited to Announcement or Issues for future Agendas."

**Posting of Agenda; Location of Website.** In accordance with NRS 241.020, this agenda has been posted at: <https://notice.nv.gov>, (i) Washoe County Administration Building (1001 E. 9th Street); (ii) State of Nevada Division of Public and Behavioral Health, Carson City, NV; (iii) Reno City Hall, 1 E. 1<sup>st</sup> St, Reno, NV; (iv) Sparks City Hall, 1675 Prater Way, Sparks, NV; (v) Washoe County Health District website [www.washoecounty.us/health](http://www.washoecounty.us/health); and (vi) State of Nevada Website: <https://notice.nv.gov>. Agendas and staff reports are posted four days prior to the meeting.

**How to Get Copies of Agenda and Support Materials.** Supporting materials are available to the public at the Washoe County Health District located at 1001 E. 9<sup>th</sup> Street, in Reno, Nevada. Ms. Dawn Spinola, Administrative Secretary to the District Board of Health is the person designated by the Washoe County District Board of Health to respond to requests for supporting materials. Ms. Spinola is located at the Washoe County Health District and may be reached by telephone at (775) 328-2415 or by email at [dspinola@washoecounty.us](mailto:dspinola@washoecounty.us). Supporting materials are also available at the Washoe County Health District Website [www.washoecounty.us/health](http://www.washoecounty.us/health) pursuant to the requirements of NRS 241.020.

## **WASHOE COUNTY DISTRICT BOARD OF HEALTH MEETING MINUTES**

### **Members**

Kitty Jung, Chair  
Julia Ratti, Vice Chair  
Neoma Jardon  
Dr. George Hess  
David Silverman  
Dr. John Novak  
Michael D. Brown

**Thursday, March 26, 2015  
1:00 p.m.**

**Washoe County Administration Complex  
Health District South Conference Room  
1001 East Ninth Street  
Reno, NV**

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The Washoe County District Board of Health met in regular session on Thursday, March 26, 2015, in the Health Department South Conference Room, 1001 East Ninth Street, Reno, Nevada.

### **1. Call to Order, Pledge of Allegiance**

**Chair Jung called the meeting to order at 1:00 p.m.**

**Chief Brown led the pledge to the flag.**

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### **2. Roll Call**

The following members and staff were present:

Members present: Chair Kitty Jung  
Dr. George Hess  
David Silverman  
Neoma Jardon  
Dr. John Novak  
Michael D. Brown

Members absent: Vice Chair Julia Ratti

Staff present: Kevin Dick, District Health Officer, ODHO  
Leslie Admirand, Deputy District Attorney  
Anna Heenan, Administrative Health Services Officer, AHS  
Steve Kutz, Division Director, CCHS  
Bob Sack, Division Director, EHS  
Randall Todd, Division Director, EPHP  
James English, Supervisor, EHS  
Christina Conti, EMS Program Manager, EPHP  
Erin Dixon, Fiscal Compliance Officer, AHS  
Dawn Spinola, Administrative Secretary/Recording Secretary, ODHO

### 3. Public Comment

As there was no one wishing to speak, **Chair Jung closed the public comment period.**

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### 4. Approval of Agenda

**Councilmember Jardon moved to approve the agenda for the March 26, 2015, District Board of Health meeting. Mr. Silverman seconded the motion which was approved six in favor and none against.**

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### 5. Approval of Draft Minutes

**Dr. Novak moved to approve the minutes of the February 26, 2015 District Board of Health regular meeting as written. Chief Brown seconded the motion which was approved six in favor and none against.**

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### 6. Recognitions

Presented by Mr. Dick and Chair Jung

#### A. Years of Service

1. Brenda Wickman, 15 years, hired 3/27/2000 – EHS

Mr. Dick congratulated and thanked Ms. Wickman.

#### B. Transfers

1. Carmen Mendoza, Office Assistant II, from WIC to Vital Statistics on 3/23/15

Dr. Todd introduced Ms. Mendoza and stated he has been informed she is doing well in the position.

Mr. Dick acknowledged the extra efforts of the Vital Records staff to maintain extended hours while the third position was being filled.

#### C. Promotions

1. Genine Wright, 2/25/15, from Air Quality Specialist I to Air Quality Specialist II - AQM

Mr. Dick introduced and congratulated Ms. Wright.

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### 7. Proclamation

#### A. National Public Health Week

Nicole Alberti accepted the proclamation. She introduced Laima Etchegoyhen, Nevada Public Health Association, who was assisting with the Public Health Week activities.

**Chief Brown moved to adopt the National Public Health Week proclamation. Councilmember Jardon seconded the motion which was approved six in favor and none against.**

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### 8. Consent Agenda

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Matters which the District Board of Health may consider in one motion. Any exceptions to the Consent Agenda must be stated prior to approval.

**A. Budget Amendments / Interlocal Agreements**

1. Approve Notice of Subgrant Award from the Nevada Department of Health and Human Services, Division of Public and Behavioral Health for the period January 1, 2015 through December 31, 2015 in the amount of \$112,285 for the Centers for Disease Control and Prevention (CDC) Immunization Program Grant (IOs 10028 & 10029); Approve amendments totaling an increase of \$12,742 in both revenue and expense to the FY15 CDC Immunization Federal Grant Program, IO 10029; and if approved authorize the Chairman to execute.
2. Approve Notice of Subgrant Award from the Nevada Department of Health and Human Services, Division of Public and Behavioral Health, for the period January 1, 2015 through December 31, 2015 in the total amount of \$129,456 in support of the Centers for Disease Control and Prevention (CDC) Sexually Transmitted Disease (STD) Federal Grant Program, IO 10014; Approve amendments totaling an increase of \$14,955 in both revenue and expense to the FY15 CDC STD Federal Grant Program, IO 10014; and if approved authorize the Chairman to execute.
3. Approve Notice of Subgrant Award from the Division of Public and Behavioral Health to provide funding in the total amount of \$110,000 for the period March 29, 2015 through March 28, 2016 (continuing grant) for the Tobacco Prevention and Control Program Grant, IO 10010; and if approved authorize the Chairman to execute.
4. Approve the abolishment of one vacant Intermittent Hourly Public Health Nurse II position (#70007952), one vacant Intermittent Hourly Registered Nurse I position (#70007575), one vacant Intermittent Hourly Health Educator II position (#70002278), and one vacant Intermittent Hourly Environmental Health Aide position (#70008715).
5. Approve Notice of Subgrant Award from the Nevada Department of Health and Human Services, Division of Public and Behavioral Health, for the period January 1, 2015 through December 31, 2015 in the total amount of \$110,706 in support of the Centers for Disease Control and Prevention (CDC) Tuberculosis Prevention and Control (TB) Federal Grant Program, IO 10016; Approve amendments totaling an increase of \$11,867 in both revenue and expense to the FY15 CDC TB Federal Grant Program, IO 10016; and if approved authorize the Chairman to execute.
6. Ratification of Contract between Washoe County Health District and the Board of Regents of the Nevada System of Higher Education to provide educational opportunities for the University of Nevada College of Agriculture, Biotechnology & Natural Resources students in a public health agency environment for the period upon approval of the Board of Regents and the Washoe County Board of Health through June 30, 2015 unless extended by the mutual agreement of the Parties; with automatic renewal for two successive one-year periods for a total of three years on the same terms unless either party gives the other written notice of nonrenewal at least 60 days prior to June 30 of each year; and if approved, authorize the Chairman to execute the Contract.

**B. Acceptance of the Air Quality Management Division portion of the Truckee Meadows Regional Plan Annual Report**

**C. Acceptance of the 2014 Annual Report to the Regional Planning Commission by the Washoe County Health District as the Solid Waste Management Authority.**

**Councilmember Jardon moved to approve the Consent Agenda as presented. Dr. Hess seconded the motion which was approved six in favor and none against.**

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## **9. Regional Emergency Medical Services Authority**

A. Review and Acceptance of the REMSA Operations Reports for February, 2015.

Mr. Gubbels reported for the month of February Priority One compliance in Zone A was 92 percent. For Priority One Zones B, C and D, it was 98 percent. Year-to-date average for July through February for Priority One Zone A was 93 percent. For Priority One Zones B, C and D, it was 98 percent.

Average Priority One response time in minutes was 5:28 for Reno, 6:06 for Sparks and 9:36 for Washoe County. Average Priority Two response time in minutes was 6:04 for Reno, 6:50 for Sparks and 9:59 for Washoe County.

Year-to-date average for July through February for Priority One response was 5:17 for Reno, 6:00 for Sparks and 10:07 for Washoe County. Year-to-date average for July through February for Priority Two was 6:02 for Reno, 6:50 for Sparks and 9:59 for Washoe County.

Average bill for January was \$1,072, bringing the year-to-date total to \$1,070.

There were three time edits, all listed in the report.

**Dr. Hess moved to accept the report as presented. Dr. Novak seconded the motion which was approved six in favor and none against.**

\*B. Update of REMSA's Community Activities for February, 2015.

Mr. Gubbels introduced Kevin Romero, Vice President of Operations, and asked that he present the report. Mr. Romero distributed copies of Emergency Medical Services (EMS) publication articles in which REMSA had been featured and provided an overview of the content.

Mr. Romero noted REMSA had held an awards ceremony in conjunction with the Veterans of Foreign Wars who had selected Todd Kirkwood, a REMSA paramedic, as their national paramedic of the year. Mr. Kirkwood had provided a training program to all local law enforcement agencies that, to date, has been attributed to saving two lives.

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## **10. Appointment of Matthew Buehler to the Sewage, Wastewater and Sanitation Hearing Board (SWS Board) for a three-year term beginning March 26, 2015 and ending March 25, 2018.**

Staff Representative: Mr. English

Chair Jung stated she understood the division had conducted outreach as requested by the Board and had connected with Mr. Buehler as a result.

Mr. English noted Mr. Buehler had heard about the opening and expressed his interest to Environmental Health staff. Mr. English stated the search for a licensed contractor to fill the second vacant position was still underway.

Mr. English went on to explain that Mr. Buehler's background included science and engineering. As a resident, Mr. Buehler could provide valuable unbiased input for the Board, as it typically hears issues including new design or setback.

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**Dr. Novak moved to appoint Mr. Matthew Buehler to the Sewage, Wastewater and Sanitation Hearing Board for a three-year term beginning March 26, 2015 and ending March 25, 2018. Dr. Hess seconded the motion.**

Chair Jung requested the members search for potential nominees for the Licensed General Contractor position on the SWS Board.

**The motion was approved six in favor and none against.**

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**11. Acknowledge receipt of the Health District Fund Financial Review for February Fiscal Year 2015.**

Staff Representative: Ms. Heenan

Ms. Heenan reviewed the highlights of the report. She noted additional revenue and expenditure from grant funding for tobacco use and HIV prevention advertising.

[Councilmember Jardon left the meeting at 1:19 p.m.]

**Mr. Silverman moved to accept the report. Chief Brown seconded the motion which was approved five in favor and none against, with Councilmember Jardon not being in attendance during the vote.**

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**12. Review, discussion and acknowledgment of Business Impact Statements regarding Washoe County Health District Proposed Fees and other matters properly related thereto; and set a public hearing for possible adoption of Proposed Fees for April 23, 2015 at 1:00 pm.**

Staff Representative: Ms. Dixon

Ms. Dixon noted the process was being handled differently than in the past due to an Nevada Revised Statutes (NRS) change that required the Business Impact Statements (BIS) be presented to the Board one meeting prior to the meeting at which the Board would potentially adopt the fees.

Chair Jung explained that, during the fiscal crisis, the District was not charging enough for services based on staff time, and in other areas, it was charging too much. Law requires overcharging be remedied and undercharging go through the BIS process. At that time, the Board elected to table the issue due to the hampered business environment. Chair Jung went on to say that now that the economy was stabilizing, the Board had opted to begin collecting the fees and stop subsidizing projects and activities.

Ms. Dixon noted the proposed fees had originally been presented to the Board in October of 2014, at which time minor modifications had been requested. Staff brought the updated version back in November of 2014, and at Board direction, proceeded to present the fees to impacted members of the community through mailings, legal advertisements, workshops and individual meetings. Comments had been received.

[Councilmember Jardon returned to the meeting at 1:22 p.m.]

Dr. Hess asked if any of the groups had strenuous objections and stated the fees did not seem unreasonable to him. Ms. Dixon explained the school district had concerns about locating the necessary fiscal resources, but understood the Health District's need for cost recovery.

Other parties had commented that the fees were too low and that they would like the District to do more.

Mr. Sack explained the school district felt the state should be paying for inspections since it mandated them.

Dr. Novak asked if the items with minimal revenue benefit were worth the cost of implementation. Ms. Dixon explained the direction in the approved staff report was to identify all activities that staff conducted and fees not collected for. She pointed out the number of permits for the new fees was an estimate and may increase, and this action provided the ability to collect those fees in the future.

Chair Jung suggested a cost benefit analysis be performed prior to approval, offering the Board the opportunity to put off implementation of some of the fees if the benefits were only minimal or were nonexistent.

Mr. Silverman commended Ms. Dixon on a job well done.

**Dr. Novak moved to acknowledge the Business Impact Statement and set a public hearing for possible adoption of Proposed Fees for April 23, 2015 at 1:00 pm. Mr. Silverman seconded the motion which was approved six in favor and none against.**

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### 13. Fiscal Year 2015-2016 Budget Update

Staff Representative: Mr. Dick

Mr. Dick reported staff had met with the City and County managers on March 5 to review the District's annual budget. The City managers expressed concern with the ending fund balance (EFB) being low. Mr. Dick explained to them that the District had a close relationship with the County which provided the opportunity to request financial assistance if necessary.

Mr. Dick went on to explain that when the District was maintaining a higher EFB it created problems with the relationship with the Board of County Commissioners (BCC). County Manager John Slaughter had expressed appreciation for the District's conservative approach.

Mr. Dick and Ms. Heenan presented the budget to the County Budget Office staff on March 11. The County's process has changed; departments are no longer required to present their budgets to the BCC. Meeting directly with Budget staff provided an opportunity to discuss forward movement, cost controls and cost recovery in the future.

Mr. Dick explained that since that time, Budget staff is anticipating a six percent increase in health insurance and a two percent increase in risk management billings. When those are applied to the budget, the projected EFB of \$169,410 drops to \$111,608. Additionally, labor negotiations are still in progress and may incur additional costs, so Mr. Dick has directed that local-funded vacancies be held open as a means of generating a larger EFB which will help absorb the costs that may be coming.

Dr. Hess expressed concern about the diminishing EFB and suggested a baseline should be established that was based on a logical approach. Councilmember Jardon asked if there were any statutory required minimums.

Chair Jung explained Ms. Heenan's predecessor's approach to balancing the budget was to retain large ending fund balances. The BCC had expressed concern when the District asked for additional funding when the large EFB was on the books. Most of the revenue for the District that was not General Fund was from grants and therefore neither consistent nor reliable. Fees did not generate much revenue.

Chair Jung went on to say the reason the Board approved a drawdown was to help avoid criticism from the BCC. There was no statutory minimum EFB as the District can fall back on the County. She agreed with Dr. Hess and stated staff should draft a policy for Board discussion. The policy should be informed by discussions with Ms. Heenan and the County's budget and finance director to determine the County's and Health District's comfort level.

Chair Jung explained this process was part of the District's progress towards financial stabilization and was not a reflection of the performance of the District Health Officer. She opined the Board set a policy that allows for discussion with the BCC during next year's budget process regarding protection for both the District and the General Fund.

Councilmember Jardon expressed concern with the District finding itself in an emergency meeting and needing to wait for the next Board meeting to receive authorization to request support.

Mr. Dick noted the salaries in the budget are fully loaded for the year but it is understood that will not actually occur due to vacancies which will occur, so the EFB would be expected to be higher. He agreed with the discussion regarding establishing an appropriate EFB and that the County should be involved in the decision.

Chair Jung requested that direction be included in the motion. Mr. Dick requested one of the members move to accept the budget update and to direct staff to work on a proposal for Board consideration and a discussion with the County regarding what might be a policy for an appropriate EFB for the District.

**Dr. Hess made the motion as stated by Mr. Dick. Chief Brown seconded the motion, which was approved six in favor and none against.**

Chair Jung complemented staff on the budget and process. She indicated her understanding that it was a challenge. She noted the County provided just over 50 percent of the District's funding through the General Fund and also charged it for the county-wide cost allocation program.

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**14. Presentation, Discussion, and Possible Direction to Staff regarding a report on the implementation of Fundamental Review Recommendations. Take action to direct staff to continue with implementation of the plan as approved *or* direct staff to make changes as discussed.**

Staff Representative: Mr. Dick

Mr. Dick reviewed the progress made towards each of the individual recommendations, expounding on key issues. Those included progress with land developers, expansion of service hours, new fees, regional permits system, expansion of the Office of the District Health Officer, time coding, cost analysis, and relations with the County. Some of the upcoming work will be focused on performance management. The EMS program is staffed and three meetings of the EMS Advisory Board have occurred.

[Dr. Novak left the meeting at 1:46 p.m.]

Mr. Dick continued with his review, noting that in January of 2014 the Board had conducted a successful self-assessment exercise and suggested they consider if and when they would like to repeat it. The Strategic Plan (SP) will be based on the Community Health Improvement Plan (CHIP) which is anticipated to take approximately nine months to complete. The District is not currently in a position to take on a greater leadership role at the state level. He thanked Mr. Sack for leading the Quality Improvement Team in the interim until the new Director of Programs and Projects could take over and complemented the progress the team had made under his guidance.

Mr. Dick brought up the topic of public health accreditation, noting he was not asking the Board for a decision as to whether or not it should be pursued at this time. With the Community Health Needs Assessment, CHIP and SP finalized, the District would be in a good place to do so if the Board determined it would be beneficial.

[Dr. Novak returned to the meeting at 1:48 p.m.]

Dr. Novak asked what the challenge was with billing for clinical services. Mr. Dick explained the District had entered into a contract with a company called Netsmart, who had projected a significant increase in billing reimbursement, which they have failed to deliver. The contract is under renegotiation to include a potential opt-out clause if their performance does not improve.

Mr. Dick further explained that Immunize Nevada (IN) may be providing the District with an individual who can assist with the billing process.

Mr. Kutz explained issues that have been uncovered during the process regarding coding and the individual from IN would be an excellent resource. Dr. Hess pointed out that a new coding system would be taking effect and Mr. Kutz expounded on its anticipated complexity.

Dr. Hess noted the accreditation process was difficult and arduous and questioned what the benefits would be. Chair Jung opined that several years ago it had not seemed like a useful activity, but was worth watching as something to potentially pursue in the future.

[Mr. Silverman left the meeting at 1:57 p.m.]

Mr. Dick suggested the benefit was more in doing what was necessary to fulfill the accreditation than actually obtaining it. He agreed with Chair Jung's thought that it may be more beneficial, and therefore more feasible, in the future. Dr. Novak agreed with Mr. Dick in that the process was of the most benefit to the organization. Any review that may be conducted would demonstrate the steps had been taken, but the decision had not been made to pursue the actual accreditation.

Mr. Dick stated that if the Board was happy to continue to implement the plan in place then he would propose someone move to accept the report.

**Dr. Novak moved to accept. Dr. Hess seconded the motion which was approved five in favor and none against.**

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**15. Presentation, Discussion and Possible Acceptance of the February 2015 Nevada Legislative Session Report and Provide input and/or direction as DBOH may feel is appropriate.**

Staff Representative: Mr. Dick

Mr. Dick introduced the report and supporting information. He noted Ms. Albee was not at the meeting as she was providing testimony on AB326, regarding classic vehicle plates on vehicles that were less than classic. She was also watching a bill that would not allow smog stations to test any vehicles if a "Check Engine" light was on, as that was an automatic fail.

The District has also commented on AB243, regarding rapid Human Immunodeficiency Virus (HIV) testing. It will enhance the capability of partner organizations to do testing.

The District has issued a position statement on electronic cigarettes (e-cigarettes). Both California and the Southern Nevada Health District (SNHD) have issued advisories and Dr. Iser, Director of SNHD, provided testimony at a Legislative hearing. Tracy Green, the State Health Officer, had agreed with his comments and provided others.

Washoe County Health District had been waiting to see if the state would issue a health advisory or position paper, but that did not occur. Legislation has been proposed treating e-cigarettes like tobacco under the Clean Indoor Air Act and addressing taxation. The District felt it was prudent to issue a position paper that defined the risks identified by scientific studies, described the District's recommendations for regulations and limitations, and provided behavioral modification suggestions. Chair Jung had been briefed on its release.

Chief Brown asked what activity the District was taking on AB308, regarding mass gatherings. Mr. Dick explained there had been no activity to date but Ms. Conti had reviewed it. Chief Brown noted it would impact the Incline Village and the smaller communities of Washoe County. He opined the changes should be supported.

Mr. Dick explained the analysis of the bill was that a township with a population of 25,000 or less would be exempt from EMS requirements for large gathering events. District staff did not feel that made sense. If the event was held in an unincorporated area, EMS services would be required, but they would not if it was held in a nearby township. He indicated he was open to hearing Chief Brown's thoughts on the item.

Chief Brown noted that the North Lake Tahoe Fire Protection District (NLTFPD) and other agencies were watching the bill closely. Proximity to hospitals and fire departments that provide those levels of service should be taken into consideration. Paying for providers that have no charge cap for standbys will pressure organizations not to return to certain areas and provide the event. Mr. Dick requested Chief Brown keep in contact with Ms. Conti.

Dr. Hess asked who the District's legislative point person was. Mr. Dick explained he is registered as a lobbyist, and the Division Directors and certain staff members are serving as subject matter experts and providing testimony.

Dr. Hess noted it was important for the various agencies to coordinate efforts and align direction when possible. If he noted something of importance he would like to be able to bring it to the District staff's attention and opined Fire may want to have the same option. Mr. Dick stated that if any Board member would like to alert the District regarding a specific bill or issue they should feel free to contact staff, as keeping track of all of the issues and activity was a daunting challenge. The District coordinates with the County to know if its position on bills is in alignment with other departments, or conversation occurs when there are differing opinions. NLTFPD is not part of that system, so Dr. Hess' point was beneficial to the conversation.

**Chief Brown moved to accept the February 2015 Nevada legislative session report. Dr. Hess seconded the motion which was approved five in favor and none against.**

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## **16. Staff Reports and Program updates**

### **A. Director, Air Quality Management**

Mr. Dick, standing in for Ms. Albee, stated Air Quality had nothing to add to the report and offered to answer questions.

### **B. Director, Community and Clinical Health Services**

Mr. Kutz stated he had nothing to add and offered to answer questions.

### **C. Director, Environmental Health Services**

Mr. Sack stated he had nothing to add.

### **D. Director, Epidemiology and Public Health Preparedness**

Dr. Todd stated he had nothing to add. Chair Jung noted an HIV outbreak in Indiana blamed on shared needles from a commonly-prescribed drug. She asked how the District was tracking that. Dr. Todd explained HIV was a reportable condition. The reports come in to his office and then go to Community and Clinical Health Services for investigation. Chair Jung requested staff keep an eye out for any similar issues in Washoe County.

### **E. District Health Officer, Office of the District Health Officer**

Mr. Dick reported the Nevada County Health Rankings had been released on March 25. He acknowledged Dr. Packham from the UNR Medical School who had organized events in both Northern and Southern Nevada to discuss the rankings and health data sources. Washoe County ranked No. 3 in Health Outcomes and No. 4 in Health Factors. Mr. Dick had presented the Community Health Needs Assessment overview to an audience of close to 100 attendees. Dr. Hess asked if any outcomes or conclusions had been reached that might be useful to the Board and Mr. Dick replied there were no real conclusions but the presentation provided an overview of the tremendous amount of data available. Staff will send links to the data so the Board members may review it.

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## **17. Board Comment**

Chair Jung requested a policy and plan be developed to address disputes between the provider of EMS services before they escalate to the level of the City Councils or the BCC. The policy and plan should be presented to and approved by the EMS Advisory Board and then the District Board of Health.

Chair Jung requested proof of how many actual ambulances were on the streets each day or each quarter.

Chair Jung requested an accounting of the increase in fees since 1994 per passenger transported by REMSA, and how the additional revenue had been expended. Wadsworth and related fire companies in the area state the static vehicle that was supposed to be out in Wadsworth had not been there since 2010. She would like to see some sort of proof that it was there until 2010 and how the additional fees collected for the additional expense of keeping it there from 2010 through today were being expended, if they are no longer stationed there.

Dr. Novak suggested that instead of a quarterly report, it might be good to know how many ambulances are on the street and active at any one time, he would prefer to see that information monthly.

Dr. Novak commended Health District staff for their good work.

Mr. Dick stated the Mayoral Challenge bike ride during Bike Week will be held on May 14, 2015. He had invited all of the City Councilmembers, Board of County Commissioners and Board of Health members to attend.

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### 18. Emergency Items

None.

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### 19. \*Public Comment

As there was no one wishing to speak, **Chair Jung closed the public comment period.**

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### 20. Adjournment

**At 2:21 p.m., Dr. Novak moved to adjourn. Chief Brown seconded the motion which was approved five in favor and none against.**

Respectfully submitted,



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Kevin Dick, District Health Officer  
Secretary to the District Board of Health



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Dawn Spinola, Administrative Secretary  
Recording Secretary

Approved by Board in session on \_\_\_\_\_, 2015.

**WASHOE COUNTY  
HEALTH DISTRICT**  
ENHANCING QUALITY OF LIFE

# *Proclamation*

**WHEREAS**, there is a need to promote alternative forms of transportation such as bicycling in order to improve health and well-being in addition to reducing pollution, traffic congestion, and America's dependence on fossil fuels; and

**WHEREAS**, creating bicycle-friendly communities has been shown to improve quality of life, boosting community spirit, improving traffic safety, and stimulating economic growth; and

**WHEREAS**, bike paths and trails in the Truckee Meadows have great potential to positively impact our recreation and tourism industry, by making the region attractive to businesses and citizens who enjoy the out of doors and healthy lifestyles; and

**WHEREAS**, millions of Americans will experience the joys of bicycling during May through educational and safety programs, community events, or just getting out and going for a ride; and

**WHEREAS**, the education of bicyclists and motorists as to the proper and safe operation of bicycles is important to ensure the safety and comfort of all users; and

**WHEREAS**, May has been declared National Bike Month for each of the last 59 years,

**NOW, THEREFORE**, be it resolved, that the Washoe County District Board of Health does hereby proclaim the month of May 2015 as

## **National Bike Month and Bicycle Safety Month**

and the Week of May 9-15, 2015 as

### **Bike Week**

in and for Washoe County, encouraging all citizens to enjoy the benefits of bicycling, recognize the importance of bicycle safety, and be more aware of cyclists on our streets.

---

Kitty Jung, Chair  
Washoe County District Board of Health



**WASHOE COUNTY  
HEALTH DISTRICT**  
ENHANCING QUALITY OF LIFE

# *Proclamation*

**WHEREAS**, Women's Health Week celebrates the extraordinary progress in women's health and recognizes that more needs to be done to safeguard the health of women for generations to come, and

**WHEREAS**, the Washoe County Health District joins America in promoting awareness, prevention, and education to improve the health of all women, and

**WHEREAS**, Women's Health Week encourages and empowers women to take time to focus on their health, and to take responsibility for their health through greater knowledge and understanding, and

**WHEREAS**, Women from all walks of life, and at every stage of life, have unique health needs that should be addressed in their own right, and

**WHEREAS**, women play a vital role in all aspects of life in Washoe County, and their health is vital to keeping our communities strong, and

**WHEREAS**, during this week women are encouraged to consider scheduling annual check-ups and screenings; to assess and practice good eating habits; to regularly exercise and properly handle stress; and, to avoid unhealthy behaviors such as smoking,

**NOW, THEREFORE**, be it resolved that the Washoe County District Board of Health does hereby proclaim the week of May 10-16, 2015, as

## **WOMEN'S HEALTH WEEK**

in Washoe County, Nevada.

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Kitty Jung, Chair  
Washoe County District Board of Health

**WASHOE COUNTY  
HEALTH DISTRICT**  
ENHANCING QUALITY OF LIFE

# *Proclamation*

**WHEREAS**, poor air quality can threaten the health of our citizens and visitors; and,

**WHEREAS**, children, older adults, and people with heart or lung disease tend to be more vulnerable to air pollution; and,

**WHEREAS**, it is beneficial to learn more about the effects air quality has on our health and actions we can take to reduce air pollution; and,

**WHEREAS**, the Washoe County Health District Air Quality Management Division (AQMD) is responsible for controlling sources of air pollution and assuring compliance with federal, state, and local laws governing air quality; and,

**WHEREAS**, the *Washoe County Air Quality Trends Report*, which contains information such as National Ambient Air Quality Standards, Local Ambient Air Monitoring Network, and Current Air Quality Design Values and Attainment Status, is available at [OurCleanAir.com](http://OurCleanAir.com); and,

**WHEREAS**, AQMD implements clean air solutions that protect the quality of life for the citizens of Washoe County through community partnerships, air monitoring, permitting and enforcement, planning, and public education; and,

**WHEREAS**, the Washoe County District Board of Health and the U.S. Environmental Protection Agency encourage Americans to use the Air Quality Index, understand what causes poor air quality, and take steps to improve air quality:

**NOW THEREFORE**, be it resolved, that the Washoe County District Board of Health does hereby proclaim the week of April 27 - May 1, 2015, to be:

## **Washoe County Air Quality Awareness Week**

in Washoe County, Nevada, and encourages community action to reduce air pollution levels during this week and throughout the year

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Kitty Jung, Chair  
Washoe County District Board of Health

**WASHOE COUNTY  
HEALTH DISTRICT**  
ENHANCING QUALITY OF LIFE

# *Proclamation*

**WHEREAS**, emergency medical services is a vital public service with personnel ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

**WHEREAS**, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

**WHEREAS**, the emergency medical services system consists of men and women in both the public and private sectors – from emergency physicians, emergency nurses, emergency dispatchers, emergency medical technicians, paramedics, firefighters, educators, administrators and others throughout our health care system who work together to ensure those in need receive the highest level of emergency service; and

**WHEREAS**, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

**WHEREAS**, the EMS commitment to patient care throughout northern Nevada has been an integral factor in our safety and security; and

**WHEREAS**, the region is proud to have organizations such as Reno Fire Department, Sparks Fire Department, Truckee Meadows Fire Protection District, North Lake Tahoe Fire Protection District, Pyramid Lake Fire/EMS, Gerlach Volunteer Fire Department, REMSA and Care Flight operating throughout the region to ensure the highest quality of patient care and community support; and

**WHEREAS**, it is appropriate to recognize the value and the accomplishments of emergency medical services by designating Emergency Medical Services Week;

**NOW, THEREFORE**, be it resolved, that the Washoe County District Board of Health does hereby proclaim the week of May 17-23, 2015, as

## **Emergency Medical Services Week**

with the theme

### **EMS STRONG**

in Washoe County, Nevada.

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Kitty Jung, Chair  
Washoe County District Board of Health

**STAFF REPORT**  
**BOARD MEETING DATE: April 23, 2015**

**DATE:** March 24, 2015  
**TO:** District Board of Health  
**FROM:** Charlene Albee, Director, Air Quality Management Division  
(775) 784-7211, calbee@washoecounty.us

**SUBJECT:** Recommendation for the Board to uphold a citation not appealed to the Air Pollution Control Hearing Board issued to Aspen Developers Case No. 1172, Unappealed Citation No. 5367 with an \$940.00 negotiated fine.

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**SUMMARY**

Air Quality Management Division Staff recommends Citation No. 5367 be upheld and a fine of **\$940.00** be levied against Aspen Developers for failure to submit a NESHAP Notification of Demolition form 10 days prior to the commencement of demolition. This form is required by 40 CFR 61.145 and has been adopted by the Washoe County Air Quality Management Division. Failure to submit the required notification constitutes a **major violation** of the District Board of Health Regulations Governing Air Quality Management, specifically Section 030.107A (2). This is a negotiated settlement.

**District Health Goal supported by this item:** Achieve targeted improvements in health outcomes and health equity.

**BACKGROUND**

In December of 2014, Air Quality Specialist II Michael Osborn was assigned as the lead inspector on the abatement of asbestos containing materials and subsequent demolition of 60+ houses for the Pyramid Way widening project. Phase I of the project consists of all residences being properly abated of any asbestos containing materials under proper negative air conditions and final air clearance samples being taken. Phase II consists of proper notifications being filed with Air Quality Management before any demolition occurs.

On March 10, 2015, Specialist Osborn spoke with Mr. Mike Bradley Project Manager of Aspen Development regarding final air clearances and demolitions of three residences on Nelson Way. Demolition notifications were received on the Nelson Way residences that same day.

Subject: Aspen Developers

Date: April 23, 2015

Page 2 of 3

On March 12, 2015, Specialist Osborn conducted a visual check on Gault Way. A large track hoe excavator used on the demolition project was observed operating near 500 Gault Way. The residence was approximately half demolished. After reviewing the notifications in his possession and contacting the Air Quality Management Office Specialist Osborn was unable to verify that a demolition notification was ever filed for the 500 Gault Way address. Specialist Osborn immediately stopped the operator of the excavator to inquire if the operator had a demolition permit for the 500 Gault Way address. The excavator operator stated he did not have a demolition permit; however, he had been instructed by Mr. Mike Bradley earlier that day to 'bring the residence down'. Specialist Osborn then contacted Mr. Bradley via phone and requested Mr. Bradley to please come to the 500 Gault Way site. Upon Mr. Bradley's arrival at the 500 Gault Way address Mr. Osborn requested the demolition permit for the residence and was advised Mr. Bradley did not have one.

Mr. Osborn directed Mr. Bradley to immediately file the proper demolition notification with the Air Quality Management office which would allow the residence to be completely demolished. Later that day the proper demolition notification was submitted and Specialist Osborn allowed the excavator operator to continue with the demolition.

Due to the failure to submit the proper demolition notification, Mr. Osborn also issued Notice of Violation Citation No. 5367 to Mr. Bradley, for a violation of Section 030.107A (Asbestos Sampling and Notification), Subsection (2) notification.

Specialist Osborn then proceeded to the Regional Transportation Commission Offices located at 1105 Terminal Way in Reno, Nevada to meet with Mr. Scott Gibson, P.E., the Engineer in charge of the project. RTC is listed as the owner of the property where the abatement and demolitions were occurring. Mr. Gibson was advised of the failure of Aspen Developers to notify of the demolition and was then issued a Notice of Violation Warning No. 5368 for a violation of Section 030.107A, Subsection (2).

On March 16, 2015, Branch Chief of Enforcement Michael Wolf conducted a negotiated settlement meeting attended by Specialist II Michael Osborn, and Mr. Mike Bradley Project Manager of Aspen Developers. Branch Chief Wolf carefully explained to Mr. Bradley the importance of submitting proper notification ten working days prior to any demolition proceedings. Mr. Bradley was made aware of the proper procedures of the NESHAP notification form. After careful consideration of all the facts in the case, Branch Chief Wolf recommended Citation No. 5367 be upheld with a fine of \$940.00. A Memorandum of Understanding was signed by all parties.

### **FISCAL IMPACT**

There are no fiscal impacts resulting from the Board upholding the issuance of the Notice of Violation Citation and associated fine. All fine money collected is forwarded to the Washoe County School District to be used for environmentally focused projects for the benefit of the students.

Subject: Aspen Developers

Date: April 23, 2015

Page 3 of 3

### **RECOMMENDATION**

Staff recommends the Board uphold the unappealed Notice of Violation Citation No 5367 issued to Aspen Developers with a \$940.00 negotiated fine. Alternatives to upholding the citation as presented include:

1. The District Board of Health may determine that no violation of the regulations has occurred and dismiss Citation No. 5367.
2. The Board may determine to uphold Citation No. 5367 and levy any fine in the range of \$0 to \$10,000.00 per day.

In the event the Board determines to change the penalty, the matter should be continued to allow Mr. Bradley to be properly noticed.

### **POSSIBLE MOTION**

Should the Board agree with staff's recommendation, a possible motion would be:

“Move to approve the Consent Agenda as presented



WASHOE COUNTY HEALTH DISTRICT  
 AIR QUALITY MANAGEMENT DIVISION  
 1001 EAST NINTH ST. • SUITE B171 • RENO NV 89512  
 (775) 784-7200



**NOTICE OF VIOLATION**

NOV 5367

DATE ISSUED: March 12, 2015

ISSUED TO: Aspen Developers Corp. PHONE #: 775-786-3310  
 MAILING ADDRESS: 1230 5th Street CITY/ST: Reno ZIP: 89512  
 NAME/OPERATOR: Mike Bradley PHONE #: 775-200-5813  
 PERMIT NO. ASB15-0050 abatement Only COMPLAINT NO. 15-0047

YOU ARE HEREBY OFFICIALLY NOTIFIED THAT ON 3-12-15 (DATE) AT 1:05 A.M. (TIME), YOU ARE IN VIOLATION OF THE FOLLOWING SECTION(S) OF THE WASHOE COUNTY DISTRICT BOARD OF HEALTH REGULATIONS GOVERNING AIR QUALITY MANAGEMENT:

- |  |   |
|--|---|
| <input type="checkbox"/> MINOR VIOLATION OF SECTION: | <input type="checkbox"/> MAJOR VIOLATION OF SECTION:            |
| <input type="checkbox"/> 040.030 DUST CONTROL        | <input type="checkbox"/> 030.000 OPERATING W/O PERMIT           |
| <input type="checkbox"/> 040.055 ODOR/NUISANCE       | <input type="checkbox"/> 030.2175 VIOLATION OF PERMIT CONDITION |
| <input type="checkbox"/> 040.200 DIESEL IDLING       | <input type="checkbox"/> 030.105 ASBESTOS/NESHAP                |
| <input type="checkbox"/> OTHER _____                 | <input checked="" type="checkbox"/> OTHER <u>030.107A12</u>     |

VIOLATION DESCRIPTION: Washoe Demo Notification required prior to demoing residence on Pyramid - McQueen Project. Namely 500 Hault Way. Residence has been abated and cleared.

LOCATION OF VIOLATION: On site (See Photos) 500 Hault Way, Sparks, NV

POINT OF OBSERVATION: on site (See Photos) Work stopped until notification

Weather: Warm/Breezy Wind Direction From: N E S W

Emissions Observed: N/A  
 (If Visual Emissions Performed - See attached Plume Evaluation Record)

**WARNING ONLY:** Effective \_\_\_\_\_ a.m./p.m. \_\_\_\_\_ (date) you are hereby ordered to abate the above violation within \_\_\_\_\_ hours/days. I hereby acknowledge receipt of this warning on the date indicated.

Signature \_\_\_\_\_

**CITATION:** You are hereby notified that effective on 3-12-15 (date) you are in violation of the section(s) cited above. You are hereby ordered to abate the above violation within 10 hours/days. You may contact the Air Quality Management Division to request a negotiated settlement meeting by calling (775) 784-7200. You are further advised that within 10 working days of the date of this Notice of Violation, you may submit a written petition for appeal to the Washoe County Health District, Air Quality Management Division, P.O. Box 11130, Reno, Nevada 89520-0027. Failure to submit a petition within the specified time will result in the submission of this Notice of Violation to the District Board of Health with a recommendation for the assessment of an administrative fine.

**SIGNING THIS FORM IS NOT AN ADMISSION OF GUILT**

Signature: [Signature] Date: \_\_\_\_\_

Issued by: [Signature] Title: AQSI

PETITION FOR APPEAL FORM PROVIDED

MEMORANDUM OF UNDERSTANDING

WASHOE COUNTY DISTRICT HEALTH DEPARTMENT  
AIR QUALITY MANAGEMENT DIVISION

Date: 3/16/15

Company Name: Aspen Developers  
Address: 1230 Fifth Street Reno, Nevada  
Notice of Violation # 5367 Case # 1172

The staff of the Air Quality Management Division of the Washoe County Health District issued the above referenced citation for the violation of Regulation: 030.107 (A)(2)  
Demolition Notification

A settlement of this matter has been negotiated between the undersigned parties resulting in a penalty amount of \$ 940. This settlement will be submitted to the District Board of Health for review at the regularly scheduled meeting on 4/23/15

The undersigned agrees to waive an appeal to the Air Pollution Control Hearing Board so this matter may be submitted directly to the District Board of Health for consideration.

[Signature]  
Signature of Company Representative

Michael Bradley  
Print Name

PROJECT SUPERVISOR  
Title

[Signature] 3-16-15  
Witness

[Signature]  
Signature of District Representative

Michael Wolf  
Print Name

Enforcement Branch Chief  
Title

\_\_\_\_\_  
Witness





**Washtoe County Air Quality Management  
Permitting & Enforcement Branch  
Recommended Fine Calculation Worksheet**

Company Name Aspen Developers Cororation  
 Contact Name Mike Bradley

Case 1172 NOV 5367 Complaint 15-0047

Violation of Section 030.107 A(2) Demolition Notification

**I. Base Penalty as specified in the Penalty Table** = \$ 2500

**II. Severity of Violation**

**A. Public Health Impact**

**1. Degree of Violation**

(The degree of which the person/company has deviated from the regulatory requirements)

Minor – 0.5 Moderate – 0.75 Major – 1.0 **Adjustment Factor** 0.5

**Comment:** No demolition notification for residence. Inadvertant error.

**2. Toxicity of Release**

Criteria Pollutant – 1x  
 Hazardous Air Pollutant – 2x **Adjustment Factor** 1.0

**Comment:** Demolition is post abatement and final clearance.

**3. Environmental/Public Health Risk (Proximity to sensitive environment or group)**

Negligible – 1x Moderate – 1.5x Significant – 2x **Adjustment Factor** 1.0

**Comment:** Water truck was used.

Total Adjustment Factors (1 x 2 x 3) = 0.5

**B. Adjusted Base Penalty**

Base Penalty \$ 2500 x Adjustment Factor 0.5 = \$ 1250

**C. Multiple Days or Units in Violation**

Adjusted Penalty \$ 1250 x Number of Days or Units 1 = \$ 1250

**Comment:** \_\_\_\_\_

**D. Economic Benefit**

Avoided Costs \$ 0 + Delayed Costs \$ 0 = \$ 0

**Comment:** \_\_\_\_\_

**Penalty Subtotal**

Adjusted Base Penalty \$ 1250 + Economic Benefit \$ 0 = \$ 1250

**Washoe County Air Quality Management  
Permitting & Enforcement Branch  
Recommended Fine Calculation Worksheet**

**III. Penalty Adjustment Consideration**

**A. Degree of Cooperation** (0 – 25%) - 25%

**B. Mitigating Factors** (0 – 25%) - 25%

1. Negotiated Settlement
2. Ability to Pay
3. Other (explain)

**Comment:** \_\_\_\_\_

**C. Compliance History**

No Previous Violations (0 – 10%) - 0%

**Comment:** \_\_\_\_\_

Similar Violation in Past 12 months (25 - 50%) + 0%

**Comment:** \_\_\_\_\_

Similar Violation within past 3 year (10 - 25%) + 0%

**Comment:** \_\_\_\_\_

Previous Unrelated Violation (5 – 25%) + 25%

**Comment:** Warning violation Asbestos related

**Total Penalty Adjustment Factors** – sum of A, B, & C -25%

**IV. Recommended/Negotiated Fine**

Penalty Adjustment:


<u>\$ 1250</u>	x	<u>-25%</u>	=	<u>-312.5</u>
Penalty Subtotal (From Section II)		Total Adjustment Factors (From Section III)		Total Adjustment Value

Additional Credit for Environmental Investment/Training - \$ \_\_\_\_\_

**Comment:** \_\_\_\_\_

Adjusted Penalty:

<u>\$ 1250</u>	+/-	<u>\$ -312.5</u>	=	<u>\$ 940</u>
Penalty Subtotal (From Section II)		Total Adjustment Value (From Section III + Credit)		Recommended/Negotiated Fine

  
\_\_\_\_\_  
Air Quality Specialist

3-16-15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Senior AQ Specialist/Supervisor

3/16/15  
\_\_\_\_\_  
Date

Washoe County Air Quality Management  
Permitting & Enforcement Branch  
Recommended Fine Calculation Worksheet

Company Name Aspen Developers Cororation  
Contact Name Mike Bradley

Case 1172 NOV 5367 Complaint 15-0047

I. Violation of Section 030.107 A(2) Demolition Notification

I. Recommended/Negotiated Fine = \$ 940

II. Violation of Section 0

II. Recommended/Negotiated Fine = \$ 0

III. Violation of Section 0

III. Recommended/Negotiated Fine = \$ 0

IV. Violation of Section 0

IV. Recommended/Negotiated Fine = \$ 0

V. Violation of Section 0

V. Recommended/Negotiated Fine = \$ 0

**Total Recommended/Negotiated Fine = \$ 940**

  
Air Quality Specialist

3-16-15  
Date

  
Senior AQ Specialist/Supervisor

3/16/15  
Date

**DATE:** April 23, 2015

**TO:** District Board of Health

**FROM:** Michael Wolf, Permitting and Enforcement Branch Chief, Air Quality Management

**SUBJECT:** Recommendation for the Board to uphold a citation appealed to the Air Pollution Control Hearing Board issued to A Plus Restoration Case No. 1171 , Citation No. 5297 with a recommendation from the Hearing Board to levy a **\$5,300** fine for **major violations**.

### **SUMMARY**

Air Quality Management Division (AQMD) Staff recommends Citation No. 5297 be upheld and a fine of \$5,300 be levied against A Plus Restoration for the removal of potential asbestos containing materials without a valid survey, failure to obtain an asbestos acknowledgement form and failure to follow asbestos control work practices in a condominium. Failure to obtain a valid asbestos survey; failure to apply for an asbestos acknowledgement form; and the improper asbestos control work practices and containment/abatement, are all major violations of the Washoe County District Board of Health Regulations Governing Air Quality Management, specifically Section 030.105(B)(10) National Emission Standards for Hazardous Air Pollutants (NESHAP), Subpart M - Asbestos, which is implemented through Section 030.107 Hazardous Air Pollutants.

**District Health Goal supported by this item:** Achieve targeted improvements in health outcomes and health equity.

### **BACKGROUND**

On January 21, 2015, the AQMD received a complaint from Mr. Bill Warner, City of Reno Building Inspector, regarding interior demolition/renovation work being performed without the required permits at 195 Martin St. Unit #7. A review of the AQMD records confirmed an asbestos acknowledgement form had not been issued for the work being performed.

Air Quality Specialist II Kristina Craig and Air Quality Specialist II Joshua Restori were dispatched to the above address and noted what appeared to be sheetrock dust and debris on the sidewalk and around front door to Unit #7. During the investigation, Specialists Craig and Restori were able to determine the work had been completed by Mr. John Langon, owner of A Plus Restoration. Specialist Craig contacted the Nevada Contractors Board and determined A Plus Restoration does possess a State Contractors License and City of Reno Business License.

The investigation determined that on November 10, 2014, 195 Martin St Unit #7 suffered water damage from a leaking toilet and the remediation of the water damage was initiated. The sequence of

events, which followed, regarding the cleanup are detailed in the attached staff report. The determination was Mr. Langon was the responsible party hired to perform the remediation of the water damage materials. Mr. Langon hired REDs Fire and Flood to abate the asbestos-containing

linoleum sheet flooring in the kitchen; however, not in the bathroom. The asbestos survey provided to AQS Craig identified asbestos was present in the sheet flooring in the bathroom.

On January 22, 2015, Specialist Craig contacted Mr. Langon for a meeting with AQMD enforcement staff and also requested he bring a copy of his US EPA AHERA certification since he had taken the original samples. Mr. Langon informed Specialist Craig that he was not AHERA certified. The disturbance of potential asbestos containing materials without a survey performed by a qualified individual; and not applying for an Acknowledgement of Asbestos Assessment in addition to the removal of asbestos containing sheet flooring in the bathroom by someone other than a licensed asbestos abatement contractor are all **major violations** of the District Board of Health Regulations Governing Air Quality Management.

Based on the results of the file review and investigation, AQ Specialist Craig issued Notice of Violation Citation No. 5297 for major violations of Section 030.107 (A) Asbestos Sampling and Notification and (C) Asbestos Contamination and Abatement.

On January 22, 2015, Senior AQ Specialist Dennis Cerfoglio conducted a negotiated settlement meeting, attended by AQ Enforcement Branch Chief Michael Wolf, AQ Specialist Kristina Craig and Mr. Langon. After careful consideration of all the facts in the case, AQ Specialist Cerfoglio recommended Citation No. 5297 be upheld with a fine of \$5,300 for a major violation of the Washoe County District Health Department Regulations Governing Air Quality Management. At that time Mr. Langon stated he would not sign the violation and left the meeting.

On January 28, 2015, AQMD mailed Mr. Langon a letter summarizing the meeting and appeal process.

On February 9, 2015 AQMD received a request to petition the citation from Mr. Langon's attorney.

### **RECOMMENDATION**

Staff recommends the Board uphold the findings of the Air Pollution Control Hearing Board denying the appeal of Mr. Jon Langon, A Plus Restoration, Case No. 1171, Citation No. 5297, upholding the Citation

In the event the Board determines to change the penalty, the matter should be continued to allow Mr. Langon to be properly noticed.

1. The Air Pollution Control Hearing Board may determine that no violation of the Regulations has taken place and dismiss Citation No. 5297.
2. The Board may determine to uphold Citation No. 5297 but levy any fine in the range of \$0 to \$10,000 per day.

**POSSIBLE MOTION**

Should the Board agree with the recommendation of Staff and the Air Pollution Control Hearing Board, a possible motion would be:

“Move to approve the Consent Agenda as presented.

# WASHOE COUNTY HEALTH DISTRICT

ENHANCING QUALITY OF LIFE

## CASE NO. 1171 – AS REVIEWED BEFORE THE AIR POLLUTION CONTROL HEARING BOARD

In Re: Appeal of JOHN LANGON, )  
A PLUS RESTORATION, located )  
at 195 Martin Street, Unit #7, for violation )  
of Section 030.107 (Hazardous Air )  
Pollutants), Subsections A (Asbestos )  
Sampling and Notification); Subsection )  
C (Asbestos Contamination and )  
Abatement), of the Washoe County )  
District Board of Health Regulations )  
Governing Air Quality Management.)

## CASE NO. 1171 A PLUS RESTORATION (JOHN LANGON)

At a hearing of the Air Pollution Control  
Hearing Board at Wells Avenue and Ninth  
Street, Reno, Nevada  
March 3, 2015

PRESENT: Chairman David Rinaldi  
Vice Chairman Jon Greene  
Member Cathleen Fitzgerald, DEnv, PE  
Member Jim Kenney  
Member Jeanne Rucker  
Member Joseph Serpa  
Mike Wolf, CEM, Branch Chief of Permitting and Enforcement  
Dennis Cerfoglio, Senior Air Quality Specialist  
Collin Emerson, Environmental Engineer I  
Kristina Craig, Air Quality Specialist II  
Joshua Restori, Air Specialist I  
Janet Smith, CAP-OM, Administrative Secretary

### AIR QUALITY MANAGEMENT

1001 East Ninth Street | P.O. Box 11130 | Reno, Nevada 89520  
AQM Office: 775-784-7200 | Fax: 775-784-7225 | [washoecounty.us/health](http://washoecounty.us/health)  
Serving Reno, Sparks and all of Washoe County, Nevada. Washoe County is an Equal Opportunity Employer.



**STATEMENT OF THE FACTUAL QUESTION**

**SECTION 030.105 NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS**

B. The National Emission Standards for Hazardous Air Pollutants for those subparts of 40CFR61 listed below, along with all the duly promulgated revisions are herewith adopted by reference.

10. Subpart M – Asbestos

**SECTION 030.107 Hazardous Air Pollutants**

A. No permit for demolition or for the renovation of any NESHAP regulated facility may be issued by any public agency within the Health District until such time as an asbestos survey, conducted by a person qualified to make such a survey is made on the premises. No potential asbestos containing materials may be disturbed until such a survey is performed. The person performing the survey must possess US EPA AHERA certification. The survey must be completed to the satisfaction of the Control Officer or additional samples may be required. A complete, signed copy of an asbestos survey report must be filed at the Washoe County District Health Department and an “Asbestos Assessment Acknowledgement Form” obtained before any permit for demolition or renovation, as noted above, is issued. Failure to conduct an asbestos survey, or obtain a completed “Asbestos Assessment Acknowledgement Form”, may result in a citation or other enforcement action, including the issuance of a Stop Work Order if a reasonable possibility for the release of asbestos fibers exists. If the survey indicates the presence of asbestos, the permit applicant must adhere to the requirements of Sections 030.105 and this section prior to and during the removal of any asbestos. The owner, operator or his representative shall submit to the Control Officer notice of intent in compliance with 40CFR61.145. Such notice shall be required for the following operations.

1. All renovations disturbing regulated asbestos containing materials (RACM), which exceed, in aggregate, more than 160 feet square, 260 lineal feet or 35 cubic feet whichever is most restrictive.



2. Notice shall be required for any building demolitions, including single residential dwellings.

This notification shall contain all information as requested by the Control Officer, including a plan of action as to the methods of techniques to be used for removal. Standard fees as set by the Board of Health must be submitted with all such notifications before they can be considered valid.

#### C. Asbestos Containment and Abatement

Under no condition may any person store, remove, transport or destroy any asbestos containing materials in a manner which is likely to release asbestos fibers into the atmosphere. Safe asbestos removal work practices, sufficient to prevent a danger to public health as defined below, shall be required for any remodeling or demolition of NESHAP regulated facilities which disturbs any quantity of RACM. The Control Officer may require cleanup or abatement of damaged or degraded asbestos containing materials where their storage, handling, or continued presence represents a danger to public health. Unsafe work practices or danger to public health as noted above shall be concluded only when testing results demonstrate asbestos levels exceeding one of the following limits: 1) 0.01 asbestos fibers per cubic centimeter as determined by any method of air sampling as specified by the Control Officer; or 2) greater than one percent asbestos as determined by vacuum, bulk or wipe sampling of surfaces. The Control Officer may require such sampling to be performed at the owner's expense by a qualified person when unsafe work practices or a danger to public health are suspected. The Control Officer shall approve procedures for sample collection, including the type of sampling as listed above, sample duration and volume, or analytical methods, such as the use of TEM or PCM depending on the type of suspected contamination and building materials present. Failure to use acceptable work practices during RACM removal or disturbance may result in the issuance of a Stop Work Order, a citation, or both.

#### GENERAL COMMENTS

On March 3, 2015, the Hearing Board for the referenced Regulations held a public hearing to consider all evidence and testimony concerning the appeal of **JOHN LANGON, A PLUS RESTORATION, Citation No. 5297, Case No. 1171**, for violation of Section 030.105 (National Emission Standards for Hazardous Air Pollutants – NESHAP), Subsection (B) (10) – (Subpart M – Asbestos), which is implemented through Section 030.107 (Hazardous Air Pollutants), of the Washoe County District Board of Health Regulations Governing Air Quality Management.

Mr. Mike Wolf, Permitting and Enforcement Branch Chief, being duly sworn, advised Mr. John Langon, owner of A Plus Restoration, was cited for the removal of potential asbestos-containing materials without a valid survey; failure to obtain an asbestos acknowledgement form; and failure to follow asbestos control work practices; all of which are **major violations**. Mr. Wolf advised Staff recommends the **appeal** of Mr. John Langon, A Plus Restoration be **denied** and a **fine** in the amount of **\$5,300** be levied.

Mr. Wolf stated the Hearing Board members have been provided with a copy of all the background materials; and questioned if the Hearing Board members had any questions. No Hearing Board members had any questions for Mr. Wolf at this time.

In response to Mr. Rinaldi regarding Mr. Langon's basis for appeal of Citation No. 5297, Mr. Robert Walsh, Esquire, representing Mr. Langon, appellant, advised Mr. Langon was present at 195 Martin Street, Unit #7, on November 10, 2014, after being contacted by Mr. Bill Stegmaier, property owner regarding work in Unit #7. Mr. Walsh advised Mr. Langon conducted "a preliminary investigation" of various areas of the dwelling." Mr. Walsh stated during Mr. Langon's preliminary investigation Mr. Langon "noticed a loose piece of linoleum, which was lying in the general area of the living room going into a bathroom." Mr. Walsh reiterated the piece of linoleum was loose; that the entire area was totally saturated with water; and that Mr. Langon looked at the underside of the loose piece of linoleum. Mr. Walsh stated Mr. Langon 'was suspicious of the loose piece of material; that Mr. Langon wanted to know what the loose piece of material was'; therefore, Mr. Langon 'picked it up, bagged it and took it to Asbestos TEM Laboratories, Inc., a testing service.' Mr. Walsh reiterated Mr. Langon "did this because he (Mr. Langon) wanted to know what the material was in case he encountered it at some future time and place within apartment 7." Mr. Walsh reiterated the entire apartment 'had been saturated with approximately 180 gallons of water.'

Mr. Walsh advised Mr. Langon contacted Mr. Kelly Davis, Red's Fire and Flood, "to conduct the necessary testing of the entire apartment" that Mr. Stegmaier, owner of the property contracted with Red's Fire and Flood to perform the testing. Mr. Walsh stated the results of the testing performed by Mr. Davis indicated 'the entire area Mr. Davis had tested was essentially negative for asbestos fibers.'

Mr. Walsh stated 'Mr. Langon's only association with this matter, at all, was in picking-up the linoleum material'; that "it is his understanding that the material was linoleum; and approximately 40-50% of linoleum is perhaps asbestos"; and that asbestos "can adhere to it" [the linoleum]. Mr. Walsh stated, "Mr. Langon not being an expert in this area did not know what it was; and therefore, decided he should have it tested." Mr. Walsh stated the material was tested; that there "was a certain amount of asbestos in the material unbeknownst to him (Mr. Langon); that he would argue Mr. Langon "operated in a perfect legitimate way." Mr. Walsh advised Mr. Langon did not have the ability to test

the material himself, nor did he have the certifications to do it; that Mr. Langon did take the material to the Asbestos TEM Laboratory for testing “for the welfare of everyone, including himself.”

Mr. Walsh stated Mr. Langon “completed all that common law duties would require of him in the circumstances to find out” what the material was; that Mr. Langon did get the material tested. Mr. Walsh stated the necessary certifications were obtained “indicating the area was free of any type of asbestos contamination.”

Mr. Walsh stated “between early to mid-November there was nothing going-on about mid-January”; that during this time Mr. Langon did submit his invoices to the Stegmaier family. Mr. Walsh stated “there were questions to some of the charges on the invoice”; that this was the first indication of “dissatisfaction.” Mr. Walsh stated on January 21, 2015, “one of the Stegmaier brothers contacted Air Quality Management to make a complaint as to the presence of asbestos”; that there was an investigation initiated by Ms. Craig and Mr. Restori. Mr. Walsh stated this was approximately two and one-half (2½) months after the “initial flooding.” Mr. Walsh stated “in their opinion this was a little late in the game and you’d wonder why it would come up.”

Mr. Walsh stated he has some questions concerning the investigation which was conducted. Mr. Walsh stated Mr. Langon received a request to attend a meeting on January 22, 2015, with Ms. Craig and Mr. Restori to discuss this case. Mr. Walsh stated there is “an inference to Mr. Langon being somewhat uncooperative”; that in proper perspective “Mr. Langon did attend the meeting. Mr. Walsh stated the meeting was a “spontaneous thing” that Mr. Langon received a call and went down” to the Air Quality Management Division. Mr. Walsh stated Mr. Langon discussed with Staff “as to what he had done in this matter”; that Ms. Craig indicated “Mr. Langon became hostile”; however, “he does not know what she meant by that characterization.” Mr. Walsh stated Mr. Langon did leave the meeting; that Mr. Langon “was somewhat confused” in meeting with “people he didn’t know.” Mr. Walsh stated Staff then recommended a \$5,300 fine be levied.

Mr. Walsh stated “to put this into perspective, Mr. Langon has been a businessman in the Reno/Sparks for twenty (20) years; and in this particular business for eleven (11) years; and this is his first occasion before the Hearing Board.” Mr. Walsh stated Mr. Langon “has only had one (1) appearance before the Contractor’s Board and he won that”; that he has assisted the Contractor’s Board in other cases assisting in investigations.

Mr. Walsh stated, he is “unsure a case can be made” in this case, as “if there is anything Mr. Langon did in this case it is simply a technical violation, as his instincts were quite correct in protecting the property of the men who might go in there and himself.” Mr. Walsh stated Mr. Langon “did the right thing.”

Mr. Walsh stated the recommended fine of \$5,300 is “rather punitive for a first offense with Mr. Langon’s excellent record.” Mr. Walsh stated Mr. Langon is present; and is “well-deserving of any consideration the [Hearing] Board would give him if a violation is actually found” to have occurred.

Mr. Rinaldi stated no one has ever indicated the settlement meetings with Staff are confusing; that the purpose of the meetings “is clear.” Mr. Rinaldi stated a settlement meeting is scheduled when a Notice of Violation has been issued; therefore, the purpose of the settlement meeting is known.

Mr. Rinaldi stated the basis of Mr. Langon’s appeal, as presented by Mr. Walsh, is “no asbestos fibers were released; that there was no intent for that”; however, it is not known if asbestos fibers were released. Mr. Rinaldi stated Mr. Langon was not cited for possible release of asbestos fibers; that Mr. Langon was cited for not having had a survey conducted. Mr. Rinaldi stated there are Washoe County Air Quality Regulations and State Regulations specific to air quality; that there are specific regulations as to “who can sample for asbestos and who can remove asbestos.” Mr. Rinaldi stated while the regulations do not prohibit Mr. Langon from taking a sample and having it analyzed at his own expense; however, when Mr. Langon “made decisions based on that”; and noted ‘asbestos testing and monitoring’ as charges on the invoice he submitted to James Stegmaier “this puts Mr. Langon in the role of a consultant, which requires AHERA (Asbestos Hazard Emergency Response Act) certification and licensure from the State.” Mr. Rinaldi stated these are the violations for which Mr. Langon was cited.

In response to Mr. Rinaldi regarding “the confusion”, Mr. Walsh stated Mr. Langon had received a call to be present at the meeting; that being directed to attend a meeting with people of authority; and then going to that meeting attended by “three to four people asking a lot of questions you are prepared to answer” would be disconcerting. Mr. Walsh stated “it would be a surprise and one would perhaps want an attorney present.”

Mr. Rinaldi advised the settlement meeting(s) are very informal; that the purpose is for Staff to meet with the individual(s) to whom the citation was issued to discuss the requirements of the Regulations, which were violated, and to amicably achieve a negotiated settlement. Mr. Rinaldi stated that because Mr. Langon “walked out” of the meeting during the discussion Mr. Langon “gave up the opportunity to achieve a negotiated settlement.”

Mr. Walsh reiterated he understands Mr. Langon being concerned and leaving the meeting.

Mr. Walsh stated Mr. Langon was cited for failure to have an asbestos-survey conducted and failure to obtain an asbestos-acknowledgement form; however, Mr. Langon did obtain an asbestos-

acknowledgement form. In response to Mr. Rinaldi regarding the date of the asbestos acknowledgement form, Mr. Walsh stated the date is “approximately January 25, 2015.

In response to Mr. Walsh regarding the date Mr. Langon obtained the asbestos-acknowledgement form, Mr. Rinaldi stated “that was too late.”

Mr. Walsh stated after Mr. Langon took the sample and had it analyzed by Asbestos TEM Laboratories, Mr. Langon “got the process started to obtain the asbestos-acknowledgement form.”

Mr. Rinaldi stated Mr. Walsh “testifying on behalf of Mr. Langon, has admitted to Mr. Langon taking a sample to [Asbestos TEM Laboratories] for testing for asbestos, which is the violation”, as Mr. Langon “is not accredited to do that.”

Mr. Walsh acknowledged Mr. Langon “is not accredited to do that”; that Mr. Langon did indicate to Ms. Craig he did not have AHERA certification. Mr. Walsh stated AHERA certification courses were not offered to Mr. Langon nor were courses advertised. Mr. Walsh reiterated Mr. Langon “was doing what he thought was right under the circumstances. Mr. Walsh stated Mr. Langon did obtain the asbestos-acknowledgement form; that the “seeming disparity in time was only because of the season and what was going on.” Mr. Walsh stated Mr. Langon “initiated the process and it came up January 25, 2015.”

Mr. Walsh stated in regard to the potential of the release of “asbestos into the atmosphere, as the Chairman stated, no one really knows if that occurred.”

In response to Mr. Walsh, Mr. Rinaldi again advised Mr. Langon was not cited for the potential release of asbestos-containing fibers; that Mr. Langon was cited for not following procedures in obtaining the asbestos-acknowledgement form. Mr. Rinaldi advised the purpose of the asbestos-acknowledgement form is to ensure all asbestos-containing materials in a building are identified prior to demolition occurring. Mr. Rinaldi stated when Mr. Langon obtained the asbestos-acknowledgement form in January 2015, it was “too late to obtain the form.”

Mr. Walsh stated he explained the circumstances of what had occurred; that “perhaps there was not a literal following of the law”; however, “the law was certainly followed in the spirit.” Mr. Walsh stated Mr. Langon had the testing performed with the intent of determining “what the material was.”

Mr. Rinaldi stated “there were mistakes made in the sampling because the individual collecting the sample did not have the background, experience and certifications required.” Mr. Rinaldi stated had there been the proper accreditation “there would not be questions as to if it was taken from the laundry room, the bathroom or the kitchen.”

Mr. Rinaldi briefly reviewed the process of sampling materials for possible asbestos, advising if there are the same materials (i.e., flooring) in several of the rooms or in every room, samples would not be required from each and every room as the materials are considered homogeneous. Mr. Rinaldi stated when the materials are homogeneous there is the assumption all the materials would test the same; and therefore, sampling would not be required in each room. Mr. Rinaldi stated, therefore, it is not an issue of Mr. Langon ‘took a sample from one room; however, he didn’t take any samples from the other areas.’ Mr. Rinaldi stated Mr. Langon did not have the proper accreditation to take the samples,

Mr. Walsh stated the testing was performed by Mr. Davis of RED’s Fire and Flood, which was a separate contract; that the only contact Mr. Langon had ‘was the single piece of material he picked-up’ in the beginning of the project.

Mr. Rinaldi stated “there are chain-of-custody documents to the laboratory, which show Mr. Langon submitted the sample” for testing; that there are documents which indicated additional samples were submitted by RED’s. Mr. Rinaldi stated the invoice indicates Mr. Langon charged for the service of taking the sample and submitting it for testing.

Mr. Walsh stated the “all the circumstances should be taken into consideration when determining the penal phase” of the proceedings. Mr. Walsh stated Mr. Langon was aware he was not qualified to take the samples, “which is why he hired Mr. Davis of RED’s”. Mr. Walsh stated the Stegmaier brothers approved the contract with RED’s to conduct the sampling. Mr. Walsh stated “neither Mr. Davis nor Mr. Brad Carrath, of RED’s Fire and Flood were cited for this project, “but were only issued a warning.” Mr. Walsh stated “Mr. Langon is “sharing a disproportionate amount of the responsibility.” Mr. Walsh stated “he understands the rules are the rules’ however, the rules are very rigid; and Mr. Langon did the very best he could.”

In response to Mr. Greene regarding the number of years Mr. Langon has had his license, Mr. John Langon, being duly sworn, advised he has been licensed for approximately nine (9) years. In response to Mr. Greene regarding the type of licensure Mr. Langon has, Mr. Langon advised he has an A-13, which is a specialty license for homes. Mr. Langon stated the State Contractor’s Board did not have a specialty license for water damage. Mr. Langon stated he “has testified in front of the Contractor’s Board twice.”

Mr. Greene stated he previously was a licensed contractor with a specialty in the area of heating and woodstove installation. Mr. Greene stated when he tested for his contractor's license there were several questions specific to "these very issues – asbestos removal and asbestos awareness." Mr. Greene stated he "would make the assumption [Mr. Langon] studied the basics of this when he studied for his contractor's license, since these questions are on the test."

In response to Mr. Greene, Mr. Langon stated it was nine (9) years ago "and he does not recall anything dealing with asbestos."

Mr. Greene stated one portion of the intent of the law is: prior to the beginning of remediation that a survey be conducted, which is "prior to carpet being pulled-up (even if it is still wet), etc., so it will be known if there is asbestos present. Mr. Greene stated this is a requirement of the Washoe County Regulations Governing Air Quality Management; a State requirement and a requirement of the Federal Environmental Protection Agency (EPA). Mr. Greene stated it is important to know "if there is asbestos, prior to the beginning of remediation, to ensure the proper type of removal can be conducted" to ensure any friable components of asbestos is not released into the air. Mr. Greene stated "unless this occurs at the very beginning there is a situation like what has happened here."

In response to Dr. Fitzgerald regarding a demolition permit being required by the City of Reno, which would have identified the potential for asbestos, Mr. Langon stated "it is his experience [the City] will allow you to pull 'so much' especially in an emergency situation. Mr. Langon stated it was his intent to "get the situation under control; that there was some preliminary testing." Mr. Langon stated "he was attempting to get everything under control and determine the material to be removed so he could go get the permit; that normally they give a little leeway on it, especially if there is a house flood or on a weekend." Mr. Langon stated after the preliminary testing was completed, he contacted RED's Fire and Flood as to whether RED's was certified to conduct the testing. Mr. Langon stated RED's conducted the test; that he "was under the impression this was how he would get the pink" sheet. Mr. Langon stated "there was no miscellaneous dealing(s) on his part' that there was no advantage for him not to get the testing." Mr. Langon stated after the testing, he performed "most of the demo in order to stop it from spreading"; that he received "a negative on the drywall; that an okay was received from Mr. Stegmaier to have the asbestos removed." Mr. Langon stated the project was then delayed due to questions regarding the insurance company "covering asbestos." Mr. Langon stated he was waiting "to get back into [the apartment] to see what else needed to be done so he could give a complete report." Mr. Langon stated "it is billed to the insurance company"; therefore, "it isn't as though he is losing money getting a demo permit."

Mr. Langon stated when he was contacted by Air Quality Management he received a call, with no prior notification, and was asked "when he could come in."

Dr. Fitzgerald stated the report indicates the initial complaint to the Air Quality Management Division was filed by the City of Reno Building Department on January 21, 2015, for not having the proper permitting to perform the work.

In response to Dr. Fitzgerald, Mr. Langon stated, ‘he had gone back [to the unit] and saw there was already some build-back started; therefore, he went to the Building Department and explained he wanted to walk the site with an inspector to let [the inspector] know what he had actually pulled.’ Mr. Langon stated when it was determined there was asbestos present; RED’s Flood and Fire was contracted to perform the work. Mr. Langon stated “he didn’t abate anything.”

No one representing RED’s Flood and Fire was present.

Dr. Fitzgerald stated Staff’s report indicates the linoleum in the bathroom tested positive for asbestos; however, there was no samples taken in the kitchen.

In response to Dr. Fitzgerald, Mr. Langon stated “there was one big sheet in the middle of the bathroom, which tested negative.”

Dr. Fitzgerald stated the report indicates the linoleum flooring in the bathroom tested 20-30% positive for chrysotile asbestos.

In response to Dr. Fitzgerald, Mr. Langon stated “that was a red piece lying on the floor; that it matched the kitchen and it also matched the laundry room.” In response to Dr. Fitzgerald regarding the laundry room testing negative, Mr. Langon stated he is unaware if the laundry room was tested.

Mr. Langon stated “there were two (2) floorings – a top flooring and the bottom flooring, which is the same as what was in the kitchen.”

Dr. Fitzgerald stated “the assumption was the bathroom and the kitchen had the same linoleum.”

In response to Dr. Fitzgerald, Mr. Langon stated the bathroom and the kitchen did not have the same linoleum; that the bathroom had “a yellow-type linoleum, which tested negative.” Mr. Langon stated the kitchen had a red-type linoleum, which was the same as the second layer of the laundry room.”



Mr. Rinaldi advised the laboratory results included in Staff's report is contrary to Mr. Langon's information; that he would question if there are additional laboratory results or what Mr. Langon has indicated is inaccurate.

In response to Mr. Rinaldi, Mr. Langon stated "that was what was mitigated in the kitchen; that it was a red linoleum, the same linoleum as was in..." the laundry room.

Mr. Rinaldi stated there isn't a way to verify this as the work has been completed; that the Hearing Board members "have the laboratory results", which indicate there was asbestos in the backing and mastic from the bathroom" of the yellow linoleum.

In response to Mr. Rinaldi regarding conducting an asbestos survey, Mr. Langon stated "it was not his intent to conduct a survey"; that he "wanted preliminary testing to see what was happening in there." Mr. Langon stated "that's why right away he got someone in to get the pink" sheet.

In response to Mr. Langon, Mr. Rinaldi stated 'as soon as Mr. Langon submitted the sample for testing and charged the customer and made determinations based on the results', Mr. Langon was functioning in the capacity of a consultant.

Mr. Langon stated he "billed for the testing only" not for writing a report, which is what the hygienist does; that the other part of the testing was what RED's performed.

Mr. James Stegmaier, owner of the 195 Martin Street property, being duly sworn, advised he and his brother have been apartment property owners in the area for approximately 27 years; that in the 28 years they have had three (3) claims due to water mitigation. Mr. Stegmaier stated he and his brother are unfamiliar with companies specific to water mitigation; therefore, when they contracted with Mr. Langon "they were following his direction."

Mr. Stegmaier stated initially Air Quality Management Staff investigated whether or not he and his brother had improperly removed asbestos-containing materials from Unit #7.

Mr. Stegmaier stated Mr. Langon referred to a delay in the repairs, and Mr. Langon obtaining the pink sheet, due to an issue with the insurance company; however, he "would assure the Hearing Board there were no delays with the insurance company.

Mr. Stegmaier briefly outlined his initial meeting on November 12, 2014, with Mr. Langon; that Mr. Langon “showed him around the kitchen and what had been demolished, which was extensive.” Mr. Stegmaier stated Mr. Langon was very specific regarding the red tile, which was beneath the more modern [yellow] tile, having “tested hot.” Mr. Stegmaier stated Mr. Langon further advised the same tile had been “found in the laundry room”; that Mr. Langon advised him (Mr. Stegmaier) “that both areas would be asbestos-related.”

Mr. Stegmaier stated his concern was he was advised his insurance policy included “an exclusion clause for asbestos-removal.” Mr. Stegmaier stated he questioned Mr. Langon regarding “just relaying tile over it” in the bathroom; and was advised “it wouldn’t dry.” Mr. Stegmaier advised Mr. Langon never indicated anything “about the bathroom being asbestos-related; and the bathroom had the most problems in the repairs. Mr. Stegmaier stated there was particular board glued to the floor around the toilet; however, “the red tile was not in there.” Mr. Stegmaier stated he “has heard conflicting stories as to whether the material tested hot or not; that he was advised by Ms. Craig it was checked on one of the boxes.”

Mr. Stegmaier stated the laundry room and the kitchen were the areas “which tested hot.” Mr. Stegmaier stated his only interaction with Mr. Kelly Davis, RED’s Fire and Flood “was after he was advised it was hot by Mr. Langon.” Mr. Stegmaier stated Mr. Langon advised him he (Mr. Langon) “had someone who could remove it.” Mr. Stegmaier stated his insurance company waived the exclusionary clause and agreed to pay for the repairs; at which time he contacted Mr. Davis and gave Mr. Davis permission to remove the material.

In response to Ms. Rucker regarding Mr. Stegmaier “giving Mr. Langon any direction to take samples”, Mr. Stegmaier stated he did not give Mr. Langon any direction to take samples; that he was unaware of “materials being hot” until Mr. Langon advised him.

In response to Dr. Fitzgerald regarding the tile in the bathroom and the kitchen being similar, Mr. Stegmaier stated the tiles were “totally different.”

Dr. Fitzgerald stated she did not note any documentation “from the samples which were taken that there was asbestos in the kitchen.”

In response to Mr. Kenney regarding the flood damage occurring and the demolition permit being obtained, Mr. Stegmaier advised the flood damage occurred on November 10, 2014; and the demolition permit was obtained approximately January 27<sup>th</sup> or the 28<sup>th</sup>, 2015.

Mr. Rinaldi reviewed the process of “collecting possible asbestos samples”, advising that materials are categorized in homogeneous groups in which one (1) sample would be taken for each group “not for each location.” Mr. Rinaldi stated the testing results are then utilized to identify areas of asbestos-containing materials and those areas with no asbestos. Mr. Rinaldi stated Mr. Langon did not have the AHERA (Asbestos Hazard Emergency Response Act) certification; that Mr. Carrath, RED’s Fire and Flood, had allowed his certification to lapse for three (3) years, which was the reason a notice of warning was issued to RED’s Fire and Flood.

Mr. Walsh reiterated in reviewing the “overall situation if Mr. Langon did not follow the letter of the law, he did follow the spirit of the law.” Mr. Walsh stated Mr. Langon “contacted people he believed were competent to complete the necessary testing in this case; that he did what he thought was right.” Mr. Walsh stated although Mr. Langon “was not technically correct in everything he did he tried to do the right thing.” Mr. Walsh stated this is his [Mr. Langon] first encounter with a hearing board of this type; that Mr. Langon has an “excellent record in the industry”; that (perhaps) this could be considered “some form of a mistake as that’s all it is.” Mr. Walsh stated Mr. Langon is “more than deserving of the kind consideration of the [Hearing] Board.”

Dr. Fitzgerald stated the recommendation indicates Mr. Langon has been cited for “removal of asbestos without a valid survey; failure to obtain the acknowledgement form; and failure to follow asbestos control work practices”; that she would request an explanation specific to the “failure to follow asbestos control work practices.”

In response to Dr. Fitzgerald, Mr. Wolf stated, because there was not a valid survey, it is not known what was removed; that without the valid survey “it can’t be assumed it was asbestos nor can it be assumed it was not.” Mr. Wolf stated it was determined the kitchen linoleum was positive for asbestos; however, it is not known if the sheet rock, the texture, the joint compound or everything else that was removed contained asbestos.

Mr. Wolf stated in the initial sample submitted “there were two (2) drywall samples which had been taken not just a piece of linoleum.” Mr. Wolf stated Mr. Davis advised Staff “he (Mr. Davis) had recommended additional samples be taken”; however, RED’s was not [at that time] certified to take those samples. Mr. Wolf stated RED’s “abated the kitchen floor because they were told the survey was mislabeled and the sample was from the kitchen not the bathroom”; that RED’s was only contracted to perform the abatement.

Mr. Wolf stated, for clarification, the negotiated settlement meeting was attended by him, Ms. Kristina Craig and Mr. Dennis Cerfoglio.

Mr. Rinaldi advised the recommended \$5,300 is based upon the severity of the violation, specific to the potential release of a hazardous air pollutant into the atmosphere; the multiple factors; and avoidance of costs. Mr. Rinaldi stated this could have been a much larger recommended fine.


**MOTION**

Dr. Fitzgerald moved based upon the testimony and evidence presented, a violation of Section 030.107 (Hazardous Air Pollutants), Subsection (A) {Asbestos Sampling and Notification}; and Subsection (C) (Asbestos Containment and Abatement), of the Washoe County District Board of Health Regulations Governing Air Quality Management, did occur; and that it be recommended to the District Board of Health that the **appeal of A PLUS RESTORATION (JOHN LANGON)**, be **denied** and **Citation No. 5297, Case No. 1171** be **upheld** and a fine in the amount of **\$5,300** be levied against A Plus Restoration (Mr. John Langon) for a **major violation**.

The motion was seconded by Mr. Green and **carried unanimously for approval**.

Mrs. Janet Smith, CAP-OM, Recording Secretary, advised Mr. Walsh of Mr. Langon's right to appeal the Hearing Board's recommendation to the District Board of Health, in writing within five (5) days of today's hearing.

  
\_\_\_\_\_  
DAVID RINALDI, CHAIRMAN  
AIR POLLUTION CONTROL HEARING BOARD

  
\_\_\_\_\_  
JANET SMITH, CAP-OM  
RECORDER

The Air Pollution Control Hearing Board has been established pursuant to Section 020.025 of the Washoe County District Board of Health Regulations Governing Air Quality Management, and Section 020.0251 authorizes its jurisdiction in hearing appeals from any aggrieved person. This Board is comprised of volunteers appointed by the District Board of Health, who meet the qualifications required in Section 020.025.

Appeals heard today, March 3, 2015, will be forwarded to the District Board of Health with a recommendation, as set forth in Section 020.0251 (D), and will be reviewed at their next regularly scheduled meeting, Thursday, April 23, 2015, at 1:00 p.m. At the discretion of the District Board of Health, all appellants may provide further testimony regarding their case at that time. Appellants must indicate in writing, in a letter addressed to the District Health Officer, within five (5) days of today's hearing, that they wish to be heard at the District Board of Health meeting.

Case No.: 1171

Citation No.: 5297

A Plus Restoration

Company

[Handwritten Signature]

Representative's Signature

\_\_\_\_\_  
Company Representative

3/3/15

\_\_\_\_\_  
Date



WASHOE COUNTY HEALTH DISTRICT  
 AIR QUALITY MANAGEMENT DIVISION  
 1001 EAST NINTH ST. • SUITE B171 • RENO NV 89512  
 (775) 784-7200



**NOTICE OF VIOLATION**

NOV 5297

DATE ISSUED: 1/22/2015

ISSUED TO: Jon Langon PHONE #: 775-379-7979

MAILING ADDRESS: 1043 H street CITY/ST: SPARKS, NV ZIP: 89431

NAME/OPERATOR: A Plus Restoration PHONE #: 775-379-7979

PERMIT NO. \_\_\_\_\_ COMPLAINT NO. CMP15-0021

YOU ARE HEREBY OFFICIALLY NOTIFIED THAT ON 1-22-2015 (DATE) AT 1150 AM (TIME), YOU ARE IN VIOLATION OF THE FOLLOWING SECTION(S) OF THE WASHOE COUNTY DISTRICT BOARD OF HEALTH REGULATIONS GOVERNING AIR QUALITY MANAGEMENT:

- |  |   |
|--|---|
| <input type="checkbox"/> MINOR VIOLATION OF SECTION: | <input type="checkbox"/> MAJOR VIOLATION OF SECTION:            |
| <input type="checkbox"/> 040.030 DUST CONTROL        | <input type="checkbox"/> 030.000 OPERATING W/O PERMIT           |
| <input type="checkbox"/> 040.055 ODOR/NUISANCE       | <input type="checkbox"/> 030.2175 VIOLATION OF PERMIT CONDITION |
| <input type="checkbox"/> 040.200 DIESEL IDLING       | <input type="checkbox"/> 030.105 ASBESTOS/NESHAP                |
| <input type="checkbox"/> OTHER _____                 | <input checked="" type="checkbox"/> OTHER <u>030.107(A)(C)</u>  |

VIOLATION DESCRIPTION: 030.107(A) - Failure to conduct an asbestos survey or obtain "Asbestos Assessment Acknowledgement form" Removal of any asbestos containing material with potential to release to atmosphere

LOCATION OF VIOLATION: 195 Martin street Reno, NV 89509

POINT OF OBSERVATION: Renovated Unit #7 & laundry room

Weather: clear & sunny Wind Direction From: N E S W

Emissions Observed: \_\_\_\_\_  
 (If Visual Emissions Performed - See attached Plume Evaluation Record)

**WARNING ONLY:** Effective \_\_\_\_\_ a.m./p.m. \_\_\_\_\_ (date) you are hereby ordered to abate the above violation within \_\_\_\_\_ hours/days. I hereby acknowledge receipt of this warning on the date indicated.

Signature \_\_\_\_\_

**CITATION:** You are hereby notified that effective on 1-22-15 (date) you are in violation of the section(s) cited above. You are hereby ordered to abate the above violation within 1150AM hours/days. You may contact the Air Quality Management Division to request a negotiated settlement meeting by calling (775) 784-7200. You are further advised that within 10 working days of the date of this Notice of Violation, you may submit a written petition for appeal to the Washoe County Health District, Air Quality Management Division, P.O. Box 11130, Reno, Nevada 89520-0027. Failure to submit a petition within the specified time will result in the submission of this Notice of Violation to the District Board of Health with a recommendation for the assessment of an administrative fine.

**SIGNING THIS FORM IS NOT AN ADMISSION OF GUILT**

Signature: Refused to sign. citation Date: 1-22-15 @ 1150.

Issued by: [Signature] AOSTI Title: AQSTI

PETITION FOR APPEAL FORM PROVIDED

**Washoe County Air Quality Management  
Permitting & Enforcement Branch  
Recommended Fine Calculation Worksheet**

Company Name A Plus Restoration  
Contact Name John Langon

Case # 1171 NOV # 5297 Complaint CMP15-0021

I. Violation of Section 030.170 (a) Asbestos Sampling and Notification

**I. Recommended/Negotiated Fine = \$ 5300**

II. Violation of Section 030.107(c)- Asbestos Contamination and Abatement

**II. Recommended/Negotiated Fine = \$ 0**

III. Violation of Section 0

**III. Recommended/Negotiated Fine = \$ 0**

IV. Violation of Section 0

**IV. Recommended/Negotiated Fine = \$ 0**

V. Violation of Section 0

**V. Recommended/Negotiated Fine = \$ 0**

**Total Recommended/Negotiated Fine = \$ 5300**

\_\_\_\_\_  
Air Quality Specialist

\_\_\_\_\_  
Date

\_\_\_\_\_  
Senior AQ Specialist/Supervisor

\_\_\_\_\_  
Date

**Washoe County Air Quality Management  
Permitting & Enforcement Branch  
Recommended Fine Calculation Worksheet**

Company Name A Plus Restoration  
 Contact Name John Langon

Case # 1171 NOV # 5297 Complaint CMP15-0021

Violation of Section 030.170 (a) Asbestos Sampling and Notification

I. Base Penalty as specified in the Penalty Table = \$ 2500

II. Severity of Violation

A. Public Health Impact

1. Degree of Violation

(The degree of which the person/company has deviated from the regulatory requirements)

Minor – 0.5 Moderate – 0.75 Major – 1.0 Adjustment Factor   
 Comment: Did not obtain acknowledgement form / no epa ahera certification to sample

2. Toxicity of Release

Criteria Pollutant – 1x  
 Hazardous Air Pollutant – 2x Adjustment Factor   
 Comment: Asbestos- hazardous air pollutant

3. Environmental/Public Health Risk (Proximity to sensitive environment or group)

Negligible – 1x Moderate – 1.5x Significant – 2x Adjustment Factor   
 Comment: \_\_\_\_\_

Total Adjustment Factors (1 x 2 x 3) = 2

B. Adjusted Base Penalty

Base Penalty \$ 2500 x Adjustment Factor 2 = \$ 5000

C. Multiple Days or Units in Violation

Adjusted Penalty \$ 5000 x Number of Days or Units 1 = \$ 5000  
 Comment: \_\_\_\_\_

D. Economic Benefit

Avoided Costs \$ 300 + Delayed Costs \$ \_\_\_\_\_ = \$ 300  
 Comment: \_\_\_\_\_

Penalty Subtotal

Adjusted Base Penalty \$ 5000 + Economic Benefit \$ 300 = \$ 5300



**Washoe County Air Quality Management  
Permitting & Enforcement Branch  
Recommended Fine Calculation Worksheet**

**III. Penalty Adjustment Consideration**

**A. Degree of Cooperation** (0 – 25%) - 0

**B. Mitigating Factors** (0 – 25%) - 0

1. Negotiated Settlement
2. Ability to Pay
3. Other (explain)

**Comment** walked out of meeting

**C. Compliance History**

No Previous Violations (0 – 10%) - 0

**Comment** unknown

Similar Violation in Past 12 months (25 - 50%) + \_\_\_\_\_

**Comment:** \_\_\_\_\_

Similar Violation within past 3 year (10 - 25%) + \_\_\_\_\_

**Comment:** \_\_\_\_\_

Previous Unrelated Violation (5 – 25%) + \_\_\_\_\_

**Comment:** \_\_\_\_\_

**Total Penalty Adjustment Factors** – sum of A, B, & C 0

**IV. Recommended/Negotiated Fine**

Penalty Adjustment:

\$ <u>5300</u>	x	<u>0</u>	=	<u>0</u>
Penalty Subtotal (From Section II)		Total Adjustment Factors (From Section III)		Total Adjustment Value

Additional Credit for Environmental Investment/Training - \$ \_\_\_\_\_

**Comment:** \_\_\_\_\_

Adjusted Penalty:

\$ <u>5300</u>	+/-	\$ <u>0</u>	=	\$ <u>5300</u>
Penalty Subtotal (From Section II)		Total Adjustment Value (From Section III + Credit)		Recommended/Negotiated Fine

  
Air Quality Specialist

1/28/15  
Date

  
Senior AQ Specialist/Supervisor

1/28/15  
Date

**Washoe County Air Quality Management  
Permitting & Enforcement Branch  
Recommended Fine Calculation Worksheet**

Company Name A Plus Restoration  
 Contact Name John Langon

Case # 1171 NOV # 5297 Complaint CMP15-0021

Violation of Section 030.107(c)- Asbestos Contamination and Abatement

I. Base Penalty as specified in the Penalty Table = \$ 2500

II. Severity of Violation

A. Public Health Impact

1. Degree of Violation

(The degree of which the person/company has deviated from the regulatory requirements)

Minor – 0.5 Moderate – 0.75 Major – 1.0 Adjustment Factor 1

Comment: Removal of acm in a manner that is likely to relase asbestsos fibers in atmosphere

2. Toxicity of Release

Criteria Pollutant – 1x  
 Hazardous Air Pollutant – 2x Adjustment Factor 2

Comment: Asbestos- Hazardous Air Pollutant

3. Environmental/Public Health Risk (Proximity to sensitive environment or group)

Negligible – 1x Moderate – 1.5x Significant – 2x Adjustment Factor 1

Comment: \_\_\_\_\_

Total Adjustment Factors (1 x 2 x 3) = 2

B. Adjusted Base Penalty

Base Penalty \$ 2500 x Adjustment Factor 2 = \$ 5000

C. Multiple Days or Units in Violation

Adjusted Penalty \$ 5000 x Number of Days or Units 1 = \$ 5000

Comment: \_\_\_\_\_

D. Economic Benefit

Avoided Costs \$ 300 + Delayed Costs \$ \_\_\_\_\_ = \$ 300

Comment: \_\_\_\_\_

Penalty Subtotal

Adjusted Base Penalty \$ 5000 + Economic Benefit \$ 300 = \$ 5300

**Washoe County Air Quality Management  
Permitting & Enforcement Branch  
Recommended Fine Calculation Worksheet**

**III. Penalty Adjustment Consideration**

**A. Degree of Cooperation (0 – 25%)** - 0

**B. Mitigating Factors (0 – 25%)** - 0

- 1. Negotiated Settlement
- 2. Ability to Pay
- 3. Other (explain)

**Comment:** \_\_\_\_\_

**C. Compliance History**  
No Previous Violations (0 – 10%) - 0

**Comment:** \_\_\_\_\_

Similar Violation in Past 12 months (25 - 50%) + \_\_\_\_\_

**Comment:** \_\_\_\_\_

Similar Violation within past 3 year (10 - 25%) + \_\_\_\_\_

**Comment:** \_\_\_\_\_

Previous Unrelated Violation (5 – 25%) + \_\_\_\_\_

**Comment:** \_\_\_\_\_

**Total Penalty Adjustment Factors – sum of A, B, & C** 0

**IV. Recommended/Negotiated Fine**

Penalty Adjustment:

\$ <u>5300</u>	x	<u>0</u>	=	<u>0</u>
Penalty Subtotal (From Section II)		Total Adjustment Factors (From Section III)		Total Adjustment Value

Additional Credit for Environmental Investment/Training - \$ 5300

**Comment:** citation for section 030.107 (a) fine assessed

Adjusted Penalty:

\$ <u>5300</u>	+/-	\$ <u>0</u>	=	\$ <u>0</u>
Penalty Subtotal (From Section II)		Total Adjustment Value (From Section III + Credit)		Recommended/Negotiated Fine

  
Air Quality Specialist

1/28/2015  
Date

  
Senior AQ Specialist/Supervisor

1/28/2015  
Date

**STAFF REPORT**  
**BOARD MEETING DATE:** April 23, 2015

**TO:** District Board of Health

**FROM:** Erin Dixon, Fiscal Compliance Officer, Washoe County Health District  
775-328-2419, [edixon@washoecounty.us](mailto:edixon@washoecounty.us)

**SUBJECT:** Ratification of Intrastate Interlocal Contract between the State of Nevada, Department of Conservation and Natural Resources, Division of Environmental Protection and the Washoe County Health District for the period upon Board of Examiners approval through June 30, 2017 in the total amount of \$250,000 (\$125,000 per fiscal year) in support of the Safe Drinking Water Act (SDWA) Grant Program; and if approved, authorize the Chairman to execute.

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**SUMMARY**

The Washoe County District Board of Health must approve and execute, or direct the Health Officer to execute, contracts in excess of \$50,000, Interlocal Agreements and amendments to the adopted budget.

The Washoe County Health District received an Intrastate Interlocal Contract from the State of Nevada, Division of Environmental Protection in the amount of \$250,000 (\$125,000 per fiscal year) for the period upon Board of Examiners approval through June 30, 2017 in support of the Safe Drinking Water Grant Program. A copy of the Interlocal Contract is attached.

**District Health Strategic Objective supported by this item:** Achieve targeted improvements in health outcomes and health equity.

It also supports the Washoe County Health District Safe Drinking Water Program mission to protect ground water of Washoe County from contamination and to ensure a safe and reliable water supply for the public.

**BACKGROUND**

This Interlocal Agreement supports the on-going Safe Drinking Water Grant Program. Funding supports a portion of a Licensed Engineer and Registered Environmental Health Specialist and travel/training.

Subject: Safe Drinking Water Act

Date: April 23, 2015

Page 2 of 2

### **PREVIOUS ACTION**

The Board ratified the Interlocal Contract for the period upon Board of Examiners approval through June 30, 2015 in the total amount of \$180,000 (\$90,000 per fiscal year) on April 25, 2013.

### **FISCAL IMPACT**

There is an increase in funding in a total amount of \$70,000 (\$35,000 per fiscal year). Ratification of this contract will allow for additional staff time to be covered by the grant that was previously covered by local funds.

The Washoe County Health District is recovering indirect costs (14.5% applied to personnel total) on this grant.

### **RECOMMENDATION**

Staff recommends the Washoe County District Board of Health ratifies the Intrastate Interlocal Contract between the State of Nevada, Department of Conservation and Natural Resources, Division of Environmental Protection and the Washoe County Health District for the period upon Board of Examiners approval through June 30, 2017 in the total amount of \$250,000 (\$125,000 per fiscal year) in support of the Safe Drinking Water Act (SDWA) Grant Program; and if approved, authorize the Chairman to execute.

### **POSSIBLE MOTION**

Move to ratify the Intrastate Interlocal Contract between the State of Nevada, Department of Conservation and Natural Resources, Division of Environmental Protection and the Washoe County Health District for the period upon Board of Examiners approval through June 30, 2017 in the total amount of \$250,000 (\$125,000 per fiscal year) in support of the Safe Drinking Water Act (SDWA) Grant Program; and if approved, authorize the Chairman to execute.

# INTRASTATE INTERLOCAL CONTRACT BETWEEN PUBLIC AGENCIES

A Contract Between the State of Nevada  
Acting By and Through Its

**Department of Conservation and Natural Resources, Division of Environmental Protection  
901 S. Stewart Street, Carson City, NV 89701-5429**

**AND**

**Washoe County Health District  
Hereinafter the "Public Agency"  
1101 East Ninth Street  
PO Box 11130  
Reno, NV 89520  
Phone: 775-782-6210 FAX: 775-782-9007**

WHEREAS, NRS 277.180 authorizes any one or more public agencies to contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform; and

WHEREAS, it is deemed that the services hereinafter set forth are both necessary and in the best interests of the State of Nevada;

NOW, THEREFORE, in consideration of the aforesaid premises, the parties mutually agree as follows:

1. REQUIRED APPROVAL. This Contract shall not become effective until and unless approved by appropriate official action of the governing body of each party.
2. DEFINITIONS. "State" means the State of Nevada and any state agency identified herein, its officers, employees and immune contractors as defined in NRS 41.0307.
3. CONTRACT TERM. This Contract shall be effective upon approval to 06/30/2017 , unless sooner terminated by either party as set forth in this Contract.
4. TERMINATION. This Contract may be terminated by either party prior to the date set forth in paragraph (3), provided that a termination shall not be effective until 30 days after a party has served written notice upon the other party. This Contract may be terminated by mutual consent of both parties or unilaterally by either party without cause. The parties expressly agree that this Contract shall be terminated immediately if for any reason State and/or federal funding ability to satisfy this Contract is withdrawn, limited, or impaired.
5. NOTICE. All notices or other communications required or permitted to be given under this Contract shall be in writing and shall be deemed to have been duly given if delivered personally in hand, by telephonic facsimile with simultaneous regular mail, or mailed certified mail, return receipt requested, postage prepaid on the date posted, and addressed to the other party at the address set forth above.
6. INCORPORATED DOCUMENTS. The parties agree that the services to be performed shall be specifically described; this Contract incorporates the following attachments in descending order of constructive precedence:

ATTACHMENT A: SCOPE OF WORK (Consisting of 4 Pages)

ATTACHMENT B: ADDITIONAL AGENCY TERMS & CONDITIONS (Consisting of 3 pages)

7. **CONSIDERATION.** Washoe County Health District agrees to provide the services set forth in paragraph (6) at a cost of \$ N/A per N/A (state the exact cost or hourly, daily, or weekly rate exclusive of travel or per diem expenses) with the total Contract or installments payable: Quarterly, not exceeding \$ 125,000.00 per year and \$250,000.00 total. Any intervening end to an annual or biennial appropriation period shall be deemed an automatic renewal (not changing the overall Contract term) or a termination as the results of legislative appropriation may require.

8. **ASSENT.** The parties agree that the terms and conditions listed on incorporated attachments of this Contract are also specifically a part of this Contract and are limited only by their respective order of precedence and any limitations expressly provided.

9. **INSPECTION & AUDIT.**

a. **Books and Records.** Each party agrees to keep and maintain under general accepted accounting principles full, true and complete records, agreements, books, and documents as are necessary to fully disclose to the other party, the State or United States Government, or their authorized representatives, upon audits or reviews, sufficient information to determine compliance with any applicable regulations and statutes.

b. **Inspection & Audit.** Each party agrees that the relevant books, records (written, electronic, computer related or otherwise), including but not limited to relevant accounting procedures and practices of the party, financial statements and supporting documentation, and documentation related to the work product shall be subject, at any reasonable time, to inspection, examination, review, audit, and copying at any office or location where such records may be found, with or without notice by the other party, the State Auditor, Employment Security, the Department of Administration, Budget Division, the Nevada State Attorney General's Office or its Fraud Control Units, the State Legislative Auditor, and with regard to any federal funding, the relevant federal agency, the Comptroller General, the General Accounting Office, the Office of the Inspector General, or any of their authorized representatives.

c. **Period of Retention.** All books, records, reports, and statements relevant to this Contract must be retained by each party for a minimum of three years and for five years if any federal funds are used in this Contract. The retention period runs from the date of termination of this Contract. Retention time shall be extended when an audit is scheduled or in progress for a period reasonably necessary to complete an audit and/or to complete any administrative and judicial litigation which may ensue.

10. **BREACH; REMEDIES.** Failure of either party to perform any obligation of this Contract shall be deemed a breach. Except as otherwise provided for by law or this Contract, the rights and remedies of the parties shall not be exclusive and are in addition to any other rights and remedies provided by law or equity, including but not limited to actual damages, and to a prevailing party reasonable attorneys' fees and costs.

11. **LIMITED LIABILITY.** The parties will not waive and intend to assert available NRS chapter 41 liability limitations in all cases. Contract liability of both parties shall not be subject to punitive damages. To the extent applicable, actual contract damages for any breach shall be limited by NRS 353.260 and NRS 354.626.

12. **FORCE MAJEURE.** Neither party shall be deemed to be in violation of this Contract if it is prevented from performing any of its obligations hereunder due to strikes, failure of public transportation, civil or military authority, act of public enemy, accidents, fires, explosions, or acts of God, including, without limitation, earthquakes, floods, winds, or storms. In such an event the intervening cause must not be through the fault of the party asserting such an excuse, and the excused party is obligated to promptly perform in accordance with the terms of the Contract after the intervening cause ceases.

13. **INDEMNIFICATION.** Neither party waives any right or defense to indemnification that may exist in law or equity.

14. INDEPENDENT PUBLIC AGENCIES. The parties are associated with each other only for the purposes and to the extent set forth in this Contract, and in respect to performance of services pursuant to this Contract, each party is and shall be a public agency separate and distinct from the other party and, subject only to the terms of this Contract, shall have the sole right to supervise, manage, operate, control, and direct performance of the details incident to its duties under this Contract. Nothing contained in this Contract shall be deemed or construed to create a partnership or joint venture, to create relationships of an employer-employee or principal-agent, or to otherwise create any liability for one agency whatsoever with respect to the indebtedness, liabilities, and obligations of the other agency or any other party.

15. WAIVER OF BREACH. Failure to declare a breach or the actual waiver of any particular breach of the Contract or its material or nonmaterial terms by either party shall not operate as a waiver by such party of any of its rights or remedies as to any other breach.

16. SEVERABILITY. If any provision contained in this Contract is held to be unenforceable by a court of law or equity, this Contract shall be construed as if such provision did not exist and the nonenforceability of such provision shall not be held to render any other provision or provisions of this Contract unenforceable.

17. ASSIGNMENT. Neither party shall assign, transfer or delegate any rights, obligations or duties under this Contract without the prior written consent of the other party.

18. OWNERSHIP OF PROPRIETARY INFORMATION. Unless otherwise provided by law or this Contract, any reports, histories, studies, tests, manuals, instructions, photographs, negatives, blue prints, plans, maps, data, system designs, computer code (which is intended to be consideration under this Contract), or any other documents or drawings, prepared or in the course of preparation by either party in performance of its obligations under this Contract shall be the joint property of both parties.

19. PUBLIC RECORDS. Pursuant to NRS 239.010, information or documents may be open to public inspection and copying. The parties will have the duty to disclose unless a particular record is made confidential by law or a common law balancing of interests.

20. CONFIDENTIALITY. Each party shall keep confidential all information, in whatever form, produced, prepared, observed or received by that party to the extent that such information is confidential by law or otherwise required by this Contract.

21. PROPER AUTHORITY. The parties hereto represent and warrant that the person executing this Contract on behalf of each party has full power and authority to enter into this Contract and that the parties are authorized by law to perform the services set forth in paragraph (6).

22. GOVERNING LAW; JURISDICTION. This Contract and the rights and obligations of the parties hereto shall be governed by, and construed according to, the laws of the State of Nevada. The parties consent to the jurisdiction of the Nevada district courts for enforcement of this Contract.

23. ENTIRE AGREEMENT AND MODIFICATION. This Contract and its integrated attachment(s) constitute the entire agreement of the parties and such are intended as a complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof. Unless an integrated attachment to this Contract specifically displays a mutual intent to amend a particular part of this Contract, general conflicts in language between any such attachment and this Contract shall be construed consistent with the terms of this Contract. Unless otherwise expressly authorized by the terms of this Contract, no modification or amendment to this Contract shall be binding upon the parties unless the same is in writing and signed by the respective parties hereto, approved by the State of Nevada Office of the Attorney General.



IN WITNESS WHEREOF, the parties hereto have caused this Contract to be signed and intend to be legally bound thereby.

**Washoe County Health District**

Public Agency #1

\_\_\_\_\_  
Public Agency #1 Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

**Department of Conservation and Natural Resources, Division of Environmental Protection (DEP)**

Public Agency #2

\_\_\_\_\_  
Colleen Cripps, Ph.D Signature

\_\_\_\_\_  
Date

**Administrator-DEP**

\_\_\_\_\_  
Title



\_\_\_\_\_  
DEP Fiscal Signature

4/7/15  
\_\_\_\_\_  
Date

B/A II  
\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature – Nevada State Board of Examiners

APPROVED BY BOARD OF EXAMINERS

On \_\_\_\_\_ (Date)

Approved as to form by:

\_\_\_\_\_  
Deputy Attorney General for Attorney General, State of Nevada

On \_\_\_\_\_ (Date)

**ATTACHMENT A**

**Scope of Work**

**INTRASTATE INTERLOCAL CONTRACT  
BETWEEN:  
NEVADA DIVISION OF ENVIRONMENTAL PROTECTION AND  
THE WASHOE COUNTY HEALTH DISTRICT**

**ATTACHMENT A: SCOPE OF WORK**  
Description of services, deliverables and reimbursement

Washoe County Health District, hereinafter referred to as Public Agency, agrees to provide the following services and reports to the Nevada Division of Environmental Protection, hereinafter referred to as State:

1. The Public Agency agrees to perform the following services for public water systems within Washoe County to assist the State with implementation of the federal Safe Drinking Water Act, for which the State is the designated primacy agency:
  - A. The Public Agency will employ a Licensed Engineer to conduct public water system construction plan reviews on assigned water projects. The employee will ideally have experience in drinking water or wastewater upon hiring. The State will assist with training.
  - B. Conduct and document sanitary surveys within Washoe County as follows:
    - 1) Annual sanitary surveys on all public water systems served by surface water sources or ground water under the direct influence of surface water;
    - 2) Conduct and document sanitary surveys annually on at least one third of the total inventory of community and non-community public water systems served by groundwater sources;
    - 3) Record the results of all sanitary surveys using the Safe Water Information Field Tool (SWIFT);
      - a) Mail Sanitary Survey Report to public water systems with Significant Deficiencies within 30 days of the site visit. All other reports should be completed within 45 days of the site visit.
    - 4) Schedule with State personnel a minimum of three joint sanitary surveys annually; and
    - 5) Verify the status of public water system operators for community and non-transient non-community water systems at the time of the sanitary survey.
  - C. Utilize the Safe Drinking Water Information System (SDWIS) for the following:
    - 1) Review and update the inventory of public water systems within Washoe County on at least a quarterly basis;
    - 2) Enter Total Coliform monitoring results and run compliance status for all public water systems for coliform, at least monthly, and for all other constituents at least quarterly; and
      - a) Generate Compliance reports for coliform, run compliance, and send violation letters to public water systems.
      - b) Review Results Alert Reports, produced by State staff and delivered to Public Agency staff, for chemical monitoring. Coordinate any necessary monitoring schedule changes with State staff. When necessary, Public Agency will inform public water systems in writing of monitoring schedule changes or violations.
    - 3) Enter sanitary survey information and associated observations into SWIFT and provide migration files for State SDWIS updates quarterly.
  - D. Participate in training programs, provided at no cost by the State, for the following programs:
    - 1) SDWIS database and related tools such as the SWIFT sanitary survey tool.
  - E. Assist the State in preparing reports on variance and exemption requests to be presented by State staff to the State Environmental Commission.

- F. Work cooperatively with the State to prepare for implementation of new United States Environmental Protection Agency (USEPA) rules that have not been adopted at the state level. This may include activities such as contacting and informing public water systems of new requirements, providing data to the USEPA and assisting the USEPA with implementation of new federal rules prior to adoption by the State Environmental Commission.
- G. Submit quarterly reports to the State within thirty days after the calendar quarter ends (January 30, April 30, July 30, and October 30). The quarterly report will include:
- 1) A financial report/invoice including a summary of program expenditures during the preceding quarter and fiscal year-to-date, by category;
  - 2) A summary of program activities during the preceding quarter including:
    - a) Information pertaining to all new public water systems added to the Public Agency public water system inventory;
    - b) A listing of all sanitary surveys conducted including public water system name, public water system identification number, date of the sanitary survey, date of sanitary survey report mailing, a notation as to whether or not a significant deficiency was observed, and a notation that migration files have been submitted;
    - c) A list of all significant deficiency Corrective Action Plans approved or modified;
    - d) A brief description of any actions taken as a result of Results Alert Report review;
    - e) A brief description of any water system emergencies;
    - f) The total number of and a brief description of the engineering and subdivision reviews completed of public water system water projects, including information on subdivisions that are stand-alone water systems or identification of the "parent" water system if a subdivision is connected to a larger entity;
    - g) A listing of all public water system violations, grouped by type of violation, which includes the following information:
      - 1) The name and PWS ID# of each public water system;
      - 2) The type and level of violation incurred by the public water system;
      - 3) A list of any enforcement actions, remedial follow-up visits or violations of orders occurring during the quarter;
      - 4) The date and nature of the Public Agency response to violations, including where appropriate, the rationale for response;
      - 5) The date of resolution;
      - 6) Method of determining resolution; and
      - 7) Updates on actions taken during the previous quarter to address public water systems on the EPA Enforcement Targeting Tool with greater than 10 points.
- H. The Public Agency will maintain forms and applications for the Drinking Water State Revolving Fund and Grant Program, administered by the State, and will dispense information to Washoe County public water systems that may be interested in these programs. To the extent resources allow, the Public Agency will participate in meetings and workshops concerning these programs.
- I. Adopt any local regulations or ordinances needed by the Public Agency to fully implement the requirements of NRS 445A.800 to 445A.955 and regulations adopted pursuant thereto. Regulations adopted by the Public Agency pursuant to this section must not conflict with regulations adopted by the State Environmental Commission.
2. The State will provide the Public Agency with the following:
- A. Information on any changes or additions to NRS or NAC that pertain to public water systems;

- B. Training to Public Agency staff on federal and state laws and regulations and database systems utilized by the State, to the extent funding allows and in excess of the attached budget;
- C. Computer software, to the extent funding allows, including but not limited to, SDWIS, SWIFT;
- D. Update emergency response contacts and phone numbers when changes occur and contact the Public Agency at (775) 328-3785 when necessary for emergencies; and
- E. Upon request of the Public Agency, a list of Washoe County public water system certified operators.
- F. Perform data entry into SDWIS for Public Water System water quality data that is not Total Coliform data (i.e. "Chemical Data").

3. The Public Agency and State agree to meet at least twice each year during the term of this agreement to review their respective programs and discuss any changes needed to improve coordination between the programs.

4. The State will endeavor to identify and pursue additional funding opportunities to increase the contract amount. When such funding is secured, the State agrees to process a contract amendment for current and/or future fiscal years.

5. The Public Agency agrees to adhere to the following budget:

*(See Page 4 of 4)*

**Washoe County Health District  
Proposed Grant Budget - March 2016  
Safe Drinking Water Act Grant Program  
July 1, 2015 - June 30, 2016 (\$125,000 per fiscal year)**

WCDHD# 10017	State IO-10017	Local SDW	Non SDW funding	Total
<b>Licensed Engineer</b>				
<b>C. Anderson (25% of 1.0 FTE)</b>	25%	10%	65%	100%
701110 Base Salaries	\$ 20,590	\$ 8,236	\$ 53,534	\$ 82,360
701200 Career Incentive	\$ -	\$ -	\$ -	\$ -
705110 Group Insurance	\$ 3,242	\$ 1,297	\$ 8,429	\$ 12,968
705210 Retirement	\$ 5,733	\$ 2,293	\$ 14,907	\$ 22,933
705230 Medicare	\$ 282	\$ 113	\$ 732	\$ 1,126
<b>POSITION TOTAL</b>	<b>\$ 29,847</b>	<b>\$ 11,939</b>	<b>\$ 77,602</b>	<b>\$ 119,387</b>
<b>Registered Environmental Health Specialist</b>				
<b>W. Rublo (40% of 1.0 FTE)</b>	40%	10%	50%	100%
701110 Base Salaries	\$ 29,319	\$ 7,330	\$ 36,649	\$ 73,297
701200 Career Incentive	\$ 200	\$ 50	\$ 250	\$ 500
705110 Group Insurance	\$ 4,998	\$ 1,250	\$ 6,248	\$ 12,496
705210 Retirement	\$ 8,220	\$ 2,055	\$ 10,275	\$ 20,549
705230 Medicare	\$ 406	\$ 101	\$ 507	\$ 1,014
<b>POSITION TOTAL</b>	<b>\$ 43,142</b>	<b>\$ 10,786</b>	<b>\$ 53,928</b>	<b>\$ 107,856</b>
<b>Registered Environmental Health Specialist</b>				
<b>M. Lupan (20% of 1.0 FTE)</b>	20%	10%	70%	100%
701110 Base Salaries	\$ 14,809	\$ 7,405	\$ 51,832	\$ 74,046
701200 Career Incentive	\$ 320	\$ 160	\$ 1,120	\$ 1,600
705110 Group Insurance	\$ 2,431	\$ 1,216	\$ 8,509	\$ 12,155
705210 Retirement	\$ 3,896	\$ 1,948	\$ 13,635	\$ 19,478
705230 Medicare	\$ 210	\$ 105	\$ 734	\$ 1,049
<b>POSITION TOTAL</b>	<b>\$ 21,666</b>	<b>\$ 10,833</b>	<b>\$ 75,830</b>	<b>\$ 108,328</b>
<b>Registered Environmental Health Specialist</b>				
<b>L. Lord (16% of 1.0 FTE)</b>	15%	5%	80%	100%
701110 Base Salaries	\$ 9,038	\$ 3,013	\$ 48,202	\$ 60,252
701200 Career Incentive	\$ -	\$ -	\$ -	\$ -
705110 Group Insurance	\$ 1,194	\$ 398	\$ 6,366	\$ 7,957
705210 Retirement	\$ 2,517	\$ 839	\$ 13,423	\$ 16,778
705230 Medicare	\$ 131	\$ 44	\$ 699	\$ 874
<b>POSITION TOTAL</b>	<b>\$ 12,879</b>	<b>\$ 4,293</b>	<b>\$ 68,690</b>	<b>\$ 85,862</b>
701130 Pooled Positions	\$ -	\$ -	\$ -	\$ -
701300 Overtime	\$ 1,500	\$ -	\$ -	\$ 1,500
<b>PERSONNEL TOTAL</b>	<b>\$ 109,034</b>	<b>\$ 37,850</b>	<b>\$ 276,049</b>	<b>\$ 422,933</b>
<b>Training</b>				
710509 Registration	\$ 500	\$ -	\$ 200	\$ 700
710512 Auto Expense	\$ 500	\$ -	\$ -	\$ 500
711210 Travel	\$ 2,000	\$ -	\$ -	\$ 2,000
<b>Total Training</b>	<b>\$ 3,000</b>	<b>\$ -</b>	<b>\$ 200</b>	<b>\$ 3,200</b>
<b>Supplies</b>				
710300 Operating Supplies	\$ 350	\$ -	\$ 200	\$ 550
710334 Copy Machine	\$ 120	\$ -	\$ 50	\$ 170
710350 Office Supplies	\$ 500	\$ -	\$ 50	\$ 550
710355 Books and Subscriptions	\$ -	\$ -	\$ -	\$ -
710361 Postage	\$ 400	\$ -	\$ 50	\$ 450
710502 Printing	\$ -	\$ -	\$ -	\$ -
<b>Total Supplies</b>	<b>\$ 1,370</b>	<b>\$ -</b>	<b>\$ 350</b>	<b>\$ 1,720</b>
<b>Other</b>				
710100 Other Professional Services	\$ -	\$ -	\$ -	\$ -
710503 License and Permits	\$ 300	\$ -	\$ -	\$ 300
710508 Telephone	\$ 120	\$ -	\$ 360	\$ 480
710529 Dues	\$ 175	\$ -	\$ -	\$ 175
711100 ESD Asset Mgmt	\$ -	\$ 1,068	\$ -	\$ 1,068
711113 Equip Srv Replacement	\$ -	\$ 1,132	\$ -	\$ 1,132
711114 Equip Srv O & M	\$ -	\$ 840	\$ -	\$ 840
711117 ESD Fuel Charge	\$ -	\$ 1,200	\$ -	\$ 1,200
711119 Property and Liability	\$ -	\$ -	\$ -	\$ -
711504 Minor Furniture & Equipment	\$ 306	\$ -	\$ -	\$ 306
<b>Total Other</b>	<b>\$ 901</b>	<b>\$ 4,240</b>	<b>\$ 360</b>	<b>\$ 5,501</b>
<b>Indirect</b>				
431105 Indirect Cost (Rate of 14.5% applied base salary)	\$ 10,695	\$ -	\$ -	\$ 10,695
<b>Total Indirect</b>	<b>\$ 10,695</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 10,695</b>
<b>TOTAL GRANT EXPENSES</b>	<b>\$ 125,000</b>	<b>\$ 42,090</b>	<b>\$ 276,959</b>	<b>\$ 444,049</b>

**ATTACHMENT B**

**Additional Agency Terms & Conditions**

**ATTACHMENT B:  
ADDITIONAL AGENCY TERMS & CONDITIONS  
TO CONTRACT FOR SERVICES OF PUBLIC AGENCY  
CONTRACT CONTROL # 16-001**

1. For contracts utilizing federal funds, the Nevada Division of Environmental Protection shall pay no more compensation than the federal Executive Service Level 4 (U.S. Code) daily rate (exclusive of fringe benefits) for individual consultants retained by the Public Agency or by the Public Agency's contractors or subcontractors. This limitation applies to consultation services of designated individuals with specialized skills who are paid at a daily or hourly rate. The current Level 4 rate is \$75.27 per hour.
2. ***NDEP shall only reimburse the Public Agency for actual cash disbursed.*** Original invoices (facsimiles are not acceptable) must be received by NDEP no later than forty (40) calendar days after the end of a month or quarter except at the end of the fiscal year of the State of Nevada (June 30th), at the expiration date of the grant, or the effective date of the revocation of the contract, at which times original invoices must be received by NDEP no later than thirty-five (35) calendar days after this date. Failure of the Public Agency to submit billings according to the prescribed timeframes authorizes NDEP, in its sole discretion, to collect or withhold a penalty of ten percent (10%) of the amount being requested for each week or portion of a week that the billing is late. The Public Agency shall provide with each invoice a detailed fiscal summary that includes the approved contract budget, expenditures for the current period, cumulative expenditures to date, and balance remaining for each budget category. If match is required pursuant to paragraph 3 below, a similar fiscal summary of match expenditures must accompany each invoice. The Public Agency shall obtain prior approval to transfer funds between budget categories if the funds to be transferred are greater than ten percent (10%) cumulative of the total Contract amount.
3. The Public Agency shall, as part of its approved scope of work and budget under this Contract, provide third party match funds of not less than: \$N/A. If match funds are required, the Public Agency shall comply with additional record-keeping requirements as specified in 40 CFR 31.24 and Attachment N/A (Third Party Match Record-Keeping Requirements) which is attached hereto and by this reference is incorporated herein and made part of this Contract.
4. Unless otherwise provided in Attachment A (Scope of Work), the Public Agency shall submit quarterly reports or other deliverables within ten (10) calendar days after the end of each quarter.
5. All payments under this Contract are contingent upon the receipt by NDEP of sufficient funds, necessary to carry out the purposes of this Contract, from either the Nevada Legislature or an agency of the United States. NDEP shall determine if it has received the specific funding necessary for this Contract. If funds are not received from either source for the specific purposes of this Contract, NDEP is under no obligation to supply funding for this Contract. The receipt of sufficient funds as determined by NDEP is a condition precedent to NDEP's obligation to make payments under this Contract. Nothing in this Contract shall be construed to provide the Public Agency with a right of payment over any other entity. If any payments that are otherwise due to the Public Agency under this Contract are deferred because of the unavailability of sufficient funds, such payments will promptly be made to the Public Agency if sufficient funds later become available.
6. Notwithstanding the terms of paragraph 5, at the sole discretion of NDEP, payments will not be made by NDEP unless all required reports or deliverables have been submitted to and approved by NDEP within the schedule stated in Attachment A.
7. Any funds obligated by NDEP under this Contract that are not expended by the Public Agency shall automatically revert back to NDEP upon the completion, termination or cancellation of this Contract. NDEP shall not have any obligation to re-award or to provide, in any manner, such unexpended funds to the Public Agency. The Public Agency shall have no claim of any sort to such unexpended funds.
8. For contracts utilizing federal funds, the Public Agency shall ensure, to the fullest extent possible, that at least the "fair share" percentages as stated below for prime contracts for construction, services, supplies or equipment are made available to organizations owned or controlled by socially and economically disadvantaged individuals (Minority Business Enterprise (MBE) or Small Business Enterprise (SBE)), women (Women Business Enterprise (WBE)) and historically black colleges and universities.



	MBE/SBE	WBE
Construction	3%	1%
Services	1%	1%
Supplies	1%	1%
Equipment	2%	1%

The Public Agency agrees and is required to utilize the following seven affirmative steps:

- a. Include in its bid documents applicable "fair share" percentages as stated above and require all of its prime contractors to include in their bid documents for subcontracts the "fair share" percentages;
- b. Include qualified Small Business Enterprises (SBEs) Minority Business Enterprises (MBEs), and Women Business Enterprises (WBEs) on solicitation lists;
- c. Assure that SBEs, MBEs, and WBEs are solicited whenever they are potential sources;
- d. Divide total requirements, when economically feasible, into small tasks or quantities to e. permit maximum participation of SBEs, MBEs, and WBEs;
- e. Establish delivery schedules, where the requirements of the work permit, which will encourage participation by SBEs, MBEs, and WBEs;
- f. Use the services and assistance of the Small Business Administration and the Minority Business Development Agency, U.S. Department of commerce as appropriate; and
- g. If a subcontractor awards contracts/procurements, require the subcontractor to take the affirmative steps in subparagraphs a. through e. of this condition.

9. The Public Agency shall complete and submit to NDEP a Minority Business Enterprise/Woman Business Enterprise (MBE/WBE) Utilization Report (Standard Form 334) within fifteen (15) calendar days after the end of each federal fiscal year (September 30th) for each year this Contract is in effect and within fifteen (15) calendar days after the termination date of this Contract.

10. The books, records, documents and accounting procedures and practices of the Public Agency or any subcontractor relevant to this Contract shall be subject to inspection, examination and audit by the State of Nevada, the Division of Environmental Protection, the Attorney General of Nevada, the Nevada State Legislative Auditor, the federal or other funding agency, the Comptroller General of the United States or any authorized representative of those entities.

11. All books, reports, studies, photographs, negatives, annual reports or other documents, data, materials or drawings prepared by or supplied to the Public Agency in the performance of its obligations under this Contract shall be the joint property of both parties. Such items must be retained by the Public Agency for a minimum of three years from the date of final payment by NDEP to the Public Agency, and all other pending matters are closed. If requested by NDEP at any time within the retention period, any such materials shall be remitted and delivered by the Public Agency, at the Public Agency's expense, to NDEP. NDEP does not warrant or assume any legal liability or responsibility for the accuracy, completeness, or usefulness of any information, report or product of any kind that the Public Agency may disclose or use for purposes other than the performance of the Public Agency's obligations under this Contract. For any work outside the obligations of this Contract, the Public Agency must include a disclaimer that the information, report or products are the views and opinions of the Public Agency and do not necessarily state or reflect those of NDEP nor bind NDEP.

12. Unless otherwise provided in Attachment A, when issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with funds provided under this Contract, the Public Agency shall clearly state that funding for the project or program was provided by the Nevada Division of Environmental Protection and, if applicable, the U.S. Environmental Protection Agency. The Public Agency will insure that NDEP is given credit in all official publications relative to this specific project and that the content of such publications will be coordinated with NDEP prior to being published.

13. Unless otherwise provided in Attachment A, all property purchased with funds provided pursuant to this Contract is the property of NDEP and shall, if NDEP elects within four (4) years after the completion, termination or cancellation of this Contract or after the conclusion of the use of the property for the purposes of this Contract during its term, be returned to NDEP at the Public Agency's expense.

Such property includes but is not limited to vehicles, computers, software, modems, calculators, radios, and analytical and safety equipment. The Public Agency shall use all purchased property in accordance with local, state and federal law, and shall use the property only for Contract purposes unless otherwise agreed to in writing by NDEP.

For any unauthorized use of such property by the Public Agency, NDEP may elect to terminate the Contract and to have the property immediately returned to NDEP by the Public Agency at the Public Agency's expense. To the extent authorized by law, the Public Agency shall indemnify and save and hold the State of Nevada and NDEP harmless from any and all claims, causes of action or liability arising from any use or custody of the property by the Public Agency or the Public Agency's agents or employees or any subcontractor or their agents or employees.

14. The Public Agency shall use recycled paper for all reports that are prepared as part of this Contract and delivered to NDEP. This requirement does not apply to standard forms.

15. The Public Agency, to the extent provided by Nevada law, shall indemnify and save and hold the State of Nevada, its agents and employees harmless from any and all claims, causes of action or liability arising from the performance of this Contract by the Public Agency or the Public Agency's agents or employees or any subcontractor or their agents or employees. NDEP, to the extent provided by Nevada law, shall indemnify and save and hold the Public Agency, its agents and employees harmless from any and all claims, causes of action or liability arising from the performance of this Contract by NDEP or NDEP's agents or employees.

16. The Public Agency and its subcontractors shall obtain any necessary permission needed, before entering private or public property, to conduct activities related to the work plan (Attachment A). The property owner will be informed of the program, the type of data to be gathered, and the reason for the requested access to the property.

17. This Contract shall be construed and interpreted according to the laws of the State of Nevada and conditions established in OMB Circular A-102. Nothing in this Contract shall be construed as a waiver of sovereign immunity by the State of Nevada. Any action brought to enforce this contract shall be brought in the First Judicial District Court of the State of Nevada. The Public Agency and any of its subcontractors shall comply with all applicable local, state and federal laws in carrying out the obligations of this Contract, including all federal and state accounting procedures and requirements established in OMB Circular A-87 and A-133. The Public Agency and any of its subcontractors shall also comply with the following:

- a. 40 CFR Part 7 - Nondiscrimination In Programs Receiving Federal Assistance From EPA
- b. 40 CFR Part 29 - Intergovernmental Review Of EPA Programs And Activities.
- c. 40 CFR Part 31 - Uniform Administrative Requirements For Grants And Cooperative Agreements To State and Local Governments;
- d. 40 CFR Part 32 - Governmentwide Debarment And Suspension (Nonprocurement) And Governmentwide Requirements For Drug-Free Workplace (Grants);
- e. 40 CFR Part 34 - Lobbying Activities;
- f. 40 CFR Part 35, Subpart O - Cooperative Agreements And Superfund State Contracts For Superfund Response Actions (Superfund Only); and
- g. The Hotel And Motel Fire Safety Act of 1990.

18. The Public Agency shall neither assign, transfer nor delegate any rights, obligations or duties under this Contract without the prior written consent of NDEP.

**STAFF REPORT**  
**BOARD MEETING DATE:** April 23, 2015

**TO:** District Board of Health

**FROM:** Erin Dixon, Fiscal Compliance Officer  
775-328-2419, [edixon@washoecounty.us](mailto:edixon@washoecounty.us)

**SUBJECT:** Public Hearing – Proposed approval and adoption of revisions to the Health Department Fee Schedule, specific to the addition of new fees for Air Quality Management and Environmental Health Services, collection beginning July 1, 2015.

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**SUMMARY**

The Washoe County District Board of Health must approve changes to the Health District Fee Schedule. Full descriptions of the proposed fees are attached.

**District Health Strategic Objective supported by this item:** Strengthen District-wide infrastructure to improve public health

**Fundamental Review recommendation supported by this item:** Update fee schedules and billing processes regularly for all clinical and environmental health services provided

**PREVIOUS ACTION**

April 25, 2013 the Board approved the current Fee Schedule.

September 25, 2014 the Board directed staff to bring back the proposed new fees.

October 23, 2014 the Board directed staff to bring back the proposed new fees with item seven (7) split into two separate fees; a Validated Facility Complaint fee and a Validated Foodborne Illness Outbreak fee.

November 20, 2014 the Board directed staff to take the proposed new fees to the community for input and bring back to the Board the proposed fees for consideration and possible adoption into the current fee schedule.

March 26, 2015 the Board acknowledged the Business Impact Statements and set a public hearing for possible adoption of proposed fees for April 23, 2015.

## **BACKGROUND**

During a review of our business processes for the Accela Regional License and Permits project and the reassessment of all other business processes and associated fees it was discovered that there are several activities that the current fee schedule does not allow for the Health District to charge a fee. At the September 25, 2014 board meeting staff was directed to develop those fees for the activities identified and bring them back to the Board for discussion and direction. Further discussion occurred at the October 23, 2014 and November 20, 2014 where staff was directed to take the fees to the community for input.

On January 22, 2015, notices were mailed to 3,622 affected permit holders, businesses, as well as other identified stakeholders and members of industry, giving notice of the proposed fees and offering multiple methods of providing input. The mailing list is available. A combined Workshop and Public Hearing Notice was published in the Reno Gazette Journal on January 29, 30, and February 2, 2015. The proposed fees were posted on the Health District website homepage.

Public Workshops were held on February 18<sup>th</sup> at 10 am and February 25<sup>th</sup> at 5:30 pm. The workshops were held at the Washoe County Health District. A total of twelve community members attended the workshops. In addition, individual meetings were held with the Washoe County School District and the Land Users Working Group hosted by Builder's Association of Northern Nevada. Staff presented to the Development Services Forum on April 9, 2015.

Business impact statements have been prepared in accordance with NRS 237.090 and were acknowledged at the March 26, 2015 Washoe County District Board of Health meeting.

At the Boards request, an assessment was conducted to determine the benefits of implementing fees with minimal annual financial impact. It was determined that all revenue collected will benefit the Health District, even those fees with small dollar impact. In addition, fees and services that permit holders do not pay for must be covered by the general fund transfer from Washoe County. Staff recommends that when appropriate, permit holders cover all expenses for services regardless of how small to help reduce Washoe County Health District's reliance on Washoe County.

The proposed fees are:

<b>Air Quality Management</b>	
NESHAP Notification Administrative Modification	\$47.00
Notification of Asbestos application/removal	\$162.00
Dust Control Permit Administrative Modification	\$47.00
Transfer of Woodstove Certificate of Compliance	\$13.00
Smoke Management Plan Review	
	Base \$72.00
	Per Unit \$18.00 additional per unit

<b>Environmental Health Services</b>	
New Facility/Change of Ownership - Application Fee	\$102.00
School Institutions	\$151.00
Underground Storage Tanks (UST) New Construction	\$1,603.00
Underground Storage Tanks (UST) Remodel/Upgrade/Repair	\$1,603.00
Underground Storage Tanks (UST) Decommissioning	\$1,333.00
<b>Limited Advisory Inspection</b>	
Normal Working Hours	\$71.00 per hour 2 hour minimum
Non-standard Working Hours	\$105.00 per hour 2 hour minimum
Re-Inspection	\$71.00
Validated Facility Complaint	\$71.00 per hour
Validated Foodborne Illness Investigation	\$71.00 per hour
Quick Start (Expanded)	\$37.00 per half hour half hour minimum
<b>Water System Construction Plan Review</b>	
Expansion or Modification of Existing System Community Water – Base	\$284.00 base
Expansion or Modification of Existing System Non Community Water - Base	\$183.00 base
Per connection review fee	\$1.00 additional per connection
Late Payment	25% addition to permit fee

**FISCAL IMPACT**

Should the Board approve all proposed new fees, it is anticipated that the Air Quality Division will have an increase in revenue of \$10,167.00 and the Environmental Health Division will have an increase of \$89,823.00. This increase is already included in the FY16 proposed budget.

**RECOMMENDATION**

Staff recommends that the Washoe County District Board of Health approve and adopt revisions to the Health Department Fee Schedule, specific to the addition of new fees for Air Quality Management and Environmental Health Services, collection beginning July 1, 2015.

**POSSIBLE MOTION**

Should the Bard agree with staff’s recommendation a possible motion would be, “Move to approve and adopt revisions to the Health Department Fee Schedule, specific to the addition of new fees for Air Quality Management and Environmental Health Services, collection beginning July 1, 2015.”

**Attachment AQM1:**

Air Quality Management Division - National Emission Standards for Hazardous Air Pollutants (NESHAP) Asbestos Abatement Notifications when an administrative modification is necessary for a change in general or abatement contractors.

**NESHAP NOTIFICATION ADMINISTRATIVE MODIFICATION FEE**

A Notification of Asbestos Demolition/Renovation is required for construction activities in order to demonstrate compliance with the Federal Asbestos Regulations adopted in the DBOH Regulations Governing Air Quality Management. These regulations were adopted in order for the AQMD to implement the Federal CAA under delegation from the EPA and in accordance with NRS 445B.

The NESHAP Administrative Modification Fee is based upon the staff time to review the revised notification, enter the new contractor contact information into the permitting system, retrieve the original notification from the files to attach the revision, and notify the inspector of the change in contractor. The inspector will then make arrangements to meet with the new contact on site to review the scope of the project and current status.

The average time for the Office Support Specialist to complete the revision is 15 minutes. The average time for the Air Pollution Specialist II to complete the review of the project with the new contractor is 30 minutes.

The hourly salary, including fringe benefits for an Office Support Specialist is \$39.45. The hourly salary, including fringe benefits for an Air Quality Specialist II is \$51.32.

The computation of the NESHAP Administrative Modification fee is as follows:

<b>Personnel</b>	<b>Hourly Rate</b>	<b># of Hours</b>	<b>Cost</b>
Office Support Specialist	\$39.45	0.250	\$9.86
Air Quality Specialist II	\$51.32	0.500	\$25.66
<b>Subtotal</b>			<b>\$35.52</b>
AQM Indirect Cost Rate	26.08%	Indirect Cost-AQM	\$9.26
CoWCAP (County) Indirect Cost		Indirect Cost-CoWCAP (County)	\$2.65
Rate-AQM Division	7.46%	<b>Total Cost</b>	<b>\$47.44</b>

The NESHAP Administrative Modification fee is \$47.00.

**Attachment AQM2:**

NESHAP demolition notifications following abatement. The current schedule only allows for non-NESHAP demolition notices.

**NOTIFICATION OF ASBESTOS APPLICATION/REMOVAL FEE**

A Notification of Asbestos Demolition/Renovation is required for construction activities in order to demonstrate compliance with the Federal Asbestos Regulations adopted in the DBOH Regulations Governing Air Quality Management. These regulations were adopted in order for the AQMD to implement the Federal CAA under delegation from the EPA and in accordance with NRS 445B.

The Notification fee is based upon the staff time to conduct a review of asbestos removal or demolition plans, meet with consultants/abatement contractors prior to project start up, conduct field inspections of control strategies during the actual demo/removal process, and maintain the necessary documentation and paperwork that will ensure compliance with Federal NESHAP regulations for friable and non-friable asbestos projects.

The hourly salary, including fringe benefits for an Air Quality Specialist II is \$51.32.

The hourly salary, including fringe benefits for a Plan/Permit/App Aide is \$36.99.

***Demolition Notifications***

<b>Personnel</b>	<b>Hourly Rate</b>	<b># of Hours</b>	<b>Cost</b>
Air Quality Specialist II	\$51.32	2.000	\$102.64
Plan/Permit/App Aide	\$36.99	0.500	\$18.50
		<b>Subtotal</b>	<b>\$121.14</b>
AQM Indirect Cost Rate	26.08%	Indirect Cost-AQM	\$31.59
CoWCAP (County) Indirect Cost Rate-AQM Division	7.46%	Indirect Cost-CoWCAP (County)	\$9.04
		<b>Total Cost</b>	<b>\$161.76</b>

The Notification of Asbestos application/removal fee is \$162.00

**Attachment AQM3:**

Dust control permits administrative modifications for change of contractor, developer, and size of project.

**DUST CONTROL PERMIT ADMINISTRATIVE MODIFICATION FEE**

A Dust Control Plan Review is required for grading activities that have the potential to emit air contaminants above the levels established in the DBOH Regulations Governing Air Quality Management. These regulations were adopted by the DBOH in order for the AQMD to implement the Federal CAA under delegation from the EPA, and in accordance with NRS 445B.

The Dust Control Permit Administrative Modification Fee is based upon the staff time to review the application for modification, enter the modified information into the permitting system, retrieve the original application to attach the modification, issue the modified permit to all of the contacts, and notify the inspector of the changes. The inspector will then make arrangements to meet with the contractor on site to review the scope of the project and current status.

The average time for the Office Support Specialist to complete the revision is 15 minutes. The average time for the Air Pollution Specialist II to complete the review of the project with the contractor on site is 30 minutes.

The hourly salary, including fringe benefits for an Office Support Specialist is \$39.45. The hourly salary, including fringe benefits for an Air Quality Specialist II is \$51.32.

The computation of the Dust Control Permit Administrative Modification fee is as follows:

<b>Personnel</b>	<b>Hourly Rate</b>	<b># of Hours</b>	<b>Cost</b>
Office Support Specialist	\$39.45	0.250	\$9.86
Air Quality Specialist II	\$51.32	0.500	\$25.66
<b>Subtotal</b>			<b>\$35.52</b>
AQM Indirect Cost Rate	26.08%	Indirect Cost-AQM	\$9.26
CoWCAP (County) Indirect Cost		Indirect Cost-CoWCAP (County)	\$2.65
Rate-AQM Division	7.46%	<b>Total Cost</b>	<b>\$47.44</b>

The Dust Control Permit Administrative Modification fee is \$47.00.



**Attachment AQM4:**

Transfer of Woodstove Certificates of Compliance for a change of title or loan companies.

**TRANSFER OF WOODSTOVE CERTIFICATE OF COMPLIANCE FEE**

A Woodstove Certificate is required to demonstrate a solid fuel burning device is in compliance with the Fireplace/Woodstove Regulations adopted in the DBOH Regulations Governing Air Quality Management. These regulations were adopted in order for the AQMD to implement the Federal CAA under delegation from the EPA and in accordance with NRS 445B.

The fee for a Transfer of a Woodstove Certificate of Compliance is based upon the staff time to review the application for transfer, enter the modified information into the permitting system, issue the amended Certificate to the Title Company to be included in the escrow paperwork.

The average time for the Office Support Specialist to complete the revision is 15 minutes. The hourly salary, including fringe benefits for an Office Support Specialist is \$39.45.

The computation of the Transfer of Woodstove Certificate fee is as follows:

<b>Personnel</b>	<b>Hourly Rate</b>	<b># of Hours</b>	<b>Cost</b>
Office Support Specialist	\$39.45	0.250	\$9.86
<b>Subtotal</b>			<b>\$9.86</b>
AQM Indirect Cost Rate	26.08% CoWCAP		Indirect Cost-AQM \$2.57
(County) Indirect Cost			Indirect Cost-CoWCAP (County) \$0.74
Rate-AQM Division	7.46%		<b>Total Cost \$13.17</b>

The Transfer of Woodstove Certificate of Compliance fee is \$13.00.

**Attachment AQM5:**

Review of Smoke Management Plans for annual review of overall plan and review of individual projects prior to commencement of burns.

**SMOKE MANAGEMENT PLAN REVIEW FEE**

A Smoke Management Plan Review is required for prescribed burn activities that have the potential to emit air contaminants above the levels established in the DBOH Regulations Governing Air Quality Management. These regulations were adopted by the DBOH in order for the AQMD to implement the Federal CAA under delegation from the EPA, and in accordance with NRS 445B.

The Smoke Management Plan Review Fee is based upon the staff time to review the Smoke Management portion of the Land Managers Burn Prescription, enter the information into the permitting system, and issue the plan approval with appropriate conditions. A Notification of Prescribed Burning is submitted for review and approval for each unit to confirm burn activity information and ensure favorable air quality conditions prior to the burn.

The average time for the Senior Air Quality Specialist to complete the initial review is 1 hour. The average time for the Senior Air Quality Specialist to review and track each of the unit burn notifications is 15 minutes.

The hourly salary, including fringe benefits for a Senior Air Quality Specialist is \$53.85. The computation of the Smoke Management Plan Review fee is as follows:

**Base Fee**

<b>Personnel</b>	<b>Hourly Rate</b>	<b># of Hours</b>	<b>Cost</b>
Sr. Air Quality Specialist	\$53.85	1	\$53.85
<b>Subtotal</b>			<b>\$53.85</b>
AQM Indirect Cost Rate	26.08%	Indirect Cost-AQM	\$14.04
CoWCAP (County) Indirect Cost Rate-AQM Division	7.46%	Indirect Cost-CoWCAP (County)	\$4.02
<b>Total Cost</b>			<b>\$71.91</b>

The Smoke Management Plan Review base fee per permit is \$72.00.

**Per Unit**

<b>Personnel</b>	<b>Hourly Rate</b>	<b># of Hours</b>	<b>Cost</b>
Sr. Air Quality Specialist	\$53.85	0.25	\$13.46
<b>Subtotal</b>			<b>\$13.46</b>
AQM Indirect Cost Rate	26.08%	Indirect Cost-AQM	\$3.51
CoWCAP (County) Indirect Cost Rate-AQM Division	7.46%	Indirect Cost-CoWCAP (County)	\$1.00
<b>Total Cost</b>			<b>\$17.98</b>

The Smoke Management Plan review fee (per unit) is \$18.00.

**Attachment EHS1:**

New application/Change of ownership fee for every facility with a recurring permit. The following facilities are currently not being charged this type of fee: Invasive Body Decoration Establishments, Hotel/Motel, Child care, Mobile Home or Recreational Vehicle Park, Schools (public and private), Pool/Spa, Recreational Vehicle Dump Station, all Biohazardous and Solid Waste Annual Permits, Biohazardous Waste Generator, and Liquid-Oil-Waste Hauler Vehicles.

**NEW FACILITY/CHANGE OF OWNERSHIP - APPLICATION FEE**

The Facility Application fee is based upon the average amount of staff time necessary to conduct inspections at establishments with a recurring permit and for those facilities the Health District is legally required to inspect.

Except as noted, the application fee is assessed only at the time an application for permit to operate is submitted and will be combined with the applicable routine inspection fee for the first year. At the time of permit renewal, only the applicable routine inspection fee will be assessed.

NOTE: Applications for permit to operate associated with a plan submittal will not be assessed the application fee - only the applicable routine inspection fee will be assessed. Fees for conducting opening inspections at facilities involving plan reviews are accounted for in the 'base fee' associated with plan reviews.

Per NRS and the Regulations of the Washoe County District Board of Health, the facilities outlined in the justification must be inspected by the Health District.

The average time spent by an Environmental Health Specialist to conduct inspections and associated paperwork is 1 hour, 15 minutes.

The hourly salary, including fringe benefits, for an Environmental Health Specialist is \$51.32.

Processing an application includes, but is not limited to: collection of applicable fees and generation of a receipt; initializing a record in the Permits system; creation of a file; initial inspection of facility; if applicable meeting with new owner; reviewing procedures; and determining if facility is eligible for a permit or appropriate equivalent.

The average time spent by an Office Assistant II-Plans/Permit/Application Aide combination to process the application is 20 minutes.

The hourly salary, including fringe benefits, of an Office Assistant II/PPAA combo is \$35.53. The computation of the New Facility/Change of Ownership - Application fee is as follows:

<b>Personnel</b>	<b>Hourly Rate</b>	<b># of Hours</b>	<b>Cost</b>
Environmental Health Spec.	\$51.32	1.250	\$64.15
OAI/PPAA combo	\$35.53	0.333	\$11.84
EHS Indirect Cost Rate	21.13%	Indirect Cost-EHS	\$16.06
		Indirect Cost-CoWCAP (County)	\$5.45
CoWCAP (County) Rate-EHS Division	7.17%	<b>Subtotal</b>	<b>\$97.50</b>
		IT Overlay	\$4.00
		<b>Total Cost</b>	<b>\$101.50</b>

The New Facility/Change of Ownership- Application Fee is \$102.00.

**Attachment EHS2:**

School Institution inspections pursuant to requirements under NRS 444.335 related to the state school regulations for environmental and safety standards.

<b>School Institutions</b>			
<p>The School Institution Permit fee is based upon the average time it takes to conduct semi-annual routine inspections/re-inspections of school premises and complete associated paperwork. Pursuant to NRS 444.335 bathrooms, areas used for sleeping, common areas and areas located outdoors used by children at the facility must be inspected twice per year. Semi-annual routine inspections include, but are not limited to, validating that: building exteriors/interiors are in good repair, classrooms/gymnasiums meet applicable lighting, ventilation and heating standards, laboratory supplies are properly stored, and school grounds are in good repair.</p> <p>The average time spent by an Environmental Health Specialist to conduct each semi-annual routine inspection of a school facility is 1 hour.</p> <p>The average time spent by an Office Assistant II-Plans/Permit/Application Aide combination to process the application is 20 minutes.</p>			
Personnel	Hourly Rate	# of Hours	Cost
Sr. Environmental Health Specialist/Env Hlth Spec.	\$51.32	2.000	\$102.64
OAI/PPAA combo	\$35.53	0.333	\$11.84
EHS Indirect Cost Rate	21.13%	Indirect Cost-EHS	\$24.19
CoWCAP (County) Indirect Cost Rate-EHS Division	7.17%	Indirect Cost-CoWCAP (County)	\$8.21
<b>Subtotal</b>			<b>\$146.88</b>
IT Overlay			\$4.00
<b>Total Cost</b>			<b>\$150.88</b>
<p>The annual School Institutions Inspection fee is \$151.00</p>			

**Attachment EHS3:**

Underground Storage Tank Inspection fee. This would include new construction, remodels, and decommissioning of systems.

**Underground Storage Tanks (UST ) New Construction Permit Fee**

The UST Construction Fee is based upon the staff time to conduct the plan review and construction inspections associated with a new UST Facility. The permit fee would be assessed at the time of construction plan submittal and building permit application. Staff reviews the construction permit application and associated construction plans with regard to compliance with the Code of Federal Regulations Chapter 40 Part 280 and Nevada Administrative Code (NAC) Chapter 459. The construction plan review includes an advisory inspection. Staff performs construction inspections to ensure the system is constructed in compliance with 40 CFR 280, NAC 459 and according to the approved plans.

A minimum of 4 field inspections are necessary, requiring a total of 20 hours (2 staff members at 10 hours each): tank set inspection of 6 hours, primary inspection of 4 hours, secondary inspection of 4 hours and a final inspection of the leak detection system, including the case/regulatory file creation of 6 hours. The two staff members completing the work consist of a Senior Environmental Health Specialist and an Environmental Health Specialist.

An average of three hours of office time is spent on the plan review for each permit which includes one onsite advisory inspection. Plan review is completed by a Senior Environmental Health Specialist.

The hourly salary, including fringe benefits, for a Sr. Environmental Health Specialist/ Environmental Health Specialist combo is \$52.59.

The hourly salary, including fringe benefits, for a Plans/Permit/App Aid is \$36.99.

The average amount of Plan/Permit/Application Aide time not included in the indirect cost rate required to process permit applications, enter plans and inspection reports and route construction plans is 1 hour.

<b>Personnel</b>	<b>Hourly Rate</b>	<b># of Hours</b>	<b>Cost</b>
Sr. Environmental Health Specialist/Env Hlth Spec.	\$52.59	23.000	\$1,209.46
Plan/Permit/Application Aid	\$36.99	1.000	\$36.99
EHS Indirect Cost Rate	21.13%	Indirect Cost-EHS	\$263.37
CoWCAP (County) Indirect Cost Rate-EHS Division	7.17%	Indirect Cost-CoWCAP County)	\$89.34
		<b>Subtotal</b>	<b>\$1,599.16</b>
		IT Overlay	\$4.00
		<b>Total Cost</b>	<b>\$1,603.16</b>

The Underground Storage Tanks (UST) New Construction Permit fee is \$1,603.00

**Attachment EHS3 (continued):**

**Underground Storage Tanks (UST ) Remodel/Upgrade/Repair Construction Permit Fee (UST Repair)**

The UST Repair Fee is based upon the staff time to conduct the plan review and construction inspections associated with an UST Facility undergoing remodels, upgrades or repairs. The permit fee would be assessed at the time of construction plan submittal and building permit application for the associated work. Staff reviews the construction permit application and associated construction plans with regard to compliance with the Code of Federal Regulations Chapter 40 Part 280 and Nevada Administrative Code (NAC) Chapters 445A and 459. The construction plan review includes an advisory inspection. Staff performs construction inspections to ensure the system is constructed in compliance with 40 CFR 280, NAC 459 and according to the approved plans.

A minimum of 5 field inspections are necessary, requiring a total of 20 hours (2 staff members at 10 hours each): existing piping inspection prior to removal of 2 hours, sampling inspection of 6 hours, primary inspection of 3 hours, secondary inspection of 3 hours and a final inspection of the leak detection system, including the case/regulatory file creation of 6 hours. The two staff members completing the work consist of a Senior Environmental Health Specialist and an Environmental Health Specialist.

An average of three hours of office time is spent on the plan review for each permit which includes one onsite advisory inspection. Plan review is completed by a Senior Environmental Health Specialist.

The hourly salary, including fringe benefits, for a Sr. Environmental Health Specialist/ Environmental Health Specialist combo is \$52.59.

The hourly salary, including fringe benefits, for a Plans/Permit/App Aid is \$36.99.

The average amount of Plan/Permit/Application Aide time not included in the indirect cost rate required to process permit applications, enter plans and inspection reports and route construction plans is 1 hour.

<b>Personnel</b>	<b>Hourly Rate</b>	<b># of Hours</b>	<b>Cost</b>
Sr. Environmental Health Specialist/Env Hlth Spec.	\$52.59	23.000	\$1,209.46
Plan/Permit/Application Aid	\$36.99	1.000	\$36.99
EHS Indirect Cost Rate	21.13%	Indirect Cost-EHS	\$263.37
CoWCAP (County) Indirect Cost		Indirect Cost-CoWCAP (County)	\$89.34
Rate-EHS Division	7.17%	<b>Subtotal</b>	<b>\$1,599.16</b>
		IT Overlay	\$4.00
		<b>Total Cost</b>	<b>\$1,603.16</b>

The Underground Storage Tanks (UST) Remodel/Upgrade/Repair Construction Permit Fee is \$1,603.00

**Attachment EHS3 (continued):**

**Underground Storage Tanks (UST ) Decommissioning Permit Fee**

The UST Construction Fee is based upon the staff time to conduct the plan review and construction inspections associated with a new UST Facility. The permit fee would be assessed at the time of construction plan submittal and building permit application. Staff reviews the construction permit application and associated construction plans with regard to compliance with the Code of Federal Regulations Chapter 40 Part 280 and Nevada Administrative Code (NAC) Chapter 459. The construction plan review includes an advisory inspection. Staff performs construction inspections to ensure the system is constructed in compliance with 40 CFR 280, NAC 459 and according to the approved plans.

A minimum of 3 field inspections are necessary, requiring a total of 16 hours (2 staff members at 8 each): field inspection of the UST system and associated components prior to removal for 2 hours, piping removal inspection and associated sampling oversight for 6 hours, tank removal inspection and associated sampling oversight for 8 hours. The two staff members completing the work consist of a Senior Environmental Health Specialist and an Environmental Health Specialist.

An average of two hours of office time is spent on the plan review for each permit which includes one onsite advisory inspection. Plan review is completed by a Senior Environmental Health Specialist.

The hourly salary, including fringe benefits, for a Sr. Environmental Health Specialist/ Environmental Health Specialist combo is \$52.59.

The hourly salary, including fringe benefits, for a Plans/Permit/App Aid is \$36.99.

The average amount of Plan/Permit/Application Aide time not included in the indirect cost rate required to process permit applications, enter plans and inspection reports and route construction plans is 1 hour.

<b>Personnel</b>	<b>Hourly Rate</b>	<b># of Hours</b>	<b>Cost</b>
Sr. Environmental Health Specialist/Env Hlth Spec.	\$52.59	19.000	\$999.12
Plan/Permit/Application Aid	\$36.99	1.000	\$36.99
EHS Indirect Cost Rate	21.13%	Indirect Cost-EHS	\$218.93
CoWCAP (County) Indirect Cost Rate-EHS Division	7.17%	Indirect Cost-CoWCAP (County)	\$74.26
		<b>Subtotal</b>	<b>\$1,329.30</b>
		IT Overlay	\$4.00
		<b>Total Cost</b>	<b>\$1,333.30</b>

The Underground Storage Tanks (UST) Decommissioning Permit fee is \$1,333.00

**Attachment EHS4:**

Expand the Limited Advisory Inspection Fee to a Per Hour Fee for all customer service based requests that don't fit within current fee structure. This is for Normal Working Hours and Non-standard Working Hours requests. Currently this fee can only be charged for Food Inspections.

**LIMITED ADVISORY INSPECTION FEE**

The Limited Advisory Inspection fee is a customer service based fee and may or may be not associated with specific permitting, certification or application processes. Service requests typically involve on-site inspections to evaluate a facility, operation or building. Results are presented in a formal report.

Individuals requesting Limited Advisory Inspections will be assessed a fee equal to a minimum of 2 hours of staff time at the Sr. Environmental Health Specialist/Environmental Health Specialist level. On-site inspections exceeding the 2 hour minimum will be assessed an additional fee for each 30 minutes, or portion thereof, beyond the 2 hour minimum. This additional fee will be assessed at the rate for a Sr. Environmental Health Specialist/Environmental Health Specialist combo.

The hourly salary, including fringe benefits, for a Sr. Environmental Health Specialist/ Environmental Health Specialist combo is \$52.59.

The computation of the Limited Advisory Inspection fee is as follows:

***Normal Working Hours Request***

<b>Personnel</b>	<b>Hourly Rate</b>	<b># of Hours</b>	<b>Cost</b>
Sr. Environmental Health Specialist/Env Hlth Spec.	\$52.59	1.000	\$52.59
EHS Indirect Cost Rate		Indirect Cost-EHS	\$11.11
21.13%		Indirect Cost-CoWCAP (County)	\$3.77
CoWCAP (County) Indirect Cost		<b>Subtotal</b>	<b>\$67.47</b>
Rate-EHS Division	7.17%	IT Overlay	\$4.00
		<b>Total Cost</b>	<b>\$71.47</b>

The Limited Advisory Inspection fee during normal working hours is \$71.00 per hour with a 2 hour minimum charge.

***Non-standard Working Hours Request***

For any portion of a Limited Advisory Inspection conducted during non-standard working hours, the hourly, overtime salary (including fringe benefits), for a Senior Environmental Health Specialist/ Environmental Health Specialist shall be applied. For inspections related to activities that are conducted during Non-standard working hours, the Non-standard Working Hours Request rate applicable will be assessed.

The overtime hourly salary, including fringe benefits, of a Sr. Environmental Health Specialist/ Environmental Health Specialist is \$78.88.

<b>Personnel</b>	<b>Hourly Rate</b>	<b># of Hours</b>	<b>Cost</b>
Sr. Environmental Health Specialist/Env Hlth Spec.	\$78.88	1.000	\$78.88
EHS Indirect Cost Rate		Indirect Cost-EHS	\$16.67
21.13%		Indirect Cost-CoWCAP (County)	\$5.65
CoWCAP (County) Indirect Cost		<b>Subtotal</b>	<b>\$101.20</b>
Rate-EHS Division	7.17%	IT Overlay	\$4.00
		<b>Total Cost</b>	<b>\$105.20</b>

The Limited Advisory Inspection fee during non-standard working hours is \$105.00 per hour with a 2 hour minimum charge.



**Attachment EHS5:**

Implement a re-inspection Fee for re-inspections above what is included in an original permit fee. The current fee schedule only allows for re-inspection fees to be charged to Foods, Special Events, Pool/Spa Construction, and Pool/Spa Inspection.

**RE-INSPECTION OF FACILITIES FEE**

The non-routine re-inspection fee is based upon the cost to conduct a re-inspection of any permitted facility or those establishments the Health District is legally required to inspect where limited progress to correct previously noted violations or deficiencies has occurred. During the inspection cycle, one routine inspection is conducted and, in cases where violations or deficiencies are noted during the routine inspection, a re-inspection may also be conducted to validate compliance. The fee would only be assessed when more than one re-inspection is conducted during the inspection cycle and when limited progress to correct previously noted violations or deficiencies has occurred.

The average re-inspection time for all Facilities is one (1) hour.

The hourly salary, including fringe benefits, for a Sr. Environmental Health Specialist/ Environmental Health Specialist combo is \$52.59.

The computation of the Re-inspection of Facilities fee is as follows:

**Facilities**

<b>Personnel</b>	<b>Hourly Rate</b>	<b># of Hours</b>	<b>Cost</b>
Sr Env/Env Health Specialist Combo	\$52.59	1.000	\$52.59
EHS Indirect Cost Rate	21.13%	Indirect Cost-EHS	\$11.11
CoWCAP (County) Indirect Cost Rate-EHS Division	7.17%	Indirect Cost-CoWCAP (County)	\$3.77
		<b>Subtotal</b>	<b>\$67.47</b>
		IT Overlay	\$4.00
		<b>Total Cost</b>	<b>\$71.47</b>

The Re-inspection of Facilities fee is \$71.00.

**Attachment EHS6:**

Adjust the current refund fee to reduce staff time and customer confusion.

Refund Policy

At this time the health district is reevaluating the refund policy to consider all perspectives including the implementation of the Accela project.

No determination will be made at this time, however, if decisions are made they will be brought forward to the community with the other fees.

**Attachment EHS7a:**

Cost recovery fee for a Validated Facility Complaint.

**VALIDATED FACILITY COMPLAINT**

The Validated Facility Complaint fee is based upon the actual staff time to conduct field inspections, research, interviews and re-inspections of the complaint, as well as review lab results and analyze data.

The purpose of the fee is to recover staff costs related to the follow up of complaint investigative activities, review corrective action plans, and other abatement orders to ensure compliance of the facility in accordance with applicable environmental laws and regulations. This also includes the time necessary to meet and consult with representatives of the "responsible party".

The amount of time necessary will vary according to the scope of the problem and the time it takes to remediate the public health concern and close the complaint investigation. Staff will provide documentation on approved forms in order to recover costs.

The hourly salary, including fringe benefits, for a Sr. Environmental Health Specialist/ Environmental Health Specialist combo is \$52.59.

The computation of the Validated Facility Complaint fee is as follows:

<b>Personnel</b>	<b>Hourly Rate</b>	<b># of Hours</b>	<b>Cost</b>
Sr. Environmental Health Specialist/Env Hlth Spec.	\$52.59	1.000	\$52.59
EHS Indirect Cost Rate	21.13%	Indirect Cost-EHS	\$11.11
CoWCAP (County) Indirect Cost Rate-EHS Division	7.17%	Indirect Cost-CoWCAP (County)	\$3.77
		<b>Subtotal</b>	<b>\$67.47</b>
		IT Overlay	\$4.00
		<b>Total Cost</b>	<b>\$71.47</b>

The Validated Facility Complaint fee (per hour) is \$71.00

**Attachment EHS7b:**

Cost recovery fee for Validated Foodborne Illness (FBI) Investigation Fee.

<b>VALIDATED FOODBORNE ILLNESS (FBI) INVESTIGATION FEE</b>			
<p>The Validated FBI Investigation fee is based upon the actual staff time spent to conduct field inspections, investigations, research, interviews, as well as collect and deliver laboratory specimens or samples, review lab results, and analyze data associated with the FBI investigation.</p>			
<p>The purpose of the fee is to recover staff costs related to investigative activities, implementation and oversight of specific action plans associated with ending or controlling the cause of the outbreak, evaluation of laboratory data, meetings and final report documentation associated with a validated FBI investigation.</p>			
<p>The fee will include the actual amount of time spent on the activities outlined above to define the scope of the problem and remediate and close the illness outbreak. Staff will provide documentation of actual staff time spent on the investigation on approved forms in order to recover costs.</p>			
<p>The hourly salary, including fringe benefits, for a Sr. Environmental Health Specialist/ Environmental Health Specialist combo is \$52.59.</p>			
<p>The computation of the Validated Facility Complaint fee is as follows:</p>			
<b>Personnel</b>	<b>Hourly Rate</b>	<b># of Hours</b>	<b>Cost</b>
Sr. Environmental Health Specialist/Env Hlth Spec.	\$52.59	1.000	\$52.59
EHS Indirect Cost Rate	21.13%	Indirect Cost-EHS	\$11.11
CoWCAP (County) Indirect Cost Rate-EHS Division	7.17%	Indirect Cost-CoWCAP (County)	\$3.77
<b>Subtotal</b>			<b>\$67.47</b>
IT Overlay			\$4.00
<b>Total Cost</b>			<b>\$71.47</b>
<p>The Validated Foodborne Illness (FBI) Investigation fee (per hour) is \$71.00</p>			

**Attachment EHS8:**

Expand Quick Start. Currently the Quick Start Fee is only charged for Food Construction Establishments and services are being requested for other construction activities. Expanding the definition will allow us to charge for these services.

**ESTABLISHMENT CONSTRUCTION -  
QUICK START FEE**

In an effort to provide contractors an opportunity to conduct limited construction activities while their plans are being processed through various agencies, local building departments have established varying levels of a service generally referred to as a "quick start". As a partner in the plan review process, personnel from the Environmental Health Services Division regularly attend these "quick start" meetings to evaluate the feasibility, from the Health Department's standpoint, of allowing the contractor to proceed with certain construction activities while plans are being reviewed for approval. This fee is charged based on the NRS requirement that we review construction plans of some facilities.

This insures that facilities are constructed in a manner that minimizes the risk of a negative public health outcome.

The average amount of plan review time involved in a Quick Start meeting is 30 minutes.

The hourly salary, including fringe benefits, for an Environmental Health Specialist is \$51.32. The computation of the Establishment Construction-Quick Start fee is as follows:

<b>Personnel</b>	<b>Hourly Rate</b>	<b># of Hours</b>	<b>Cost</b>
Environmental Health Spec	\$51.32	0.500	\$25.66
		Indirect Cost-EHS	\$5.42
		Indirect Cost-CoWCAP (County)	\$1.84
EHS Indirect Cost Rate	21.13%	<b>Subtotal</b>	<b>\$32.92</b>
CoWCAP (County) Indirect Cost		IT Overlay	\$4.00
Rate-EHS Division	7.17%	<b>Total Cost</b>	<b>\$36.92</b>

The Establishment Construction-Quick Start fee is \$37.00 per half hour.

NOTE: The quick start fee is not a mandated fee; it is a service fee. Customers are purchasing our time to expedite their projects. The 30 minutes assessed is consistent with the time the Sparks Building Department assesses per quick start and is a minimum fee. If more staff time is required the customer will be charged for additional time in 30 minute increments.

**Attachment EHS9:**

Water System Construction Plan Review Fee. Currently the fee justification allows for a \$1.00 charge for each water connection in addition to the base fee. We are not currently charging the additional water connection fee.

**WATER SYSTEM CONSTRUCTION PLAN REVIEW FEE Expansion or Modification of Community or Non-Community System**

The Water System Construction Plan Review-Expansion/Modification fee is based on the cost of engineering services required and the cost of support services necessary to complete the review. Engineering staff reviews the water system construction plans and reports with regards to compliance with Federal, State and Health District Regulations. The engineering staff reviews the plans and reports for compliance with Nevada Administrative Code (NAC) 445A.65505 to 6731 and water quality standards. This includes review of the source water capacity and water quality, water storage capacity for fire and emergency needs, water system minimum and maximum pressures, water line size and setback and back flow prevention and cross-connection requirements.

This fee is based on the requirement in NRS that the District Board of Health approve the design, construction, and operation of water systems.

Because of the varying size and the differing complexities of the public water systems, the type of construction is broken out into two categories. In addition, a per lot charge is used because of the complexities associated with the larger systems. The fees were determined using the following information:

The minimum amount of engineering time required to review an application for a permit to construct to expand or modify an existing water system is three (3) hours, 15 minutes for a community system and two (2) hours for a non-community system. This includes time for in-office plan review, 1 initial site visit and 1 final inspection. The hourly salary, including fringe benefits, for a Licensed Engineer is \$67.51.

The average amount of Plan/Permit/Application Aide time not included in the indirect cost rate required to process the applications, type and send correspondence is 20 minutes. The hourly salary, including fringe benefits, for a Plans/Permit/App Aide is \$36.99.

The computation of the Water System Construction Plan Review-Expansion/Modification is as follows:

**Expansion or Modification of an Existing System - Community Water**

<b>Personnel</b>	<b>Hourly Rate</b>	<b># of Hours</b>	<b>Cost</b>
Licensed Engineer	\$63.43	3.250	\$206.15
Plan/Permit/App Aide	\$36.99	0.333	\$12.32
EHS Indirect Cost Rate	21.13%		Indirect Cost-EHS \$46.16
CoWCAP (County) Indirect Cost Rate-EHS Division	7.17%		Indirect Cost-CoWCAP (County) \$15.66
			<b>Subtotal \$280.29</b>
			IT Overlay \$4.00
			<b>Total Cost \$284.29</b>

The Water System Construction Plan Review-Expansion/Modification - Community Water fee is \$284.00

<i>Expansion or Modification of an Existing System - Non-Community Water</i>			
<b>Personnel</b>	<b>Hourly Rate</b>	<b># of Hours</b>	<b>Cost</b>
Licensed Engineer	\$63.43	2.000	\$126.86
Plan/Permit/App Aide	\$36.99	0.333	\$12.32
EHS Indirect Cost Rate	21.13%		Indirect Cost-EHS \$29.41
CoWCAP (County) Indirect Cost			Indirect Cost-CoWCAP (County) \$9.98
Rate-EHS Division	7.17%		<b>Subtotal \$178.56</b>
			IT Overlay \$4.00
			<b>Total Cost \$182.56</b>
The Water System Construction Plan Review-Expansion/Modification - Non-Community Water fee is \$183.00			
<i>Note: A fee of \$1.00 for each connection will be added to the plan review.</i>			

**Attachment EHS10:**

Late payment fee for all permitted facilities. Air Quality Management currently charges a 25% Permit to Operate Late Fee. Adding this fee for EHS would increase timely payment and provide consistency across divisions.

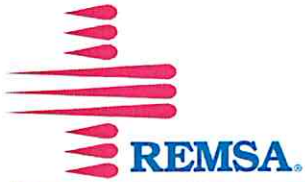
**LATE PAYMENT- PERMIT INVOICE FEE**

The late payment fee is based upon the time spent processing a late payment (past due) invoice, recording late payments, and the cost of postage. If the permit fee is not received, the Department, within 15 working days following the permit renewal due date, mails a 30 Day Delinquency Letter. Facilities that fail to pay may have their permits suspended. The processing of late payment invoices and recording of late payments requires clerical time to prepare and mail the correspondence and administrative time in the Health District.

Following the precedent set by the Nevada Division of Environmental Protection, NAC 445B.330.9, the assessed late fee will be 25% of the total amount due, unless otherwise stated in regulations.

The late fee must be paid in addition to the annual permit to operate fee.





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*Regional Emergency Medical Services Authority*

**REMSA**

**OPERATIONS REPORTS**

**FOR**

**MARCH 2015**

Fiscal 2015

Month	Priority 1 System-Wide Avg. Response	Priority 1 Zone A	Priority 1 Zones B,C,D
Jul. 2014	5 mins. 41 secs.	93%	93%
Aug.	5 mins. 58 secs.	92%	96%
Sept.	5 mins. 35 secs.	92%	97%
Oct.	5 mins. 54 secs.	92%	98%
Nov.	5 mins. 59 secs.	93%	100%
Dec.	6 mins. 5 secs.	93%	97%
Jan. 2015	5 mins. 53 secs.	93%	99%
Feb.	6 mins. 6 secs.	92%	98%
Mar.	6 mins. 11 secs.	91%	99%
Apr.			
May			
June 2015			

Year to Date: July 2014 through March 2015

Priority 1 Zone A	Priority 1 Zones B,C,D
92%	98%

Average Response Times by Entity				
Month/Year	Priority	Reno	Sparks	Washoe County
July 2014	P-1	5:07	5:59	8:34
	P-2	6:33	6:55	9:53
Aug. 2014	P-1	6:06	6:11	9:07
	P-2	6:54	6:51	10:03
Sept. 2014	P-1	5:23	6:01	10:29
	P-2	5:54	7:02	10:19
Oct. 2014	P-1	5:20	5:56	9:23
	P-2	5:46	6:57	9:22
Nov. 2014	P-1	5:17	5:56	8:40
	P-2	5:54	6:21	9:00
Dec. 2014	P-1	5:20	6:07	9:16
	P-2	5:49	6:43	9:15
Jan. 2015	P-1	5:13	5:55	9:42
	P-2	5:27	6:42	9:53
Feb. 2015	P-1	5:28	6:06	9:36
	P-2	6:04	6:50	9:59
Mar. 2015	P-1	5:19	6:17	10:10
	P-2	5:56	6:52	10:40
Apr. 2015	P-1			
	P-2			
May 2015	P-1			
	P-2			
June 2015	P-1			
	P-2			

Year to Date: July 2014 through March 2015

Priority	Reno	Sparks	Washoe County
P-1	5:19	5:59	10:28
P-2	6:03	6:47	10:04

## REMSA

Fiscal 2015

Month	#Patients	Gross Sales	Avg. Bill	YTD Avg.
July 2014	3767	\$4,028,488	\$1,069	\$1,069
Aug.	3965	\$4,234,791	\$1,068	\$1,069
Sept.	3674	\$3,942,547	\$1,073	\$1,070
Oct.	3806	\$4,059,917	\$1,067	\$1,069
Nov.	3535	\$3,791,791	\$1,073	\$1,070
Dec.	3843	\$4,119,979	\$1,072	\$1,070
Jan. 2015	3870	\$4,142,489	\$1,070	\$1,070
Feb.	3372	\$3,614,031	\$1,072	\$1,070
Mar.	3872	\$4,151,828	\$1,072	\$1,071
Apr.			\$0	\$1,071
May			\$0	\$1,071
June 2015			\$0	\$1,071
<b>Totals</b>	<b>33704</b>	<b>\$36,085,863</b>	<b>\$1,071</b>	
Allowed ground avg bill - \$1,076.00				



# REMSA OCU Incident Detail Report

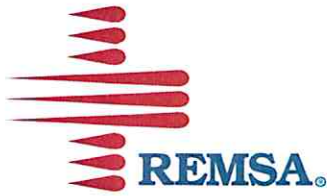
Period: 03/01/2015 thru 03/31/2015

12. 1 Monthly Reports (b) CAD Edits & Call Priority Reclassification

Response Area	Zone	Clock Start	Clock Stop	Stop Clock Unit	Threshold	Response Time	Overage
A-08-IC Reno	Zone A	03/04/2015 11:45:19	03/04/2015 11:49:32	330	00:12:59	00:04:13	-00:08:46
C-20-IC Washoe Co S	Zone C	03/08/2015 09:57:45	03/08/2015 10:18:39	321	00:20:59	00:20:54	-00:00:05
A-08-IC Reno	Zone A	03/09/2015 18:12:19	03/09/2015 18:15:55	113	00:08:59	00:03:36	-00:05:23
A-08-IC Sparks	Zone A	03/09/2015 20:02:02	03/09/2015 20:04:56	333	00:08:59	00:02:54	-00:06:05
A-08-IC Reno	Zone A	03/15/2015 21:03:36	03/15/2015 21:03:42	423	00:08:59	00:00:06	-00:08:53
A-08-IC Reno	Zone A	03/18/2015 10:41:16	03/18/2015 10:50:11	133	00:08:59	00:08:55	-00:00:04
A-08-IC Sparks	Zone A	03/18/2015 16:42:11	03/18/2015 16:43:21	320	00:12:59	00:01:10	-00:11:49
A-08-IC Washoe Co SW	Zone A	03/18/2015 19:52:37	03/18/2015 19:59:36	411	00:08:59	00:06:59	-00:02:00
A-08-IC Sparks	Zone A	03/19/2015 11:58:21	03/19/2015 12:04:02	312	00:08:59	00:05:41	-00:03:18
A-08-IC Reno	Zone A	03/21/2015 12:56:01	03/21/2015 12:56:16	337	00:08:59	00:00:15	-00:08:44
A-08-IC Sparks	Zone A	03/23/2015 13:42:20	03/23/2015 13:54:19	435	00:19:59	00:11:59	-00:08:00
A-08-IC Sparks	Zone A	03/27/2015 14:14:43	03/27/2015 14:21:04	307	00:08:59	00:06:21	-00:02:38

## Upgrades

071072-15	Reno	Zone A	3/12/15	Reno Fire Dept.	Upgrade	P1
077179-15	Reno	Zone A	3/18/15	Reno Fire Dept.	Upgrade	P1



## GROUND AMBULANCE OPERATIONS REPORT

March 2015

### 1. OVERALL STATISTICS:

Total Number Of System Responses	5611
Total Number Of Responses In Which No Transport Resulted	1679
Total Number Of System Transports	3932

### 2. CALL CLASSIFICATION REPORT:

Cardiopulmonary Arrests	2%
Medical	51%
OB	0%
Psychiatric/Behavioral	8%
Transfers	12%
Trauma – MVA	5%
Trauma – Non MVA	19%
Unknown/Other	3%

Total Number of System Responses 100%

### 3. MEDICAL DIRECTOR'S REPORT:

The Clinical Director or designee reviewed:

- 100% of cardiopulmonary arrests
- 100% of pediatric patients (transport and non-transport patients)
- 100% of advanced airways (outside cardiac arrests)
- 100% of STEMI Alert or STEMI rhythms
- 100% of deliveries and neonatal resuscitation
- 100% Advanced Airway Success rates for nasal/oral intubation and King Airway placement for adult and pediatric patients.
- 100% of TAP (paramedic orientee) charts during orientation period and 10% in the first month post orientation clearance.

Total number of ALS calls resulting in a system transport: 3247

Total number of above calls receiving QA reviews: 767

Percentage of charts reviewed from the above ALS transports: 24%

**EDUCATION AND TRAINING REPORT**



REMSA Education  
 Monthly Course and Student Report  
 Month: March 2015

Discipline	Total Classes	Total Students	REMSA Classes	REMSA Students	Site Classes	Site Students
ACLS	6	41	3	27	3	14
ACLS EP	1	5	1	5	0	0
ACLS EP I	0	0	0	0	0	0
ACLS I	1	11	0	0	1	11
ACLS P	0	0	0	0	0	0
ACLS R	19	112	4	54	15	58
ACLS S	6	18	2	3	4	15
AEMT	1	25	1	25		
AEMT T	0	0	0	0		
BLS	46	268	9	68	37	200
BLS I	1	22	1	22	0	0
BLS R	59	322	16	51	43	271
BLS S	28	53	11	12	17	41
CE	0	0	0	0	0	0
EMAPCT	1	14	1	14	0	0
EMPACT I	0	0	0	0	0	0
EMR	2	8	2	8		
EMR R	1	0	1	0		
EMS I	0	0	0	0		
EMT	2	44	2	44		
EMT T	0	0	0	0		
FF CPR	10	56	0	0	10	56
FF CPR FA	0	0	0	0	0	0
FF FA	0	0	0	0	0	0
HS BBP	2	12	2	12	0	0
HS CPR	34	201	5	50	29	151
HS CPR FA	46	223	5	41	41	182
HS CPR FA S	0	0	0	0	0	0
HS CPR PFA	0	0	0	0	0	0
HS PFA S	0	0	0	0	0	0
HS CPR S	1	2	0	0	1	2
HS FA	10	47	0	0	10	47
HS FA S	0	0	0	0	0	0
HS PFA	7	53	1	7	6	46
ITLS	0	0	0	0	0	0
ITLS A	0	0	0	0	0	0
ITLS I	0	0	0	0	0	0
ITLS P	0	0	0	0	0	0
ITLS R	0	0	0	0	0	0
ITLS S	0	0	0	0	0	0
PALS	3	23	2	15	1	8
PALS I	0	0	0	0	0	0
PALS R	13	68	3	20	10	48
PALS S	1	6	0	0	1	6
PEARS	0	0	0	0	0	0
PM	2	26	2	26		

Discipline	Total Classes	Total Students	REMSA Classes	REMSA Students	Site Classes	Site Students
PM T	0	0	0	0		

### Legend

ACLS	Advanced Cardiac Life Support
ACLS EP	Advanced Cardiac Life Support for Experience Providers
ACLS P	Advanced Cardiac Life Support Prep
ACLS R	Advanced Cardiac Life Support Recert
ACLS S	Advanced Cardiac Life Support Skills
ACLS I	Advanced Cardiac Life Support Instructor
AEMT	Advanced Emergency Medical Technician
AEMT T	Advanced Emergency Medical Technician Transition
BLS	Basic Life Support
BLS I	Basic Life Support Instructor
BLS R	Basic Life Support Recert
BLS S	Basic Life Support Skills
CE	Continuing Education:
EMAPCT	Emergency Medical Patients Assessment, Care, & Transport
EMPACT I	Emergency Medical Patients Assessment, Care, & Transport Instructor
EMR	Emergency Medical Responder
EMR R	Emergency Medical Responder Recert
EMS I	Emergency Medical Services Instructor
EMT	Emergency Medical Technician
EMT T	Emergency Medical Technician Transition
FF CPR	Family and Friends CPR
FF CPR FA	Family and Friends CPR and First Aid
FF FA	Family and Friends First Aid
HS BBP	Heartsaver Bloodborne Pathogens
HS CPR	Heartsaver CPR and AED
HS CPR FA	Heartsaver CPR, AED, and First Aid
HS CPR FA S	Heartsaver CPR, AED, and First Aid Skills
HS CPR PFA	Heartsaver Pediatric CPR, AED, and First Aid
HS CPR S	Heartsaver CPR and AED Skills
HS FA	Heartsaver First Aid
HS FA S	Heartsaver First Aid Skills
HS PFA	Heartsaver Pediatric First Aid
HS PFA S	Heartsaver Pediatric First Aid Skills
ITLS	International Trauma Life Support
ITLS A	International Trauma Life Support Access
ITLS I	International Trauma Life Support Instructor
ITLS P	International Trauma Life Support - Pediatric
ITLS R	International Trauma Life Support Recert
ITLS S	International Trauma Life Support Skills
PALS	Pediatric Advanced Life Support
PALS I	Pediatric Advanced Life Support Instructor
PALS R	Pediatric Advanced Life Support Recert
PALS S	Pediatric Advanced Life Support Skills
PEARS	Pediatric Emergency Assessment, Recognition, and Stabilization
PM	Paramedic
PM T	Paramedic Transition

Classes  
w/ CPR

224

CPR  
Students

1125

REMSA CPR  
Classes

46

REMSA CPR  
Students

222

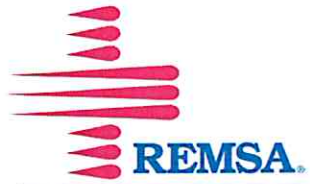


**COMMUNITY RELATIONS:****Community Outreach:****Point of Impact**

Date	Description	Attending
3/14/2015	Child Safety Seat Checkpoint, Baby Depot at Burlington Coat Factory, Reno; 16 cars and 31 seats inspected.	12 volunteers; 3 staff
3/24-25/15	Nevada Traffic Safety Summit, Reno	1 staff

**Safe Kids Washoe County**

Date	Description	Attending
3/10/2015	Safe Kids Mini Golf Tournament Planning Meeting	1 staff, 5 volunteers
3/10/2015	Safe Kids Washoe County monthly coalition meeting	2 staff, 13 volunteers
3/12/2015	Chronic Disease Coalition meeting	1 staff
3/12/2015	Cribs for Kids hosts a booth at Children's Week at the Legislature, Carson City.	1 staff, 1 student
3/16/2015	Northern Nevada Maternal Child Health Coalition meeting, Reno.	1 staff, 1 student
3/17/2015	Esther Bennett Elementary School Safety Committee Meeting	1 staff, 5 volunteers
3/18/2015	Cribs for Kids attends Fetal Infant Mortality Review (FIMR) meeting, Reno.	1 staff
3/20/2015	Esther Bennett Photovoice Field trip	8 students, 2 volunteers
3/26/2015	Cribs for Kids is interviewed by UNR Master's in Nursing student for project on SIDS, Reno.	1 staff



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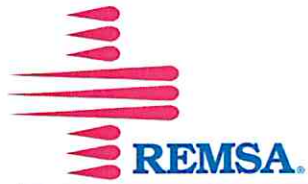
*Regional Emergency Medical Services Authority*

**INQUIRIES  
FOR  
MARCH 2015**

<b>INQUIRIES</b>
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**March 2014**

There were no inquiries in the month of March.



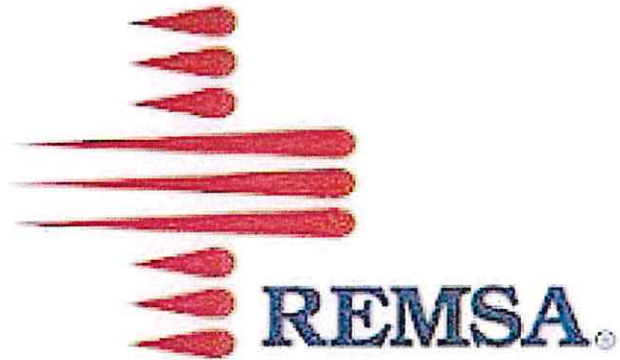
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*Regional Emergency Medical Services Authority*

**CUSTOMER SERVICE  
FOR  
MARCH 2015**

REMSA

Reno, NV  
Client 7299



1515 Center Street  
Lansing, Mi 48096  
1 (877) 583-3100  
service@EMSSurveyTeam.com  
www.EMSSurveyTeam.com

# EMS System Report

March 1, 2015 to March 31, 2015

Your Score

**92.99**

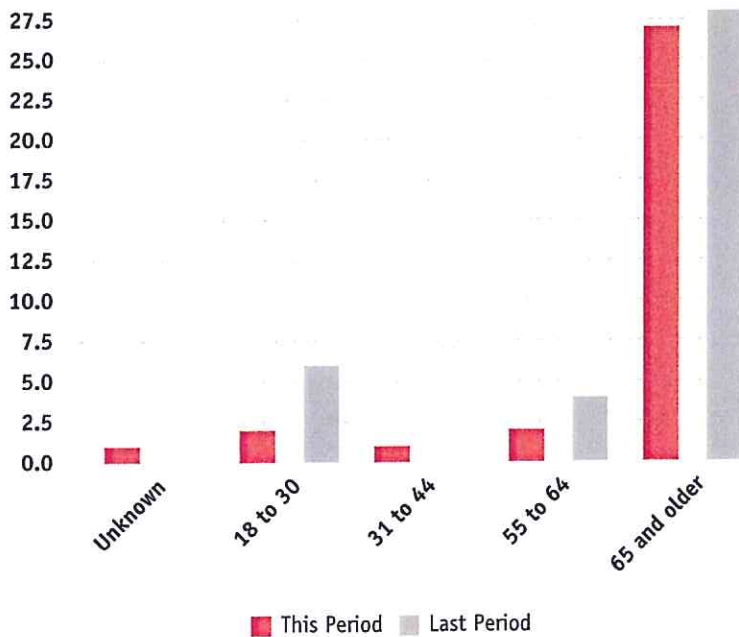




**Demographics** — This section provides demographic information about the patients who responded to the survey for the current and the previous periods. The information comes from the data you submitted. Compare this demographic data to your eligible population. Generally, the demographic profile will approximate your service population.

	Last Period				This Period			
	Total	Male	Female	Other	Total	Male	Female	Other
Unknown		0	0	0	1	1	0	0
18 to 30	6	3	3	0	2	1	1	0
31 to 44		0	0	0	1	1	0	0
55 to 64	4	1	3	0	2	1	1	0
65 and older	28	13	15	0	27	12	15	0
<b>Total</b>	<b>38</b>	<b>17</b>	<b>21</b>	<b>0</b>	<b>33</b>	<b>16</b>	<b>17</b>	<b>0</b>

### Age Ranges



### Gender

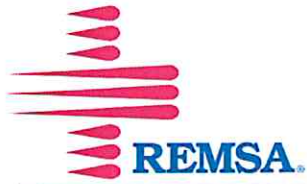




## Monthly Breakdown

Below are the monthly responses that have been received for your service. It details the individual score for each question as well as the overall company score for that month.

	Mar 2015
Helpfulness of the person you called for ambulance service	94.83
Concern shown by the person you called for ambulance service	94.83
Extent to which you were told what to do until the ambulance	96.00
Extent to which the ambulance arrived in a timely manner	95.00
Cleanliness of the ambulance	94.17
Comfort of the ride	91.67
Skill of the person driving the ambulance	95.00
Care shown by the medics who arrived with the ambulance	92.86
Degree to which the medics took your problem seriously	94.83
Degree to which the medics listened to you and/or your family	94.64
Skill of the medics	93.52
Extent to which the medics kept you informed about your	93.27
Extent to which medics included you in the treatment decisions	91.67
Degree to which the medics relieved your pain or discomfort	92.71
Medics' concern for your privacy	90.38
Extent to which medics cared for you as a person	93.75
Professionalism of the staff in our ambulance service billing	88.24
Willingness of the staff in our billing office to address your	85.94
How well did our staff work together to care for you	92.24
Extent to which our staff eased your entry into the medical	93.10
Appropriateness of Emergency Medical Transportation treatment	92.86
Extent to which the services received were worth the fees	85.00
Overall rating of the care provided by our Emergency Medical	93.97
Likelihood of recommending this ambulance service to others	94.83
Your Master Score	92.99
Your Total Responses	33



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*Regional Emergency Medical Services Authority*

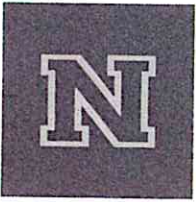
**REMSA  
PUBLIC RELATIONS REPORT  
FOR  
MARCH 2015**



**PUBLIC RELATIONS**

**March 2015**

<b>ACTIVITY</b>	<b>RESULTS</b>
Continued working on marketing and strategy for Community Health Programs.	NA
Wrote and distributed Tim Nelson Board press release.	NA
Wrote and distributed press release regarding Todd Kerfoot's VFW award. Also coordinated and managed the media event to present his award.	Channels 2, 4 and 8 attended the event and ran a story.
Worked with ZOLL on its media requests regarding the software REMSA assisted in developing.	NA



University of Nevada, Reno

**Adam Garcia**  
Director

March 30, 2015

Mr. Jim Gubels  
President  
REMSA  
450 Edison Way  
Reno, NV 89502

Dear Mr. Gubels,

Thank you for your agency's participation in the UNR Active Assailant Exercise on March 19, 2015. We are overwhelmed with the outstanding response from our regional partners. Todd Kerfoot and his team did an outstanding job in coordinating the TEMS response. We had over 250 participants from 40 local, regional, state, and federal agencies. This level of participation is unprecedented and speaks to the outstanding collaborative environment of Northern Nevada.

On behalf of the entire University of Nevada, Reno students, staff, faculty, and especially our police department, we thank you for your assistance, enthusiastic participation and support of this effort.

Sincerely,

Adam Garcia

Director,  
University of Nevada, Reno  
Police Services

University Police Services  
1664 N. Virginia St.  
University of Nevada, Reno/250  
Reno, Nevada 89557-0250  
(775) 784-4013 office  
(775) 784-1695 fax  
[www.unr.edu/police](http://www.unr.edu/police)

# REMSA honors dispatchers during telecommunicators week

Jessica Garcia, RGJ 2:02 p.m. PDT April 10, 2015



(Photo: Getty Images)

CONNECT TWEET LINKEDIN COMMENT EMAIL MORE

The Regional Emergency Medical Services Authority is joining emergency service providers around the country by recognizing its nationally accredited emergency medical dispatchers for their dedication to improving public safety during National Public Safety Telecommunicators Week, April 12 to 18.

REMSA is one of 97 organizations worldwide and the only agency in Nevada to have its emergency medical dispatch center accredited by the National Academies of Emergency Dispatch as an Accredited Center of Excellence in Emergency Medical Dispatch. REMSA was the 54th in the world to be awarded this highest distinction for its comprehensive and performance and compliance with the Medical Priority Dispatch System. REMSA's medical dispatchers have hundreds of hours of specialized medical dispatch training and are all medically trained health care providers.

The MPDS is the world's most widely-used 911-type pre-arrival instruction and dispatch-life-support protocol system. With structured questions and instructions for CPR, airway obstruction relief, bleeding control childbirth assistance and other medical emergencies, the MPDS has been credited with helping save thousands of lives. In addition to requiring proper system oversight, medical control and a quality improvement program, re-accreditation demands careful MPDS compliance and certification for all emergency call-takers and medical dispatchers.

REMSA's dispatch center features next-generation capable Internet protocol telephone systems, full ergonomic workstations, the latest Computer Aided Dispatch technology, Global Positioning Satellite vehicle location and tracking, medical helicopter flight dispatching and flight tracking and an integrated nurse health line designed to assist callers with nonemergency medical needs.

### MORE STORIES



Federal plan to gather tribal horses draws fire

April 10, 2015, 3:21 p.m.



Tesla's coattails: Gigafactory helps bring new business

April 12, 2015, 6:01 a.m.



Photos: NCET / RGJ

## Active Assailant Drill Thursday to Test UNR and Local Law Enforcement



*Siobhan McAndrew, RGJ3:19 p.m. PDT March 17, 2015*

The University of Nevada, Reno will be practicing a large scale active assailant drill Thursday.

It is the largest exercise involving an assailant in the history of UNR involving several hundred people and other local law enforcement agencies from 8 a.m. to 1 p.m. on the south

end of campus.

It was purposely planned during UNR's spring break to minimize students and faculty impacted. Those on campus this week were given few details on the drill so responses and training were more realistic.

Tested will be multijurisdictional tactical response, medical response, mass casualty incident management, hazardous materials management and UNR's notification system.

"This is a really valuable training opportunity," said UNR's Emergency Management Coordinator Kevin Schaller. "We want to use this to enhance our security and see our ability to respond."

UNR said multiple emergency vehicles will be on and around campus include from the Nevada Highway Patrol, Reno and Sparks Police, Truckee Meadows Community College, Washoe County School District and first responders from **REMSA**, Renown and St. Mary's.

"Active assailant and other critical incidents in our community require multiple agencies, jurisdictions and diverse expertise to manage," University Police Chief Adam Garcia said.

"Our community has learned a lot from the recent events that have taken place. We want to continually improve and collaborate in our preparedness efforts as we would in a large-scale event."

Areas around the Palmer Engineering and the Scrugham Engineering and Mines Buildings will be closed during the drill.

Limited public viewing areas have been set up outside of the Davidson Math and Science Center.

### **Active assailant drill schedule**

**8:30 a.m.** staging and pre-event comments

**9 a.m.** active assailant exercise starts

**9:15-9:30 a.m.** tactical emergency response support and medical evacuation

**9:45 a.m.** consolidated bomb squad on scene

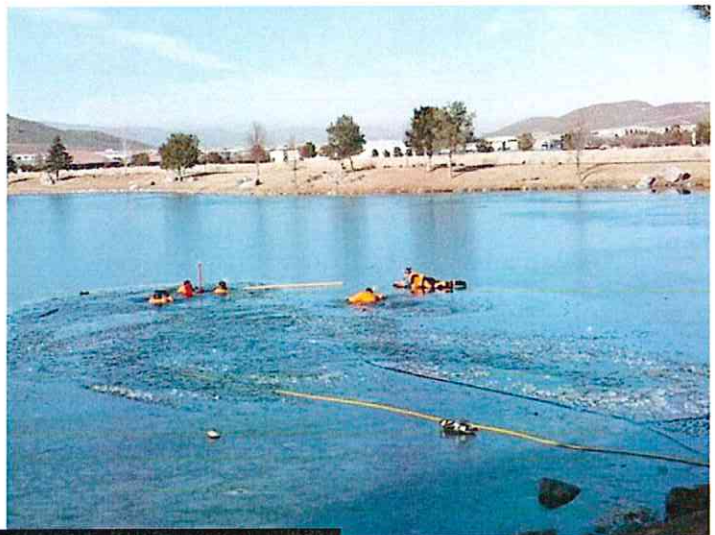
## Video: Washoe Hasty Team in Action

David Jacobs, RGJ12:04 p.m. PDT March 13, 2015

Newly released video shows the Washoe County Hasty Team in action. Team members joined up with **REMSA** and Renown Health for a "rescue the rescuer" drill Thursday night at Sparks Marina.

Details, including the video were posted Friday on the sheriff's Facebook page.

The Hasty team is part of the sheriff's search and rescue unit.



## Sheriff's HASTY Team Train for Dive Rescue Mission

Posted: Mar 13, 2015 12:06 AM PDT Updated: Mar 13, 2015 12:30 AM PDT

By Amanda Ketchledge

Volunteers for the Sheriff's Office HASTY team save people from danger all the time, but that comes with some risk to their own lives as well. And that's why dive rescue training for these responders is absolutely crucial.

Usually we hear about the search and rescue team saving lives, but they too are putting themselves in danger. Despite the risks, they dedicate their time, skills, and lives to their service.



"In my mind I make it a treasure that I'm looking for. And it's a treasure for the family and I'm going to find that treasure. I'm going to do whatever it takes to bring that person back," said Dan Lee, a HASTY volunteer.

Dozens of rescue missions come to mind when Dan Lee reflects on the last 17 years as a volunteer for the HASTY team. On Thursday, Lee and the rest of the team trained not to save a victim, but to save each other. Several scenarios can happen on a search and rescue and that's why team members are preparing for the risks. While the pressure is on to save someone's life, he says the stress of the job is well worth the reward.

"It can build up on you. There are a lot of times where we're doing things for the community and there are some rough circumstances where we have to jump in and get the job done," said Lee. And that's exactly what they do they, they don't hesitate when emergency rescues need to be done to save a person's life. But some rescues do stick with the team to this day.

"There's been a lot of drownings. Particularly difficult are the ones where children drown. Remember those the most," said Mark Bell, a volunteer for the HASTY team.

From the dive, bringing a person to safety, to applying medical care, these rescuers do it all. The HASTY team is made up of 38 volunteers altogether. When critically ill or injured patients are rescued from a search and rescue, they often don't have time to spare, and that's where **REMSA** comes in. Several employees volunteered to be on the team so medical care doesn't have to wait.

"It's real important we start the medicine at point of injury rather than having to move a patient further away to get that medical care," said Kevin Romero, Vice President of Operations for REMSA.

The training exercise on Thursday goes to show all of the hard work that comes from the HASTY team.

# GOOD NEWS!

**A DAILY DOSE**

*(Photo: RGJ)*

## **REMSA Paramedic to Receive VFW Award**

*Staff report 9:11 p.m. PDT March 12, 2015*

Each year, the Veterans of Foreign Wars selects emergency services personnel, law enforcement officers and firefighters to receive national awards. Todd Kerfoot, tactical emergency medical support commander, EMS supervisor and paramedic for REMSA, was selected as one of this year's winners and will receive the award in a ceremony taking place on Monday at 10:30 a.m. at REMSA, located at 400 Edison Way, Suite B, in Reno.

It will include VFW Nevada State Commander David Sousa. As a SWAT paramedic, he recognized the need for law enforcement personnel to be prepared to encounter a severely injured victim when a shooting is happening. Kerfoot developed a training program that would prepare the officers both tactically and medically for such a situation. This course has been certified and is being taught today.

Kerfoot was one of the first REMSA TEMS personnel on the scene during the tragic shooting incident on the Renown Regional Medical Center campus on Dec. 17, 2013. Kerfoot immediately connected with law enforcement on the scene and proceeded through unsecured and unsafe portions of the building to access injured victims. In conjunction with other TEMS members and law enforcement, he rendered immediate lifesaving measures to the victims. Kerfoot was also a tactical paramedic on the scene during the Sparks Middle School shooting on Oct. 21, 2013.

Fri, Mar 6, 2015 at 3:19 PM

REMSA Employees Starfish Charitable Giving Fund,

Thank you for your donation of \$200.00 USD, which was received by the St. Baldrick's Foundation on February 25, 2015, to support childhood cancer research.

Your donation was on behalf of:

Team: Team REMSA (T-97790)

Event: Ole Bridge Pub (E-4396)

Location: Reno, NV

Did you know that every three minutes a child is diagnosed with cancer? Or that most *survivors* of childhood cancer live with health problems — sometimes life-threatening ones — caused by the very treatments that saved them?

Your donation will support research to save lives, and to help survivors live longer, healthier lives.

The St. Baldrick's Foundation is the world's largest private funder of childhood cancer research grants, making more than \$24.5 million in new grants last year. We promise to be good stewards of your donation.

Visit [StBaldricks.org](http://StBaldricks.org) to see the impact of your donation, learn more about how you can help, or follow the fundraising progress of any participant, team, or event.

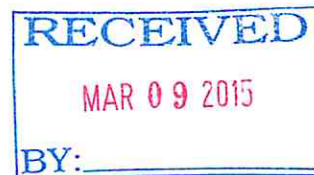
Thank you very much,

Rebecca Chapman Weaver  
Chief Philanthropy Officer  
St. Baldrick's Foundation  
1333 South Mayflower Avenue, Suite 400  
Monrovia, CA 91016



March 6, 2015

REMSA  
Debbie Zalmana  
450 Edison Way  
Reno, NV 89502



RE: 2015 Heroes With Heart Donation

Dear Debbie Zalmana:

On behalf of TIP of Northern Nevada, I want to thank you from the bottom of my heart, for the incredible generosity you exhibited with your donation. As a small business owner, I can appreciate how often you are hit up for donations. Please know how much we appreciate every donation, whether in the form of time, talent, treasure, or all of the above.

Our Heroes With Heart event was a huge success, a direct result of donations like yours. That said I want to thank you again for your kindness & generosity. The revenue your donation generated will be used to host future volunteer training academies, print resource guides, and continue to provide TIP's much needed services in Northern Nevada.

No goods or services were provided in consideration for this donation. Our federal tax ID number is 94-3464230. Should you require any additional information, please do not hesitate to call us at (775) 337-2112. I look forward to working with you on future TIP fundraisers.

Best regards,

A handwritten signature in black ink that reads "G M Totton".

Gabrielle Totton  
Executive Director

*'Like' us on Facebook to stay on top of all the latest & greatest TIP goings on.*  
[www.facebook.com/tipnnv](http://www.facebook.com/tipnnv)

**STAFF REPORT**

**BOARD MEETING DATE:** April 23, 2015

**TO:** District Board of Health

**FROM:** Brittany Dayton, EMS Coordinator  
775-326-6043, [bdayton@washoecounty.us](mailto:bdayton@washoecounty.us)

**SUBJECT:** Presentation, discussion and possible approval of the Regional Emergency Medical Services Authority (REMSA) Compliance Checklist, which will be used to determine REMSA's Franchise compliance with the Amended and Restated Franchise Agreement for Ambulance Service.

**SUMMARY**

EMS Program staff presented the FY 13/14 REMSA Franchise Compliance Report to the District Board of Health (DBOH) on January 22, 2015. During this presentation, there was considerable discussion concerning auditable and non-auditable items within the Franchise language. Per the direction of the Board, a list of compliance determinants is being brought forward for discussion and possible approval. The attachments to this staff report include:

- The Amended and Restated Franchise Agreement for Ambulance Service (approved by the DBOH in May 2014).
- A compliance checklist that EMS Program staff recommends using to determine REMSA's Franchise compliance for future compliance reports.

**District Health Strategic Objective supported by this item:** Strengthen WCHD as an innovative, high-performing organization.

**PREVIOUS ACTION**

On an annual basis the DBOH is given a staff presentation and recommendation for possible action on the REMSA Franchise Compliance Report for the previous fiscal year. On January 22, 2015, the DBOH approved the FY 13/14 REMSA Compliance Report, which found REMSA in compliance with the 26 auditable items of the 2005 REMSA Franchise. After the approval of the FY 13/14 REMSA Compliance Report, members of the Board requested that EMS staff present the process that will be used to determine Franchise compliance for future reports.

**BACKGROUND**

The compliance checklist was developed and internally vetted by the members of the EMS Program. Subsequently, EMS Program staff met with REMSA to review and discuss the checklist to ensure requests were viable. The attached compliance checklist is the final draft for the DBOH to review.

The compliance checklist, which is organized by Franchise article, includes all documentation required for REMSA to be compliant with the Franchise for the given fiscal year. The checklist also denotes the responsible party (either REMSA or the WCHD) for submitting documentation and a section for EMS staff to note the date the requirement was met.

Within the compliance checklist, there are a limited number of items EMS staff is unable to audit as they are not part of compliance, but legal language needed for the Franchise. Additionally, there are Franchise articles which cannot be audited until a certain time period, or only if certain actions are taken during the compliance review period. These items will be reviewed annually to determine whether they are applicable for the particular fiscal year.

### **FISCAL IMPACT**

There is no additional fiscal impact to the FY15 budget should the Board approve the REMSA Franchise Compliance Checklist.

### **RECOMMENDATION**

The Washoe County Health District EMS Program Staff recommend that the DBOH approves the Regional Emergency Medical Services Authority (REMSA) Compliance Checklist, which will be used to determine REMSA's Franchise compliance with the Amended and Restated Franchise Agreement for Ambulance Service.

### **POSSIBLE MOTION**

Should the DBOH agree with staff's recommendation, a possible motion would be:

“Move to approve the Regional Emergency Medical Services Authority (REMSA) Compliance Checklist, which will be used to determine REMSA's Franchise compliance with the Amended and Restated Franchise Agreement for Ambulance Service.”

**REMSA Franchise Compliance Checklist**

Franchise Article	Title	Compliance Documentation	Responsible Party	Date Received
1	Definitions	<b>1.1 Definitions</b> - Definitions are stated in the franchise, but are not part of compliance determination		
2	Granting of Exclusive Franchise	<b>2.1 Exclusive Market Rights</b> <input type="checkbox"/> The franchise agreement signed by DBOH and REMSA in May 2014, which gives REMSA the exclusive market rights within the franchise service area ( <i>copy on file</i> )	WCHD	
		<input type="checkbox"/> All disaster mutual aid agreements ( <i>copy on file</i> )	WCHD/ REMSA	
		<b>2.2 Franchise Service Area</b> <input type="checkbox"/> Map of the REMSA franchise area ( <i>copy on file</i> )	WCHD	
		<b>2.3 Level of Care</b> <input type="checkbox"/> A copy of state certification for ALS services	REMSA	
		<input type="checkbox"/> Documentation that demonstrates the staffing model for 9-1-1 units and interfaculty transfer units	REMSA	
		<b>2.4 Term</b> - The franchise term is stated in the franchise, but is not part of compliance determination until 2024		
		<b>2.5 Periodic Review</b> - Requirement of periodic review is stated in the franchise, but is not part of compliance determination until 2024		
		<b>2.6 Oversight Fee</b> <input type="checkbox"/> Copies of quarterly invoices and checks paid to the EMS Oversight Program	WCHD	
		<b>2.7 Supply Exchange and Reimbursement</b> <input type="checkbox"/> The current supply exchange/reimbursement agreement	REMSA	
		<input type="checkbox"/> Documentation that all regional fire agencies were given the agreement - either a signed agreement or evidence the agreement was distributed	REMSA	

2	<b>Granting of Exclusive Franchise</b> <i>(continued)</i>	<b>2.8 No Obligation for Subsidy</b> <input type="checkbox"/> A statement from the external auditor that REMSA does not receive any funding/monetary subsidy from local governmental agencies  <input type="checkbox"/> 501© 3 articles of incorporation <i>(copy on file)</i>	REMSA  WCHD/ REMSA	
3	<b>Governing Body</b>	<b>3.1 Board of Directors</b> <input type="checkbox"/> List of Board members  <input type="checkbox"/> Legal confirmation that all contractual relationships involving a member of the REMSA Board have been approved by a majority of the disinterested members  <b>3.2 Board Member Separation</b> <input type="checkbox"/> A signed statement by each Board member that declares any contracts/conflicts of interest, and states the Board member is not an employee of REMSA or the contractor  <b>3.3 Meetings</b> <input type="checkbox"/> List of six Board meetings held during the fiscal year  <input type="checkbox"/> Statement from the DHO that REMSA held six Board meetings with a quorum of its members	REMSA  REMSA  REMSA  REMSA  WCHD	
4	<b>Ambulance Service Contract, Competitive Bidding and Market Survey</b>	<b>4.1 Market Survey and Competitive Bidding</b> - A market survey or competitive bid is stated in the franchise, but is not part of compliance determination until 2021		
5	<b>Communications</b>	<b>5.1 Radio</b> <input type="checkbox"/> 800 MHz Authorization MOUs, or documentation showing attempt to sign an agreement  <input type="checkbox"/> Summary of all actions/meetings conducted to move towards compatible communications with 9-1-1 systems, or a strategic plan  <b>5.2 Dispatch</b> <input type="checkbox"/> Documentation of regular checks/drills conducted on the backup system  <input type="checkbox"/> Documentation of one operational drill on the backup system, including dates and names of the individuals who participated  <input type="checkbox"/> A brief summary of the drill and an AAR-IP	WCHD/ REMSA  REMSA  REMSA  REMSA  REMSA	

5	<b>Communications</b> <i>(continued)</i>	<input type="checkbox"/> Summary of all actions/meetings conducted to move toward the establishment of the CAD to CAD and AVL interfaces, or a strategic plan  <b>5.3 Change of Priority</b> <input type="checkbox"/> Number of calls that were upgraded and downgraded and why this action occurred ( <i>included in monthly Operations Report</i> )	REMSA  WCHD/ REMSA	
6	<b>Data and Records Management</b>	<b>6.1 Data and Records</b> <input type="checkbox"/> Summary of all actions/meetings conducted to move toward the establishment of the CAD to CAD interface, or strategic plan  <input type="checkbox"/> List of investigations requests made by the DHO, or designee during the fiscal year  <input type="checkbox"/> Response time compliance report/study zone reports ( <i>submitted monthly by REMSA</i> )	From 5.2  WCHD  WCHD/ REMSA	
7	<b>Response Compliance and Penalties</b>	<b>7.1 Response Zones</b> <input type="checkbox"/> REMSA Franchise map (Zones A – E)  <input type="checkbox"/> Date(s) of meeting(s) of the annual map review  <input type="checkbox"/> Zone A report - 90% of all P1 calls have a response time of 8:59 or less  <input type="checkbox"/> Zones B, C and D report - 90% of all P1 calls have a collective response time of 15:59, 20:59 and 30:59  <input type="checkbox"/> Zone E report – total number of calls  <b>7.2 Response Determinants</b> <input type="checkbox"/> Meeting date(s) of the EMD determinants review by the REMSA MD and fire agency MDs  <input type="checkbox"/> A summary of all pertinent outcomes/decisions - including updates/change to determinants, if any  <b>7.3 Zone Map</b> <input type="checkbox"/> Date(s) of meeting(s) of the annual map review  <input type="checkbox"/> List of changes to the map, if applicable  <input type="checkbox"/> List of locations of the REMSA franchise map  <b>7.4 Response Time Reporting</b> <input type="checkbox"/> Monthly call/response data with address and zone information ( <i>collected monthly from the OCU</i> )	WCHD  WCHD  WCHD  WCHD  WCHD  REMSA  REMSA  WCHD  WCHD  WCHD  WCHD	

7	<b>Response Compliance and Penalties</b> <i>(continued)</i>	<input type="checkbox"/> Total number of responses in the fiscal year <i>(collected from the OCU)</i>	WCHD
		<input type="checkbox"/> EMS staff monthly review documentation	WCHD
		<b>7.5 Penalties</b>	
		<input type="checkbox"/> Penalty fund dollars verification letter from REMSA and all penalty fund reconciliation documents for FY 14/15	REMSA
		<input type="checkbox"/> CPI calculation	WCHD
		<input type="checkbox"/> Documentation of all penalties – all calls that incurred penalties and number of minutes per month	REMSA
		<input type="checkbox"/> Priority 1 penalty fund analysis for FY 13/14 <i>(submitted by independent accounting firm)</i>	REMSA
		<input type="checkbox"/> Agreed-upon procedures related to Priority 1 Penalty Fund <i>(submitted by independent accounting firm)</i>	REMSA
		<b>7.6 Exemptions</b>	
		<input type="checkbox"/> Monthly exemption reports approved by REMSA <i>(submitted monthly by REMSA)</i>	WCHD/ REMSA
		<input type="checkbox"/> Description of REMSA’s internal exemption approval process	REMSA
		<input type="checkbox"/> Any exemption disputes between REMSA and its contractor reviewed by the DHO, if any	WCHD
		<input type="checkbox"/> Letter detailing approved exemptions by the DHO	WCHD
		<input type="checkbox"/> Exemption request(s) and any approvals to the DHO, or designee, during the fiscal year, if applicable	WCHD
<b>7.7 Penalty Fund</b>			
<input type="checkbox"/> Letter from REMSA confirming penalty funds are recorded monthly in a separate restricted account	REMSA		
<input type="checkbox"/> Documentation of all penalties – all calls that incurred penalties and number of minutes per month	From 7.5		
<input type="checkbox"/> Documentation of penalty fund usage to include dates received, services rendered, purpose, recipients, etc. <i>(included in the monthly Operations Report, as appropriate)</i>	REMSA		
<input type="checkbox"/> Documentation from the external auditor that the penalty fund is in a separate restricted account	REMSA		

7	<b>Response Compliance and Penalties</b> <i>(continued)</i>	<b>7.8 Health Officer Approval</b> <input type="checkbox"/> Letter to the DHO requesting use of penalty fund dollars <input type="checkbox"/> Letter of approval from the DHO	REMSA WCHD	
8	<b>Patient Billing</b>	<b>8.1 Average Patient Bill</b> <input type="checkbox"/> CPI calculation <input type="checkbox"/> Letter(s) from REMSA on schedule of rates, changes and fees as they occur throughout the fiscal year <input type="checkbox"/> Summary of the average bill calculations that are reported monthly to DBOH	From 7.5 REMSA WCHD	
		<b>8.2 Increase Beyond CPI</b> - Only applicable if REMSA requests an increase beyond the annual CPI adjustment  <b>8.3 Overage in Bill Amount</b> - Only applicable if REMSA exceeds the maximum average patient bill		
		<b>8.4 Third Party Reimbursement</b> <input type="checkbox"/> Summary of billing policies/procedures related to billing third parties and mitigating out of pocket expenses	REMSA	
		<b>8.5 Prepaid Subscription Program</b> <input type="checkbox"/> Silver Saver brochure <input type="checkbox"/> Number of enrolled members as of 6/30/15	REMSA REMSA	
		<b>8.6 Billing</b> <input type="checkbox"/> REMSA organizational chart showing placement of billing department	REMSA	
		<b>8.7 Accounting Practices</b> <input type="checkbox"/> Documentation that the independent auditor adheres to GAAP and GAAS	WCHD	
		<b>8.8 Audit</b> <input type="checkbox"/> FY 14/15 financial audit from independent auditor <input type="checkbox"/> Form 990 from FY 13/14 <input type="checkbox"/> Agreed-upon procedures on the average bill ( <i>submitted by an independent auditing firm</i> )	REMSA REMSA From 7.5	



<b>9</b>	<b>Personnel and Equipment</b>	<b>9.1 Dispatch Personnel Training</b> <input type="checkbox"/> List of dispatch personnel that includes EMD certification, EMT/Paramedic certification number and expiration date	REMSA
		<b>9.2 Dispatch Accreditation</b> <input type="checkbox"/> A copy of the certification of the National Academy of Emergency Medical Dispatchers accreditation of the Accredited Center of Excellence (ACE)	REMSA
		<input type="checkbox"/> List of Accredited Center of Excellence (ACE) standards/requirements	WCHD
		<b>9.3 Personnel Licensing and Certification</b> <input type="checkbox"/> Lists of attendants, EMTs, Paramedics, RNs and EMD certified personnel that includes certification number and expiration date	REMSA
		<input type="checkbox"/> Letter from State EMS confirming adherence to Chapter 450B	WCHD
		<b>9.4 ICS Training</b> <input type="checkbox"/> List of individuals who completed MCIP training	REMSA
		<input type="checkbox"/> List of individuals certified in ICS 100	REMSA
		<input type="checkbox"/> List of individuals certified in ICS 200	REMSA
		<input type="checkbox"/> List of individuals certified in ICS 300	REMSA
		<input type="checkbox"/> List of individuals certified in ICS 400	REMSA
		<input type="checkbox"/> List of individuals certified in ICS 700	REMSA
		<input type="checkbox"/> List of field operational management personnel (both part-time and full-time)	REMSA
		<input type="checkbox"/> List of REMSA REOC representatives	REMSA
		<b>9.5 Ambulance Markings</b> <input type="checkbox"/> Dates of quarterly EMS program “spot checks”	WCHD
<b>9.6 Ambulance Permits and Equipment</b> <input type="checkbox"/> List of all REMSA vehicles	REMSA		
<input type="checkbox"/> List of all capital equipment: monitors, power cots, stair chairs, etc.	REMSA		

9	<b>Personnel and Equipment</b> <i>(continued)</i>	<input type="checkbox"/> Letter from State EMS office confirming adherence to Chapter 450B  <b>9.7 Field Supervisor Staffing</b> <input type="checkbox"/> Example of a week’s supervisor shift schedule  <input type="checkbox"/> Supervisor job description  <b>9.8 Medical Director</b> <input type="checkbox"/> Medical Director’s CV (from State EMS)  <input type="checkbox"/> Documentation that MD meets NAC 450B. 505 state requirements (coordination with State EMS)	WCHD  REMSA  REMSA  WCHD  WCHD	
10	<b>Quality Assurance</b>	<b>10.1 Personnel</b> <input type="checkbox"/> Written identification of the individual(s) responsible for the internal coordination of medical quality assurance issues  <b>10.2 Review</b> <input type="checkbox"/> Quality assurance reviews of ambulance runs for at least 5% of the previous month’s ALS calls <i>(included in the monthly Operations Report)</i>  <input type="checkbox"/> Summary of the quality assurance review activities conducted throughout the fiscal year	REMSA  WCHD  REMSA	
11	<b>Community Relations and Public Education</b>	<b>11.1 CPR Courses</b> <input type="checkbox"/> List of all CPR public courses offered during the fiscal year – separated into REMSA employee conducted training and REMSA affiliated trainings <i>(included in the monthly Operations Report)</i>  <b>11.2 Community Health Education</b> <input type="checkbox"/> Multimedia campaign(s) about a current need within the community <i>(included in the monthly Operations Report)</i>	WCHD/ REMSA  WCHD/ REMSA	

11	<p align="center"><b>Community Relations and Public Education</b> <i>(continued)</i></p>	<p><b>11.3 Clinical Skills</b>  <input type="checkbox"/> List of clinical skill experience(s) offered for specific prehospital care personnel through participating hospitals and the number of attendees, if necessary</p> <p><b>11.4 Fire EMS Training</b>  <input type="checkbox"/> List of training dates provided for regional EMS first responders (at least 4 per year)</p> <p><input type="checkbox"/> Recommendations from the EMS Advisory Board and presentation to the District</p> <p><input type="checkbox"/> Minutes of the EMSAB/DBOH demonstrating discussion/recommendations</p>	<p>REMSA</p> <p>REMSA</p> <p>WCHD</p> <p>WCHD</p>	
12	<p align="center"><b>Reporting</b></p>	<p><b>12.1 Monthly Reports</b>  <input type="checkbox"/> Monthly Operations Reports presented to the DBOH</p> <p><b>12.2 Annual Reports</b>  <input type="checkbox"/> All documentation for the FY 14/15 Compliance Report should be submitted to the WCHD no later than December 31, 2015</p> <p><input type="checkbox"/> Documentation from the WCHD of compliance monitoring</p>	<p>WCHD/ REMSA</p> <p>WCHD/ REMSA</p> <p>WCHD</p>	
13	<p align="center"><b>Failure to Comply/ Remedies</b></p>	<p><b>13.1 Failure to Comply with Agreement</b></p> <ul style="list-style-type: none"> <li>- Failure to comply is stated in the franchise, but is not part of compliance determination unless REMSA does not comply with the terms of the Franchise</li> </ul> <p><b>13.2 Notice of Noncompliance</b></p> <ul style="list-style-type: none"> <li>- Notice of noncompliance is stated in the franchise, but is not part of compliance determination unless REMSA does not comply with the terms of the Franchise</li> </ul> <p><b>13.3 Failure to Correct/Rescission of Agreement</b></p> <ul style="list-style-type: none"> <li>- Failure to correct/rescission is stated in the franchise, but is not part of compliance determination unless REMSA does not comply with the terms of the Franchise</li> </ul>		

13	<b>Failure to Comply/ Remedies</b>	<b>13.4 Alternate to Rescinding Agreement</b> <ul style="list-style-type: none"> <li>- Alternate to rescinding is stated in the franchise, but is not part of compliance determination unless REMSA does not comply with the terms of the Franchise</li> </ul>		
14	<b>Dispute Resolution</b>	<b>14.1 Agreement to Mediate Disputes</b> <ul style="list-style-type: none"> <li>- Agreement to mediate disputes is stated in the franchise, but is not part of compliance determination unless a dispute occurs</li> </ul>		
15	<b>Financial Assurance/Continuity of Operations</b>	<b>15.1 Financial Assurance/Continuity of Operations</b> <input type="checkbox"/> Documentation of the performance security in the amount of 3 million dollars - demonstrating that it is a reserve amount in the equity statement of the REMSA financials ( <i>included in the financial audit</i> )	From 8.8	
16	<b>Insurance and Indemnification</b>	<b>16.1 Insurance</b> <input type="checkbox"/> REMSA’s insurance certificates for general liability insurance, automobile liability, workers compensation and employer’s liability  <input type="checkbox"/> Documentation that the WCHD is listed as an additional insured  <b>16.2 Indemnification</b> <input type="checkbox"/> Signed franchise agreement  <b>16.3 Limitation of Liability</b> <input type="checkbox"/> NRS Chapter 41  <input type="checkbox"/> Signed franchise agreement	REMSA  REMSA  From 2.1  WCHD  From 2.1	
17	<b>Miscellaneous</b>	<b>17.1 REMSA Contract with Other Entities</b> <input type="checkbox"/> All current contracts, service agreements MAAs and MOUs with other political entities  <b>17.2 Governing Law; Jurisdictions</b> <ul style="list-style-type: none"> <li>- Governing law; jurisdictions are stated in the franchise, but are not part of compliance determination</li> </ul> <b>17.3 Assignment</b> <ul style="list-style-type: none"> <li>- Assignment is stated in the franchise, but is not part of compliance determination</li> </ul>	REMSA	

<p style="text-align: center;"><b>17</b></p>	<p style="text-align: center;"><b>Miscellaneous</b> <i>(continued)</i></p>	<p><b>17.4 Severability</b></p> <ul style="list-style-type: none"> <li>- Severability is stated in the franchise, but is not part of compliance determination</li> </ul> <p><b>17.5 Entire Agreement/Modification</b></p> <ul style="list-style-type: none"> <li>- Entire agreement/modification is stated in the franchise, but is not part of compliance determination</li> </ul> <p><b>17.6 Benefits</b></p> <ul style="list-style-type: none"> <li>- Benefits are stated in the franchise, but are not part of compliance determination</li> </ul> <p><b>17.7 Notice</b></p> <ul style="list-style-type: none"> <li>- Notice is stated in the franchise, but is not part of compliance determination</li> </ul>		
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**STAFF REPORT**  
**BOARD MEETING DATE:** April 23, 2015

**TO:** District Board of Health

**FROM:** David McNinch, Environmental Health Specialist Supervisor  
775-328-2645, [dmcninch@washoecounty.us](mailto:dmcninch@washoecounty.us)

**SUBJECT:** Review, discussion and acknowledgment of Business Impact Statements regarding Proposed Amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments; and other matters properly related thereto; and set a public hearing for possible adoption of Proposed Amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments for May 28, 2015 at 1:00 pm.

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**SUMMARY**

The Washoe County District Board of Health must approve amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments. Per NRS 237 Business Impact Statements “must be considered by the governing body at its regular meeting next preceding any regular meeting held to adopt” the Proposed Amendments.

**District Health Strategic Objective supported by this item:** Strengthen District-wide infrastructure to improve public health

**PREVIOUS ACTION**

No previous actions have been taken.

Notice of Proposed Change to the Regulations of the Washoe County District Board of Health Governing Food Establishments is scheduled for April 23, 2015. Public hearing where the Washoe County District Board of Health will have the opportunity to take action on the proposed amendments is scheduled for May 28, 2015.

**District Health Strategic Objective supported by this item:** Strengthen District-wide infrastructure to improve public health

**BACKGROUND**

While specific sections and/or provisions to the Regulations of the Washoe County District Board of Health Governing Food Establishments have been approved over the years, a comprehensive review and revision to the body of the regulation has not occurred for approximately 30 years.

In 2004, Environmental Health Services enrolled in the FDA's Voluntary National Retail Food Regulatory Program Standards. The Program Standards is a quality improvement program that provides a foundation upon which regulatory agencies can build through a continuous improvement process. It also allows for program evaluation and measures program effectiveness. The Program Standards consist of nine standards intended to enhance the quality of services we provide to the public and promote active managerial control of risk factors most commonly associated with foodborne disease in food establishments. Adoption of a standardized regulatory foundation (Standard 1) based on the FDA Model Food Code as presented in the proposed regulations is a critical building block necessary for meeting and implementing other aspects of the Program Standards. It also provides the framework for risk based inspections focused on the top five foodborne disease risk factors.

The Model Food Code represents FDA's best advice for a uniform system of regulation to ensure that food at retail is safe and properly protected and presented. It also promotes uniform implementation of national food regulatory policy. According to FDA, industry conformance with acceptable procedures and practices is far more likely where regulatory officials "speak with one voice" about what is required to protect public health, why it is important, and which alternatives for compliance may be accepted. Adoption of the proposed revisions will not only align us with other jurisdictions, including jurisdictions here in Nevada, it positions us to be more responsive to future changes in food safety policy.

The following is a list of workshops/meetings EHS staff participated in and/or conducted in an effort to provide an overview of proposed revisions, answer questions and receive input from interested persons. A summary detailing the workshops, meetings, issues raised, and our response to the issues raised is attached for review:

- Internal EHS workshops (Jan. 29 and Feb. 4, 2015)
- Met with members of the DBoH
- Met with legal counsel from the DA's Office
- Certified Food Protection Instructor workshop (Feb. 12, 2015)
- Food Protection Hearing and Advisory Board (March 5, 2015)
- Public workshops (March 11 and 12, 2015)

Notices were mailed to 6,299 affected permit holders, businesses, as well other identified stakeholders, giving notice of the proposed regulatory revisions and offering multiple methods of providing input. The mailing list is available. A combined workshop and public hearing notice was published in the Reno Gazette-Journal on March 19, 20, and 23, 2015. The proposed regulations were posted on the Health District website.

- Nevada Restaurant Association Question and Answer (March 26, 2015)
- Nevada Restaurant Association "Mix and Mingle" (March 27, 2015)

In addition, input was solicited from representatives of the State Health Division as well as Carson City Health.

A Business impact statement has been prepared in accordance with NRS 237.090 and is also attached for reference.

Links to the final version of the proposed revisions can be found at:

<http://www.washoecounty.us/health/programs-and-services/food-services/utd-food-regs.php>

Please note -final formatting changes may occur to the version of the proposed revisions currently posted; however, no changes will be made to the content unless directed by the Board.

### **FISCAL IMPACT**

Should the Board approve all Proposed Amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments, it is anticipated that the Environmental Health Services Division will have a decrease in revenue of \$18,000.00 (currently included in FY 16 proposed budget). Environmental Health Services Division will also realize a small savings in supplies/materials (approx. \$500.00) as well as a small increase in revenue (approximately \$3,000) due to a modest increase in permitted facilities. The reduction in supplies/materials and the increased revenue projection are not included in the FY16 proposed budget.

### **RECOMMENDATION**

Staff recommends the Washoe County District Board of Health review, discuss and acknowledge the Business Impact Statement regarding the Proposed Amendments to the Regulations of the Washoe County District Board of Health; and other matters properly related thereto; and set a public hearing for possible adoption of Proposed Amendments May 28, 2015 at 1:00 pm.

### **POSSIBLE MOTION**

Should the Board agree with staff's recommendation a possible motion would be "Move to acknowledge the Business Impact Statement regarding Proposed Amendments to the Regulations of the Washoe County District Board of Health; and other matters properly related thereto; and set a public hearing for possible adoption of Proposed Amendments for May 28, 2015 at 1:00 pm."



## Summary of Workshops/meetings for Proposed Amendments to Food Regulations

The following summarizes comments received from stakeholders and interested parties regarding proposed amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments. The comments were obtained during various workshops and meetings intended to garner input. With the exception of the workshop provided specifically for Certified Food Protection Instructors, opportunity for comment on the entire proposed regulation was provided at each workshop and meeting.

### Briefing with Board of Health Member

January 28, 2015

- **Miscellaneous**

**Issue** - At the request of one of the Board of Health members, division staff provided a brief overview of the proposed regulations. Two primary issues were discussed – food protection manager certification and no bare-hand contact with ready-to-eat foods.

**Resolution** – Explanation and justification was provided on the two issues. Public outreach specific to no bare-hand contact with ready-to-eat foods (e.g. industry-focused slide show developed, handouts) is being developed.

### Instructor Workshop

February 12, 2015 10a.m. (lasted approximately 2.5 hours)

Date noticed – (e-mail notification January 23, 2015; proposed revisions to CFPM section e-mailed to Instructors February 3, 2015)

Number attending – 16

Digital audio available

- **Philosophical**

**Issue** – Some represented they completely disagree with proposed amendments based on the efforts it took to put the program in place, that it has been around for 25 years and that it is a model program that other jurisdictions emulate. Others were initially opposed, but were accepting of the proposed amendments when they realized the requirement to have a CFPM was still in place including the passage of a recognized examination. Some represented the amendments were progressive and/or forward-looking since they recognized national efforts to standardize the acceptance of certifications across the country (some of these were voiced during the meeting, some subsequent to the meeting verbally and via e-mail).

**Resolution** – With respect to the “philosophical” concerns expressed during the meeting, staff attempted to clarify and provide the rationale for the proposed revisions so interested parties could make informed decisions.

- **Process**

**Issue** - Some expressed concerns with the process we have used to reach out for input on the proposed regulations. Some felt blind-sided and questioned why we did not use a task force approach similar to the one used to develop the program. There were also concerns that we had forwarded draft language to the DA's office for review and that this indicated the proposal was already going through the final approval process (i.e. it was a "done-deal").

**Resolution** –While a task force to consider specific revisions to the food protection manager certification section (or any other section) was not used, our proposals are based on the cumulative result of the efforts and recommendations of many contributing individuals, agencies, and organizations with years of experience using earlier model code editions. The Instructor Workshop was intended to obtain direct input from certified instructors in Washoe County in an effort to identify issues/concerns that adopting the national standard might have at the local level. Attendees were also informed that the DA's office is conducting a legal review and that the authority for deliberating and approving the proposed food regulations rests with the District and State Boards of Health – tentative dates for the public hearings were provided.

- **Proposed deletion of 16-hour training requirement**

**Issue** – Some represented that classroom training is a critical component of a food protection manager certification program while others expressed general support for incorporating the national standard which would allow them to standardize their corporate training across jurisdictions. There were also concerns that removal of the training component would result in more foodborne disease that would not be realized until years down the road. Some considered our proposal to be a lowering of standards, but did not provide a list of specific issues and/or proposed resolutions. It was also suggested that a list of instructors be maintained as a resource on our website and to mandate training for poor performing food establishments.

**Resolution** – We have never represented that training is not an important component of food safety and our proposed regulations do not prohibit anyone from training. The certification of food protection managers is a component of demonstrating knowledge outlined in the FDA Model Food Code – competency is measured by passing a recognized examination rather than by measuring the amount of training someone has received. Certification organizations responsible for developing recognized examinations generally believe individuals will acquire some level of training prior to taking their examinations (see attached for information on CFP, certification organizations and accreditation of food protection manager certification programs). We simply do not agree that removal of the training requirements would result in a lowering of standards and result in increased foodborne disease in our community. Both CDC and FDA studies have shown that the presence of a food protection certified manager has a positive correlation with the control of some of the foodborne illness risk factors in certain facility types. The CDC and FDA both caution that the use of the term "correlation" is important in reporting out the data from their studies because there are too many other variables that could be contributing to better control of foodborne illness risk factors – statistically, one cannot definitively assert a cause and effect relationship. With respect to including information on our website relative to instructors and other resources, staff committed to consider the suggestion. Finally, staff did consider as a function of regulation development, the concept of mandating training for poor performing food establishments, but determined that current and proposed

enforcement provisions are sufficient to ensure the protection of public health. Mandating CFPM training of any food protection manager of a poor performing food establishment does not ensure that critical violations are corrected.

Note: Several e-mails were submitted prior and subsequent to the Instructor Workshop. Some instructors expressed that they did not fully understand our proposed language as a result of those e-mails (i.e. the e-mails created confusion) and that the workshop provided clarification. With respect to sentiments expressed in the e-mails, we do not agree that our proposed food safety regulations, including proposed revisions to the CFPM section, are “shortsighted” or a “step backward”. We also do not agree that our proposed revisions are a “dummying-down” or “gutting” of the program. Finally, we do not agree that we are jeopardizing our relationship with industry. In fact, by incorporating what industry has worked to put in place as a national standard, we will be improving the support for food safety in our community which in turn enhances the Health District’s ability to be good stewards for public health.

Food Protection Hearing and Advisory Board

March 5, 2015 1p.m. (lasted approximately 2.5 hours)

Date noticed (Board members informed February 2, 2015; agenda posted February 26, 2015)

Number attending – 3

Digital audio available

- **Definitions**

**Issue** - Place all definitions used only in one section in those respective sections.

**Resolution** – Subsequent to the Food Protection Hearing and Advisory Board meeting, staff met with legal counsel who was providing input to the proposed regulations as well. Legal counsel strongly recommended that we retain the current formatting of our definitions to be consistent with the formatting used in other regulations enforced by Environmental Health Services. As such, we did not incorporate the changes to our definition section suggested by the Food Protection Hearing and Advisory Board.

- **Private homes**

**Issue** – Include verbiage indicating that regulations from other jurisdictions may apply as well.

**Resolution** – The concept that other jurisdictions have requirements that may apply as well is already included in Subsection B of the section mentioned – no changes were necessary.

- **Temporary Foods**

**Issue** - Term “children” is used in section restricting certain people from being in a temporary food area; define “children” or reword to address subjectivity of term.

**Resolution** – Used language similar to that used in other sections of the regulations (unauthorized persons).

- **Mobile units/portable units for service of food**

**Issue** - Comments on how to manage permitting administratively (especially as it pertains to portable banquet bars).

**Resolution** – Pending

Note: The Food Protection Hearing and Advisory Board asked questions regarding numerous issues, but provided suggested changes to only those noted above. They also approved a motion to support the proposed regulations provided that the recommended revisions noted above were incorporated in to the proposed regulations. As noted, legal counsel strongly recommended that we not incorporate the FPHAB's recommendation regarding formatting of the definitions, however, all other recommendations have been incorporated.

#### Public Workshop #1

March 11, 2015 5:30 p.m. (lasted approximately 2.5 hours)

Date noticed – (post cards sent out week of February 9, 2015; meeting date and support material posted on website by February 18, 2015)

Number attending – 16

Digital audio available

- **Temporary food events and mobile units**

**Issue** – One attendee questioned the need for mobile units attending temporary food events to obtain temporary food permits if they already had an annual permit to operate for the mobile unit.

**Resolution** – The process for annually permitting mobile or portable units for service of food does not consider the specific aspects encountered when operating at a temporary food event. If the operator of a mobile or portable unit for service of food wants to operate at a temporary event, they must either return to their servicing area daily as their annual permit requires or be permitted and evaluated operationally as any other temporary food event operation. Consequently, no modifications to the proposed regulation were made as a result of the comments.

- **14-day restriction for temporary food permits**

**Issue** – One attendee questioned the method for counting the 14 days a temporary food permit is valid and the process for allowing “make-up” days in the event a permit holder misses one or more of the 14 days specified in their permit.

**Resolution** – Statutory language limits participation at any temporary food event to 14 days per event per calendar year. A temporary food permit holder may transfer “missed days” to another day at the same event provided they do not exceed the 14 day statutory limitation. However, because temporary food permits are approved based on a review of their application specific to one particular event, a temporary food permit holder is not allowed to transfer “missed days” at one event to another event – this would require submittal of a separate application that would include a review of their proposed activities for that particular event.

- **Refilling returnable containers**

**Issue** – Concerns were expressed that the process for refilling large, personal beverage container such as a “growler” could cause cross-contamination.

**Resolution** – Proposed regulations state that personal take-out beverage containers may be refilled by employees or consumers if refilling is an approved contamination-free process. As with any possible cross-contamination issue, this would be verified during routine inspections.

- **No bare-hand contact with ready-to-eat foods**

**Issue** – Concerns were expressed that operators may not understand the “no bare-hand contact with ready-to-eat foods” requirement. There were also questions related to how the Health District would provide support/guidance material related to this requirement.

**Resolution** – Staff provided justification for the requirement and explained the options for compliance which are not limited to use of gloves. Materials and guidance will be developed to assist operators in understanding and complying with the requirement.

Note: There were numerous questions regarding other provisions of the proposed regulations and, except as noted above, there were no specific suggested changes (attendees seemed generally accepting of the explanations provided by staff). There was a lengthy discussion on the proposed amendments related to the certification of food protection managers – as noted, no specific changes or concerns were mentioned, but some expressed support for the proposal to eliminate the training component.

#### Public Workshop #2

March 12, 2015 9:30a.m. (lasted approximately 3 hours)

Date noticed (post cards sent out week of February 9, 2015; meeting date and support material posted to website by February 18, 2015)

Number attending – 19

Digital audio available

- **Process**

**Issue** – One certified food protection instructor expressed concerns that the regulations were not posted for review.

**Resolution** – An e-mail including the proposed revisions to the food protection manager certification section was provided to all certified food protection instructors on February 3, 2015. A copy of all proposed revisions to the food regulations was posted to the health district website on February 19, 2015 and have been on-line ever since. No one else in attendance expressed this concern - in fact, most stated that they had no problem finding them and provided input to the concerned instructor on where they were posted.

**Issue** – There was one suggestion to reduce training for food protection manager certification to 8-hours rather than 16-hours.

**Resolution** – During the development of the proposed regulations, specifically the CFPM regulations, several options to improve the program were considered by staff including leaving the CFPM regulations as is, reducing training requirement to 8-hours, requiring food handlers rather than managers, adopting a nationally recognized and accepted process for certification of food protection managers, and/or adding language to address specific programmatic and administrative issues. It was determined that the best approach was to propose a program that

is evaluated and listed by a Conference for Food Protection accrediting agency (ANSI or American National Standards Institute) as conforming to the Standards for Accreditation of Food Protection Manager Certification Programs developed by the Conference for Food Protection.

**Issue** – Many of the same instructors who expressed concern during the Instructor Workshop on February 12, 2015, expressed the same concerns and/or sentiments during this workshop, especially as it related to training. There were also attendees who expressed support for the proposed revisions to the CFPM section.

**Resolution** – Considering that no specific suggestions have been provided to prompt modifications to proposed revisions to the CFPM section, we provided the same basic response to the same basic concerns that we did during the Instructor Workshop.

**Issue** – By dropping the requirement for instructors to submit rosters for those who attended their training, concerns were expressed regarding how adoption of the proposed CFPM revisions would affect our ability to prevent certificate fraud.

**Resolution** – Staff explained that we are considerate of potential certificate fraud under the current regulations. The submittal of rosters does not preclude certificate fraud, but rather documents the number of hours an individual attended training through certified instructors. Similar to our current practices, we will continue to request documentation that the individual listed on a posted certificate is employed at that facility.

Note: As with the first public workshop, there were numerous questions regarding other provisions of the proposed regulations and, except as noted above, there were no specific suggested changes (attendees seemed generally accepting of the explanations provided by staff).

Subsequent to the workshop, several attendees commented to numerous staff that they felt the meeting had focused too much on food protection manager certification. While all attendees were allowed to voice their concern regardless of the issue, we did have to recess from the CFPM conversation so others could bring up their issues and ask questions. However, we noted that we could return to the CFPM issues at the end of the meeting if anyone wanted to do so. Those that stayed had the opportunity to return to the CFPM issue at the end of the meeting - no one expressed interest in continuing the CFPM conversation at that time. Staff informed everyone attending the meeting that there were other processes for sharing their concerns and/or providing input including submission of written comment and testifying to the Board during public hearing.

Nevada Restaurant Association (Question and answer)

March 26, 2015 2:00pm (lasted approximately 2 hours)

Date noticed – Sponsored by NRA (invitations sent out by NRA to members)

### **Summary**

The question and answer session sponsored and facilitated by the Nevada Restaurant Association (NRA) was attended by a total of nine (9) people – three representatives from WCHD, three food

establishment owners, one representative from State Health, one Certified Food Protection Instructor and the NRA facilitator. General highlights of the meeting include:

- There were several questions provided in writing by the Certified Food Protection Instructor. Staff responded to each of the questions, however, the instructor was not satisfied with our responses. A copy of the written questions has been provided as part of this packet.
- One of the food establishment owners did question proposed language relating to the process for quarantining food items. Staff provided a response which seemed to address the owners concerns. This same owner expressed support for the proposed revisions and specifically mentioned his support for the revisions to the CFPM section.
- The CFPI expressed that he represented all 14 instructors present at the Instructor Workshop held February 12, 2015 and that they were against the proposed CFPM regulations.

**NOTE: While there were several instructors that shared this sentiment, there were several that remained silent during the instructor workshop and at least three others that either expressed their support for the proposed revisions during the meeting, or notified us afterwards that they were in support of the proposed revisions. We have provided a copy of the attendees of the Instructor Workshop with contact information and would encourage Board of Health members to contact all of them to fully understand their sentiment. The meeting was taped and the audio is available for anyone interested.**

- The CFPI expressed that he was in favor of the regulations, except for the proposed revisions to the CFPM section.
- The State Health representative expressed support for the proposed regulations.

Nevada Restaurant Association (Mix and mingle)

March 27, 2015 5:00pm (lasted approx. 2 hours)

Date noticed – Sponsored by NRA (invitations sent out by NRA to members)

Number attending - 15

No specific presentation was provided, but attendees did mention they were aware of the proposed changes. One commented that they are not a big fan of regulation, but understood the need. This attendee as well as three others did ask several questions and generally thought the proposed regulations were good. No bare-hand contact with ready-to-eat foods was the issue most of interest. They also asked if there would be a grace period when the regulations are ultimately approved – staff informed them that we are not currently proposing a grace period and provided the following reasons – 1) many facilities have already incorporated as best management practices, the concepts associated with some of the more significant issues of concern (e.g. no bare-hand contact with ready-to-eat foods and HACCP/operational plans), 2) staff has been educating operators on the proposed amendments for several months – in general, operators have the awareness we would expect for them to be ready for implementation, and 3) while it is ultimately the responsibility of the owner/operator, we intend to play

an active role in the development of food safety systems in the food establishments we regulate and recognize implementation will take time. There was one attendee associated with the culinary arts program at Carson High School who expressed strong support to our proposed revisions to the CFPM regulations as she has students who have passed recognized examinations (i.e. they are ServSafe certified) and have taken many hours of classroom instruction including some that qualifies for college credit. She expressed frustration that their credentials and course work are recognized in most jurisdictions around the country without having to go through any additional processes, but that they are not able to be certified in Washoe County unless they go through a reciprocity review that requires submittal of specific information, expense and recertification through two process rather than just one.

District Board of Health Public Hearings

April 23, 2015 1:00pm (tentatively)

Date noticed – (post cards sent out week of February 9, 2015; meeting date and support material posted to website by February 18, 2015; public hearing notice advertised in RGJ March 19, 20 and 23, 2015)

Nevada Restaurant Association

May 7, 2015 (Tentative – NRA is planning to sponsor a second Q & A and Mix and Mingle)

Date noticed - Sponsored by NRA (NRA will be sending out invitations to members)

District Board of Health Public Hearings

May 28, 2015 1:00pm (tentatively)

Date noticed – (post cards sent out week of February 9, 2015; meeting date and support material posted to website by February 18, 2015; public hearing notice advertised in RGJ March 19, 20, and 23, 2015)



## BUSINESS IMPACT STATEMENT

The following business impact statement was prepared pursuant to NRS 237.090 to address the proposed impact of Regulations of the Washoe County District Board of Health Governing Food Establishments (Regulations)

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary. (*List all trade association or owners and officers of businesses likely to be affected by the proposed rule that have been consulted*).

Informational postcards were sent to all current permit holders, Certified Food Protection Managers, and Certified Food Protection Manager Instructors that could be impacted by the Regulations. Announcements of the proposed Regulations were posted in the Reno Gazette Journal three times. The proposed Regulations were posted on the Health District website and two public workshops were held to solicit feedback. Individual meetings were held with the Certified Food Protection Manager Instructors, the Food Protection and Advisory Board, the Nevada Restaurant Association, and Individual Operators.

Significant public comment was received on the following sections:

- Requirement for food protection manager certification
  - Opposition due to the elimination of the training requirement primarily by the Washoe County approved instructors
  - Support due to the elimination of additional burden specific to Washoe County regulations primarily by the operators
- Preventing contamination from hands (requirement for no bare hand contact with ready to eat food)
  - Questions by some operators on how the change may effect operational procedures
  - Support by some operators because this has become standard practice for many national chains
- Mobile unit and portable unit for service of food, operation at special events
  - Question by one operator on the requirement to obtain a temporary food permit for mobile foods vendors when they aren't able to return to their depot every evening during a large event
  - Support by temporary food permit holders to treat mobile food vendors equally
- Portable units for service of food, food handling and preparation restrictions - portable banquet bars
  - Some operators questioned if they would be required to permit every portable banquet bar in their facility

Other chapters/topics were discussed and after clarification no negative comments were received.

No specific negative financial comments were expressed during the workshops on any section of the Regulations.

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

Food Protection Manager Certification: Current approved food protection manager instructors may have a negative financial impact by the elimination of the requirement that all food protection managers in Washoe County attend 16 hours of training.

Food: Operators may see an increase in operational expenses dependent upon how they choose to implement the no bare hand contact portion of the regulations. Three options have been provided for operators.

HACCP and Operational Plans: Businesses that will be required to have HACCP and Operational Plans may see an increase in initial resources, mainly staff time, dedicated to the development and implementation of those plans. It is anticipated that the implementation of those plans will be converted into long term savings for those businesses.

Mobile Units, Portable Units for Service of Food, and Servicing Areas:

- Mobile Units operating similarly to Temporary Food Vendors will be required to obtain a temporary food permit and will be charged the existing temporary food permit fee

- Portable banquet bars will be required to be registered and inspected, but not individually permitted

Beneficial effects:

Food Protection Manager Certification: Food protection managers and Operators already trained in other jurisdictions will be able to work in Washoe County without obtaining duplicative training. Operators will be able to train employees in the same manner that is currently conducted in other jurisdictions. According to one operator this change will save the business \$3,000.

Direct effects:

The passage of these regulations is sure to have direct effects, however, at this time, those effects cannot be quantified.

Indirect effects:

The passage of these regulations is sure to have indirect effects, however, at this time, those effects cannot be quantified.

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used: (Include whether the following was considered: simplifying the proposed rule; establishing different standards of compliance for a business; and if applicable, modifying a fee or fine set forth in the rule so that business could pay a lower fee or fine).

Washoe County Health District has not updated the Food Regulations for approximately 30 years. The updating of these regulations brings Washoe County into closer alignment with the Food and Drug Administration (FDA), Southern Nevada Health District, and the State of Nevada. Alternatives were considered, especially in regards to the feedback received on the Certified Food Protection Managers training; however, it was determined that proposed adaptations would still maintain an unnecessary burden on food handlers and operators without an impact on public health outcomes.

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is: Once the Regulations are fully implemented there is no increase in anticipated annual cost as the work is already being conducted. There will be an increase in staff time spent working with food handlers and operators transitioning to the new Regulations.
5. (If applicable, provide the following:) The proposed rule provides for a new fee or increases an existing fee and the total annual amount expected to be collected is: No new fees as part of the Regulations.
6. The money generated by the new fee or increase in existing fee will be used by the local government to: No new fees as part of the Regulations.
7. (If applicable, provide the following:) The proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity. The following explains when such duplicative or more stringent provisions are necessary:

The proposed changes are not duplicative of existing federal, state and local standards. In regards to the Food Protection Manager Certification requirement the Regulations are more stringent than state standards, but less stringent than existing Washoe County Food Regulations. The Regulations bring Washoe County more in alignment with the State of Nevada, Clark County, and the U.S. Food and Drug Administration.

To the best of my knowledge or belief, the information contained in this statement is prepared properly and is accurate.

  
Kevin Dick, District Health Officer

4/10/15  
Date

## AGENDA

Certified Food Protection Instructor Meeting  
Washoe County Health District  
Building B Conference Room B  
February 12, 2015  
10:00 a.m. – 12:00 p.m.

1. Call to Order – Dave McNinch
2. Overview of Regulation Adoption Process
  - Internal Review (including DA/DBoH)
  - Public Workshops (March 2015)
  - Public Hearings (April/May 2015)
  - State Board of Health (June 2015)
  - County Clerk
3. Overview of CFPM Program
4. Overview of Conference for Food Protection
  - American National Standards Institute (ANSI)
  - Standards for Accreditation of FPMC Programs
5. Development of Proposed CFPM Regulations
6. Next Steps
7. Discussion/Questions

## Talking Points, February 12<sup>th</sup> Meeting

1. We see that there is a public workshops scheduled in March. Would it not have been appropriate to hold a workshop with us as instructors, prior to what amounted to a blindsiding with the current draft proposal?
2. What is the purpose of the March workshops?
3. Given that the current program has been in effect, with great success, for 25 years, what was the thinking behind effectively gutting it? Are you seeking the lowest common denominator?
4. Do you feel that it would have been the right thing to do, to give us as instructors a heads-up prior to dumping the current draft on us?
5. How does the proposed dismantling of the existing program benefit the food service industry, the general public and us as instructors?
6. Is this a "work load" or budgetary issue for the health department? Is that, in fact, the driving force behind this change?
7. If so, we had multiple meetings last year, indicating to you where you could save time and money by:
  - a. Eliminating the redundant card and certificate system
  - b. Eliminating or significantly reducing audits for proven, competent instructors (e.g., after the first two years)

Why were these steps not initiated as a tweek to the program, rather than eliminating it altogether? And, if this had been done, what exactly would have been left for your staff to do that would have presented a significant burden on the department?

8. Do you see proper food service manager education as a benefit to the community?
9. If so, which instruction format, 8- or 16- hours, do you think prepares a food service manager to pass the necessary food safety information down to his/her staff, and to prevent foodborne illness?
10. What do you offer as a substitute? Do you believe that the old system of relying on 1 or 2 routine inspections suffices in the absent of a superior food service manager education program?
11. Which do you feel stays with a manager better, an annual inspection, or a well-taught manager certification class?
12. Why is it that we as instructors, in the field teaching to health department objectives, are constantly being placed in the role of adversaries, rather than allies? Why, instead (as has been noted by the District Board of Health), are we not seen as partners in the promotion of food safety, with a resultant benefit to the community?







Michael Chaump  
David De Mars  
Sergio Guzman  
Vern Martin  
Jerry Montoya  
J.P. Pinocchio  
Christopher Romm

# WASHOE COUNTY HEALTH DISTRICT

ENHANCING QUALITY OF LIFE

Kevin Dick  
District Health Officer

Leslie Admirand  
Deputy District Attorney

1001 East Ninth Street, Reno, Nevada 89512  
P.O. Box 11130, Reno, Nevada 89520  
Telephone 775.328-2434 • Fax 775.328.6176  
[www.washoecounty.us/health](http://www.washoecounty.us/health)

## *MEETING NOTICE AND AGENDA*

### **FOOD PROTECTION HEARING AND ADVISORY BOARD**

Date and Time of Meeting: Thursday, March 5, 2015, 1:00 p.m.

Place of Meeting: Washoe County Health District  
1001 East Ninth Street, Building B  
South Auditorium  
Reno, Nevada 89512

All items numbered or lettered below are hereby designated for possible action as if the words "for possible action" were written next to each item (NRS 241.020). An item listed with asterisk (\*) next to it is an item for which no action will be taken.

**Mr. Vern Martin will act as Chair for the initial meeting items.**

- \*1. **Call to Order**
- \*2. **Determination of Quorum**
- \*3. **Public Comment**  
Limited to three (3) minutes per person. No action may be taken.
4. **Election of Food Protection Hearing and Advisory Board Chair and Vice Chair**
5. **Approval of Agenda**  
March 5, 2015 Meeting

**Elected Chair will assume gavel and lead remaining meeting items, unless noted otherwise.**

- \*6. **Overview of Regulation Approval Process**  
Presenter: Environmental Health Services Staff
7. **Presentation, Discussion, and Possible Recommendations for Changes to the Proposed Revisions to the Regulations of the Washoe County District Board of Health Governing Food Establishments**  
Presenter: Environmental Health Services Staff
- \*8. **Board Comment**  
Limited to announcements or issues for future agendas.
- \*9. **Public Comment**  
Limited to three (3) minutes per person. No action may be taken.
10. **Adjournment**



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Supporting materials are available to the public at the Washoe County Health District located at 1001 E. 9<sup>th</sup> Street, in Reno, Nevada. Ms. Paula Valentin, Administrative Assistant to Environmental Health Services is the person designated to respond to requests for supporting materials. Ms. Valentin is located at the Washoe County Health District and may be reached by telephone at (775) 328-2696 or by email at [pvalentin@washoecounty.us](mailto:pvalentin@washoecounty.us). Supporting materials are also available at the Washoe County Health District Website [www.washoecounty.us/health](http://www.washoecounty.us/health) pursuant to the requirements of NRS 241.020.

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**Business Impact Statement:** A Business Impact Statement is available at the Washoe County Health District for those items denoted with a "\$."

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Items on the agenda may be taken out of order, combined with other items, withdrawn from the agenda, moved to the agenda of another later meeting; or they may be voted on in a block. Items with a specific time designation will not be heard prior to the stated time, but may be heard later. Items listed in the Consent section of the agenda are voted on as a block and will not be read or considered separately unless withdrawn from the Consent.

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The Food Protection Hearing and Advisory Board meetings are accessible to the disabled. Disabled members of the public who require special accommodations or assistance at the meeting are requested to notify Administrative Health Services in writing at the Washoe County Health District, PO Box 1130, Reno, NV 89520-0027, or by calling 775.328.2416, 24 hours prior to the meeting.

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**Time Limits:** Public comments are welcomed during the Public Comment periods for all matters whether listed on the agenda or not. All comments are limited to three (3) minutes per person. Additionally, public comment of three (3) minutes per person may be heard during individual action items on the agenda. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Board meeting. Persons may not allocate unused time to other speakers.

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**Response to Public Comments:** The Food Protection Hearing and Advisory Board can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The *Open Meeting Law* does not expressly prohibit responses to public comments by the Food Protection Hearing and Advisory Board. However, responses from the Board members to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Food Protection Hearing and Advisory Board will consider, Board members may choose not to respond to public comments, except to correct factual inaccuracies, ask for Health District Staff action or to ask that a matter be listed on a future agenda. The Food Protection Hearing and Advisory Board may do this either during the public comment item or during the following item: "Board Comments – Limited to Announcement or Issues for future Agendas."

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Pursuant to NRS 241.020, Notice of this meeting was posted at the following locations:

Washoe County Health District, 1001 E. 9th St., Reno, NV  
Reno City Hall, 1 E. 1st St., Reno, NV  
Sparks City Hall, 431 Prater Way, Sparks, NV  
Washoe County Administration Building, 1001 E. 9th St, Reno, NV  
Washoe County Health District Website [www.washoecounty.us/health](http://www.washoecounty.us/health)  
State of Nevada Website: <https://notice.nv.gov>

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# WASHOE COUNTY HEALTH DISTRICT

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## STAFF REPORT FOOD PROTECTION HEARING AND ADVISORY BOARD MEETING DATE: March 5, 2015

**TO:** Food Protection Hearing and Advisory Board Members

**FROM:** Dave McNinch, Manager  
775-328-2645, dmcninch@washoecounty.us

**SUBJECT:** **Presentation, Discussion, and Possible Recommendations for Changes to the Proposed Revisions to the Regulations of the Washoe County District Board of Health Governing Food Establishments.**

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### SUMMARY

The purpose of this agenda item is to offer the Food Protection Hearing and Advisory Board the opportunity to publicly review, and if necessary, provide recommendations for changes to the proposed revisions to the regulations of the Washoe County District Board of Health governing food establishments.

### PREVIOUS ACTION

No action has been taken by this Board on this agenda item.

### BACKGROUND

A comprehensive revision of the Washoe County Health District food regulations have not been conducted since the early 1980s.

The proposed revisions are based on the 2005 FDA Model Food Code and will be heard by the Board. They will also be presented to the public for comment and submitted to the DBOH for possible approval.

### FISCAL IMPACT

There will be no additional fiscal impact to the budget should the Board accept the presentation and provide recommendations.

### RECOMMENDATION

Staff recommends the Board accept the presentation, and, if the Board chooses, recommend changes to the proposed regulations as discussed during the meeting.

### POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be: "Move to accept the presentation, (and, if the Board chooses, recommend changes to the proposed regulations as discussed during the meeting)."



## McNinch, Dave

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**From:** McNinch, Dave  
**Sent:** Monday, February 02, 2015 4:15 PM  
**To:** Michael Chaump; sguzman@atlantiscasino.com; dave\_demars@deanfoods.com; jp@pinocchiosbarandgrill.com; vern@martinreno.com; cromm@bonanzacasino.com  
**Cc:** English, Amber E.; Macaluso, Tony; Sack, Bob  
**Subject:** Food Protection Hearing and Advisory Board Meeting March 5, 2015  
**Attachments:** Food Regs Feb 2015.doc

Food Protection Hearing and Advisory Board Members,

Hopefully you are all aware of the Food Protection Hearing and Advisory Board meeting scheduled for March 5, 2015. The intent of the meeting will be to "workshop" with you the long awaited proposed revisions to our food establishment regulations as well as provide an update on the process for seeking approval. An agenda for the meeting will be provided within the next couple of weeks; however, in preparation for the meeting, we wanted to provide each of you a copy of the proposed regulations for your review. Attached is a draft form of the proposed regulations. As you begin the review process, please keep in mind that this document is in a rough draft form and there is still a significant amount of formatting and edits that need to be made prior to finalizing the document and posting for public review. The final draft will be posted on our website by February 18, 2015, but we wanted to provide you ample time to review the document prior to our meeting.

Please let me know if you have any questions or concerns.

Thanks,

David McNinch  
EHS Supervisor  
Washoe County Health District  
(775)328-2645

**Notice of Workshops and Public Hearing for amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments**

Washoe County Health District would like to invite you to attend a workshop to learn about the proposed amendments to our regulations. The purpose of the workshops is to provide businesses and individuals affected by these regulation amendments additional information and opportunity for input. Feedback collected at these workshops will be used to develop recommendations for the District Board of Health, who will then be notified of the proposed changes and hold a Public Hearing where they will have the opportunity to take action on the proposed regulations. The public will have an additional opportunity to speak at these meetings.

The workshops will be held:           Wednesday, March 11, 2015 (5:30pm – 7:30pm)  
  Thursday, March 12, 2015 (9:30am – 11:30am)

The notice of proposed change:    Thursday, April 23<sup>rd</sup> at 1:00 pm

The Public Hearing will be held:    Thursday, May 28<sup>th</sup> at 1:00 pm

All meetings, with the exception of the March 12, 2015 meeting, will be held in the South Auditorium of the Washoe County Health District at 1001 E. Ninth Street, Bldg. B, in Reno, Nevada. The March 12, 2015 meeting will be held in the Central Conference Room of the Washoe County Complex at 1001 E. Ninth Street, Building C, in Reno, Nevada. If you have any questions please contact Amber English at (775) 328-2629.

The proposed regulation changes are available at [www.WashoeCounty.us/Health](http://www.WashoeCounty.us/Health)



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Personal Services	DOGS	RESCUED PETS	APARTMENTS, UNFURNISHED	HOMES UNFURN. DOUBLE DIAMOND	MOTORCYCLES	LEGALS	LEGALS	LEGALS	LEGALS
<p><b>TUTORING</b></p> <p>Will clean your house in NW Reno. Honest, experienced \$50 &amp; up state licensed call 334-520-6255</p> <p><b>MISC. PERSONAL SERVICE</b></p> <p>Mobile Tax &amp; Legal Service. GREGORY GLODOWSKI, ESQ. 775-825-7642</p> <p><b>Pets</b></p> <p><b>DOGS</b></p> <p>French Bulldog Puppies AKC full registry, born 1/12/15, two males, brindle \$1,800, cream \$2,000, first shots and wormed. 775-720-7888</p>	<p><b>DOGS</b></p> <p>HUSKY/WOLF Puppies Beautiful coats, Gentle. Toy/bk or brn/white, shots, Born on 12/27/14 start @ \$500. 221-3771</p> <p>Miniature Schnauzers: Tails Shots &amp; dew claws done. Beautiful Puppies. \$450 775-848-9660</p>	<p>Gracie Needs a Home. Apocot Poodle mix. Part Cocker Spaniel? Weighs 23 lbs. 10 yrs old. In excellent health. Gracie loves going everywhere and rides very well in the car. She is also a great hiking companion and has a lot of stamina for long walks. She is housetrained and likes to be near her family as much as possible. She does fine with people of all ages, cats, and some mellow dogs. Call or e-mail Sam at 775-338-6631, wylfec7@aol.com. WARR.</p>	<p><b>APARTMENTS, UNFURNISHED</b></p> <p><b>LIKE NEW!</b></p> <p>6 bd, 3 ba, lush back yard w/ deck, sunroom, large kitchen &amp; living room, close to town, a/c, gas heat. \$1675/mo 775-624-9175 ext 102</p>	<p>3 bd, 3 ba, 2 car garage Dbl Diamond, a/c sm pet \$1750. Action 323-0404</p> <p><b>HOMES UNFURN. SPARKS</b></p> <p>3 bd, 1 ba house, Sparks! Fncd yd, hi-ups, sm pet. \$1000. Action 323-0404</p> <p><b>NEW HOMES FOR LEASE</b> Frontier@Pioneer Meadows 1210-2182 st. 2-4 bd 6618 Opod Mountain Dr, Sparks, NV 89436. 775-800-8035. www.LEASEFRONTIERA.COM</p>	<p>2013 Harley Sportster. windshield, bags 20 k miles asking \$7,500 photos upon request 775-848-5997</p> <p>1993 Jeep Gr Chev Lar v-8 141k \$3100, call 3550770</p>	<p><b>NOTICE OF PUBLIC HEARING</b> <b>WASHOE COUNTY DISTRICT BOARD OF HEALTH</b></p> <p>The Washoe County District Board of Health (WCDBH) does hereby declare 1:00 pm, April 23, 2015, and May 28, 2015, at the Washoe County Health District (WCHD), Conf. Room B, 1001 E Ninth St, Reno, NV as the time, date and place to consider revisions to the Regulations of the Washoe County District Board of Health Governing Food Establishments.</p> <p>Interested persons who may be effected or wish to comment on any action being considered on the above date should appear at the public hearing to submit oral testimony or may address comments, data, views or arguments in written form to the WCDBH, PO Box 11130, Reno, NV 89520. Copies of the proposed revisions are available at <a href="http://www.WashoeCounty.us/Health">www.WashoeCounty.us/Health</a> and WCHD, Environmental Health Services Division, 1001 E Ninth St, Reno, NV for inspection by any person.</p> <p>If you would like additional information, please contact Amber English 328-2629.</p> <p>Kitty Jurig, Chairwoman Washoe County District Board of Health</p> <p>No. 52882 Mar. 19, 20, 23, 2015</p>	<p><b>NOTICE:</b></p> <p>All classified ads are subject to the applicable rate card, copies of which are available from our Advertising Dept. All ads are subject to approval before publication. Reno Gazette-Journal/RGJ Media reserves the right to edit, refuse, reject, classify or cancel any ad at any time. Errors must be reported in the first day of publication. Reno Gazette-Journal/RGJ Media shall not be liable for any loss or expense that results from an error in or omission of an advertisement. No refunds for early cancellation of order.</p>	<p><b>APPLICATION TO APPROPRIATE WATER NO. 84837</b> <b>NOTICE IS HEREBY GIVEN</b>, that on the 12th day of February, 2015 Home Camp Cabin, LLC (A Nevada Limited Liability Company), of Cedarville, California made application to the State Engineer of Nevada for permission to appropriate .056 c.f.s., 32.0 a.f.s. of the public waters of the State of Nevada. Diversion is to be made from Boulder Spring at a point located within the NE1/4 NW1/4 of Section 33, T40N, R20E, MDB&amp;M, or at a point from which the N1/4 corner of said Section 33 bears N 45 degrees 43 minutes 26 seconds E, a distance of 2,477.27 feet (approx. 73 miles SW of Denio). Water will be used for stockwater and domestic purposes from April 1st to September 15th of each year. Jason King P.E. State Engineer</p> <p>No. 51319 Feb. 27, Mar. 6, 13, 20, 2015</p>	<p><b>IN THE SECOND JUDICIAL DISTRICT COURT</b> <b>STATE OF NEVADA</b> <b>IN AND FOR THE COUNTY OF WASHOE COUNTY</b></p> <p>Case No. CV14 002017 Dept. No. 3</p> <p>AUTOVEST, L.L.C., Plaintiff, vs. VANESSA FRANK individually; and DOES I through X, inclusive, Defendant</p> <p><b>SUMMONS</b> <b>TO THE DEFENDANT: YOU HAVE BEEN SUED, THE</b></p>
	<p>True FINESSE 2m 11 ounces @ Gwks. sugarbabiesmail.com. 775-629-9900</p>	<p><b>Personals</b></p> <p><b>PHONE TALK</b></p> <p><b>MEET SINGLES 18+</b> Browse Voice Ads FREE! Straight 775-323-7575 Curious 775-334-6666 Use Free Code 3225</p>	<p><b>Wheels</b></p> <p>COLLECTOR/SPECIAL INTEREST</p> <p>WANTED: Porsche 356, 911 or 917, 1950-1973 356 Coup Cab, Speedster 1364-1973 911, 912 Any Condition 775-832-5185</p>	<p><b>LEGALS</b></p> <p><b>GENERAL EMPLOYMENT</b></p>	<p><b>LEGALS</b></p> <p><b>GENERAL EMPLOYMENT</b></p>	<p><b>LEGALS</b></p> <p><b>GENERAL EMPLOYMENT</b></p>	<p><b>LEGALS</b></p> <p><b>GENERAL EMPLOYMENT</b></p>		
	<p><b>ADVERTISE FOR FREE</b></p> <p>• FOUND PETS • FOUND STUFF</p>	<p><b>Stuff</b></p> <p>A/T &amp; ANTIQUES</p> <p>Railroad Items Wanted lanterns, locks, keys, china</p>	<p><b>GENERAL EMPLOYMENT</b></p>	<p><b>GENERAL EMPLOYMENT</b></p>	<p><b>GENERAL EMPLOYMENT</b></p>	<p><b>GENERAL EMPLOYMENT</b></p>			

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Will clean your house in NW Reno. Honest, experienced \$50 & up state licensed call 334-520-6255

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Mobile Tax & Legal Service. GREGORY GLODOWSKI, ESQ. 775-825-7642

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**DOGS**

**MEET SINGLES 18+**

Browse Voice Ads FREE! Straight 775-323-7575 Curious 775-334-6666 Use Free Code 3225

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**ART & ANTIQUES**

Railroad Items Wanted Lanterns, locks, keys, china, paper, etc. - also porcelain signs 916-663-2463

**GUNS/FIREARMS**

**RESCUED PETS**

Gracie Needs a Home. Apricot Poodle mix, Part Cocker Spaniel? Weighs 23 lbs, 10 yrs old. In excellent health. Gracie loves going everywhere and rides very well in the car. She is also a great hiking companion and has a lot of stamina for long walks. She is housetrained and likes to be near her family as much as possible. She does fine with people of all ages, cats, and some mellow dogs. Call or e-mail Sam at 775-338-6631. wylfiec7@aol.com. WARF.

**Rentals**

**apartments.com**

**APARTMENTS, FURNISHED**

1 Rooms, furn \$40-85 wk Res Mgr. 348-1431, 329-4097 or Action 323-0404

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• RGJ.com - \$10\*

• Affidavit/notary charge - \$10\*

• Annual Statement: \$40 (1col.x2.25" + incl. 2 days @ \$20 per day/per ad)

**348-7355**

\*Restrictions apply. Call for details.

**LEGALS**

**NOTICE OF REDEMPTION OF TITO TICKETS AND EARNED POINT REDEMPTION**

People holding unexpired slot machine TITO pay tickets and earned point redemptions from Bourbon Square Casino- Sparks, formerly operating at 1040 Victorian Ave, Sparks, Nevada, may redeem for cash, these bearer instruments and earned points at Guest Services of Bourbon Square by using the north entrance. Redemption of the slot machine TITO pay tickets and earned point will be accepted and are subject to applicable expiration date. Redemptions will be available from 8 am to 4 pm, Monday through Friday through April 5, 2015.

No. 49707 Feb. 6-Apr. 5, 2015

**LEGALS**

**NOTICE TO AUGMENT THE BUDGET OF THE CITY OF RENO GENERAL FUND AND STREET FUND AND THE RENO REDEVELOPMENT AGENCY #1 GENERAL FUND AND DEBT SERVICE FUND FOR THE 2015 FISCAL YEAR**

NOTICE IS hereby given in accordance with NRS 354.596005 to the public in general, to the local media and to the senior, handicapped and minority citizens that the City Council will vote on a resolution to augment the City of Reno's General Fund and Street Fund as well as the Reno Redevelopment Agency #1 General Fund and Street Fund for the 2015 Fiscal Year. The Council will vote on this resolution at their regular meeting on Wednesday, March 25, 2015, beginning at 12:00 P.M., in the City of Reno Council Chambers, Reno, Nevada. Written and oral comments are invited and can be presented at the Council meeting or filed with the City Clerk.

Beverly Beatty-Benadom, Interim City Clerk

**LEGALS**

**NOTICE TO CREDITORS AND OTHERS CONCERNED**

Pursuant to NRS 408.387, notice is hereby given that Contract No. 3292 between Fisher Sand & Gravel Co. and the State of Nevada, for construction of a portion of the Highway System I-580 Freeway from near Winters Ranch to near Mount Rose Highway, Washoe County, was accepted 3/9/2015.

All creditors having claims against this contract must file their claims within thirty (30) days after acceptance of said contract. Information relative to the manner of filing claims may be obtained from the Administrative Services Officer, telephone number (775) 888-7070.

RUDY MALFABON, P.E., DIRECTOR  
Nevada Department of Transportation

No. 52543 Mar. 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 2015

**REQUEST FOR SUBCONTRACTOR QUOTES FROM CERTIFIED SMALL BUSINESS AND DBE SUBCONTRACTORS, SUPPLIERS & HAULERS FOR THE FOLLOWING PROJECT:**

NDOT 3585  
On I-580/US 395 Carson City Freeway from South Carson Street to Fairview Drive, Package 2B-3  
Project Number NHP-395-1(027)

Bid Date: Thursday, April 2, 2015 at 1:30 p.m. PST

Q&D Construction, Inc.  
1050 S. 21st Street  
Sparks, NV 89431  
NV Contractors License No. 8197 A & B  
Contact: Kevin Hamilton  
Phone: (775) 786-2677  
Fax: (775) 786-5136  
E-Mail: khamilton@qdcconstruction.com

Quotes are requested for, but not limited to, the following specialties:

**LEGALS**

**NOTICE OF PUBLIC HEARING WASHOE COUNTY DISTRICT BOARD OF HEALTH**

The Washoe County District Board of Health (WDCBH) does hereby declare 1:00 pm, April 23, 2015, and May 28, 2015, at the Washoe County Health District (WCHD), Conf. Room B, 1001 E Ninth St, Reno, NV as the time, date and place to consider revisions to the Regulations of the Washoe County District Board of Health Governing Food Establishments.

Interested persons who may be effected or wish to comment on any action being considered on the above date should appear at the public hearing to submit oral testimony or may address comments, data, views or arguments in written form to the WDCBH, PO Box 11130, Reno, NV 89520. Copies of the proposed revisions are available at [www.WashoeCounty.us/Health](http://www.WashoeCounty.us/Health) and WCHD, Environmental Health Services Division, 1001 E Ninth St, Reno, NV for inspection by any person.

If you would like additional information, please contact Amber English 328-2629.

Kitty Jung, Chairwoman  
Washoe County District Board of Health

No. 52882 Mar. 19, 20, 23, 2015

**LEGALS**

**NOTICE OF TRUSTEE'S SALE**

NV Title Order No. : 13-31609-BA-NV Title Order No. : 61302450 APN No. : 001-233-01 YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED 01/22/2010 UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY; IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER. Notice is hereby given that National Default Servicing Corporation as trustee (or successor trustee or sub-trustee) of Trust hereby:

**Washoe County Food Regulation Public Workshop**  
Washoe County Health District, 1001. E 9<sup>th</sup> Street, Reno  
March 11, 2015

Name	Company	Phone
Edyl Zarah y Peck	Bluebird Vending	775-3740497
Mr + Mrs. T. GEORGE	The Rolling Bagel	775-2197939
Bill Johnson	Famous Dave's	775-722-6059
Fausta Apamsire	Mwintbigh Enterprises LLC	775 657-9082 / 253-205-8620
Tom Macalder	WCHD	—
John [unclear]	Sands Reserach	
TERRY YOUNG	SANDS Reserach	775-220-3229
ERIN DIXON	WCHD	
Stacey Rahr	Mel's	
Francine Burge	City of Sparks/Events	353-7856
Hannah Jarvis		775-228-6220
Carly Gurinskas	Nom Eat LLC	775-762-2565
Ian McIntosh	Nom Eat LLC	775-272-8815







**Food Regulation Public Workshop**  
**Washoe County Health District, 1001 E 9<sup>th</sup> Street, Reno**  
**March 12, 2015**

Name	Company	Phone
John SANDOZ	FA travel centers	859-0550
TOM BENTON	Scolaris	331-7700
Tracy Lerud	Scolaris	331-7700
Greg Zingari	Rocky Mtn. Choc.	742-6888
Jennifer Guerra	WONI	324-2249
CHRIS TESDALE	SHERLEYS FARMERS MKTS	796-5024
Alan Cook		(775) 240-9423
Megan Gilman	Mantam / Ireni Montessori	(775) 848-9358
Ane Pesti	WCSD	353-5239
Scott Scholtz	WCSD	353-5930
Judith Saum	WCSD - EHS	813-1136
Erin Dixon	WCSD	
Kelley Loggins	PS&CO	848-2348
Debona Aragon	SNFCC	775 527-2942
Lea Tauchen	Retail Assoc	775-882-1700
Kathleen Erickson	PT & CO	323 6366
John Roberts	Sierra Summit Fed	322-0171
Mike Supple	WCSD	353-5238
Beto Rosas	BST	379-3433





**Bullet Points for March 26<sup>th</sup> NVRA meeting with Washoe County Health Department, re Food Service Manager Certification**

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- **What is the Public Health benefit of the proposed changes?**
- **Why, if the current system is working well, are you proposing to not only change it, but to eliminate it altogether?**
- **Why was your stance on food service manager education different than one year ago?**
- **What, if anything, do you propose for the reduction of food-borne illness in Washoe County, once the education component is eliminated?**
- **Do you feel that your once/year inspections fill that void?**
- **How do you plan to control the intrusion of incompetent and unscrupulous instructors into Washoe County?**
- **How do you intend to track certifications, and to weed out fraudulent certificates?**
- **How do you see the role of qualified instructors in achieving your food-borne illness prevention objectives?**

**Conference for Food Protection**  
**Standards for Accreditation of Food Protection Manager**  
**Certification Programs**

**Frequently Asked Questions**

**Q. What was the primary purpose for the Conference for Food Protection's (CFP) development of the *Standards for Accreditation of Food Protection Manager Certification Programs* (Standards)?**

R. The Standards are intended for all legal entities that provide certification for Food Protection Managers. All certifying organizations attesting to the competency of Food Protection Managers, including regulatory authorities that administer and/or provide certification programs, have a responsibility to the individuals desiring certification, to the employers of those individuals and to the public. The Standards establish criteria that ensures that certification providers maintain policies and procedures that meet the specific credentialing needs of Food Protection Managers while ensuring a valid, reliable and legally defensible evaluation of certification programs.

**Q. Why did the Conference for Food Protection determine there was a need to develop these Standards?**

R. One of the major issues that the CFP has dealt with in recent years is a trend among jurisdictions at all levels of government to impose mandatory requirements for education and certification for food protection managers. The certification component of this issue raises particular concerns due to the diversity of certification organizations that vary in the mission of their sponsors, as well as their structure, revenue sources, and certification policies. A fair evaluation of these diverse and complex programs has been a challenge for regulators.

At the same time, the providers of Food Protection Manager Certification Programs are faced with an array of regulatory program requirements. They are being held to different standards of performance and accountability depending on the jurisdiction in which they operate.

Most certification programs share a common desire to have the food protection manager certificate they issue universally recognized and accepted by others – especially by the increasing number of regulatory authorities that require Food Protection Manager Certification. If there is not a uniform set of national standards to assess these certification programs, an unfair resource burden is placed on institutional foodservice, restaurant, and retail food operations. Lack of a national standard for universal acceptance of certified Food Protection

Food Protection, indicates that the certification organization has been evaluated by a third party accrediting organization and found to meet all of the CFP established standards.

**Q. How can I obtain a copy of the CFP *Standards for Accreditation of Food Protection Manager Certification Programs*?**

R. The Standards can be obtain from the CFP web site [www.foodprotect.org](http://www.foodprotect.org)

**Q. What does it mean to say someone is a Certified Food Protection Manager?**

R. A Certified Food Protection Manager is an individual who has demonstrated by means of passing a food safety certification examination from an accredited certifying organization that he/she has the knowledge, skills and abilities required to protect the public from foodborne illness. Duties of such persons could include but are not necessarily limited to:

- responsibility for identifying hazards in the day-to-day operation of a food establishment that provides food for human consumption;
- development or implementation of specific policies, procedures or standards aimed at preventing foodborne illness;
- coordination of training, supervision or direction of food preparation activities, and responsibility for taking corrective action as needed to protect the health of the consumer; and
- responsibility for completion of in-house self-inspection of daily operations on a periodic basis to see that policies and procedures concerning food safety are being followed.

**Q. What is the difference between certification and accreditation?**

R. The terms “certification” and “accreditation” are not interchangeable. They denote separate and distinct processes.

Certification is the process that a certification organization administers to verify that an individual has complied with the requirements of their certification program. The certification organization issues a certificate to the individual indicating they have met all the program requirements and passed the food safety certification examination. The certification process is focused on the individual seeking to demonstrate that he/she had the knowledge, skills and abilities to protect the public from foodborne illness.

Accreditation means that a third party (independent) accrediting organization has reviewed a Food Protection Manager certification program and verified that it



**Q. What Food Protection Manager Certification Programs are currently accredited?**

R. ANSI maintains a current listing of accredited Food Protection Manager Certification Programs on their web site [www.ansi.org](http://www.ansi.org)

**Q. One of the outcomes the Conference hopes to achieve by establishing the Standards and implementing an accreditation process through ANSI is an equitable, uniform approach that enhances consumer protection. Attaining universal acceptance of certificates obtained through an ANSI accredited certification organization will require State and local jurisdictions with mandatory Food Protection Manager Certification Programs to recognize this process. Why should a regulatory agency, with an existing mandatory Food Protection Manager Certification Program or that is considering one, adopt the CFP Standards and recognize the ANSI accreditation process?**

R. The CFP Standards provide regulatory authorities with a valid, reliable, and legally defensible criterion for evaluating certification programs. A credible, non-biased process is pivotal to all food safety stakeholders involved in certification and ultimately to consumer protection. Regulatory authority universal acceptance of Food Protection Managers in accordance with the CFP Standards benefits all stakeholders.

Regulatory jurisdictions benefit by:

- saving on human and financial resources required to administer the certification program;
- minimizing their legal liability that may result from not having the required expertise on staff to develop and administer the program (such as an individual with a solid foundation in the psychometric development of written examinations);
- having assurance from a third party accreditor that all certification programs meet CFP Standards;
- allowing the regulatory agency to devote limited resources to their retail food protection program rather than the credentialing of Food Protection Managers.

Industry benefits because there is:

- mechanisms in place for reciprocal acceptance of certification across jurisdictional lines;
- enhanced value for their credential;
- quality assurance conducted on the certification programs that are offered;
- consistent meaning for certification within the profession; and
- enhanced confidence that the certification process is valid, reliable, and legally defensible

- recognition that effective training incorporates a variety of instructional techniques, approaches and delivery systems;
  - emergence of new delivery technologies, such as distance learning and computer based training (CBT), increasing the accessibility and availability of training;
  - difficulty in developing an “equivalency standard” to assess content, scope, and effectiveness of diverse training methods; and
- recognition that an assessment tool (food safety examination) is the common component in certification programs. Developed according to sound psychometric standards, these examinations provide the appropriate amount of rigor to ensure that a candidate received the necessary training to demonstrate the knowledge level required of Food Protection Managers.
- As such, the ANSI-CFP accreditation program focuses on the entire certification organization’s program. Certification organizations have a responsibility to ensure that the certification process is fair to all candidates and protects their inherent rights. The organizations certification policies and procedures must meet the specific credentialing needs of Food Protection Managers and use defensible processes in their test development and administration.

## McNinch, Dave

---

**From:** McNinch, Dave  
**Sent:** Friday, January 23, 2015 5:13 PM  
**To:** anthony.cecala@usfood.com; GARRIDO@ROP.COM; teachuculinary@msn.com; teyoung777@yahoo.com; barritoneschools@charter.net; sierrasan@charter.net; makingchoices@att.net; franciscovelaz@gmail.com; lerudt@scholarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; envserv@sbcglobal.net; james@elite-cos.com; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; wiliamchan8@yahoo.com; tpriley@washoeschools.net; teachuculinary@msn.com; mstreczyn@reno.harrahs.com; mcdonaldsreno@charter.net; dmoreland@bladowerprises.com; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcsf.nv.gov  
**Cc:** Macaluso, Tony; English, Amber E.  
**Subject:** Instuctor Meeting

Instructors,

As you are all probably aware, the we (as the Health District) have been in the process of completely revising and modernizing our Regulations Governing Food Establishments. Those proposed revisions are currently moving through an internal review and, over the next couple weeks, notices will be sent out to all permitted facilities in Washoe County notifying them of workshops that will be held March 11 and March 12. We anticipate taking a final draft of the regulations to the Board of Health at their regularly scheduled meeting on April 23, 2015 and May 28, 2015.

The vast majority of our proposed revisions are based on the FDA Model Food Code and/or regulations recently adopted by the State Health Division and the Southern Nevada Health District. While we have not finalized proposed revisions to the Certified Food Protection Manager (CFPM) Section of the regulations, it is our intent to propose significant changes that will impact each of you at some level. With that in mind, we would like to meet with you as a whole to explain our intent. During the next couple of weeks, we will be working on specific language, but cannot say that we will have specific language for you to review at this meeting. We will, however, have a final draft of all sections of the regulations, including the Certified Food Protection Manager Section, prepared by February 17, 2015 so they can be provided to the public for the public workshops scheduled for March 11 and March 12.

We understand that you are all busy and hope that you can attend this meeting. If you are not able to attend the Instructor meeting, there will be several additional opportunities to express your thoughts/concerns including the aforementioned workshops in March and public hearings in front of the District Board of Health in April and May.

Instructor Meeting

February 12, 2015

10:00 a.m. – 12:00 p.m.

Health Conference Room B (this is one of the auditoriums in the lobby of Building B where the Health Department is located – not where we have met several times adjacent to the building department)

Thank you and hope to see you February 12, 2015

David McNinch  
EHS Supervisor  
Washoe County Health District

(775) 328-2645

## McNinch, Dave

---

**From:** Adalberto Rosas <beto@bestraining.net>  
**Sent:** Friday, January 23, 2015 5:24 PM  
**To:** McNinch, Dave  
**Subject:** RE: Instructor Meeting

Excited to see the new curriculum. FSMA, the FDA, the CDC, the USDA and others have been busy. It will be interesting to see how much of those requests and changes will affect us.

See you there!

---

**From:** McNinch, Dave [<mailto:DMcNinch@washoecounty.us>]  
**Sent:** Friday, January 23, 2015 5:13 PM  
**To:** [anthony.cecala@usfood.com](mailto:anthony.cecala@usfood.com); [GARRIDO@ROP.COM](mailto:GARRIDO@ROP.COM); [teachuculinary@msn.com](mailto:teachuculinary@msn.com); [teyoung777@yahoo.com](mailto:teyoung777@yahoo.com); [barritoneschools@charter.net](mailto:barritoneschools@charter.net); [sierrasan@charter.net](mailto:sierrasan@charter.net); [makingchoices@att.net](mailto:makingchoices@att.net); [franciscovelaz@gmail.com](mailto:franciscovelaz@gmail.com); [lerudt@scolarisclub.com](mailto:lerudt@scolarisclub.com); [CFPM@BESTraining.net](mailto:CFPM@BESTraining.net); [Brosas23@yahoo.com](mailto:Brosas23@yahoo.com); [envserv@sbcglobal.net](mailto:envserv@sbcglobal.net); [james@elite-cos.com](mailto:james@elite-cos.com); [james@elite-cos.com](mailto:james@elite-cos.com); [kami.biamonte@gmail.com](mailto:kami.biamonte@gmail.com); [boz7dials@yahoo.com](mailto:boz7dials@yahoo.com); [jpablo@aguirreart.com](mailto:jpablo@aguirreart.com); [talonconsulting@sbcglobal.net](mailto:talonconsulting@sbcglobal.net); [gjira@yahoo.com](mailto:gjira@yahoo.com); [wiliamchan8@yahoo.com](mailto:wiliamchan8@yahoo.com); [tpriley@washoeschools.net](mailto:tpriley@washoeschools.net); [teachuculinary@msn.com](mailto:teachuculinary@msn.com); [mstreczyn@reno.harrahs.com](mailto:mstreczyn@reno.harrahs.com); [mcdonaldsreno@charter.net](mailto:mcdonaldsreno@charter.net); [dmoreland@bladowerprises.com](mailto:dmoreland@bladowerprises.com); [helenw@lascal.com](mailto:helenw@lascal.com); [lori.higashi@safeway.com](mailto:lori.higashi@safeway.com); [Brook.Sigafoos@usfoods.com](mailto:Brook.Sigafoos@usfoods.com); [mcooley@raleys.com](mailto:mcooley@raleys.com); [dfanher@raleys.com](mailto:dfanher@raleys.com); [kchavez@raleys.com](mailto:kchavez@raleys.com); [wolf568@msn.com](mailto:wolf568@msn.com); [kward@dcs.nv.gov](mailto:kward@dcs.nv.gov)  
**Cc:** Macaluso, Tony; English, Amber E.  
**Subject:** Instuctor Meeting

Instructors,

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Instructor Meeting  
February 12, 2015  
10:00 a.m. – 12:00 p.m.

Health Conference Room B (this is one of the auditoriums in the lobby of Building B where the Health Department is located – not where we have met several times adjacent to the building department)

Thank you and hope to see you February 12, 2015

David McNinch  
EHS Supervisor  
Washoe County Health District  
(775) 328-2645

## McNinch, Dave

---

**From:** Helen Wierzbowski <helenw@lascal.com>  
**Sent:** Friday, January 23, 2015 5:33 PM  
**To:** McNinch, Dave  
**Subject:** Re: Instuctor Meeting

Hi Dave... Couple questions regarding this email ... (1) re: "notices will be sent out to all permitted facilities in Washoe County notifying them of workshops that will be held March 11<x-apple-data-detectors://0> and March 12.<x-apple-data-detectors://1> ". Will we (CFPM Instructors) be sent an electronic copy of the notification being sent to the permitted facilities? (2) re: The workshops on March 11th & 12th... will they need to attend both days? Is it going to be a required workshop? and if I cannot make the Instructor meet on Feb 12th, would my attendance of the Workshops be beneficial in getting the information I need?

FYI- I am going to TRY and make the Feb meet, but have to see if I can reschedule my neurologist appt. and of course, that will take precedence ... but if I can get it rescheduled, I'll work on getting travel to Reno.

Thanks!!

~ Helen Wierzbowski  
Las Cal Corp-DBA-Taco Bell in Nevada.

Sent from my iPhone

On Jan 23, 2015, at 5:14 PM, "McNinch, Dave" <[DMcNinch@washoecounty.us](mailto:DMcNinch@washoecounty.us)<mailto:DMcNinch@washoecounty.us>>> wrote:

weeks, notices will be sent out to all permitted facilities in Washoe County notifying them of workshops that will be held March 11 and March 12.

This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal.

All information in this message is the property of Las Cal Corporation.

## McNinch, Dave

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**From:** Tonys Email <barritoneschools@charter.net>  
**Sent:** Friday, January 23, 2015 6:07 PM  
**To:** McNinch, Dave  
**Subject:** Meeting

David,

Thank you for the notice.

Unfortunately I am in my last year of classes to obtain my Masters Degree and have so little time to work and study.

I trust you and your guidance in the issues involved in the CFPM program and know that you only want the best for the public at large.

As you know well over a year ago I relinquished the position of Washoe Train The Trainer due to the heavy school schedule to complete my degree.

If there are changes involved in the regulations that will change my position or obligations as a permitted CFM Instructor, I trust you will enlighten me with any pertinent facts that I will need.

I have been privileged to gain the experience over the past 13 years I have been doing these classes and happy to have worked with you and the rest if the current and past members of your Department.

Sincerely,

Tony

Sent from my iPhone



## McNinch, Dave

---

**From:** McNinch, Dave  
**Sent:** Monday, February 02, 2015 3:44 PM  
**To:** Helen Wierzbowski  
**Subject:** RE: Instuctor Meeting

The physical address of our administrative complex is 1001 East Ninth Street, Reno, NV which is the northeast corner of E. Ninth Street and Wells Ave. However, to access Building B where we are located, you will need to go to the northwest corner of the County complex off of Wells Avenue. The meeting room is located on the first floor of Building B. If you have trouble finding our office, you can call us at (775) 328-2646 for directions.

Thanks,

David McNinch

-----Original Message-----

**From:** Helen Wierzbowski [<mailto:helenw@lascal.com>]  
**Sent:** Monday, February 02, 2015 11:28 AM  
**To:** McNinch, Dave  
**Subject:** RE: Instuctor Meeting  
**Importance:** High

Hi David

I have worked out rescheduling my doctor appointment; thus I am working out a flight and car to get to the Instructor Meeting on Feb 12th.

Would you kindly send me the Health Department address where Building B is located so I can put into my GPS.?

Thank you and see you soon :-)

~ Helen Wierzbowski

". . . If you teach a man to fish you feed him for a lifetime."

cell/text: 702-372-7540 email: [HelenW@lascal.com](mailto:HelenW@lascal.com)<<mailto:HelenW@lascal.com>>

---

**From:** McNinch, Dave [[DMcNinch@washoecounty.us](mailto:DMcNinch@washoecounty.us)]  
**Sent:** Friday, January 23, 2015 5:13 PM  
**To:** [anthony.cecala@usfood.com](mailto:anthony.cecala@usfood.com); [GARRIDO@ROP.COM](mailto:GARRIDO@ROP.COM); [teachuculinary@msn.com](mailto:teachuculinary@msn.com); [teyoung777@yahoo.com](mailto:teyoung777@yahoo.com); [barritoneschools@charter.net](mailto:barritoneschools@charter.net); [sierrasan@charter.net](mailto:sierrasan@charter.net); [makingchoices@att.net](mailto:makingchoices@att.net); [franciscovelaz@gmail.com](mailto:franciscovelaz@gmail.com); [lerudt@scolarisclub.com](mailto:lerudt@scolarisclub.com); [CFPM@BESTraining.net](mailto:CFPM@BESTraining.net); [Brosas23@yahoo.com](mailto:Brosas23@yahoo.com); [envserv@sbcglobal.net](mailto:envserv@sbcglobal.net); [james@elite-cos.com](mailto:james@elite-cos.com); [james@elite-cos.com](mailto:james@elite-cos.com); [kami.biamonte@gmail.com](mailto:kami.biamonte@gmail.com); [boz7dials@yahoo.com](mailto:boz7dials@yahoo.com); [jpablo@aguirreart.com](mailto:jpablo@aguirreart.com); [talonconsulting@sbcglobal.net](mailto:talonconsulting@sbcglobal.net); [giira@yahoo.com](mailto:giira@yahoo.com); [wiliamchan8@yahoo.com](mailto:wiliamchan8@yahoo.com); [tpriley@washoeschools.net](mailto:tpriley@washoeschools.net); [teachuculinary@msn.com](mailto:teachuculinary@msn.com); [mstreczyn@reno.harrah.com](mailto:mstreczyn@reno.harrah.com); [mcdonaldsreno@charter.net](mailto:mcdonaldsreno@charter.net); [dmoreland@bladowenterprises.com](mailto:dmoreland@bladowenterprises.com); Helen Wierzbowski; [lori.higashi@safeway.com](mailto:lori.higashi@safeway.com); [Brook.Sigafoos@usfoods.com](mailto:Brook.Sigafoos@usfoods.com); [mcooley@raleys.com](mailto:mcooley@raleys.com); [dfancher@raleys.com](mailto:dfancher@raleys.com); [kchavez@raleys.com](mailto:kchavez@raleys.com); [wolf568@msn.com](mailto:wolf568@msn.com); [kward@dcsf.nv.gov](mailto:kward@dcsf.nv.gov)  
**Cc:** Macaluso, Tony; English, Amber E.

Subject: Instructor Meeting

Instructors,

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David McNinch

EHS Supervisor

Washoe County Health District

(775) 328-2645

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All information in this message is the property of Las Cal Corporation.

## McNinch, Dave

---

**From:** McNinch, Dave  
**Sent:** Tuesday, February 03, 2015 8:33 AM  
**To:** anthony.cecala@usfood.com; kawai.garrido@rop.com; teachuculinary@msn.com; teyoung777@yahoo.com; barritoneschools@charter.net; sierrasan@charter.net; makingchoices@att.net; franciscovelaz@gmail.com; lerudt@scolarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; envserv@sbcglobal.net; james@elite-cos.com; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; wiliamchan8@yahoo.com; tpriley@washoeschools.net; teachuculinary@msn.com; mstreczyn@reno.harrahs.com; mcdonaldsreno@charter.net; dmoreland@bladowenterprises.com; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcfs.nv.gov  
**Cc:** Macaluso, Tony; English, Amber E.; Sack, Bob  
**Subject:** RE: Instuctor Meeting  
**Attachments:** CFPM Section Jan 2015.docx

Instructors,

Please find attached a draft of proposed revisions to the certified food protection manager requirements. As we will discuss at the meeting scheduled for February 12, 2015, we have put considerable thought in to our proposal and recognize the potential impacts to each of you as Instructors. It is critical that each of you evaluate the proposed regulations to determine how they will or will not affect you. We will all be looking at these proposals from our own perspective and it may be short-sighted to assume somebody has your best interest in mind, so please take the time to review them.

It is still our intent to get an agenda to you in the next couple of days, but did not want to miss the opportunity to get these proposed revisions to you as soon as possible.

Thanks,

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EHS Supervisor  
(775) 328-2645

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**From:** McNinch, Dave  
**Sent:** Friday, January 23, 2015 5:13 PM  
**To:** 'anthony.cecala@usfood.com'; 'GARRIDO@ROP.COM'; 'teachuculinary@msn.com'; 'teyoung777@yahoo.com'; 'barritoneschools@charter.net'; 'sierrasan@charter.net'; 'makingchoices@att.net'; 'franciscovelaz@gmail.com'; 'lerudt@scolarisclub.com'; 'CFPM@BESTraining.net'; 'Brosas23@yahoo.com'; 'envserv@sbcglobal.net'; 'james@elite-cos.com'; 'james@elite-cos.com'; 'kami.biamonte@gmail.com'; 'boz7dials@yahoo.com'; 'jpablo@aguirreart.com'; 'talonconsulting@sbcglobal.net'; 'gjira@yahoo.com'; 'wiliamchan8@yahoo.com'; 'tpriley@washoeschools.net'; 'teachuculinary@msn.com'; 'mstreczyn@reno.harrahs.com'; 'mcdonaldsreno@charter.net'; 'dmoreland@bladowenterprises.com'; 'helenw@lascal.com'; 'lori.higashi@safeway.com'; 'Brook.Sigafoos@usfoods.com'; 'mcooley@raleys.com'; 'dfancher@raleys.com'; 'kchavez@raleys.com'; 'wolf568@msn.com'; 'kward@dcfs.nv.gov'  
**Cc:** Macaluso, Tony; English, Amber E.  
**Subject:** Instuctor Meeting

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David McNinch

EHS Supervisor

Washoe County Health District

(775) 328-2645

## McNinch, Dave

---

**From:** barritoneschools@charter.net  
**Sent:** Tuesday, February 03, 2015 10:15 AM  
**To:** McNinch, Dave  
**Subject:** RE: Instuctor Meeting

David,

If I am reading the information correctly, your plan is to remove the need for all instructors in the program and allow for just on-line self exams.  
Is that correct?

As I stated in my last correspondence with you, I am in the last 2 months of obtaining my Masters Degree and the only time I have is for study.

Though I do not agree with what I believe the plan is, it is not my place to interject my thoughts and feelings though you seem to be allowing for those at this time.

I understand why you might be going down this path as I made an attempt to train some of the current instructors and found them not really up to the task.

I also strongly disagree with what most of the instructors charge for these classes as the actual cost per student is determined by the cost of the facility and amenities.

I pay for a professional training room with totally up to date electronics and supply all the refreshments and material. My cost in a class of 15 is \$120.00 per student and I charge \$175.00 for the 2 day class.

I also meet with each student prior to class to explain the basics and deliver the test results in person to discuss the results.

I have seen some instructors charging \$250.00 for this class and not really teaching anything. So I really do understand your position.

So, though I am not totally sure if I am understanding this correctly or not, and as you stated I should not assume anyone is looking out for my welfare.

I have always had the up most respect for your leadership and I know you have your reasons for whatever you do.

Keep me informed and when the new rules are in place and presented in a format that is a little more understandable, I will abide by your decisions.

Sincerely,

Tony

On Tue, Feb 3, 2015 at 8:33 AM, McNinch, Dave wrote:

Instructors,

Please find attached a draft of proposed revisions to the certified food protection manager requirements. As we will discuss at the meeting scheduled for February 12, 2015, we have put considerable thought in to our proposal and recognize the potential impacts to each of you as Instructors. It is critical that each of you evaluate the proposed regulations to determine how they will or will not affect you. We will all be looking at these proposals from our own perspective and it may be short-sighted to assume somebody has your best interest in mind, so please take the time to review them.

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David McNinch  
EHS Supervisor  
(775) 328-2645

**From:** McNinch, Dave

**Sent:** Friday, January 23, 2015 5:13 PM

**To:** 'anthony.cecala@usfood.com'; 'GARRIDO@ROP.COM'; 'teachuculinary@msn.com'; 'teyoung777@yahoo.com'; 'barritoneschools@charter.net'; 'sierrasan@charter.net'; 'makingchoices@att.net'; 'franciscovelaz@gmail.com'; 'lerudt@scolarisclub.com'; 'CFPM@BESTraining.net'; 'Brosas23@yahoo.com'; 'envserv@sbcglobal.net'; 'james@elite-cos.com'; 'james@elite-cos.com'; 'kami.biamonte@gmail.com'; 'boz7dials@yahoo.com'; 'jpablo@aguirreart.com'; 'talonconsulting@sbcglobal.net'; 'gjira@yahoo.com'; 'wiliamchan8@yahoo.com'; 'tpriley@washoeschools.net'; 'teachuculinary@msn.com'; 'mstreczyn@reno.harrahs.com'; 'mcdonaldsreno@charter.net'; 'dmoreland@bladowenterprises.com'; 'helenw@lascal.com'; 'lori.higashi@safeway.com'; 'Brook.Sigafoos@usfoods.com'; 'mcooley@raleys.com'; 'dfancher@raleys.com'; 'kchavez@raleys.com'; 'wolf568@msn.com'; 'kward@dcfs.nv.gov'

**Cc:** Macaluso, Tony; English, Amber E.

**Subject:** Instuctor Meeting

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David McNinch

EHS Supervisor

Washoe County Health District

(775) 328-2645

## McNinch, Dave

---

**From:** Pete Allen <envserv@sbcglobal.net >  
**Sent:** Tuesday, February 03, 2015 2:20 PM  
**To:** McNinch, Dave; anthony.cecala@usfood.com; kawai.garrido@rop.com; teachuculinary@msn.com; teyoung777@yahoo.com; barritoneschools@charter.net; sierrasan@charter.net; makingchoices@att.net; franciscovelaz@gmail.com; lerudt@scolarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; james@elite-cos.com; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; wiliamchan8@yahoo.com; tpriley@washoeschools.net; teachuculinary@msn.com; mstreczyn@reno.harrahs.com; mcdonaldsreno@charter.net; dmoreland@bladowenterprises.com; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcs.nv.gov  
**Cc:** Macaluso, Tony; English, Amber E.; Sack, Bob; 'Cynthia L. Ulch'  
**Subject:** RE: Instuctor Meeting

Very difficult to read this; however, if I understand it correctly, this is a wholesale gutting of the Food Service Manager Program. It just indicates to me that there is little to no understanding of the role that proper education has, and would continue to play in the decline in the incidence of foodborne illness. The simple ability to pass a prescribed exam doesn't do it: it is the knowledge imparted to students in the classroom setting (as well as subsequent to class time). This appears to be an armchair decision: no one who is intimately involved with the education program either as an instructor, or as an auditor, would even consider trashing one of the most effective programs under your stewardship. Definitely a huge step backward in food safety management, and, by extension, the Health Department in general.

P.S. Allen, REHS

Environmental Services LLC

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**Sent:** Tuesday, February 03, 2015 8:33 AM  
**To:** anthony.cecala@usfood.com; kawai.garrido@rop.com; teachuculinary@msn.com; teyoung777@yahoo.com; barritoneschools@charter.net; sierrasan@charter.net; makingchoices@att.net; franciscovelaz@gmail.com; lerudt@scolarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; envserv@sbcglobal.net; james@elite-cos.com; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; wiliamchan8@yahoo.com; tpriley@washoeschools.net; teachuculinary@msn.com; mstreczyn@reno.harrahs.com; mcdonaldsreno@charter.net; dmoreland@bladowenterprises.com; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcs.nv.gov



**Cc:** Macaluso, Tony; English, Amber E.; Sack, Bob  
**Subject:** RE: Instuctor Meeting

Instructors,

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Thanks,

David McNinch  
EHS Supervisor  
(775) 328-2645

---

**From:** McNinch, Dave

**Sent:** Friday, January 23, 2015 5:13 PM

**To:** 'anthony.cecala@usfood.com'; 'GARRIDO@ROP.COM'; 'teachuculinary@msn.com'; 'teyoung777@yahoo.com'; 'barritoneschools@charter.net'; 'sierrasan@charter.net'; 'makingchoices@att.net'; 'franciscovelaz@gmail.com'; 'lerudt@scholarisclub.com'; 'CFPM@BESTraining.net'; 'Brosas23@yahoo.com'; 'envserv@sbcglobal.net'; 'james@elite-cos.com'; 'james@elite-cos.com'; 'kami.biamonte@gmail.com'; 'boz7dials@yahoo.com'; 'jpablo@aguirreart.com'; 'talonconsulting@sbcglobal.net'; 'gjira@yahoo.com'; 'wiliamchan8@yahoo.com'; 'tpriley@washoeschools.net'; 'teachuculinary@msn.com'; 'mstreczyn@reno.harrahs.com'; 'mcdonaldsreno@charter.net'; 'dmoreland@bladowerprises.com'; 'helenw@lascal.com'; 'lori.higashi@safeway.com'; 'Brook.Sigafoos@usfoods.com'; 'mcooley@raleys.com'; 'dfancher@raleys.com'; 'kchavez@raleys.com'; 'wolf568@msn.com'; 'kward@dcfs.nv.gov'

**Cc:** Macaluso, Tony; English, Amber E.

**Subject:** Instuctor Meeting

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**Instructor Meeting**

**February 12, 2015**

**10:00 a.m. – 12:00 p.m.**

**Health Conference Room B (this is one of the auditoriums in the lobby of Building B where the Health Department is located – not where we have met several times adjacent to the building department)**

**Thank you and hope to see you February 12, 2015**

**David McNinch**

**EHS Supervisor**

**Washoe County Health District**

**(775) 328-2645**

## McNinch, Dave

---

**From:** barritoneschools@charter.net  
**Sent:** Tuesday, February 03, 2015 9:18 PM  
**To:** McNinch, Dave  
**Subject:** RE: Read: Instuctor Meeting

Dave,

I have to rescind the last correspondence as I now know a lot more than I originally understood.

I would like to suggest that you reconsider totally dismantling the program that Robin put together.

For the greater part, it has done a world of good for the permit holders of our county and even more for the citizens.

When this class is taught properly, all the permit holders change their habits for the good.

It really has nothing to do with the test that is administered thru ServSafe, a monkey can pass that test just by reading the study guide. What really counts is the contact of people like Pete Allan, Pete Cook and a few of the other good teachers.

We all know there are a few people who do not have the real experience and long time knowledge to be training, but for the most part that is because your department went from really putting a mussel on the training to just letting anyone who could pass the ServSafe proctors test to become a trainer.

When Robin recruited me almost 20 years ago, I worked with her in her classes for almost 6 months before she let me teach a class. I went back to Chicago and took an in depth training seminar at ServSafe and obtained my FMP (Food Manager Professional Certification). The highest certificate available that ServSafe and a representative of 300 hours of intense restaurant management skills.

There was a time when people like myself, Pete Allan, Pete Cook and a few others were the pride of your department and devoted countless hours learning to keep up with every aspect of the FDA and it's laws.

Seminar after seminar with John Marcello and others of his high character and training skills.

I hope you understand why I must now ask you to reconsider the end of this program.

David, it works, it makes our community safer, it instills the importance of food safety in the operators and brings them knowledge that would not be given from just going on line and taking a test that servSafe does not allow anyone to fail and has no way of monitoring to assure fairness.

Thank you for taking the time to consider my present point of view.

Tony

On Tue, Feb 3, 2015 at 12:47 PM, McNinch, Dave wrote:

Your message

To: McNinch, Dave

Subject: RE: Instuctor Meeting

Sent: Tuesday, February 03, 2015 10:14:37 AM (UTC-08:00) Pacific Time (US & Canada)

was read on Tuesday, February 03, 2015 12:47:37 PM (UTC-08:00) Pacific Time (US & Canada).

## McNinch, Dave

---

**From:** Pete Allen <envserv@sbcglobal.net>  
**Sent:** Wednesday, February 04, 2015 6:01 AM  
**To:** McNinch, Dave; anthony.cecala@usfood.com; kawai.garrido@rop.com; teachuculinary@msn.com; teyoung777@yahoo.com; barritoneschools@charter.net; sierrasan@charter.net; makingchoices@att.net; franciscovelaz@gmail.com; lerudt@scholarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; james@elite-cos.com; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; wiliamchan8@yahoo.com; tpriley@washoeschools.net; teachuculinary@msn.com; mstreczyn@reno.harrahs.com; mcdonaldsreno@charter.net; dmoreland@bladowenterprises.com; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcsf.nv.gov  
**Subject:** RE: Instuctor Meeting

A message from Tony Pastini to all current CFPM trainers for Washoe County District Health.

I recently learned that certain individuals in positions of authority at the Environmental Health Office would like to suspend or at the very least water down the training program to become as useless as the one in Clark County.

Many years ago Robin Rose was the head of this department and through many years of development she put this program together.

I was fortunate enough to attend her very first class and shortly thereafter joined her in the program as a trainer.

Over the years this program has brought enlightenment to thousands of food handler in our county and absolutely saved many lives and prevented uncountable food borne illness outbreaks.

For the most part more than 75% of the people who are currently license to teach in Washoe County were initially trained in one of my classes when I was the Washoe County Train the Trainer.

I feel heartbroken that a few people who have no idea the good that this program has done are now trying to dismantle it for whatever reason they think it is for.

Unfortunately the same people who are trying to dismantle the program have no true idea what a good program it is or how much good has brought to this community.

A few days ago when I learned of this plan, I thought I would just roll over as I am at the end of my career in this field and will soon be moving into a larger field of teaching at the corporate level.

However after talking to a few of my fellow trainers I have come to realize that this could be the greatest mistake the Environmental Department has made in many years.

If you are currently teaching or have any ambition to continue to teach, we can all work together to stop the attempt to dismantle this program.

All it will take is for all of us to stick together, work together and put any issues of competitiveness aside for the good of all the citizens and permit holders in this county.

If we work together on this, the threat will go away.

The entire health board must hear from all sides in this issue. Not just from the supervisors at the Environmental Division.

If you value the quality of safety that is known in Washoe County and you value your right to teach, let us all get behind Pete Allen and fight this bogus attempt to bully us.

Antonio Pastini FMP

---

**From:** McNinch, Dave [mailto:DMcNinch@washoecounty.us]

**Sent:** Tuesday, February 03, 2015 8:33 AM

**To:** anthony.cecala@usfood.com; kawai.garrido@rop.com; teachuculinary@msn.com; teyoung777@yahoo.com; barritoneschools@charter.net; sierrasan@charter.net; makingchoices@att.net; franciscovelaz@gmail.com; lerudt@scolarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; envserv@sbcglobal.net; james@elite-cos.com; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; wiliamchan8@yahoo.com; tpriley@washoeschools.net; teachuculinary@msn.com; mstreczyn@reno.harrahs.com; mcdonaldsreno@charter.net; dmoreland@bladowenterprises.com; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcfs.nv.gov

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EHS Supervisor  
(775) 328-2645

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David McNinch

EHS Supervisor  
Washoe County Health District  
(775) 328-2645



## McNinch, Dave

---

**From:** Dana Moreland <dmoreland@bladowenterprises.com>  
**Sent:** Wednesday, February 04, 2015 8:19 AM  
**To:** McNinch, Dave  
**Subject:** may I please have a copy of the proposed revisions?

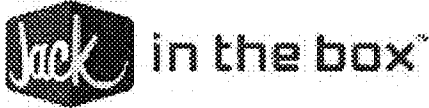
Dear David –

I understand from other food safety instructors that you sent them a message yesterday with the proposed revisions as an attachment. That message seems to have hit the spam filter and I cannot find it. Would you please resend it to me? I would like to review the revisions myself.

With appreciation,

Dana

**DANA L MORELAND**  
**HR/TRAINING MANAGER**  
EMERALD CASCADE RESTAURANT SYSTEMS, INC.  
ROJO CALIENTE RESTAURANTES, INC.  
4655 LONGLEY LANE, SUITE 105  
RENO, NV 89502  
(775) 322-7799 EXTENSION 214



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- W. Somerset Maugham

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## McNinch, Dave

---

**From:** Tracy Young <teyoung777@yahoo.com>  
**Sent:** Wednesday, February 04, 2015 8:44 AM  
**To:** McNinch, Dave  
**Subject:** Re: Instuctor Meeting

Hi Dave,  
I'm not longer training, please take me off this list. Thank you,  
Tracy Young

On Tuesday, February 3, 2015 8:35 AM, "McNinch, Dave" <[DMcNinch@washoecounty.us](mailto:DMcNinch@washoecounty.us)> wrote:

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EHS Supervisor

Washoe County Health District

(775) 328-2645

## McNinch, Dave

---

**From:** McNinch, Dave  
**Sent:** Wednesday, February 04, 2015 1:42 PM  
**To:** Dana Moreland  
**Subject:** RE: may I please have a copy of the proposed revisions?  
**Attachments:** CFPM Section Jan 2015.docx

No problem, Dana. Let me know if you need anything else.

David McNinch  
EHS Supervisor  
Washoe County Health District  
(775) 328-2645

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**Sent:** Wednesday, February 04, 2015 8:19 AM  
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**Subject:** may I please have a copy of the proposed revisions?

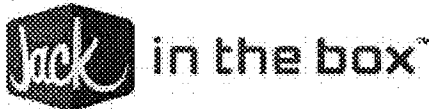
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## McNinch, Dave

---

**From:** Helen Wierzbowski <helenw@lascal.com >  
**Sent:** Wednesday, February 04, 2015 2:41 PM  
**To:** McNinch, Dave  
**Subject:** Proposals of Changes

Hi Dave

I have kept quiet on the correspondence of the opinions to the proposed changes, I figured I would wait to hear everything first hand at the meeting on Feb 12th. However I have been "driven" to share my opinion with you.

Whereas, I understand and respect the concern on their behalf ... I do believe with the incline in all cost associated with running a Business, the "Accredited program" as outlined in the current Washoe County regulations for CFPM and CFPI is an additional substantial cost to businesses and drives away the potential new\* businesses; which in turn, sends more NV residents out of state to look for work. I'm sure I don't have to tell you- more people being forced to move means less revenue for those of us already here.

Additionally, I do not see where the proposed regulations are implying we will have no Food Safety criteria resulting in more food borne illnesses. I believe it is going to make the business owners even more responsible and accountable to their business, employees, and customers to provide hands-on knowledge and training that can be used in the business as well as at home. I do not believe a certificate from an "Accredited Course" as defined in the current regulations, proves a person can deliver the skills in the work environment, it only shows they could read or listen to instruction and pass a written test. On the other hand, as the Proposed Regulations require that every PIC in the establishment has working knowledge and can demonstrate that knowledge to the Health Department Inspectors (as well as the customers) is a huge win!! Not only in serving safe food to our communities, but in keeping business cost at a reasonable expectancy and thereby, possibly drawing in new\* businesses and creating more jobs for our unemployed.

Having worked with several counties over the past 35 years, I am confident that if the proposed changes do take affect, the Washoe County Health District will keep a very close eye on the statistics and make necessary changes to continue keeping our communities safe from food borne illnesses and the like.

Lastly, I had a chance to hear what the State and the Local Regulatory authorities- aka- Health Departments are doing in regards to "on-boarding" new food establishments in the State of Nevada from the facility design to the food safety training and demonstration requirement and I believe if more people knew the stringent codes that have been put in place to even open a food business, perhaps they would understand the "stream-line of the regulations" for the CFPM and CFPI ... ? Just a thought and my opinion.

\* new includes businesses already here in NV being encouraged to open more sites.

Sincerely

~ Helen Wierzbowski

". . . If you teach a man to fish you feed him for a lifetime."

This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any

dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal.

All information in this message is the property of Las Cal Corporation.

## McNinch, Dave

---

**From:** McNinch, Dave  
**Sent:** Wednesday, February 04, 2015 3:15 PM  
**To:** anthony.cecala@usfood.com; kawai.garrido@rop.com; teachuculinary@msn.com; teyoung777@yahoo.com; barritoneschools@charter.net; sierrasan@charter.net; makingchoices@att.net; franciscovelaz@gmail.com; lerudt@scolarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; envserv@sbcglobal.net; james@elite-cos.com; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; wiliamchan8@yahoo.com; tpriley@washoeschools.net; teachuculinary@msn.com; mstreczyn@reno.harrahs.com; mcdonaldsreno@charter.net; dmoreland@bladowerprises.com; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcfs.nv.gov  
**Cc:** Macaluso, Tony; English, Amber E.; Sack, Bob  
**Subject:** RE: Instuctor Meeting  
**Attachments:** Agenda - CFP Instructor Meeting Feb. 2015.doc

Instructors,

Attached is the agenda for our meeting next Thursday, February 12, 2015.

David McNinch  
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Washoe County Health District  
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Instructors,

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It is still our intent to get an agenda to you in the next couple of days, but did not want to miss the opportunity to get these proposed revisions to you as soon as possible.

Thanks,

David McNinch  
EHS Supervisor  
(775) 328-2645

---

**From:** McNinch, Dave

**Sent:** Friday, January 23, 2015 5:13 PM

**To:** 'anthony.cecala@usfood.com'; 'GARRIDO@ROP.COM'; 'teachuculinary@msn.com'; 'teyoung777@yahoo.com'; 'barritoneschools@charter.net'; 'sierrasan@charter.net'; 'makingchoices@att.net'; 'franciscovelaz@gmail.com'; 'lerudt@solarisclub.com'; 'CFPM@BESTraining.net'; 'Brosas23@yahoo.com'; 'envserv@sbcglobal.net'; 'james@elite-cos.com'; 'james@elite-cos.com'; 'kami.biamonte@gmail.com'; 'boz7dials@yahoo.com'; 'jpablo@aguirreart.com'; 'talonconsulting@sbcglobal.net'; 'gjira@yahoo.com'; 'wiliamchan8@yahoo.com'; 'tpriley@washoeschools.net'; 'teachuculinary@msn.com'; 'mstreczyn@reno.harrahs.com'; 'mcdonaldsreno@charter.net'; 'dmoreland@bladowerprises.com'; 'helenw@lascal.com'; 'lori.higashi@safeway.com'; 'Brook.Sigafoos@usfoods.com'; 'mcooley@raleys.com'; 'dfancher@raleys.com'; 'kchavez@raleys.com'; 'wolf568@msn.com'; 'kward@dcfs.nv.gov'

**Cc:** Macaluso, Tony; English, Amber E.

**Subject:** Instuctor Meeting

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Washoe County Health District  
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**To:** McNinch, Dave  
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**Subject:** Re: Instuctor Meeting

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Sincerely,

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Washoe County Health District

(775) 328-2645

## McNinch, Dave

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**Sent:** Wednesday, February 04, 2015 6:17 PM  
**To:** francisco  
**Cc:** McNinch, Dave; anthony.cecala@usfood.com; GARRIDO@ROP.COM; teachuculinary@msn.com; teyoung777@yahoo.com; barritoneschools@charter.net; sierrasan@charter.net; makingchoices@att.net; lerudt@scolarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; envserv@sbcglobal.net; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; wiliamchan8@yahoo.com; tpriley@washoeschools.net; mstreczyn@reno.harrahs.com; mcdonaldsreno@charter.net; dmoreland@bladowenterprises.com; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcfs.nv.gov; Macaluso, Tony; English, Amber E.  
**Subject:** Re: Instuctor Meeting

Good point, Denis. Can you use the Reply to all to get that query out. How about civic leaders as well: Mayor Schieve? This is the type of thing that we need help with.

Thanks,  
Pete

-----Original Message-----

**From:** Denis Begin [<mailto:denis.jbegin@gmail.com>]  
**Sent:** Wednesday, February 04, 2015 5:27 PM  
**To:** [envserv@sbcglobal.net](mailto:envserv@sbcglobal.net)  
**Subject:** CPFM

Can anyone leverage media contacts to report on the success of the program and the potential consequences of its discontinuation

Sent from my iPhone=

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## McNinch, Dave

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**Sent:** Wednesday, February 04, 2015 7:37 PM  
**To:** 'francisco'; McNinch, Dave  
**Cc:** anthony.cecala@usfood.com; GARRIDO@ROP.COM; teachuculinary@msn.com; teyoung777@yahoo.com; barritoneschools@charter.net; sierrasan@charter.net; makingchoices@att.net; lerudt@scholarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; wiliamchan8@yahoo.com; tpriley@washoeschools.net; mstreczyn@reno.harrahs.com; mcdonaldsreno@charter.net; dmoreland@bladowenterprises.com; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcfs.nv.gov; Macaluso, Tony; English, Amber E.  
**Subject:** RE: Instuctor Meeting

Good input, Francisco...the DBH has to note that the perpetrators of this dismantling have no clue as to the potential consequences of a lack of competent food safety training. It is good to hear from the restaurant industry. It is important that they see that it is not just us as instructors, who see the value in proper education, but rather those whom we educate as well.

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Francisco,

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Yes 30 + years and that is about how long I have known you.

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The outline I received about the meeting states the new regs will be discussed in reference to the new State NAC466 and the Southern NV (Clark County regs) Unfortunately neither of these are the same. The State has progressed amazingly since Cindy Ulch has been pushing for some kind of education for the rural permit holders. She worked a lot of years to try and get the state to adopt as near as possible the Washoe outline. And it is fairly close.

As for Clark Counties attempts to regulate and educate, let us be serious, Clark county has a kindergarten test called the food handlers test. If a person can scratch his initials on stone, they give them a food handlers card and collect a fee.

So, now that I am fired up about the attempt to destroy all of Robin Rose's hard work and dedication to the welfare and standards of health education in an attempt to lesson the incidence of food borne illness. I am going to ask if anyone out there really cares about the true meaning of this program.

It is to bring some education to the people who put their hands on the food that is served to the public, the same hands that if the training and education is not shared with will end up hurting and possibly killing people because they don't have a clue until they go to a class and learn to be safe.

I want to stick up for the people who have the difficult job of policing the permit holder (the inspectors), They have it hard when they go into a store and find out of temp products, out of date products, dirty hands cross contaminating precious food. We as instructors bring this education to the permit holder before they can do damage.

The resources of the county are limited and the inspectors are worked to death trying to complete hundreds of inspections every year along with all the other tasks that are thrown on them. We make life safer for everyone.

I will also stick up for the supervisors as they have it pretty hard to, unfortunately I am at a loss to understand why the department is trying to end the best program they have ever had.

Ladies and gentlemen, I am at the finishing pole and will be leaving the training arena very shortly as soon as I finish my studies this spring I will be teaching for the Douglas County Schools district middle schools system.

So it does not really matter to me financially if this program ceases or not, it does matter to me because I spent years with Robin and several other people who were proud of this program.

I am waiting to see if those of you who still have years to go in this program are willing to stand up with Pete Allan and Alan Cook and Francisco and myself and challenge the termination of this program.

I will fight for you if you are willing to fight for yourself.

So everyone has my e address. I think we should have a mass meeting and find out who really cares about this program and put together an effort to convince the board of it's worthiness.

Tony

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**Subject:** RE: Instuctor Meeting

Well said, Tony. People need to know that, if this program is killed, Reno/Sparks/Washoe County will not experience its benefits for many years to come. This proposal is a major step backward for the industry, as well as the people of Washoe County. Hopefully, the DBH will see through and beyond the shortsightedness, as well as the Division's failure to serve the public, as it is trusted to do.

---

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As for Clark Counties attempts to regulate and educate, let us be serious, Clark county has a kindergarten test called the food handlers test. If a person can scratch his initials on stone, they give them a food handlers card and collect a fee.

So, now that I am fired up about the attempt to destroy all of Robin Rose's hard work and dedication to the welfare and standards of health education in an attempt to lesson the incidence of food borne illness. I am going to ask if anyone out there really cares about the true meaning of this program. It is to bring some education to the people who put their hands on the food that is served to the public, the same hands that if the training and education is not shared with will end up hurting and possibly killing people because they don't have a clue until they go to a class and learn to be safe.

I want to stick up for the people who have the difficult job of policing the permit holder (the inspectors), They have it hard when they go into a store and find out of temp products, out of date products, dirty hands cross contaminating precious food. We as instructors bring this education to the permit holder before they can do damage.

The resources of the county are limited and the inspectors are worked to death trying to complete hundreds of inspections every year along with all the other tasks that are thrown on them. We make life safer for everyone.

I will also stick up for the supervisors as they have it pretty hard to, unfortunately I am at a loss to understand why the department is trying to end the best program they have ever had.

Ladies and gentlemen, I am at the finishing pole and will be leaving the training arena very shortly as soon as I finish my studies this spring I will be teaching for the Douglas County Schools district middle schools system.

So it does not really matter to me financially if this program ceases or not, it does matter to me because I spent years with Robin and several other people who were proud of this program.

I am waiting to see if those of you who still have years to go in this program are willing to stand up with Pete Allan and Alan Cook and Francisco and myself and challenge the termination of this program.

I will fight for you if you are willing to fight for yourself.

So everyone has my e address. I think we should have amass meeting and find out who really cares about this program and put together an effort to convince the board of it's worthiness.

Tony

On Wed, Feb 4, 2015 at 6:08 PM, francisco wrote:

Fellow Instructors:

Though I have not been an instructor as long as Tony I have been in the restaurant business for over 30 years in the Reno area. In that time I have witnessed tragedies resulting directly from food borne illnesses and out breaks.

When this program was first initiated it was for three months. I strongly believe 16 hours is nothing when compared to preventing illness and or death. It would be a disservice to our community to decrease the quality of this program. We need to continue making our community and our industry better through education.

Sincerely,

Francisco Velazquez FMP, FMPI

Sent from my iPhone

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David McNinch

EHS Supervisor

Washoe County Health District

(775) 328-2645

## McNinch, Dave

---

**From:** Pete Allen <envserv@sbcglobal.net>  
**Sent:** Thursday, February 05, 2015 7:26 AM  
**To:** 'francisco'; McNinch, Dave  
**Cc:** anthony.cecala@usfood.com; GARRIDO@ROP.COM; teachuculinary@msn.com; teyoung777@yahoo.com; barritoneschools@charter.net; sierrasan@charter.net; makingchoices@att.net; lerudt@scolarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; williamchan8@yahoo.com; tpriley@washoeschools.net; mstreczyn@reno.harrahs.com; mcdonaldsreno@charter.net; dmoreland@bladowenterprises.com; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcfs.nv.gov; Macaluso, Tony; English, Amber E.; Dick, Kevin; 'Cynthia L. Ulch'; 'Alan Cook'  
**Subject:** RE: Instuctor Meeting

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<http://www.marlerblog.com/legal-cases/the-takeaway-obama-proposes-radical-overhaul-of-nations-food-safety-operations/#.VNOG5md0wZY>

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**From:** francisco [<mailto:franciscovelaz@gmail.com>]  
**Sent:** Wednesday, February 04, 2015 6:08 PM  
**To:** McNinch, Dave  
**Cc:** [anthony.cecala@usfood.com](mailto:anthony.cecala@usfood.com); [GARRIDO@ROP.COM](mailto:GARRIDO@ROP.COM); [teachuculinary@msn.com](mailto:teachuculinary@msn.com); [teyoung777@yahoo.com](mailto:teyoung777@yahoo.com); [barritoneschools@charter.net](mailto:barritoneschools@charter.net); [sierrasan@charter.net](mailto:sierrasan@charter.net); [makingchoices@att.net](mailto:makingchoices@att.net); [lerudt@scolarisclub.com](mailto:lerudt@scolarisclub.com); [CFPM@BESTraining.net](mailto:CFPM@BESTraining.net); [Brosas23@yahoo.com](mailto:Brosas23@yahoo.com); [envserv@sbcglobal.net](mailto:envserv@sbcglobal.net); [james@elite-cos.com](mailto:james@elite-cos.com); [kami.biamonte@gmail.com](mailto:kami.biamonte@gmail.com); [boz7dials@yahoo.com](mailto:boz7dials@yahoo.com); [jpablo@aguirreart.com](mailto:jpablo@aguirreart.com); [talonconsulting@sbcglobal.net](mailto:talonconsulting@sbcglobal.net); [gjira@yahoo.com](mailto:gjira@yahoo.com); [williamchan8@yahoo.com](mailto:williamchan8@yahoo.com); [tpriley@washoeschools.net](mailto:tpriley@washoeschools.net); [mstreczyn@reno.harrahs.com](mailto:mstreczyn@reno.harrahs.com); [mcdonaldsreno@charter.net](mailto:mcdonaldsreno@charter.net); [dmoreland@bladowenterprises.com](mailto:dmoreland@bladowenterprises.com); [helenw@lascal.com](mailto:helenw@lascal.com); [lori.higashi@safeway.com](mailto:lori.higashi@safeway.com); [Brook.Sigafoos@usfoods.com](mailto:Brook.Sigafoos@usfoods.com); [mcooley@raleys.com](mailto:mcooley@raleys.com); [dfancher@raleys.com](mailto:dfancher@raleys.com); [kchavez@raleys.com](mailto:kchavez@raleys.com); [wolf568@msn.com](mailto:wolf568@msn.com); [kward@dcfs.nv.gov](mailto:kward@dcfs.nv.gov); Macaluso, Tony; English, Amber E.  
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Thank you and hope to see you February 12, 2015

David McNinch

EHS Supervisor

Washoe County Health District

(775) 328-2645



## McNinch, Dave

---

**From:** Dana Moreland <dmoreland@bladowerprises.com>  
**Sent:** Thursday, February 05, 2015 7:40 AM  
**To:** McNinch, Dave  
**Subject:** RE: may I please have a copy of the proposed revisions?

Thank you so much!

Dana L Moreland

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**From:** McNinch, Dave [<mailto:DMcNinch@washoecounty.us>]  
**Sent:** Wednesday, February 04, 2015 1:42 PM  
**To:** Dana Moreland  
**Subject:** RE: may I please have a copy of the proposed revisions?

No problem, Dana. Let me know if you need anything else.

David McNinch  
EHS Supervisor  
Washoe County Health District  
(775) 328-2645

---

**From:** Dana Moreland [<mailto:dmoreland@bladowerprises.com>]  
**Sent:** Wednesday, February 04, 2015 8:19 AM  
**To:** McNinch, Dave  
**Subject:** may I please have a copy of the proposed revisions?

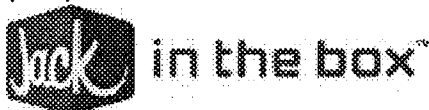
Dear David –

I understand from other food safety instructors that you sent them a message yesterday with the proposed revisions as an attachment. That message seems to have hit the spam filter and I cannot find it. Would you please resend it to me? I would like to review the revisions myself.

With appreciation,

Dana

**DANA L MORELAND**  
**HR/TRAINING MANAGER**  
EMERALD CASCADE RESTAURANT SYSTEMS, INC.  
ROJO CALIENTE RESTAURANTES, INC.  
4655 LONGLEY LANE, SUITE 105  
RENO, NV 89502  
(775) 322-7799 EXTENSION 214



*It's a funny thing about life; if you refuse to accept anything but the best, you very often get it.*

- *W. Somerset Maugham*

**This message, together with any attachments, is confidential, and is intended only for the use of the individual or entity to whom it is addressed. If you receive this information in error, please notify the sender immediately by telephone or reply by email and delete all copies of this message.**

## McNinch, Dave

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**From:** Marcello, John <John.Marcello@fda.hhs.gov>  
**Sent:** Thursday, February 05, 2015 3:41 PM  
**To:** Pete Allen  
**Cc:** 'Alan Cook'; Macaluso, Tony; McNinch, Dave; English, Amber E.  
**Subject:** RE: Washoe County Food Service Manager education program

Pete:

The reference in Mr. Cook's e-mail to my remarks regarding manager certification is grossly inaccurate.. FDA's first risk factor study, as well as CDCs studies indicate a positive correlation between the presence of a certified food protection manager and the control of some foodborne illness risk factors in selected facility types. I cautioned readers of our studies that since there are so many variables that influence control of risk factors within any establishment, our study results should not be interpreted to mean that the presence of the certified manager was the reason there was better control of risk factors. There could be other mitigating factors such as better employee training, availability of necessary equipment, implementation of food safety management systems, etc. Hence FDA positions our study results as a "correlation" rather than "cause and effect".

Beginning with the 2013, FDA incorporated a requirement for at least one employee that has supervisory and management responsibility to pass a test that is part of an accredited program. The incorporation of this provision was largely based on the positive correlation noted in both FDA and CDC studies between the presence of a certified food protection manager and control of foodborne illness risk factors.

### Section 2-102.12 Certified Food Protection Manager

*(A) At least one employee that has supervisory and management responsibility and the authority to direct and control food preparation and service shall be a certified food protection manager who has shown proficiency of required information through passing a test that is part of an accredited program.*

I did provide representative from Washoe County with input as to how the FDA defines an accredited program within the FDA Food Code.

#### Accredited Program

*(1) "Accredited program" means a food protection manager certification program that has been evaluated and listed by an accrediting agency as conforming to national standards for organizations that certify individuals.*

*(2) "Accredited program" refers to the certification process and is a designation based upon an independent evaluation of factors such as the sponsor's mission; organizational structure; staff resources; revenue sources; policies; public information regarding program scope, eligibility requirements, re-certification, discipline and grievance procedures; and test development and administration.*

*(3) "Accredited program" does not refer to training function or education programs.*

My discussion with representative from Washoe County primary focused on what FDA's position would be on instructor and training requirements. Since training (Sub-paragraph 3) is not an element of an accredited program within the context of the FDA Food Code, there are no requirements for training programs capture in Food Code provisions. FDA's position is that the individual seeking certification should have various options / opportunities to attain the knowledge necessary to successful pass an examination from an accredited food protection manager certification program.

Accredited food protection manager certification program examinations are developed using sound psychometric methods. The examinations used for this certification process must be valid, reliable, and legally defensible. In general, it

would be very difficult for an individual to successfully pass one of these examinations without some type of training prior to sitting for the examination. In its studies, FDA did not attempt to measure the impact of managers who received food safety training or the type of training they received, on the control of the risk factors. The positive correlation noted in my previous paragraph is based on a person in charge having successfully passed an **examination from an accredited food protection certification program.**

I did indicate to representatives from Washoe County that I was not aware of any studies that had been conducted to evaluate the impact and effectiveness of training programs on the control of foodborne illness risk factors. This may have been where some confusion arose.

Please refrain from associating the quote contained in Mr. Cook's e-mail to me because it is simply not accurate.

Thanks, John

John A. Marcello  
FDA Pacific Region Retail Food Specialist  
(480) 829-7396 ext. 2035

---

**From:** Pete Allen [mailto:envserv@sbcglobal.net]  
**Sent:** Thursday, February 05, 2015 12:27 PM  
**To:** Marcello, John  
**Cc:** 'Alan Cook'  
**Subject:** Washoe County Food Service Manager education program

John  
A couple of days ago, all food service manager instructors got a draft of a proposed revision to the Washoe County Food Regulations, eliminating the requirement for food service manager certification, and replacing it with an approved exam. Below is a reply that I got when I asked about what the intent was. Not knowing what your remarks might have been, it is hard to comment; however, I cannot imagine your saying anything that would lead to such a moronic decision. Can you help me out here? Although I am probably close to ceasing all food service manager certification with respect to Environmental Services, I certainly hate to see Robbin Rose' program trashed in one fell swoop. It would be not only a big step backward for food safety in Washoe County, but a dereliction of the departments trust to the general public, as well as the food service industry. As always, I look forward to your comments.

Thanks,  
Pete

Pete,

Yes, you are absolutely right. I found out last Thursday in our internal workshop. I did voice my concerns. For some reason, they are basing the decision on John Marcello's remarks regarding data and correlation of testing DOES NOT RESULT in improved food safety or decrease in FBI. Get well card coming your way via USPS. I also heard that the instructors were notified by mail. I did not hear about that one either. The decision was made by management without our input. Your turn will come in public comment workshops.

## McNinch, Dave

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**From:** Adalberto Rosas <Beto@besttraining.net>  
**Sent:** Thursday, February 05, 2015 8:04 PM  
**To:** 'Pete Allen'; 'francisco'; McNinch, Dave  
**Cc:** anthony.cecala@usfood.com; GARRIDO@ROP.COM; teachuculinary@msn.com; teyoung777@yahoo.com; barritoneschools@charter.net; sierrasan@charter.net; makingchoices@att.net; lerudt@scholarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; wiliamchan8@yahoo.com; tpriley@washoeschools.net; mstreczyn@reno.harrahs.com; mcdonaldsreno@charter.net; dmoreland@bladowenterprises.com; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcfs.nv.gov; Macaluso, Tony; English, Amber E.; Dick, Kevin; 'Cynthia L. Ulch'; 'Alan Cook'  
**Subject:** RE: Instuctor Meeting

Hello All,

I've abstained from commenting as I've deferred to those who've done it a lot longer than I have. I've had the pleasure of attending classes taught by both Mr. Pete Allen and Mr. Tony Pastini. Tony was the one who inspired me to get into this wonderful area of foodborne safety training. I've only been a Washoe CFPI for about a year and a half. In the few classes I've taught, I saw the light in the students eyes as they not only gained valuable knowledge they could use at work but also at home.

A very powerful ally that we can use, that's yet to be mentioned, would be insurance agents that handle Commercial lines, General Liability, and Worker's Comp insurance. I can already see the patrons lining up to file lawsuits once they hear, see or read the news that their favorite restaurant, food truck, convenience store or market no longer has to have any significant food safety training or anyone on staff with food safety knowledge. Every bellyache, vomit or diarrhea episode will turn into an immediate claim against the food providing establishment. Without any worker having any significant food safety knowledge, the lawyers will have a field day with this.

I was ServSafe certified when I worked for a worker's compensation company. They saw the benefit of training workers to help avoid not only guests getting sick ( and filing lawsuits) but also employees getting sick ( and filing work comp claims). Foodborne illness can just as easily kill an employee as it can a patron.

If any of you have significant ties to insurance agents, work comp group administrators, or people who handle business insurance, please let them know about this , how it will affect their clients and their companies as well. 1 wrongful death by foodborne illness can be catastrophic for some of the smaller food providers in this area.

Thank you for taking the time to hear from someone new to this arena. And again, Thank you to Mr. Allen and Mr. Pastini for inspiring me to enter this field. I hope it's not over for me before it even gets started.

Adalberto "Beto" Rosas

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**From:** Pete Allen [mailto:envserv@sbcglobal.net]

**Sent:** Thursday, February 5, 2015 7:26 AM

**To:** 'francisco'; 'McNinch, Dave'

**Cc:** anthony.cecala@usfood.com; GARRIDO@ROP.COM; teachuculinary@msn.com; teyoung777@yahoo.com; barritoneschools@charter.net; sierrasan@charter.net; makingchoices@att.net; lerudt@solarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; williamchan8@yahoo.com; tpriley@washoeschools.net; mstreczyn@reno.harrah.com; mcdonaldsreno@charter.net; dmoreland@bladowenterprises.com; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcfs.nv.gov; 'Macaluso, Tony'; 'English, Amber E.'; kdick@washoecounty.us; 'Cynthia L. Ulch'; 'Alan Cook'

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EHS Supervisor

Washoe County Health District

(775) 328-2645

## McNinch, Dave

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**Sent:** Thursday, February 05, 2015 8:56 PM  
**To:** Adalberto Rosas  
**Cc:** 'Pete Allen'; 'francisco'; McNinch, Dave; anthony.cecala@usfood.com; GARRIDO@ROP.COM; teachuculinary@msn.com; teyoung777@yahoo.com; sierrasan@charter.net; makingchoices@att.net; lerudt@scholarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; wiliamchan8@yahoo.com; tpriley@washoeschools.net; mstreczyn@reno.harrahs.com; mcdonaldsreno@charter.net; dmoreland@bladowenterprises.com; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcfs.nv.gov; Macaluso, Tony; English, Amber E.; Dick, Kevin; 'Cynthia L. Ulch'; 'Alan Cook'  
**Subject:** RE: Instuctor Meeting

Beto,

Abstaining would be the last thing you would want to do at this time. Every one of you who stand up at this moment assures that the program will have a better chance of surviving.

I was told today the Supervisors want to make this change because of a statement taken out of context made by John Marcello. John said the test has no bearing on a person's knowledge. He did not say the program was not good. In fact he was referencing to the on-line test as you know that ServSafe on-line tests are set up so that it is totally impossible to fail it.

The fact that at the end of the test it tells you which answers are incorrect and allows you to go back and change the answers should indicate something.

It is only in front of a live proctor that the student really shows if they have obtained the knowledge. You know that over a year ago I told you that I was at the end and that my dream of moving on was close.

I have a solid opportunity to teach in a real school starting next fall. I will have completed my education and will be teaching History to Middle School children, The dream of my life.

So it does not matter to me if the county cancels this program.

I am heartbroken that so many innocent people are going to suffer because the food handler will not have a clue how to protect food.

I hope you and everyone else who would really like to continue teaching these people to be safe will show up and stand up for your positions.

I am sure that once the supervisors at the health department hear all the input from everyone and we show them the value of this program, they will see the light and reverse their direction.

I do not know the supervisors on a real personal basis, but have had contact with most of them over the decades I have been involve in this program and find they are reasonable and educated.

I just think they have taken a path without really considering the value here.

So, show up and be heard.

On Thu, Feb 5, 2015 at 8:04 PM, Adalberto Rosas wrote:

Hello All,



I've abstained from commenting as I've deferred to those who've done it a lot longer than I have. I've had the pleasure of attending classes taught by both Mr. Pete Allen and Mr. Tony Pastini. Tony was the one who inspired me to get into this wonderful area of foodborne safety training. I've only been a Washoe CFPI for about a year and a half. In the few classes I've taught, I saw the light in the students eyes as they not only gained valuable knowledge they could use at work but also at home.

A very powerful ally that we can use, that's yet to be mentioned, would be insurance agents that handle Commercial lines, General Liability, and Worker's Comp insurance. I can already see the patrons lining up to file lawsuits once they hear, see or read the news that their favorite restaurant, food truck, convenience store or market no longer has to have any significant food safety training or anyone on staff with food safety knowledge. Every bellyache, vomit or diarrhea episode will turn into an immediate claim against the food providing establishment. Without any worker having any significant food safety knowledge, the lawyers will have a field day with this.

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Sincerely,

Francisco Velazquez FMP, FMPI

Sent from my iPhone

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We understand that you are all busy and hope that you can attend this meeting. If you are not able to attend the Instructor meeting, there will be several additional opportunities to express your thoughts/concerns including the aforementioned workshops in March and public hearings in front of the District Board of Health in April and May.

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10:00 a.m. – 12:00 p.m.

Health Conference Room B (this is one of the auditoriums in the lobby of Building B where the Health Department is located – not where we have met several times adjacent to the building department)

Thank you and hope to see you February 12, 2015

David McNinch

EHS Supervisor

Washoe County Health District

(775) 328-2645

## McNinch, Dave

---

**From:** Pete Allen <envserv@sbcglobal.net>  
**Sent:** Friday, February 06, 2015 7:09 AM  
**To:** 'Adalberto Rosas'; 'francisco'; McNinch, Dave  
**Cc:** anthony.cecala@usfood.com; GARRIDO@ROP.COM; teachuculinary@msn.com; teyoung777@yahoo.com; barritoneschools@charter.net; sierrasan@charter.net; makingchoices@att.net; lerudt@scholarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; wiliamchan8@yahoo.com; tpriley@washoeschools.net; mstreczyn@reno.harrah.com; mcdonaldsreno@charter.net; dmoreland@bladowerprises.com; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcfs.nv.gov; Macaluso, Tony; English, Amber E.; Dick, Kevin; 'Cynthia L. Ulch'; 'Alan Cook'  
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Good to hear you chime in, Beto. Yes, comments are welcome, regardless of how long you have been teaching. The important thing is that you have some feel for the benefits derived from the classroom experience, both from the student's and the instructor's perspective. As with many policy and regulation drafts, they are often times written by those who have neither. It is important that new instructors such as yourself step up to the plate, and refute decisions which seem to be made for other than public health reasons.

Pete

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Yes, Tony...you are correct. I have been in contact with John, and he has confirmed the inaccuracy of the reference to his remarks; and has asked that they not be used to support dissolving the teaching portion of the program. There is a deliberate confusion being created regarding what constitutes a "correlation", as opposed to "cause and effect", to support a spurious agenda.

Pete

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**Subject:** RE: Instuctor Meeting

Beto,

Abstaining would be the last thing you would want to do at this time. Every one of you who stand up at this moment assures that the program will have a better chance of surviving.

I was told today the Supervisors want to make this change because of a statement taken out of context made by John Marcello. John said the test has no bearing on a person's knowledge. He did not say the program was not good. In fact he was referencing to the on-line test as you know that ServSafe on-line tests are set up so that it is totally impossible to fail it.

The fact that at the end of the test it tells you which answers are incorrect and allows you to go back and change the answers should indicate something.

It is only in front of a live proctor that the student really shows if they have obtained the knowledge.



You know that over a year ago I told you that I was at the end and that my dream of moving on was close.

I have a solid opportunity to teach in a real school starting next fall. I will have completed my education and will be teaching History to Middle School children, The dream of my life.

So it does not matter to me if the county cancels this program.

I am heartbroken that so many innocent people are going to suffer because the food handler will not have a clue how to protect food.

I hope you and everyone else who would really like to continue teaching these people to be safe will show up and stand up for your positions.

I am sure that once the supervisors at the health department hear all the input from everyone and we show them the value of this program, they will see the light and reverse their direction.

I do not know the supervisors on a real personal basis, but have had contact with most of them over the decades I have been involve in this program and find they are reasonable and educated.

I just think they have taken a path without really considering the value here.

So, show up and be heard.

On Thu, Feb 5, 2015 at 8:04 PM, Adalberto Rosas wrote:

Hello All,

I've abstained from commenting as I've deferred to those who've done it a lot longer than I have. I've had the pleasure of attending classes taught by both Mr. Pete Allen and Mr. Tony Pastini. Tony was the one who inspired me to get into this wonderful area of foodborne safety training. I've only been a Washoe CFPI for about a year and a half. In the few classes I've taught, I saw the light in the students eyes as they not only gained valuable knowledge they could use at work but also at home.

A very powerful ally that we can use, that's yet to be mentioned, would be insurance agents that handle Commercial lines, General Liability, and Worker's Comp insurance. I can already see the patrons lining up to file lawsuits once they hear, see or read the news that their favorite restaurant, food truck, convenience store or market no longer has to have any significant food safety training or anyone on staff with food safety knowledge. Every bellyache, vomit or diarrhea episode will turn into an immediate claim against the food providing establishment. Without any worker having any significant food safety knowledge, the lawyers will have a field day with this.

I was ServSafe certified when I worked for a worker's compensation company. They saw the benefit of training workers to help avoid not only guests getting sick ( and filing lawsuits) but also employees getting sick ( and filing work comp claims). Foodborne illness can just as easily kill an employee as it can a patron.

If any of you have significant ties to insurance agents, work comp group administrators, or people who handle business insurance, please let them know about this , how it will affect their clients and their companies as well. 1 wrongful death by foodborne illness can be catastrophic for some of the smaller food providers in this area.

Thank you for taking the time to hear from someone new to this arena. And again, Thank you to Mr. Allen and Mr. Pastini for inspiring me to enter this field. I hope it's not over for me before it even gets started.

Adalberto "Beto" Rosas

**From:** Pete Allen [<mailto:envserv@sbcglobal.net>]

**Sent:** Thursday, February 5, 2015 7:26 AM

**To:** 'francisco'; 'McNinch, Dave'

**Cc:** [anthony.cecala@usfood.com](mailto:anthony.cecala@usfood.com); [GARRIDO@ROP.COM](mailto:GARRIDO@ROP.COM); [teachuculinary@msn.com](mailto:teachuculinary@msn.com); [teyoung777@yahoo.com](mailto:teyoung777@yahoo.com); [barritoneschools@charter.net](mailto:barritoneschools@charter.net); [sierrasan@charter.net](mailto:sierrasan@charter.net); [makingchoices@att.net](mailto:makingchoices@att.net); [lerudt@scholarisclub.com](mailto:lerudt@scholarisclub.com); [CFPM@BESTraining.net](mailto:CFPM@BESTraining.net); [Brosas23@yahoo.com](mailto:Brosas23@yahoo.com); [james@elite-cos.com](mailto:james@elite-cos.com); [kami.biamonte@gmail.com](mailto:kami.biamonte@gmail.com); [boz7dials@yahoo.com](mailto:boz7dials@yahoo.com); [jpablo@aguirreart.com](mailto:jpablo@aguirreart.com); [talonconsulting@sbcglobal.net](mailto:talonconsulting@sbcglobal.net); [gjira@yahoo.com](mailto:gjira@yahoo.com); [wiliamchan8@yahoo.com](mailto:wiliamchan8@yahoo.com); [tpriley@washoeschools.net](mailto:tpriley@washoeschools.net); [mstreczyn@reno.harrahs.com](mailto:mstreczyn@reno.harrahs.com); [mcdonaldsreno@charter.net](mailto:mcdonaldsreno@charter.net); [dmoreland@bladowenterprises.com](mailto:dmoreland@bladowenterprises.com); [helenw@lascal.com](mailto:helenw@lascal.com); [lori.higashi@safeway.com](mailto:lori.higashi@safeway.com); [Brook.Sigafoos@usfoods.com](mailto:Brook.Sigafoos@usfoods.com); [mcooley@raleys.com](mailto:mcooley@raleys.com); [dfancher@raleys.com](mailto:dfancher@raleys.com); [kchavez@raleys.com](mailto:kchavez@raleys.com); [wolf568@msn.com](mailto:wolf568@msn.com); [kward@dcfs.nv.gov](mailto:kward@dcfs.nv.gov); 'Macaluso, Tony'; 'English, Amber E.'; [kdick@washoecounty.us](mailto:kdick@washoecounty.us); 'Cynthia L. Ulch'; 'Alan Cook'

**Subject:** RE: Instuctor Meeting

Perhaps the reason for eliminating proper food safety education is that foodborne illness is not seen as a major problem. Attorney Bill Marler, one of the principals in the 1992 Jack-in-the-Box outbreak litigation, has a daily blog which brings a wakeup call to industry, government agencies, and the general public. Reliance on routine inspection, an exam of some sort...absent adequate training, is a crap shoot at best. Here is today's blog entry: an interview with Marler, and the author of an article about lax food safety. <http://www.marlerblog.com/legal-cases/the-takeaway-obama-proposes-radical-overhaul-of-nations-food-safety-operations/#.VNOG5md0wZY>

**From:** francisco [ <mailto:franciscovelaz@gmail.com> ]

**Sent:** Wednesday, February 04, 2015 6:08 PM

**To:** McNinch, Dave

**Cc:** [anthony.cecala@usfood.com](mailto:anthony.cecala@usfood.com); [GARRIDO@ROP.COM](mailto:GARRIDO@ROP.COM); [teachuculinary@msn.com](mailto:teachuculinary@msn.com); [teyoung777@yahoo.com](mailto:teyoung777@yahoo.com); [barritoneschools@charter.net](mailto:barritoneschools@charter.net); [sierrasan@charter.net](mailto:sierrasan@charter.net); [makingchoices@att.net](mailto:makingchoices@att.net); [lerudt@scholarisclub.com](mailto:lerudt@scholarisclub.com); [CFPM@BESTraining.net](mailto:CFPM@BESTraining.net); [Brosas23@yahoo.com](mailto:Brosas23@yahoo.com); [envserv@sbcglobal.net](mailto:envserv@sbcglobal.net); [james@elite-cos.com](mailto:james@elite-cos.com); [kami.biamonte@gmail.com](mailto:kami.biamonte@gmail.com); [boz7dials@yahoo.com](mailto:boz7dials@yahoo.com); [jpablo@aguirreart.com](mailto:jpablo@aguirreart.com); [talonconsulting@sbcglobal.net](mailto:talonconsulting@sbcglobal.net); [gjira@yahoo.com](mailto:gjira@yahoo.com); [wiliamchan8@yahoo.com](mailto:wiliamchan8@yahoo.com); [tpriley@washoeschools.net](mailto:tpriley@washoeschools.net); [mstreczyn@reno.harrahs.com](mailto:mstreczyn@reno.harrahs.com); [mcdonaldsreno@charter.net](mailto:mcdonaldsreno@charter.net); [dmoreland@bladowenterprises.com](mailto:dmoreland@bladowenterprises.com); [helenw@lascal.com](mailto:helenw@lascal.com); [lori.higashi@safeway.com](mailto:lori.higashi@safeway.com); [Brook.Sigafoos@usfoods.com](mailto:Brook.Sigafoos@usfoods.com); [mcooley@raleys.com](mailto:mcooley@raleys.com); [dfancher@raleys.com](mailto:dfancher@raleys.com); [kchavez@raleys.com](mailto:kchavez@raleys.com); [wolf568@msn.com](mailto:wolf568@msn.com); [kward@dcfs.nv.gov](mailto:kward@dcfs.nv.gov); Macaluso, Tony; English, Amber E.

**Subject:** Re: Instructor Meeting

Fellow Instructors:

Though I have not been an instructor as long as Tony I have been in the restaurant business for over 30 years in the Reno area. In that time I have witnessed tragedies resulting directly from food borne illnesses and out breaks.

When this program was first initiated it was for three months. I strongly believe 16 hours is nothing when compared to preventing illness and or death. It would be a disservice to our community to decrease the quality of this program. We need to continue making our community and our industry better through education.

Sincerely,

Francisco Velazquez FMP, FMPI

Sent from my iPhone

On Jan 23, 2015, at 5:13 PM, "McNinch, Dave" <[DMcNinch@washoecounty.us](mailto:DMcNinch@washoecounty.us)> wrote:  
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We understand that you are all busy and hope that you can attend this meeting. If you are not able to attend the Instructor meeting, there will be several additional opportunities to express your thoughts/concerns including the aforementioned workshops in March and public hearings in front of the District Board of Health in April and May.

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February 12, 2015

10:00 a.m. – 12:00 p.m.

Health Conference Room B (this is one of the auditoriums in the lobby of Building B where the Health Department is located – not where we have met several times adjacent to the building department)

Thank you and hope to see you February 12, 2015

David McNinch  
EHS Supervisor  
Washoe County Health District  
(775) 328-2645

## McNinch, Dave

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**From:** Macaluso, Tony  
**Sent:** Friday, February 06, 2015 11:15 AM  
**To:** McNinch, Dave  
**Subject:** FW: Meeting

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**From:** Sack, Bob  
**Sent:** Friday, February 06, 2015 9:01 AM  
**To:** Dick, Kevin; Macaluso, Tony; Macaluso, Tony  
**Subject:** FW: Meeting

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**From:** Pete Allen [<mailto:envserv@sbcglobal.net>]  
**Sent:** Friday, February 06, 2015 8:36 AM  
**To:** Sack, Bob  
**Cc:** Alan Cook  
**Subject:** Meeting

Bob

As you know, we as instructors, have been blindsided with the current proposal to dissolve the teaching portion of the Department's Food Service Manager Certification. This proposal was laid on us without any warning, or prior discussion; and I will tell you that we are not taking it well. Old guys like me, who have taught food safety...effectively, I believe...for 25 years, will not be affected by this drastic diversion; however the other, younger instructors, as well and the general public and the food industry, will be impacted for years to come. We find it particularly unnerving that, in all of our previous attendances before the District Board of Health, there has been noticeable praise for what we do in the community, and, in fact, in furthering the Department's mission. Why the apparent sudden turnaround in thinking? You must know that I am very passionate about the value of what we as instructors do; so that this is somewhat of a personal affront to some of us. It is a sad day when we have to do battle with the HD over what constitutes a watering down of a program which has been, admittedly effective and beneficial for over 25 year, and which, if enacted, will not be seen for many years to come. In the past, you and I have, despite differences of opinion, been able to meet over coffee to try to understand each other's positions. Is that still an option; or have we taken such opposing sides that we will just be presenting our case before the Board, and letting the chips fall where they may? As always, we are always willing to meet; so the call is yours.

Respectfully,  
Pete

**McNinch, Dave**

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**From:** Macaluso, Tony  
**Sent:** Friday, February 06, 2015 1:58 PM  
**To:** McNinch, Dave  
**Subject:** FW: Proposed regulation change

Can you call him at your convenience.

Tony

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**From:** Pete Allen [<mailto:envserv@sbcglobal.net>]  
**Sent:** Friday, February 06, 2015 1:30 PM  
**To:** Macaluso, Tony  
**Subject:** Proposed regulation change

Tony

At your convenience, could you please call me regarding the draft of changes to the Food Protection Manager section. Perhaps some clarification would help to clear this whole matter...I hope so.

Pete

775-329-8272

## McNinch, Dave

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**From:** McNinch, Dave  
**Sent:** Sunday, February 08, 2015 10:27 AM  
**To:** Sack, Bob; Dick, Kevin  
**Subject:** FW: Instuctor Meeting

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**From:** Denis Begin [<mailto:denis.jbegin@gmail.com>]  
**Sent:** Wednesday, February 04, 2015 6:17 PM  
**To:** francisco  
**Cc:** McNinch, Dave; [anthony.cecala@usfood.com](mailto:anthony.cecala@usfood.com); [GARRIDO@ROP.COM](mailto:GARRIDO@ROP.COM); [teachuculinary@msn.com](mailto:teachuculinary@msn.com); [teyoung777@yahoo.com](mailto:teyoung777@yahoo.com); [barritoneschools@charter.net](mailto:barritoneschools@charter.net); [sierrasan@charter.net](mailto:sierrasan@charter.net); [makingchoices@att.net](mailto:makingchoices@att.net); [lerudt@scholarisclub.com](mailto:lerudt@scholarisclub.com); [CFPM@BESTraining.net](mailto:CFPM@BESTraining.net); [Brosas23@yahoo.com](mailto:Brosas23@yahoo.com); [envserv@sbcglobal.net](mailto:envserv@sbcglobal.net); [james@elite-cos.com](mailto:james@elite-cos.com); [kami.biamonte@gmail.com](mailto:kami.biamonte@gmail.com); [boz7dials@yahoo.com](mailto:boz7dials@yahoo.com); [jpablo@aguirreart.com](mailto:jpablo@aguirreart.com); [talonconsulting@sbcglobal.net](mailto:talonconsulting@sbcglobal.net); [gjira@yahoo.com](mailto:gjira@yahoo.com); [wiliamchan8@yahoo.com](mailto:wiliamchan8@yahoo.com); [tpriley@washoeschools.net](mailto:tpriley@washoeschools.net); [mstreczyn@reno.harrahs.com](mailto:mstreczyn@reno.harrahs.com); [mcdonaldsreno@charter.net](mailto:mcdonaldsreno@charter.net); [dmoreland@bladowenterprises.com](mailto:dmoreland@bladowenterprises.com); [helenw@lascal.com](mailto:helenw@lascal.com); [lori.higashi@safeway.com](mailto:lori.higashi@safeway.com); [Brook.Sigafoos@usfoods.com](mailto:Brook.Sigafoos@usfoods.com); [mcooley@raleys.com](mailto:mcooley@raleys.com); [dfancher@raleys.com](mailto:dfancher@raleys.com); [kchavez@raleys.com](mailto:kchavez@raleys.com); [wolf568@msn.com](mailto:wolf568@msn.com); [kward@dcfs.nv.gov](mailto:kward@dcfs.nv.gov); Macaluso, Tony; English, Amber E.  
**Subject:** Re: Instuctor Meeting

Good point, Denis. Can you use the Reply to all to get that query out. How about civic leaders as well: Mayor Schieve? This is the type of thing that we need help with.

Thanks,  
Pete

-----Original Message-----

**From:** Denis Begin [<mailto:denis.jbegin@gmail.com>]  
**Sent:** Wednesday, February 04, 2015 5:27 PM  
**To:** [envserv@sbcglobal.net](mailto:envserv@sbcglobal.net)  
**Subject:** CPFM

Can anyone leverage media contacts to report on the success of the program and the potential consequences of its discontinuation

Sent from my iPhone=

Sent from my iPhone

On Feb 4, 2015, at 6:08 PM, francisco <[franciscovelaz@gmail.com](mailto:franciscovelaz@gmail.com)> wrote:

Fellow Instructors:

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David McNinch

EHS Supervisor

Washoe County Health District

(775) 328-2645



## McNinch, Dave

---

**From:** McNinch, Dave  
**Sent:** Sunday, February 08, 2015 10:29 AM  
**To:** Sack, Bob; Dick, Kevin  
**Subject:** FW: Instuctor Meeting

**From:** barritoneschools@charter.net [mailto:barritoneschools@charter.net]  
**Sent:** Wednesday, February 04, 2015 8:03 PM  
**To:** francisco  
**Cc:** McNinch, Dave; anthony.cecala@usfood.com; GARRIDO@ROP.COM; teachuculinary@msn.com; teyoung777@yahoo.com; sierrasan@charter.net; makingchoices@att.net; lerudt@scholarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; envserv@sbcglobal.net; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; wiliamchan8@yahoo.com; tpriley@washoeschools.net; mstreczyn@reno.harrahhs.com; mcdonaldsreno@charter.net; dmoreland@bladowenterprises.com; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcfs.nv.gov; Macaluso, Tony; English, Amber E.  
**Subject:** Re: Instuctor Meeting

Francisco,

It is nice to see you are involved my old friend.  
Yes 30 + years and that is about how long I have known you.

I know this reply is going to a lot of people as well as the WCDEH.

The outline I received about the meeting states the new regs will be discussed in reference to the new State NAC466 and the Southern NV (Clark County regs) Unfortunately neither of these are the same. The State has progressed amazingly since Cindy Ulch has been pushing for some kind of education for the rural permit holders. She worked a lot of years to try and get the state to adopt as near as possible the Washoe outline. And it is fairly close.

As for Clark Counties attempts to regulate and educate, let us be serious, Clark county has a kindergarten test called the food handlers test. If a person can scratch his initials on stone, they give them a food handlers card and collect a fee.

So, now that I am fired up about the attempt to destroy all of Robin Rose's hard work and dedication to the welfare and standards of health education in an attempt to lesson the incidence of food borne illness. I am going to ask if anyone out there really cares about the true meaning of this program.

It is to bring some education to the people who put their hands on the food that is served to the public, the same hands that if the training and education is not shared with will end up hurting and possibly killing people because they don't have a clue until they go to a class and learn to be safe.

I want to stick up for the people who have the difficult job of policing the permit holder (the inspectors), They have it hard when they go into a store and find out of temp products, out of date products, dirty hands cross contaminating precious food. We as instructors bring this education to the permit holder before they can do damage.

The resources of the county are limited and the inspectors are worked to death trying to complete hundreds of inspections every year along with all the other tasks that are thrown on them. We make life safer for everyone.

I will also stick up for the supervisors as they have it pretty hard to, unfortunately I am at a loss to understand why the department is trying to end the best program they have ever had.

Ladies and gentlemen, I am at the finishing pole and will be leaving the training arena very shortly as soon as I finish my studies this spring I will be teaching for the Douglas County Schools district middle schools system.

So it does not really matter to me financially if this program ceases or not, it does matter to me because I spent years with Robin and several other people who were proud of this program.

I am waiting to see if those of you who still have years to go in this program are willing to stand up with Pete Allan and Alan Cook and Francisco and myself and challenge the termination of this program.

I will fight for you if you are willing to fight for yourself.

So everyone has my e address. I think we should have a mass meeting and find out who really cares about this program and put together an effort to convince the board of it's worthiness.

Tony

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**Sent:** Wednesday, February 04, 2015 8:14 PM  
**To:** barritoneschools@charter.net; 'francisco'  
**Cc:** McNinch, Dave; anthony.cecala@usfood.com; GARRIDO@ROP.COM; teachuculinary@msn.com; teyoung777@yahoo.com; sierrasan@charter.net; makingchoices@att.net; lerudt@scolarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; wiliamchan8@yahoo.com; tpriley@washoeschools.net; mstreczyn@reno.harrahs.com; mcdonaldsreno@charter.net; dmoreland@bladowenterprises.com; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcfs.nv.gov; Macaluso, Tony; English, Amber E.  
**Subject:** RE: Instuctor Meeting

Well said, Tony. People need to know that, if this program is killed, Reno/Sparks/Washoe County will not experience its benefits for many years to come. This proposal is a major step backward for the industry, as well as the people of Washoe County. Hopefully, the DBH will see through and beyond the shortsightedness, as well as the Division's failure to serve the public, as it is trusted to do.

---

**From:** barritoneschools@charter.net [mailto:barritoneschools@charter.net]  
**Sent:** Wednesday, February 04, 2015 8:03 PM  
**To:** francisco  
**Cc:** McNinch, Dave; anthony.cecala@usfood.com; GARRIDO@ROP.COM; teachuculinary@msn.com; teyoung777@yahoo.com; sierrasan@charter.net; makingchoices@att.net; lerudt@scolarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; envserv@sbcglobal.net; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; wiliamchan8@yahoo.com; tpriley@washoeschools.net; mstreczyn@reno.harrahs.com; mcdonaldsreno@charter.net; dmoreland@bladowenterprises.com; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcfs.nv.gov; Macaluso, Tony; English, Amber E.  
**Subject:** Re: Instuctor Meeting

Francisco,

It is nice to see you are involved my old friend.  
Yes 30 + years and that is about how long I have known you.

I know this reply is going to a lot of people as well as the WCDEH.

The outline I received about the meeting states the new regs will be discussed in reference to the new State NAC466 and the Southern NV (Clark County regs) Unfortunately neither of these are the same. The State has progressed amazingly since Cindy Ulch has been pushing for some kind of education for the

rural permit holders. She worked a lot of years to try and get the state to adopt as near as possible the Washoe outline. And it is fairly close.

As for Clark Counties attempts to regulate and educate, let us be serious, Clark county has a kindergarten test called the food handlers test. If a person can scratch his initials on stone, they give them a food handlers card and collect a fee.

So, now that I am fired up about the attempt to destroy all of Robin Rose's hard work and dedication to the welfare and standards of health education in an attempt to lesson the incidence of food borne illness. I am going to ask if anyone out there really cares about the true meaning of this program.

It is to bring some education to the people who put their hands on the food that is served to the public, the same hands that if the training and education is not shared with will end up hurting and possibly killing people because they don't have a clue until they go to a class and learn to be safe.

I want to stick up for the people who have the difficult job of policing the permit holder (the inspectors), They have it hard when they go into a store and find out of temp products, out of date products, dirty hands cross contaminating precious food. We as instructors bring this education to the permit holder before they can do damage.

The resources of the county are limited and the inspectors are worked to death trying to complete hundreds of inspections every year along with all the other tasks that are thrown on them. We make life safer for everyone.

I will also stick up for the supervisors as they have it pretty hard to, unfortunately I am at a loss to understand why the department is trying to end the best program they have ever had.

Ladies and gentlemen, I am at the finishing pole and will be leaving the training arena very shortly as soon as I finish my studies this spring I will be teaching for the Douglas County Schools district middle schools system.

So it does not really matter to me financially if this program ceases or not, it does matter to me because I spent years with Robin and several other people who were proud of this program.

I am waiting to see if those of you who still have years to go in this program are willing to stand up with Pete Allan and Alan Cook and Francisco and myself and challenge the termination of this program.

I will fight for you if you are willing to fight for yourself.

So everyone has my e address. I think we should have amass meeting and find out who really cares about this program and put together an effort to convince the board of it's worthiness.

Tony

On Wed, Feb 4, 2015 at 6:08 PM, francisco wrote:

Fellow Instructors:

Though I have not been an instructor as long as Tony I have been in the restaurant business for over 30 years in the Reno area. In that time I have witnessed tragedies resulting directly from food borne illnesses and out breaks.

When this program was first initiated it was for three months. I strongly believe 16 hours is nothing when compared to preventing illness and or death. It would be a disservice to our community to decrease the quality of this program. We need to continue making our community and our industry better through education.

Sincerely,

Francisco Velazquez FMP, FMPI

Sent from my iPhone

On Jan 23, 2015, at 5:13 PM, "McNinch, Dave" < [DMcNinch@washoecounty.us](mailto:DMcNinch@washoecounty.us) > wrote:

Instructors,

As you are all probably aware, the we (as the Health District) have been in the process of completely revising and modernizing our Regulations Governing Food Establishments. Those proposed revisions are currently moving through an internal review and, over the next couple weeks, notices will be sent out to all permitted facilities in Washoe County notifying them of workshops that will be held March 11 and March 12. We anticipate taking a final draft of the regulations to the Board of Health at their regularly scheduled meeting on April 23, 2015 and May 28, 2015.

The vast majority of our proposed revisions are based on the FDA Model Food Code and/or regulations recently adopted by the State Health Division and the Southern Nevada Health District. While we have not finalized proposed revisions to the Certified Food Protection Manager (CFPM) Section of the regulations, it is our intent to propose significant changes that will impact each of you at some level. With that in mind, we would like to meet with you as a whole to explain our intent. During the next couple of weeks, we will be working on specific language, but cannot say that we will have specific language for you to review at this meeting. We will, however, have a final draft of all sections of the regulations, including the Certified Food Protection Manager Section, prepared by February 17, 2015 so they can be provided to the public for the public workshops scheduled for March 11 and March 12.

We understand that you are all busy and hope that you can attend this meeting. If you are not able to attend the Instructor meeting, there will be several additional opportunities to express your thoughts/concerns including the aforementioned workshops in March and public hearings in front of the District Board of Health in April and May.

Instructor Meeting

February 12, 2015

10:00 a.m. – 12:00 p.m.

Health Conference Room B (this is one of the auditoriums in the lobby of Building B where the Health Department is located – not where we have met several times adjacent to the building department)

Thank you and hope to see you February 12, 2015

David McNinch  
EHS Supervisor

Washoe County Health District  
(775) 328-2645

## McNinch, Dave

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**From:** Robbin Rose <robbinrose08@gmail.com >  
**Sent:** Tuesday, February 10, 2015 10:56 AM  
**To:** Pete Allen; sierrasan@charter.net; Sack, Bob; Dick, Kevin; McNinch, Dave  
**Subject:** Re: Talking Points for Feb 12 HD meeting  
**Attachments:** Certification Document.docx

Please find attached my letter in response to the proposed changes to the Food Service Manger Certification Regulations. Please contact me at 775-742-3297 if anyone would like to discuss the development, history and success of the program. I hope that this issue is debated thoroughly before any changes are made. The debate should be based on facts, statistics and good science, not politics and/or funding issues. There are ways to keep a program together such as getting a 3rd party oversight committee and task force oversee the components of the program.

Sincerely, Robbin Rose

On Tue, Feb 10, 2015 at 9:52 AM, Pete Allen <[envserv@sbcglobal.net](mailto:envserv@sbcglobal.net)> wrote:

John Roberts: [sierrasan@charter.net](mailto:sierrasan@charter.net)

Bob Sack: [bsack@washoecounty.us](mailto:bsack@washoecounty.us)

Kevin Dick: [kdick@washoecounty.us](mailto:kdick@washoecounty.us)

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**From:** Robbin Rose [<mailto:robbinrose08@gmail.com>]  
**Sent:** Tuesday, February 10, 2015 8:21 AM  
**To:** Pete Allen  
**Subject:** Re: Talking Points for Feb 12 HD meeting

Hi Pete. I am currently in the process of drafting a response to the proposed changes in the certification regulations. Again, the program is taking a hit as always and we still are fighting for this successful, pro-active prevention motivated program that it has always been. I am in New Orleans right now, but will send you my letter. I am addressing it to the Board, Bob, Kevin Dick, and the supervisors. I will forward you the letter. Could you ensure that the letter gets to the appropriate people? Also, do you have Bob's, Kevin's, and Dave's email addresses and I can send them the letter as well. I'm sorry I won't be there. YOU KNOW I WOULD BE THERE FIGHTING TOOTH AND NAIL. Best of luck. I still have the paper I did on the statistics showing that 4 and 5 point items decrease after certification as well as inspection scores increase significantly. It was published in the California Environmental Health Journal. I also testified several times at the Conference for Food Protection and presented our data. I also had over 25 health departments ask me for help in the development of their programs and they used our regulations as a template for their own regs. We have a successful program because of our task force members who believed in the program and our wonderful instructors who took over and believed in the positive effects it has on food safety. An inspection program alone cannot protect the public's health with just a snap shot inspection. You have got to give people the tools to practice food safety. A test will only show that the manager has the knowledge of food safety. It does not



measure the skills and abilities of a manager to practice food safety. Anyway, I am about half done. I got a call from John Roberts but I don't have his email address.

On Sun, Feb 8, 2015 at 4:33 AM, Pete Allen <[envserv@sbcglobal.net](mailto:envserv@sbcglobal.net)> wrote:

Bryan

After a couple of days to think about this, I am back on track, and have to agree that the loss of a 25-year-old, excellent food safety education program...for no good reasons...is a travesty. We might not win this fight; but, after talking with Alan Cook (and you), I believe that **someone** has to wage the war. Let's call this my "Last Hurrah". With that in mind, Alan and I are meeting this morning to discuss a strategy, first for the Instructors meeting on the 12<sup>th</sup>, with an eye on the subsequent DBH meeting. Attached is a notice which I intend to send out to those instructors who have told me that they will be there for the meeting, and are supportive (~10). See what you think. This is really a local fight. We know that we will not have State support; however we believe that we do have the support of the NVRA (Katherine Jacobi), as well as a couple of respected people from the restaurant industry. It would be a shame to drop the ball, or accept a total watering down of the program, in light of that support.

Let's see what develops.

Pete

February 9, 2015

Mr. Kevin Dick, District Health Officer  
Mr. Robert Sack, Division Director, Environmental Health  
Members of the District Board of Health  
Environmental Health Supervisory Staff  
1001E. 9<sup>th</sup> St.  
Reno, Nevada 89502

**RE: PROPOSED CHANGES TO THE FOOD PROTECTION MANAGER  
CERTIFICATION PROGRAM**

**To Whom It May Concern:**

Last week, I received an email from Dave Mc Ninch, EHS Supervisor, regarding the regulatory changes being proposed to the Food Protection Manager Certification program. After reviewing the proposed changes, I am in considerable disagreement with the proposal and have substantial concern about the health and safety of our community should this proposal be enacted.

In 1994, after many hours of research and communications with colleague from other states, Jeanne Rucker, EHS Supervisor at the time, and myself (Senior Environmentalist) developed the food protection manager certification program. I attended and was a member of the national committee from the Conference for Food Protection that developed the standards for food protection manager certification, for almost 20 years. Washoe County was on the forefront for manager certification and we were one of the first Health Department's to enact such a program.

We began by developing a task force made up of regulatory officials, restaurant managers, chefs and school district food managers who came together looking to increase and enhance the professionalism of the food service manager while increasing the knowledge, skills, and abilities of these individuals in practicing food safety. We developed a very successful 20-hour course that gives managers the essential tools to practice food safety skills. This course is still being taught by the certified instructors, all of who are committed to the success of this program and to the protection of public health through the practice of food safety principles. Regulations were developed based on knowledge, skills, and ability standards

I worked with a statistician at the University of Nevada-Reno and published a paper in the California Journal of Environmental Health. We gathered data on inspection scores of food service establishments before and after certification. We found a significant difference in the number of 4 and 5-point violations before and after an establishment obtained a certified manager. It was found that the number of 4 and 5-point violations significantly decreased after a manager became certified. We also

found that inspection scores significantly increased after a manager became certified. We proved that education and training works to enhance food safety and protection. **Inspections alone do not give the manager the tools to practice food safety.**

After 25 years, this program has proved to be a huge success. I cannot understand why the Department would want to dissolve such a program that has the full support of the food industry, FDA, and the CFP and has shown that education and certification of food service managers prevent foodborne illness. I reemphasize that an exam alone only tests the person's knowledge of a certain subject. It does not test one's ability to practice the skills and abilities of food safety. We have worked so hard to keep communication lines open with our industry members and keep this program as a collaborative effort between Department, the food industry, instructors and educators. This has been the key to the success of the program. If the proposed changes are enacted, all of the proactive efforts for collaboration will be for not. No longer will the Department be looked upon as a resource—it will become an adversary again, as communication will no longer flow free.

Nowhere in Mr. McNinch's email was there an explanation as to why these changes were being considered nor was there any attempt to explain the reasoning behind the changes. What statistics and or facts does the EHS Division have to support their reasoning to disband the program or show that the program is not working and that it is costing the County a significant amount of money to protect the public's safety. I would argue that a Food Safety Program must contain an education component as well as enforcement component, to be effective. One inspection a year for a snapshot in time does not prevent foodborne illness. However, as our program found if you give the food managers the tools and show them viable ways to prevent foodborne illness, compliance will come second nature as the benefits of practicing safe food handling become evident.

Therefore, I am writing this letter in complete disagreement with the proposed changes to the Food Protection Manager certification regulations. To remove the education component of the regulation would be disastrous to the success of the program. The education component is why this program has worked, has been successful and continues to be a success. The County has certified thousands of managers and we count on the continued dedication of the instructors to carry on the success of this program. The instructors are the bridge between the County and the industry and play a vital role in food safety in our community. We cannot afford to have another huge outbreak that sickened over 500 people in the late 1980's at one of our large hotel/casinos. Just look what the measles outbreak has done to Disneyland revenues. This program reduces the chance of outbreaks by training and certifying managers who are at the front line in food safety. **PLEASE DON'T COMPROMISE OUR COMMUNITY'S SAFETY.**

Sincerely,  
Robbin E. Rose M.S., REHS (retired EHS Supervisor)

## McNinch, Dave

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**From:** McNinch, Dave  
**Sent:** Tuesday, February 10, 2015 11:19 AM  
**To:** Macaluso, Tony; English, Amber E.  
**Subject:** FW: Talking Points for Feb 12 HD meeting

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**From:** Pete Allen [mailto:envserv@sbcglobal.net]  
**Sent:** Tuesday, February 10, 2015 11:17 AM  
**To:** 'Robbin Rose'; sierrasan@charter.net; Sack, Bob; Dick, Kevin; McNinch, Dave  
**Subject:** RE: Talking Points for Feb 12 HD meeting

Robbin

What a refreshing voice of reason! We miss you, and the program certainly misses you.  
Pete

---

**From:** Robbin Rose [mailto:robbinrose08@gmail.com]  
**Sent:** Tuesday, February 10, 2015 10:56 AM  
**To:** Pete Allen; sierrasan@charter.net; BSack@washoeconomy.us; kdick@washoeconomy.us; dmcninch@washoeconomy.us  
**Subject:** Re: Talking Points for Feb 12 HD meeting

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John Roberts: [sierrasan@charter.net](mailto:sierrasan@charter.net)

Bob Sack: [bsack@washoeconomy.us](mailto:bsack@washoeconomy.us)

Kevin Dick: [kdick@washoeconomy.us](mailto:kdick@washoeconomy.us)

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**From:** Robbin Rose [mailto:robbinrose08@gmail.com]  
**Sent:** Tuesday, February 10, 2015 8:21 AM  
**To:** Pete Allen  
**Subject:** Re: Talking Points for Feb 12 HD meeting

Hi Pete. I am currently in the process of drafting a response to the proposed changes in the certification regulations. Again, the program is taking a hit as always and we still are fighting for this successful, pro-active prevention motivated program that it has always been. I am in New Orleans right now, but will send you my letter. I am addressing it to the Board, Bob, Kevin Dick, and the supervisors. I will forward you the letter. Could you ensure that the letter gets to the appropriate people? Also, do you have Bob's, Kevin's, and Dave's email addresses and I can send them the letter as well. I'm sorry I won't be there. **YOU KNOW I WOULD BE THERE FIGHTING TOOTH AND NAIL.** Best of luck. I still have the paper I did on the statistics showing that 4 and 5 point items decrease after certification as well as inspection scores increase significantly. It was published in the California Environmental Health Journal. I also testified several times at the Conference for Food Protection and presented our data. I also had over 25 health departments ask me for help in the development of their programs and they used our regulations as a template for their own regs. We have a successful program because of our task force members who believed in the program and our wonderful instructors who took over and believed in the positive effects it has on food safety. An inspection program alone cannot protect the public's health with just a snap shot inspection. You have got to give people the tools to practice food safety. A test will only show that the manager has the knowledge of food safety. It does not measure the skills and abilities of a manager to practice food safety. Anyway, I am about half done. I got a call from John Roberts but I don't have his email address.

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Bryan

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Let's see what develops.

Pete

## McNinch, Dave

---

**From:** Pete Allen <envserv@sbcglobal.net >  
**Sent:** Thursday, February 12, 2015 4:26 PM  
**To:** McNinch, Dave; anthony.cecala@usfood.com; kawai.garrido@rop.com; teachuculinary@msn.com; teyoung777@yahoo.com; barritoneschools@charter.net; sierrasan@charter.net; makingchoices@att.net; franciscovelaz@gmail.com; lerudt@scolarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; james@elite-cos.com; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; wiliamchan8@yahoo.com; tpriley@washoeschools.net; teachuculinary@msn.com; mstreczyn@reno.harrahs.com; mcdonaldsreno@charter.net; dmoreland@bladowenterprises.com; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcfs.nv.gov  
**Cc:** Macaluso, Tony; English, Amber E.; Sack, Bob; 'Robbin Rose'  
**Subject:** RE: Instuctor Meeting

Fellow instructors:

Thank you to those of you who took the time to attend this morning's meeting, and to offer excellent input. I believe that it was all too evident that the *de facto* gutting of the food service manager certification program is a terrible idea; and, to coin a term used often in the testimony, a "dumbing down" of foodservice education...and by extension...the entire food safety program. I am going to remain positive that the message came through loud and clear, and that some rethinking is going to occur in the next few weeks. Only time will tell if the health department folks were really listening, or just paying lip service; and, once again, we are obliged to attend the District Board of Health meeting as adversaries. That has been the consistent pattern for the past 10 years. We are hoping that the Department's thinking will change. Again, thank-you for making your voice heard. It was all to clear who has the bigger stake in foodborne illness prevention in Washoe County.

Pete

## McNinch, Dave

---

**From:** Dana Moreland <dmoreland@bladowenterprises.com>  
**Sent:** Friday, February 13, 2015 8:20 AM  
**To:** McNinch, Dave  
**Subject:** RE: Instuctor Meeting

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Dave –

My compliments to you and your team for your calm and thoughtful presentation yesterday. The current revisions make perfect sense – I agree that the current regulations are redundant and do nothing to increase my students' food safety knowledge or ability to apply it in the work environment.

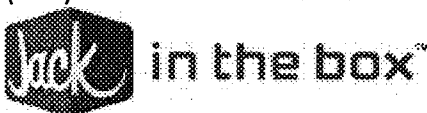
What I took away from yesterday's session was so very different than what Mr. Allen describes below. I found it telling that no one was able to answer you staff member's question about how the proposed changes required the instructors to "dumb down" their curriculum. Please know that Mr. Allen does not speak for all attendees.

While attending the March workshops isn't in my agenda, I will attend the final hearing if my schedule permits.

Warm regards,

Dana

**DANA L MORELAND**  
**HR/TRAINING MANAGER**  
EMERALD CASCADE RESTAURANT SYSTEMS, INC.  
ROJO CALIENTE RESTAURANTES, INC.  
4655 LONGLEY LANE, SUITE 105  
RENO, NV 89502  
(775) 322-7799 EXTENSION 214



*It's a funny thing about life; if you refuse to accept anything but the best, you very often get it.*  
- W. Somerset Maugham

This message, together with any attachments, is confidential, and is intended only for the use of the individual or entity to whom it is addressed. If you receive this information in error, please notify the sender immediately by telephone or reply by email and delete all copies of this message.

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**From:** McNinch, Dave [mailto:DMcNinch@washoecounty.us]

**Sent:** Thursday, February 12, 2015 5:09 PM

**To:** Pete Allen; anthony.cecala@usfood.com; kawai.garrido@rop.com; teachuculinary@msn.com; barritoneschools@charter.net; sierrasan@charter.net; makingchoices@att.net; franciscovelaz@gmail.com; lerudt@scholarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; james@elite-cos.com; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; wiliamchan8@yahoo.com; tpriley@washoeschools.net; teachuculinary@msn.com; mstreczyn@reno.harrahs.com; mcdonaldsreno@charter.net; Dana Moreland; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcfs.nv.gov

**Cc:** Macaluso, Tony; English, Amber E.; Sack, Bob; 'Robbin Rose'; Dick, Kevin

**Subject:** [PossibleSpam] RE: Instuctor Meeting

I received an e-mail requesting that we no longer include one of the recipients that has been included in the e-mail strings. I have removed that person from this response so if you are compelled to respond, please use the "reply to all" in this e-mail string (rather than an older version of the e-mail list). That way, we will be able to honor that request.

Thank you.

David McNinch  
EHS Supervisor

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**From:** Pete Allen [mailto:envserv@sbcglobal.net]

**Sent:** Thursday, February 12, 2015 4:26 PM

**To:** McNinch, Dave; anthony.cecala@usfood.com; kawai.garrido@rop.com; teachuculinary@msn.com; teyoung777@yahoo.com; barritoneschools@charter.net; sierrasan@charter.net; makingchoices@att.net; franciscovelaz@gmail.com; lerudt@scholarisclub.com; CFPM@BESTraining.net; Brosas23@yahoo.com; james@elite-cos.com; james@elite-cos.com; kami.biamonte@gmail.com; boz7dials@yahoo.com; jpablo@aguirreart.com; talonconsulting@sbcglobal.net; gjira@yahoo.com; wiliamchan8@yahoo.com; tpriley@washoeschools.net; teachuculinary@msn.com; mstreczyn@reno.harrahs.com; mcdonaldsreno@charter.net; dmoreland@bladowenterprises.com; helenw@lascal.com; lori.higashi@safeway.com; Brook.Sigafoos@usfoods.com; mcooley@raleys.com; dfancher@raleys.com; kchavez@raleys.com; wolf568@msn.com; kward@dcfs.nv.gov

**Cc:** Macaluso, Tony; English, Amber E.; Sack, Bob; 'Robbin Rose'

**Subject:** RE: Instuctor Meeting

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Pete



## McNinch, Dave

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**From:** Sack, Bob  
**Sent:** Friday, February 20, 2015 11:48 AM  
**To:** McNinch, Dave  
**Subject:** FW: Letter to DBOH  
**Attachments:** 3400\_001.pdf

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**From:** Dick, Kevin  
**Sent:** Friday, February 20, 2015 11:00 AM  
**To:** Spinola, Dawn  
**Cc:** Sack, Bob  
**Subject:** Letter to DBOH

Dawn, Please email this letter to DBOH with the cover memo explanation from Bob Sack below. Thanks, Kevin

**To:** Washoe County District Board of Health Members

**From:** Robert O. Sack, EHS Director

**RE:** Proposed Revisions to the Regulations of the Washoe County District Board of Health Governing Food Establishments

As you are all aware, EHS Division staff has been in the process of drafting proposed revisions to the regulations governing food establishments. Beginning in late-January of this year, we began the process of bringing those proposed revisions to you for consideration and adoption by conducting internal workshops to gather staff input and then a workshop specific to certified food protection instructors. Our proposed revisions include significant revisions to sections applicable to food protection instructors and the workshop provided a forum to explain those revisions and gather input. Prior to this workshop on February 4, 2015, a copy of the revisions was sent to each of the instructors which prompted significant correspondence, some of which may have been sent directly to you. Subsequent to the February 4, 2015 workshop, we received correspondence addressed to you which compelled this memo in an effort to provide context to the correspondence. We anticipate you will receive more. It is our intent to continue to process this input and, if necessary, make additional revisions to the proposed regulations. Considering the complexity of the issues associated with the food protection manager/instructor program, I will refrain from providing a response specific to any correspondence received. I will, however, commit to you a report specific to that program with justifications for any proposed revisions. I just ask that you keep an open mind until you have had a chance to consider our report which will be provided to you prior to your April 2015 meeting.

As of today, February 18, 2015, the proposed revisions to the food regulations have been posted to our website and all permitted facilities have been notified. Two separate workshops (one March 11 and one March 12) will be held to obtain input from those possibly affected by the proposed revisions. Tentatively, we plan to introduce these revisions to the Board during your April 2015 meeting with a formal public hearing at your May 2015 meeting. We are hopeful that

by the time of these meetings any proposed revisions to the food regulations have been properly vetted and that the Board will consider them for adoption at the May 2015 meeting.

Please let me know if you have any additional questions.

**Bryan Wagner**  
**PO Box 742**  
**Zephyr Cove, NV 89448**

February 13, 2015

Washoe County District Board of Health Members  
PO Box 11130  
Reno, NV 89520-0027

Subject: *Opposition to the Proposed Elimination of the Food Safety Training Requirements.*

Dear District Board of Health Members:

My name is Bryan Wagner. I was the Senior Environmental Health Specialist who was in charge of implementing Washoe County Health District's food education program from 2007 through 2013. I am writing you regarding my opposition to eliminating the training requirements for the Certified Food Protection Managers ("CFPM").

**I. The Proposed Amendments to the Food Education Regulations will eliminate all Requirements for Food Safety Training.**

The proposed regulatory amendments would eliminate Washoe County's current food safety training requirements for CFPM. Under the proposed amendments a CFPM would only need to pass an exam. Eliminating the CFPM training requirements would be a mistake.

It was over 20 years ago that the Washoe County District Board of Health ("WCDBH") adopted its current food education regulations. These regulations require CFPM to have both food safety training and pass a CFPM exam. The WCDBH was well ahead of its time when it adopted its food education regulations.

The need for food safety training is well documented, as follows:

"Food manager education increases the likelihood of the implementation of critical [food safety] controls, such as time/temperature checks..." *Implementation of Hazard Analysis Critical Control Plan*, St. Joseph's University, 1998.

"There seems to be a positive correlation between food safety training and proper food handling procedures." *Food Safety Certification and Its Impacts*, Journal of Environmental Health, 1999.

"It has been demonstrated that behavioral changes occur only after training, and not after testing alone. And behavioral changes result in fewer critical violations, which mean less risk of foodborne outbreaks - which is everyone's goal!" *Common Questions and Answers about Food Protection Managers Certification*. The American Food Safety Institute, 1999; at <http://www.americanfoodsafety.com/afsqquestions.htm>

"Studies have shown that food safety training –at both the employee level and the manager level – can lead to a substantial reduction in the likelihood of foodborne illnesses outbreak." *The Safe Path*

*to Success: How Food Safety Training for Employees and Managers is a Critical Component for Restaurant and Food Service Operations.* A National Restaurant Association White Paper, 2009; at <https://www.serve-safe.com/downloads/pdf/aura-the-safe-path-to-success>

The Centers for Disease Control and Prevention ("CDC") lists, as a foodborne disease outbreak preventative measure, "Training for restaurant managers and food workers about food safety and sanitization measures." *Foodborne Outbreaks, Preventing Future Outbreaks*, CDC; at <http://www.cdc.gov/foodsafety/outbreaks/prevention-education/future.html>

Understanding the risks and being able to set up a system for controlling them is best accomplished by requiring CFPM to take both food safety training and pass a CFPM exam. Eliminating the food safety training component of the food education regulations will put Washoe County citizens and the tourist industry at greater risk.


**II. Eliminating the Food Safety Training Component of the CFPM Requirements is not warranted from a Cost vs. Benefit Analysis.**

It is the food safety instructors who have the bulk of the workload when it comes to the food safety training requirements. This training correlates with less violations observed at food establishments during inspections, which frees up the time of the environmental health specialists. The greatest savings, from food safety training, is the costs savings from the decrease in foodborne outbreaks. While the Washoe County Health District does not quantify the costs of foodborne outbreaks, these costs can be extensive.

**III. Conclusion**

The WCDBH was proactive and lead the nation in adopting its food education regulations. Although the WCDBH adopted these food education regulations over 20 years ago, these regulations are still ahead of their time. In addition, the Washoe County Health District's training requirements for CFPM was well thought out. This food safety training prevents foodborne outbreaks from occurring. Furthermore, the cost to the Washoe County Health District of managing the food education program is minimal when compared to its overwhelming benefits. It is for the above reasons that I oppose the elimination of the training requirements for the CFPM.

Sincerely,



Bryan Wagner, J.D., M.P.H., CPH

## McNinch, Dave

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**From:** Sack, Bob  
**Sent:** Monday, February 23, 2015 10:16 AM  
**To:** McNinch, Dave; Dick, Kevin  
**Subject:** FW: Food Service Manager program proposal

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** Pete Allen [<mailto:envserv@sbcglobal.net>]  
**Sent:** Monday, February 23, 2015 10:04 AM  
**To:** Sack, Bob  
**Cc:** 'Alan Cook'  
**Subject:** Food Service Manager program proposal

Bob

Thank you for taking the time to speak with me this morning. In the past, you have been quite supportive of us as instructors, and have expressed appreciation for what we do for the food industry, as well as the general public; and we appreciate that. I am, however, concerned that, despite what we were told in our February 12<sup>th</sup> meeting, this is (and always was) a done deal. It is that type of misleading information from staff that undermines what has been a relationship of mutual trust. Our real concern is that we, as instructors, have been relegated to an adversarial position, when, in the past, we have been viewed as an asset, and partners in fulfilling the objectives of the health department. We are also vexed as to the statement about the 50:50 for/against feedback: not one person who testified at the February 12<sup>th</sup> meeting expressed support for the proposal. Where, then, are the “for” comments coming from: other instructors who were not in attendance? The food service industry? Bottom line, it is a sad day indeed when we as instructors have to fight for high standards...at odds with the health department, which is charged with being proactive in maintaining those standards

Pete

## McNinch, Dave

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**From:** Marcello, John <John.Marcello@fda.hhs.gov>  
**Sent:** Monday, March 16, 2015 9:25 AM  
**To:** McNinch, Dave; Macaluso, Tony  
**Cc:** English, Amber E.  
**Subject:** Clarification of my statements regarding the "training" component of Washoe Manager Certification Program

David/Tony/Amber:

I am in travel status for the next two weeks so I thought it important to put together this e-mail to clarify my statements to you regarding the training component within Washoe's current Food Protection Manager Certification Program. As you are aware, I have received numerous e-mails, most recently over the weekend, from instructors of food protection manager training programs in your area that are taking comments I related to you out of context. The context for those comments are being directly attribute to statements made at public meetings by Washoe County referencing me as the source.

The primary mis-characterization of my comments centers around statements indicating that I said there was no study that has assessed the correlation of training-test based certification programs vs test based certification programs non the control of foodborne illness risk factors. Here are some key points for framing this issue correctly:

- The 2013 FDA Food Code has two specific provisions that reference that having a certified food protection manager within the establishment operation meets a regulatory requirement. The first is found in Section 2-102.11(B) – Demonstration:

*Based on the risks inherent to the food operation, during inspections and upon request the person in charge shall demonstrate to the regulatory authority knowledge of foodborne disease prevention, application of the Hazard Analysis Critical Control Point principles, and the requirements of the Code. The person in charge shall demonstrate this knowledge by:*

(A) Complying with this Code by having no violations of priority items during the current inspection;

*(B) Being a certified food protection manager who has shown proficiency of required information through passing a test that is part of an ACCREDITED PROGRAM; OR*

(C) Responding correctly to inspector's questions as the relate to the specific food operation. The areas of knowledge include: .....

- The second Food Code requirement in Section 2-102.12 – Certified Food Protection Manager, Paragraph A that states:

*(A) At least one employee that has supervisory and management responsibility and the authority to direct and control food preparation and service shall be a certified food protection manager who has shown proficiency of required information through passing a test that is part of an ACCREDITED PROGRAM.*

- Section 2-102.20 – Food Protection Manager Certification is an information provision of the Food Code that provide guidance as to how FDA defines what is an accredited food protection manager certification program:

*(A) A person in charge who demonstrates knowledge by being a food protection manager that is certified by a food protection manager certification program that is evaluated and listed by a Conference for Food Protection-recognized accrediting agency as conforming to the Conference for Food Protection Standards for Accreditation*

*of Food Protection Manager Certification Program is deemed to comply with Section 2-102.11(B).*

*(B) A food establishment that has an employee that is certified by a food protection manager certification program that is evaluated and listed by a Conference for Food Protection-recognized agency as conforming to the Conference for Food Protection Standards for Accreditation of Food Protection Manager Certification Programs is deemed to comply with Section 2-102.12*

In the definition section, ACCREDITED PROGRAM is defined as follows:

(1) “**Accredited program**” means a food protection manager certification program that has been evaluated and listed by an accredited agency as conforming to national standards for organizations that certify individuals

(2) “**Accredited program**” refers to the certification process and is a designation based upon an independent evaluation of factors such as the sponsor’s mission; organizational structure; staff resources; revenue sources; policies; public information regarding program scope, eligibility requirements, recertification. Discipline and grievance procedures; and test development and administration.

(3) “**Accredited program**” does not refer to training functions or educational programs.

- In order to correctly apply the food protection manager certification provision in the FDA Food Code, one needs to have a solid understanding of what is meant by an accredited program. The certification function within an accredited program constitutes a valid, reliable, and legally defensible assessment of an individual’s knowledge of food safety principles. The assessment tool must be based on a job task analysis of a food protection manager’s duties and used as a source of a national recognized standard (the FDA Food Code). The assessment tool must go through several layers of development including a question review panel; a fairness review panel; and a scoring review panel. The assessment tool must meet sound psychometric standards for assessing a candidate’s knowledge.

The American National Standards Institute (ANSI) is the current accreditor of food protection manager certification programs. ANSI bases its accreditation of these food protection manager certification programs on conformance with the Conference for Food Protection *Standards for Accreditation of Food Protection Manager Certification Programs*. The CFP Standards address comprehensive requirements related to the areas identified in Paragraph (2) of the above definition of ACCREDITED PROGRAM. The CFP Standards do not address any requirements pertaining to training and education programs.

This does **not** mean that the ANSI, CFP, or the certification community in general does not recognize the importance of training and education programs. The expectation is that the rigor of the examination developed through a certification process would in most cases require an individual to obtain education and training on the food safety knowledge elements covered in the test. It is important to keep in mind that the training and education function must be conducted entirely separate from the certification functions so the assessment of a candidate’s knowledge remains valid and legally defensible. A food protection manager certification organization can provide both a training component and a certification component but to do so they must set up their organization structure so each of these components is administered and operated separately from each other and that the appropriate “firewalls” are in place to eliminate any undue influence or conflict of interest.

- Both CDC and FDA studies have shown that the presence of a food protection certified manager has a positive correlation with the control of some of the foodborne illness risk factors in certain facility types. In addition, there were no facility types where a food protection manager was not present that had better control of foodborne illness risk factors than those where there was a presence of a certified manager. The use of the word “correlation” is important in reporting out the data from our studies because there are just too many other variables, such as food safety management systems, equipment, complexity of operation, etc., that could be contributing to better control of foodborne illness risk factors. From a statistical standpoint one cannot definitively assert a cause and effect relationship.
- The question was posed to me as to whether “any study” had been conducted showing that food protection manager training resulted in a correlation with control of the risk factor. My response was that I was unaware of

any studies that attempted to isolate and assess the impact of training on control of the risk factors. FDA's assessment made no attempt to assess the differences between certification programs that were training and test based vs those that were strictly test based. I want on to say that conducting such a study is extremely difficult because of the multiple variables that are occurring simultaneously within a foodservice environment. It is a dynamic environment which makes it almost impossible to draw a cause and effect relationship between the impact of training/test based certification programs vs. test base certification programs on the control of the risk factors.

Just because there is no study available to correlate the impact of training/test base certification program vs. test based certification programs on the control of risk factor is **not meant** to imply or serve as a demonstration that none exists. It is a simple statement that I am not aware of any current studies designed to assess such a correlation. Some of the statements I have received seem to draw an inaccurate conclusion that I have postulated that training is not important to the certification process. This is a mis-representation of my comments which were specific to a response to whether a Study has been conducted on the correlation between training/test based certification programs vs, test-based certification programs. For the record, **my personal opinion**, is that a candidate needs to attend some type of training on the knowledge elements covered in the certification process to successfully pass the examination.

I would prefer that at future public meetings, that any references to my interpretation of this issue contain all the elements I have provided in this e-mail. This is a complex issues and one that has many stakeholders with varying perspectives. Statements taken out of context can be easily mis-construed.

I plan to share the content elements of this e-mail with other stakeholder groups. Please let me know if you have questions or need additional information. Thanks for the opportunity to clarify the information I previously provided Washoe County.

John

John A. Marcello  
FDA Pacific Region Retail Food Specialist  
(480) 829-7396 ext. 2035



## McNinch, Dave

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**From:** McNinch, Dave  
**Sent:** Monday, March 16, 2015 2:30 PM  
**To:** Sack, Bob; Dick, Kevin  
**Cc:** Macaluso, Tony; English, Amber E.  
**Subject:** FW: Clarification of my statements regarding the "training" component of Washoe Manager Certification Program

To provide context, there were comments from Pete Allen during the public workshop last Thursday (3.12) that we (Health District) should refrain from using information from FDA because we were misrepresenting it and had been told by FDA to not reference it any longer. I clarified that he as well as other individuals (instructors) had been specifically asked to not use the information the way they were trying to because it was a misrepresentation, but that no one from the Health District had been asked to refrain from using it. This apparently prompted them to notify John and he sent the attached e-mail. Amber and I had a chance to talk with John this afternoon and explained to him that his name has not been used (our reference has been "FDA") and that we have been following the exact guidance he included in his e-mail. We also offered context to what might be driving some of the contact to him. At this point, things are fine with John.

Please let me know if you have any questions.

David Mc.

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**From:** Marcello, John [mailto:John.Marcello@fda.hhs.gov]  
**Sent:** Monday, March 16, 2015 9:25 AM  
**To:** McNinch, Dave; Macaluso, Tony  
**Cc:** English, Amber E.  
**Subject:** Clarification of my statements regarding the "training" component of Washoe Manager Certification Program

David/Tony/Amber:

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*Certification Programs.* The CFP Standards address comprehensive requirements related to the areas identified in Paragraph (2) of under the above definition of ACCREDITED PROGRAM. The CFP Standards do not address any requirements pertaining to training and education programs.

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John

John A. Marcello  
FDA Pacific Region Retail Food Specialist  
(480) 829-7396 ext. 2035

## McNinch, Dave

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**From:** Pelton Richard (US Partners) <rich.pelton@partners.mcd.com>  
**Sent:** Friday, March 27, 2015 12:24 PM  
**To:** McNinch, Dave  
**Cc:** culch@health.nv.gov  
**Subject:** Proposed Instructor Requirement Changes

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dave,

Thank you for the information regarding the proposed Food Safety instructor requirements.

I am one of many independent small business owners throughout Washoe County and very pleased that the County is moving away from the 16-hour requirement and County enforcement model. To say the least, it was cumbersome and added additional cost to doing business. As mentioned during the meeting, previous to purchasing our McDonald's in Sparks, I was a certified ServSafe instructor. Upon arrival, my 12+ years as a ServSafe Certified instructor did not qualify in Washoe county. Moving to a uniform system, similar to the vast majority of counties and jurisdictions throughout the United States is a welcome move.

As discussed in the meeting, everyone will have to study and learn prior to taking the test. Without training (whether 4, 8, 16 or more hours) people will fail. It is my opinion that people will still train, based on the needs of the student. Having been in the restaurant business 43 years, I do not believe that the class time requirement removal will impact food safety.

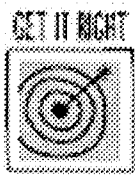
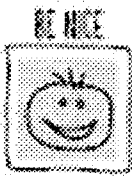
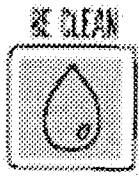
Food Safety has and will remain our top priority in all of our internal training. In all of our internal systems, when cooking potentially hazardous foods we teach the critical control points important to serving safe food. It is my opinion that the newly proposed system supports food safety as well as the previous system.

Having spoken to our local McDonald's Owner Operators in Northern Nevada, representing 35+ restaurants, I can tell you that we enthusiastically support the new regulations. In talking with Tom Mckennie who owns 15 restaurants in Washoe county, he strongly supports this.

Having spoken to the Richard Ahart , owner of 5 Taco Bells in Northern Nevada and Jill Lillaney, Multiple Burger King owner in Northern Nevada, I can share with you that we are all in favor of the newly proposed guidelines. Both Richard and Jill own restaurants in multiple states and believe this would benefit them.

Should you have any additional questions, please feel free to contact me at any time.

Respectfully  
Rich Pelton  
775.813.0645



The information contained in this e-mail and any accompanying documents is confidential, may be privileged, and is intended solely for the person and/or entity to whom it is addressed (i.e. those identified in the "To" and "cc" box). Unauthorized review, use, disclosure, or copying of this communication, or any part thereof, is strictly prohibited and may be unlawful. If you have received this e-mail in error, please return the e-mail and attachments to the sender and delete the e-mail and attachments and any copy from your system. Thank you for your cooperation.

**STAFF REPORT**  
**BOARD MEETING DATE: April 23, 2015**

**TO:** District Board of Health

**FROM:** Jim Shaffer English, Environmental Health Specialist Supervisor  
775-785-4599; [jshaffer@washoecounty.us](mailto:jshaffer@washoecounty.us)

**SUBJECT:** Approve Interlocal Agreement between the Washoe County Health District, also known as the Rabies Control Authority, and Washoe County Regional Animal Services to outline the responsibilities between the parties, for the control of rabies in Washoe County.

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**SUMMARY**

While collaboration has been carried in practice to before the creation of Animal Services as a standalone department, it has not been formalized with a written agreement.

**District Health Strategic Objective supported by this item:** Demonstrates the value and contribution of public health, strengthen District-wide infrastructure to improve public health, and achieve targeted improvements in health outcomes and health equity.

**PREVIOUS ACTION**

Prior to the creation of WCRAS, the Health District (at the time the Health Department) coordinated with the Animal Control agencies in each municipality to carry out rabies prevention efforts. So while collaboration has been carried in practice, it had not been formalized with a written agreement.

**BACKGROUND**

Under county code and state law the Health District, through the District Health Officer, is the Rabies Control Authority in Washoe County. As Regional Animal Services is charged with overseeing the majority of domestic animal ordinances in Washoe County, they are well suited to oversee many of the rabies control requirements.

Presently, the majority of potential rabies exposures are handled exclusively by Regional Animal Services. These are primarily domestic animal bites. Animal Services also administers many other aspects of rabies prevention including vaccination programs, animal licensing, and domestic bite investigations.

When rabies exposures involving high risk wildlife species such as bats, raccoons, skunks and other wild carnivores occur; Regional Animal Services and the Health District coordinate a response. Exposures involving wildlife tend to be higher risk. Therefore, involvement of the Rabies Control Authority is warranted in these situations.

The collaboration of Regional Animal Services and the Health District goes back to before the creation of Animal Services as a standalone department. Prior to the creation of WCRAS, the Health District (at the time the Health Department) coordinated with the Animal Control agencies in each municipality to carry out rabies prevention efforts. So while collaboration has been carried in practice, it had not been formalized with a written agreement.



This interlocal agreement will solidify the long standing relationship between the Health District and Regional Animal Services for the prevention of rabies in Washoe County.

NRS 244.358

Washoe County Board of County Commissioners has enacted ordinances providing for a rabies control program

NAC 441A.150

Washoe County has designated the Rabies Control Authority as the entity responsible for administering the rabies control program

WCC 55.570

Designates the Washoe County Health District, through its district health officer, as the Rabies Control Authority for Washoe County, Nevada

### **FISCAL IMPACT**

There is no fiscal impact to the adopted FY16 budget as this will solidify the long standing relationship between the Health District and Regional Animal Services for the prevention of rabies in Washoe County.

### **RECOMMENDATION**

It is recommended that the Washoe County District Board of Health approve the Interlocal Agreement between the Washoe County Health District, also known as the Rabies Control Authority, and Washoe County Regional Animal Services to outline the responsibilities between the parties, for the control of rabies in Washoe County.

### **POSSIBLE MOTION**

Should the Board agree with staff's recommendation, a possible motion would be: "Move to approve the Interlocal Agreement between the Washoe County Health District, also known as the Rabies Control Authority, and Washoe County Regional Animal Services to outline the responsibilities between the parties, for the control of rabies in Washoe County."



**INTERLOCAL AGREEMENT  
BETWEEN  
WASHOE COUNTY HEALTH DISTRICT  
AND  
WASHOE COUNTY THROUGH ITS REGIONAL ANIMAL SERVICES  
FOR  
REPORTING AND QUARANTINE OF POSSIBLE RABIES EXPOSURES**

THIS INTERLOCAL AGREEMENT (“AGREEMENT”) is made and entered into by and between the Washoe County Health District (“WCHD”), also known as the Rabies Control Authority (“RCA”), and Washoe County, through its Regional Animal Services (“WCRAS”), also known as the Designee.

**I. PURPOSE OF THE AGREEMENT**

This AGREEMENT is intended to outline the understanding between the parties for the control of rabies in Washoe County.

**II. RECITALS**

WHEREAS, both parties are public agencies of Washoe County; and

WHEREAS, pursuant to NRS 244.358, the Washoe County Board of County Commissioners has enacted ordinances providing for a rabies control program; and

WHEREAS, pursuant to NAC 441A.150, Washoe County has designated the Rabies Control Authority as the entity responsible for administering the rabies control program; and

WHEREAS, the Washoe County Board of County Commissioners has enacted WCC 55.570, which designates the Washoe County Health District, through its district health officer, as the Rabies Control Authority for Washoe County, Nevada; and

WHEREAS, NRS 277.180 authorizes any one or more public agencies to contract with any one or more other public agencies to perform any governmental service, activity or

undertaking which any of the public agencies entering into the contract is authorized by law to perform; and

WHEREAS, it is deemed that the services of Washoe County Regional Animal Services hereinafter set forth are both necessary to the Washoe County Health District and in the best interests of Washoe County;

NOW THEREFORE, THE PARTIES, in consideration of the matters set forth above and in the interests of public health and safety hereby agree as follows:

- A) The Washoe County Health District, in its role as the Rabies Control Authority, hereby designates Washoe County Regional Animal Services, by and through its animal control officers, as its' Designee where possible rabies exposure has occurred.
- B) The Designee shall enforce Washoe County Code provisions governing the quarantine and management of biting animals, and shall investigate and/or quarantine, control or euthanize any animal that has bitten a person in accordance with WCC 55.610.
- C) The Designee shall cause a dog, cat or ferret, regardless of that animal's current vaccination against rabies, which has bitten a person, to be quarantined for ten (10) days following the bite pursuant to WCC 55.610(1). The Designee will determine if said animal shall be observed under the supervision of a licensed veterinarian, or any other person, and shall determine if the enclosure or facility is adequate for quarantine. On a case-by-case basis, the Designee may approve home quarantine. The Designee shall immediately report any signs of illness during the ten (10) day quarantine period to the Rabies Control Authority.
- D) The Designee shall immediately euthanize a bat, raccoon, skunk or fox which has bitten a person, without a period of quarantine pursuant to WCC 55.610(9).

- E) The Designee shall manage any other species of animal, which has bitten a person, as the Rabies Control Authority deems appropriate and pursuant to WCC 55.610(10).
- F) The Designee shall immediately notify the Rabies Control Authority of any bite to human or animal, from any wild animal, and shall follow the directions of the Rabies Control Authority.
- G) The Rabies Control Authority shall forward all copies of submitted rabies certificates to the Designee. Upon receipt of the rabies certificates, the Designee will enter this information into the Designee's Chameleon data base (WCRAS internal software program) to ensure accuracy of reports and compliance with WCC 55.350 and WCC 55.590.
- H) The Washoe County Health District and Washoe County Regional Animal Services shall be responsible for the administration of this Agreement. Each party represents that it has sufficient resources and/or other agreements to perform the covenants, terms and conditions set forth herein.

### **III. LIMITED LIABILITY**

The Parties will not waive and intend to assert available NRS chapter 41 liability limitations in all cases. Liability of both parties shall not be subject to punitive damages. To the extent applicable, actual contract damages for any breach shall be limited by NRS 353.260 and NRS 354.626.

### **IV. INDEMNIFICATION**

To the fullest extent of limited liability as set forth in paragraph (III) of this Agreement, each party shall indemnify, hold harmless and defend the other, not excluding the other's right to participate, from and against all liability, claims, actions, damages, losses and expenses,

including but not limited to reasonable attorneys' fees and costs, arising out of any alleged willful or negligent acts or omissions of the party, its officers, employees and/or agents. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or indemnity obligation which would otherwise exist as to any party or person described in this paragraph.

**V. GOVERNING LAW**

This Agreement shall be governed, interpreted and construed in accordance with Nevada law. Any action brought pursuant to this agreement shall be brought in Washoe County Nevada.

**VI. ASSIGNMENT**

Neither party shall assign, transfer or delegate any rights, obligations or duties under this Agreement without the prior written consent of the other party.

**VII. AMENDMENT**

This Agreement may be modified or amended by written document, signed and executed by both parties, with the same formalities with which this Agreement was originally executed.

**VIII. SEVERABILITY**

In the event any portion of this Agreement is found invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect the remainder of the Agreement. The remaining provisions shall be construed as if the invalid, illegal or unenforceable provision was not contained herein.

**IX. EFFECTIVE TERM**

This Agreement will become effective upon the date which the respective agency heads sign the Agreement. It shall remain in effect with no termination date, but may be terminated by either party upon thirty (30) days written notice to the other party. Termination of this

Agreement in no way relieves either party from the responsibility to comply with applicable local, state or federal laws and regulations.

**X. ENTIRE AGREEMENT**

This Agreement constitutes the entire agreement of the parties and supersedes any prior written or oral agreements or understandings related to its subject matter.

**XI. AUTHORIZED REPRESENTATIVES**

By signature below, each party certifies that the individuals listed in this document are authorized to bind their principal to the full extent of the law.

**IN WITNESS THEREOF**, the parties have approved this Agreement and have caused this Agreement to be executed by their respective officers on the date next to the signatures.

**THIS INTERLOCAL AGREEMENT IS EFFECTIVE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

WASHOE COUNTY HEALTH DISTRICT

By:\_\_\_\_\_

Date\_\_\_\_\_

WASHOE COUNTY

By:\_\_\_\_\_

Date\_\_\_\_\_

**CHAIRMAN**

**STAFF REPORT**  
**BOARD MEETING DATE: April 23, 2015**

**TO:** District Board of Health

**FROM:** Anna Heenan, Administrative Health Services Officer  
328-2417, [aheenan@washoecounty.us](mailto:aheenan@washoecounty.us)

**SUBJECT:** Acknowledge receipt of the Health District Fund Financial Review for March Fiscal Year 2015 and 2016 Budget Update. Provide possible direction to staff regarding FY16 Budget.

**SUMMARY**

The nine months of the fiscal year 2015 (FY15) ended with a cash balance of \$1.4 million. Total revenues were \$13.8 million, 71.4% of budget and an increase of 21.3% compared to fiscal year 2014 (FY14). With 75.0% of the fiscal year completed the expenditures totaled \$14.3 million, 68.7% of the budget and 3.7% more than FY14. Salaries and benefits continue to be the single largest category increase over FY14 at an increase of \$626,097, 6.2%, for a total cost of \$10.7 million.

**District Health Strategic Objective supported:** Secure and deploy resources for sustainable impact.

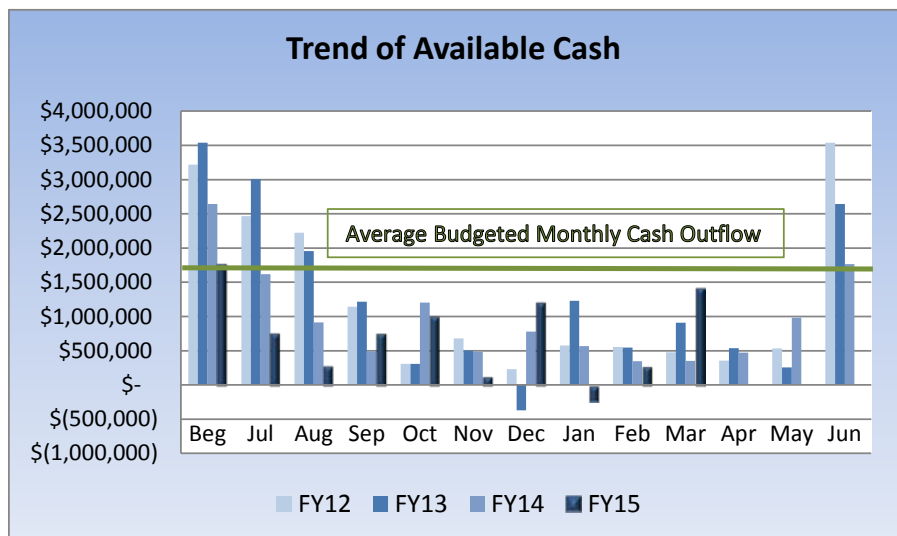
**PREVIOUS ACTION**

Fiscal Year 2015 Budget was adopted May 19, 2014.

**BACKGROUND**

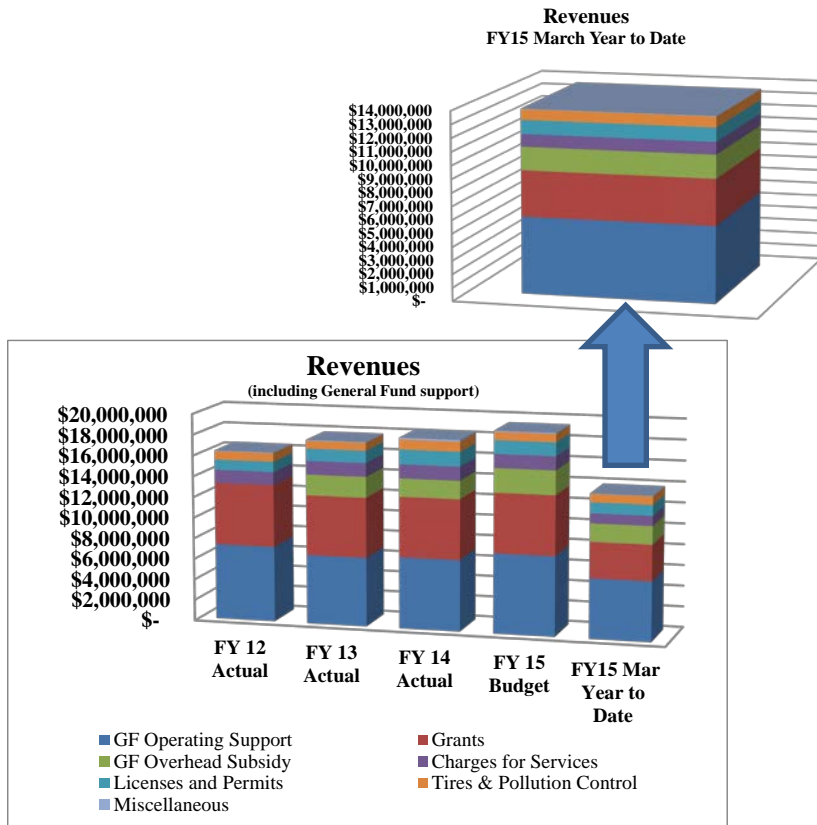
**Review of Cash**

The available cash at the end of the nine months of FY15 was \$1,419,293 which was 81.6% of the average budgeted monthly cash outflow of \$1.7 million and up \$1,069,379, 305.6%, compared to FY14. This increase is mainly due to the increase in County General Fund Transfer. The General Fund has transferred \$7.5 million for the year, 75.0% of the total budgeted transfer.



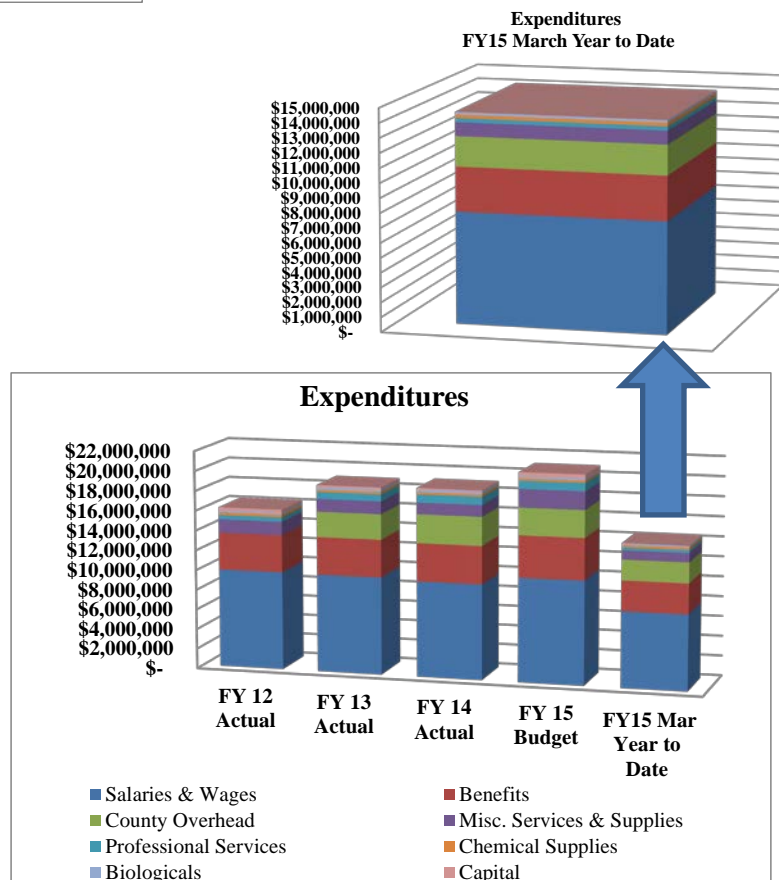
Note: December FY13 negative cash is due to 50%, \$1.3million, of the County Overhead being charged in December with just 8.3%, \$719,000, of the County Support being transferred to the fund. January FY15 no County General Fund support was transferred to the Health Fund leading to a negative cash situation.

**Review of Revenues (including transfers from General fund) and Expenditures by category**



Total year to date **revenues** of \$13,752,733 were up \$2,419,001, 21.3%, from the same time last fiscal year and were 71.4% of budget. The revenue categories that were up over last fiscal year are as follows: licenses and permits by \$26,242, 2.6%; federal and state grants by \$637,657, 22.7%; and, tire fees and pollution control fees by \$65,659, 9.0%. Miscellaneous revenues are down by \$85,839, 72.9%, due to the Robert Wood Johnson Foundation funding received in FY14 for exploring shared services in the Northern Nevada Region project.

The total year to date **expenditures** of \$14,334,256 increased by \$515,061, 3.7%, compared to the same time frame for last fiscal year 2014. Salaries and benefits expenditures for the nine months of FY15 were \$10.7 million, a 6.2% increase over the prior year. Services and supplies of \$3.7 million, down \$42,546, 1.2%, from FY14 mainly due to the County overhead charge being \$117,729 down, 5.4% from FY14. Without the overhead charge the increase from FY14 is \$75,183, 4.9%. The grant funded increase in the advertising for the Tobacco Use and HIV prevention is driving the increase in services and supplies.



**Review of Revenue and Expenditures by Division**

AQM division revenue is down \$63,467, 3.8%, compared to FY14 due to the one-time payout of the excess pollution control funding received in FY14. EHS is up 14.3%, \$169,394, over FY14 with the majority of that increase due to the tire fee revenue; excluding the tire fee revenue the increase is 0.4%, \$4,187. EPHP is down from FY14 by 1.0%, \$10,362, mainly due to anticipated reduction in the Public Health Preparedness grant funding. County General Fund transferred \$7.5 million of the budgeted transfer leaving a balance of \$2.5 million for the remainder of the fiscal year.

With 75.0% of the fiscal year completed the total expenditures of \$14.3 million were less at 68.7% of total budget. All divisions are reflecting savings compared to budget except AHS which continues to be high due to the unbudgeted retirement payouts. AQM is considerably low compared to budget, 58.9%, due to unspent capital funding. EHS is low due to unspent funding in the restricted tire fee revenue account. The EPHP is showing savings due to vacant positions. The County General Fund overhead charges for the nine months totaled \$2.1 million, 56.3% of total services and supplies expenditures year to date.

Washoe County Health District								
Summary of Revenues (including County General Fund transfers) and Expenditures								
Fiscal Year 2011/2012 through March Year to Date Fiscal Year 2014/2015 (FY15)								
	Actual Fiscal Year		Fiscal Year 2013/2014		Fiscal Year 2014/2015			
	2011/2012	2012/2013	Actual Year End	March Year to Date	Adjusted Budget	March Year to Date	Percent of Budget	FY15 Increase over FY14
<b>Revenues (all sources of funds)</b>								
ODHO	-	-	-	-	-	-	-	-
AHS	8	33,453	87,930	<b>87,930</b>	61,113	<b>151</b>	0.2%	-99.8%
AQM	1,966,492	2,068,697	2,491,036	<b>1,672,277</b>	2,116,070	<b>1,608,810</b>	76.0%	-3.8%
CCHS	3,706,478	3,322,667	3,388,099	<b>1,619,324</b>	3,528,098	<b>2,266,323</b>	64.2%	40.0%
EHS	1,755,042	1,828,482	1,890,192	<b>1,180,593</b>	1,931,774	<b>1,349,986</b>	69.9%	14.3%
EPHP	1,670,338	1,833,643	1,805,986	<b>1,037,680</b>	1,630,280	<b>1,027,319</b>	63.0%	-1.0%
GF Operating	7,250,850	6,623,891	6,853,891	<b>4,569,261</b>	7,666,420	<b>5,749,815</b>	75.0%	25.8%
GF Overhead Subsidy	-	2,000,000	1,750,000	<b>1,166,667</b>	2,333,772	<b>1,750,329</b>	75.0%	50.0%
<b>Total Revenues</b>	<b>\$16,349,208</b>	<b>\$17,710,834</b>	<b>\$18,267,134</b>	<b>\$11,333,732</b>	<b>\$19,267,526</b>	<b>\$13,752,733</b>	<b>71.4%</b>	<b>21.3%</b>
<b>Expenditures</b>								
ODHO	-	-	-	-	442,477	<b>299,523</b>	67.7%	-
AHS	1,202,330	1,305,407	1,247,924	<b>885,096</b>	1,004,343	<b>786,406</b>	78.3%	-11.2%
AQM	1,955,798	2,297,077	2,170,911	<b>1,565,504</b>	2,752,520	<b>1,620,872</b>	58.9%	3.5%
CCHS	6,086,866	5,757,304	5,779,003	<b>4,172,149</b>	5,982,646	<b>4,401,170</b>	73.6%	5.5%
EHS	4,848,375	4,772,942	4,804,597	<b>3,574,298</b>	5,603,142	<b>3,725,662</b>	66.5%	4.2%
EPHP	2,084,830	2,129,310	2,022,331	<b>1,448,623</b>	2,350,969	<b>1,444,828</b>	61.5%	-0.3%
GF Overhead Charge	-	2,553,372	2,898,034	<b>2,173,525</b>	2,741,061	<b>2,055,796</b>	75.0%	-5.4%
<b>Total Expenditures</b>	<b>\$16,178,200</b>	<b>\$18,815,411</b>	<b>\$18,922,800</b>	<b>\$13,819,195</b>	<b>\$20,877,158</b>	<b>\$14,334,256</b>	<b>68.7%</b>	<b>3.7%</b>
<b>Revenues (sources of funds) less Expenditures:</b>								
ODHO	-	-	-	-	(442,477)	<b>(299,523)</b>		
AHS	(1,202,322)	(1,271,953)	(1,159,994)	<b>(797,166)</b>	(943,230)	<b>(786,255)</b>		
AQM	10,694	(228,380)	320,125	<b>106,773</b>	(636,450)	<b>(12,062)</b>		
CCHS	(2,380,389)	(2,434,637)	(2,390,904)	<b>(2,552,825)</b>	(2,454,548)	<b>(2,134,847)</b>		
EHS	(3,093,333)	(2,944,460)	(2,914,405)	<b>(2,393,705)</b>	(3,671,368)	<b>(2,375,676)</b>		
EPHP	(414,492)	(295,666)	(216,345)	<b>(410,943)</b>	(720,689)	<b>(417,510)</b>		
GF Operating	7,250,850	6,623,891	6,853,891	<b>4,569,261</b>	7,666,420	<b>5,749,815</b>		
GF Overhead Subsidy	-	(553,372)	(1,148,034)	<b>(1,006,859)</b>	(407,289)	<b>(305,467)</b>		
<b>Surplus (deficit)</b>	<b>\$ 171,008</b>	<b>\$ (1,104,577)</b>	<b>\$ (655,666)</b>	<b>\$ (2,485,463)</b>	<b>\$ (1,609,632)</b>	<b>\$ (581,524)</b>		
<b>Fund Balance (FB)</b>	<b>\$ 3,916,042</b>	<b>\$ 2,811,465</b>	<b>\$ 2,155,799</b>		<b>\$ 546,168</b>			
FB as a % of Expenditures	24.2%	14.9%	11.4%		2.6%			

Note: ODHO=Office of the District Health Officer, AHS=Administrative Health Services, AQM=Air Quality Management, CCHS=Community and Clinical Health Services, EHS=Environmental Health Services, EPHP=Epidemiology and Public Health Preparedness, GF=County General Fund



**FISCAL IMPACT**

No fiscal impact associated with the acknowledgement of this staff report. Board direction regarding FY16 Budget may have fiscal impact.

**RECOMMENDATION**

Staff recommends that the District Board of Health acknowledge receipt of the Health District Fund Financial Review for March Fiscal Year 2015 and 2016 Budget Update [*and provide possible direction to staff regarding FY16 Budget*].

**POSSIBLE MOTION**

Move to acknowledge receipt of the Health District Fund Financial Review for March Fiscal Year 2015 and 2016 Budget Update [*and provide possible direction to staff regarding FY16 Budget*].

Attachment:  
Health District Fund summary report with line item detail

Period: 1 thru 9 2015  
 Accounts: GO-P-L P&L Accounts  
 Business Area: \*

Fund: 202 Health Fund  
 Fund Center: 000 Default Washoe County  
 Functional Area: 000 Standard Functional Area Hiera

Accounts	2015 Plan	2015 Actuals	Balance		2014 Plan	2014 Actual	Balance	
422503 Environmental Permits	46,317-	41,822-	4,495-	90	63,177-	49,771-	13,406-	79
422504 Pool Permits	97,000-	70,199-	26,801-	72	74,690-	54,654-	20,036-	73
422505 RV Permits	11,000-	8,981-	2,019-	82	13,306-	9,011-	4,295-	68
422507 Food Service Permits	420,000-	348,230-	71,770-	83	492,181-	337,152-	155,029-	69
422508 Wat Well Const Perm	30,000-	27,203-	2,797-	91	23,567-	20,753-	2,814-	88
422509 Water Company Permits	5,000-	9,247-	4,247	185	3,200-	6,810-	3,610	213
422510 Air Pollution Permits	474,103-	397,056-	77,047-	84	584,012-	387,990-	196,022-	66
422511 ISDS Permits	75,000-	62,924-	12,076-	84	66,522-	64,248-	2,274-	97
422513 Special Event Permits	105,000-	49,618-	55,382-	47	99,623-	55,025-	44,598-	55
422514 Initial Applic Fee	31,000-	22,366-	8,634-	72	35,226-	25,990-	9,236-	74
* Licenses and Permits	1,294,420-	1,037,646-	256,774-	80	1,455,504-	1,011,404-	444,100-	69
431100 Federal Grants	5,197,010-	3,044,247-	2,152,764-	59	5,301,515-	2,418,666-	2,882,849-	46
431105 Federal Grants - Indirect	235,667-	169,905-	65,762-	72	243,178-	165,442-	77,737-	68
432100 State Grants	311,068-	224,370-	86,698-	72	741,802-	224,822-	516,980-	30
432105 State Grants-Indirect	16,026-	9,139-	6,887-	57	2,205-	1,073-	1,132-	49
432310 Tire Fee NRS 444A.090	468,548-	342,523-	126,025-	73	468,548-	177,316-	291,232-	38
432311 Pol Ctrl 445B.830	318,667-	453,222-	134,555	142	300,000-	552,771-	252,771	184
* Intergovernmental	6,546,987-	4,243,406-	2,303,581-	65	7,057,248-	3,540,090-	3,517,159-	50
460162 Services to Other Agencies								
460500 Other Immunizations	89,000-	28,657-	60,344-	32	89,000-	37,590-	51,410-	42
460501 Medicaid Clinical Services	8,200-	2,737-	5,463-	33	8,200-	1,678-	6,523-	20
460503 Childhood Immunizations	20,000-	10,589-	9,412-	53	20,000-	11,740-	8,260-	59
460504 Maternal Child Health								
460505 Non Title X Revenue								
460508 Tuberculosis	4,100-	4,020-	80-	98	4,100-	3,268-	832-	80
460509 Water Quality								
460510 IT Overlay	35,344-	25,239-	10,105-	71	35,344-	26,696-	8,648-	76
460511 Birth and Death Certificates	480,000-	343,210-	136,790-	72	450,000-	340,367-	109,633-	76
460512 Duplication Service Fees		307-	307			791-	791	
460513 Other Health Service Charges		359-	359			370-	370	
460514 Food Service Certification	18,000-	13,298-	4,702-	74	19,984-	14,077-	5,907-	70
460515 Medicare Reimbursement								
460516 Pgm Inc-3rd Prty Rec	1,750-	18,522-	16,772	1,058	1,750-	18,880-	17,130	1,079
460517 Influenza Immunization	7,000-	53-	6,948-	1	7,000-	4,659-	2,341-	67
460518 STD Fees	21,000-	9,897-	11,103-	47	21,000-	13,717-	7,283-	65
460519 Outpatient Services		130-	130					
460520 Eng Serv Health	50,000-	35,964-	14,036-	72	50,707-	37,878-	12,829-	75
460521 Plan Review - Pools & Spas	3,600-	3,944-	344	110	3,816-	4,517-	701	118
460523 Plan Review - Food Services	20,000-	16,539-	3,461-	83	18,765-	15,178-	3,587-	81
460524 Family Planning	32,000-	23,182-	8,818-	72	27,000-	25,583-	1,417-	95
460525 Plan Review - Vector	42,000-	37,733-	4,267-	90	36,021-	42,474-	6,453	118
460526 Plan Review-Air Quality	57,889-	40,193-	17,696-	69	65,272-	22,023-	43,249-	34
460527 NOE-AQM	116,984-	87,595-	29,389-	75	113,934-	87,068-	26,866-	76

Period: 1 thru 9 2015 Fund: 202 Health Fund  
 Accounts: GO-P-L P&L Accounts Fund Center: 000 Default Washoe County  
 Business Area: \* Functional Area: 000 Standard Functional Area Hiera

Accounts	2015 Plan	2015 Actuals	Balance		2014 Plan	2014 Actual	Balance	
460528 NESHAP-AQM	99,333-	77,909-	21,424-	78	135,389-	59,062-	76,327-	44
460529 Assessments-AQM	51,336-	41,292-	10,044-	80	57,888-	35,588-	22,300-	61
460530 Inspector Registr-AQ	2,162-	855-	1,307-	40	14,655-	2,113-	12,542-	14
460531 Dust Plan-Air Quality	142,403-	93,365-	49,038-	66	187,690-	101,535-	86,155-	54
460532 Plan Rvw Hotel/Motel		3,490-	3,490			480-	480	
460533 Quick Start								
460534 Child Care Inspection	8,514-	6,665-	1,849-	78	10,560-	5,961-	4,599-	56
460535 Pub Accomod Inspectn	19,000-	13,958-	5,042-	73	22,540-	13,897-	8,643-	62
460570 Education Revenue					2,900-	796-	2,104-	27
* Charges for Services	1,329,615-	939,702-	389,913-	71	1,403,515-	927,985-	475,530-	66
483000 Rental Income		151-	151					
484050 Donations Federal Pgm Income	37,550-	20,055-	17,495-	53	37,550-	27,801-	9,749-	74
484195 Non-Govt'l Grants	55,988-		55,988-		88,263-	82,152-	6,111-	93
484197 Non-Gov. Grants-Indirect	5,125-		5,125-		5,125-	5,125-		100
485100 Reimbursements		10,011-	10,011					
485121 Jury Reimbursements		120-	120			80-	80	
485300 Other Misc Govt Rev		1,497-	1,497		62,229-	2,515-	59,714-	4
* Miscellaneous	98,663-	31,835-	66,828-	32	193,167-	117,673-	75,494-	61
** Revenue	9,269,685-	6,252,589-	3,017,096-	67	10,109,435-	5,597,152-	4,512,283-	55
701110 Base Salaries	9,211,289	6,812,003	2,399,286	74	9,191,190	6,320,874	2,870,315	69
701120 Part Time	408,927	258,731	150,196	63	565,940	313,618	252,322	55
701130 Pooled Positions	510,605	281,459	229,146	55	464,481	322,896	141,585	70
701140 Holiday Work	4,319	2,804	1,515	65	2,819	3,145	326-	112
701150 xcContractual Wages								
701200 Incentive Longevity	155,100	81,672	73,428	53	165,426	83,144	82,281	50
701300 Overtime	62,405	42,859	19,546	69	69,920	38,769	31,150	55
701403 Shift Differential		85	85-					
701406 Standby Pay						100-	100	
701408 Call Back	1,000		1,000		1,000	147	853	15
701412 Salary Adjustment	93,535		93,535		230,085-		230,085-	
701413 Vac Payoff/Sick Pay-Term		123,195	123,195-			73,653	73,653-	
701417 Comp Time		11,950	11,950-			9,751	9,751-	
701419 Comp Time - Transfer						6,038	6,038-	
701500 Merit Awards								
* Salaries and Wages	10,447,180	7,614,758	2,832,422	73	10,230,689	7,171,935	3,058,755	70
705110 Group Insurance	1,461,276	1,066,641	394,635	73	1,422,035	979,697	442,338	69
705210 Retirement	2,510,295	1,810,892	699,403	72	2,515,667	1,719,353	796,314	68
705215 Retirement Calculation								
705230 Medicare April 1986	134,808	104,045	30,763	77	136,701	96,696	40,005	71
705320 Workmens Comp	68,214	50,840	17,373	75	66,992	49,604	17,388	74
705330 Unemploy Comp	15,179	11,384	3,795	75	15,375	15,179	196	99
705360 Benefit Adjustment	19,139		19,139					
* Employee Benefits	4,208,911	3,043,803	1,165,108	72	4,156,770	2,860,529	1,296,241	69



Period: 1 thru 9 2015  
 Accounts: GO-P-L P&L Accounts  
 Business Area: \*

Fund: 202  
 Fund Center: 000  
 Functional Area: 000

Health Fund  
 Default Washoe County  
 Standard Functional Area Hiera

Accounts	2015 Plan	2015 Actuals	Balance		2014 Plan	2014 Actual	Balance	
710703 Biologicals	203,743	155,328	48,415	76	246,791	152,710	94,080	62
710714 Referral Services		1,356	1,356-		6,328	452	5,876	7
710721 Outpatient	96,786	49,383	47,403	51	93,093	51,532	41,560	55
710872 Food Purchases	4,889	1,433	3,456	29	10,176	450	9,725	4
711010 Utilities					180		180	
711020 Water/Sewer								
711100 ESD Asset Management	66,526	48,327	18,199	73	47,436	36,783	10,653	78
711113 Equip Srv Replace	27,586	20,264	7,322	73	27,084	26,121-	53,205	96-
711114 Equip Srv O & M	41,538	33,163	8,375	80	46,869	29,946	16,923	64
711115 Equip Srv Motor Pool	5,000		5,000		16,741		16,741	
711117 ESD Fuel Charge	48,591	33,838	14,753	70	55,492	30,725	24,767	55
711119 Prop & Liab Billings	74,502	55,877	18,625	75	74,502	55,877	18,625	75
711210 Travel	221,064	69,679	151,385	32	269,811	63,269	206,542	23
711300 Cash Over Short		20-	20			40	40-	
711399 ProCard in Process		65	65-					
711400 Overhead - General Fund	2,741,061	2,055,796	685,265	75	2,898,034	2,173,525	724,509	75
711504 Equipment nonCapital	106,476	64,296	42,181	60	135,712	88,188	47,525	65
* Services and Supplies	5,833,322	3,650,168	2,183,154	63	6,328,754	3,692,716	2,636,039	58
781004 Equipment Capital	365,096	25,527	339,569	7	332,748	94,016	238,732	28
781007 Vehicles Capital	25,000		25,000		100,000		100,000	
* Capital Outlay	390,096	25,527	364,569	7	432,748	94,016	338,732	22
** Expenses	20,879,509	14,334,256	6,545,252	69	21,148,962	13,819,195	7,329,767	65
485193 Surplus Supplies Sales						653-	653	
* Other Fin. Sources						653-	653	
621001 Transfer From General	10,000,192-	7,500,144-	2,500,048-	75	8,603,891-	5,735,927-	2,867,964-	67
* Transfers In	10,000,192-	7,500,144-	2,500,048-	75	8,603,891-	5,735,927-	2,867,964-	67
818000 Transfer to Intrafund								
* Transfers Out								
** Other Financing Src/Use	10,000,192-	7,500,144-	2,500,048-	75	8,603,891-	5,736,580-	2,867,311-	67
*** Total	1,609,632	581,524	1,028,108	36	2,435,636	2,485,463	49,827-	

**STAFF REPORT**  
**BOARD MEETING DATE:** April 23, 2015

**TO:** District Board of Health  
**FROM:** Kevin Dick, District Health Officer  
 775.328.2416, kdick@washoecounty.us  
**SUBJECT:** **Presentation, Discussion and Possible Acceptance of the April 2015 Nevada Legislative Session Report and Discussion and direction to staff regarding legislation or legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County Health District.**

**SUMMARY**

This is a monthly update regarding bill draft requests (BDRs) or bill drafts which may be of interest to the District Board of Health.

**District Health Strategic Objective supported by this item:** Demonstrate the value and contribution of public health, secure and deploy resources for sustainable impact, strengthen WCHD as an innovative, high- performing organization and achieve targeted improvements in health outcomes and health equity.

**PREVIOUS ACTION**

Each biennium, WCHD has monitored Legislative activities and acted on them as directed by the District Board of Health. A staff report for the 2015 legislative session has been provided monthly since the December 18, 2014 meeting. The Washoe County Health District 2015 Legislative Principles were approved on February 26, 2015 to guide decision making during the session.

**BACKGROUND**

Staff will monitor and provide comment as bill drafts are released and/or legislative action occurs during the period between DBOH meetings. DBOH will be briefed on these comments and activities during the monthly 2015 meetings. These monthly briefings can be used for discussion and for any specific direction the DBOH would like to provide for the Health District's legislative activities.

**FISCAL IMPACT**

Should the Board approve staff's recommendation, there will be no fiscal impact to the adopted FY15 budget

**RECOMMENDATION**

Staff recommends the Board accept the April 2015 Nevada Legislative Session Report [*and provide direction to staff regarding legislation or legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County Health District*].

Subject:  
Date:  
Page 2 of 2

**POSSIBLE MOTION**

Should the Board agree with staff's recommendation, a possible motion would be: "Move to accept the April 2015 Nevada legislative session report, [*and provide direction to staff regarding legislation or legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County Health District*]."

## 2015 Legislative Tracking Report

No new Bill language or BDRs introduced since March 26, 2015 (date of last report)

Bill	Sponsor	Status	Summary	Division	Track/Monitor/No Int.	Testify	Testify Date	Support/Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
AB4	Hickey	Active	Revises provisions relating to the operation of wineries in Nevada.	AQM, EHS	Monitor	No		Neutral	CA - no impact on AQM ability to permit if necessary. BS It does apply to our county but there is no negative impact to us as a Public Health Agency.	2/2 Read first time. To committee	3/27	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB4.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB4.pdf</a>
AB19	Nevada League of Cities and Municipalities	Active	Revises provisions governing timing of adoption of tentative budgets by local governments .	AHS, ODHO	Monitor				AH - yes, AHS should keep an eye on this AB but given that they are not changing the time frame for when the Property Tax projections are due to the County, March 25th is the final proforma from the State, I cannot imagine the County ever moving the public hearing into March but you never know. Health always has the budget done long before the County completes the consolidated budget for the County so I think we are in good shape.	4/10/2015 -- Read third time. Passed, as amended. Title approved. (Yeas: 41, Nays: None, Excused: 1.) To Senate	2/20	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB19.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB19.pdf</a>



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AB49	Attorney General	Active	Revises provisions governing the unlawful dissemination of an intimate image of another person.	CCHS	Monitor				JH - attaching documentation supporting amendments, this bill highlights the need for comprehensive sex ed	2/2/2015 -- Read first time. To committee.	4/8	Amend and pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB49.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB49.pdf</a>
AB52	Leg Comm on Child Welfare and Juvenile Justice	Active	Revises provisions relating to child welfare	CCHS, CD						4/6/2015 -- In Senate. Read first time. Referred to Committee on Health and Human Services. To committee.	3/20	Amend No. 168, do pass.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB52.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB52.pdf</a>

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AB60	Comm on Ethics	Active	Revises provisions of the Nevada Ethics in Government Law	ALL					CA - No significant AQM impact. As an EPA delegated agency AQM already addresses conflict of interest issues (ethics).	2/2/2015 -- Read first time. To committee.	4/9	Amend and do pass as amended	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB60.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB60.pdf</a>
AB65	Secretary of State	Active	Revises provisions relating to notaries public.	EHS	Monitor				CA - Looks like the District impact will be as an employer of a notary: We can't prevent them from performing notary tasks and we can't advertise thier services. The rest is about training, appointments and penalties.	2/2/2015 -- Read first time. To committee.	3/27	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB65.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB65.pdf</a>

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Bill	Sponsor	Status	Summary	Division	Track/Monitor/No Int.	Testify	Testify Date	Support/Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
AB77	State Dept of Ag	Active	Makes various changes relating to the regulation of agriculture	EHS	Monitor	Yes	2/19/15		BS - We have talked to both the State Health Division and Department of Agriculture. We have been assured that the program will not change when it moves under Dept of Ag. Bob sat through the hearing on the bill but did not testify. We do not have an issue with the move. We continue to be neutral on the bill CA - AB77 is not applicable to air quality. SK no interest.	4/13/2015 -- From printer. To engrossment. Engrossed. First reprint. To committee.	3/26	Amend No. 337 no recommendation, rerefer	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB77.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB77.pdf</a>
AB79	State Dept of Ag	Active	Revises provisions relating to the State Department of Agriculture and the regulation of agriculture	EHS	Monitor	Yes	2/19/15		BS - This is a companion bill to AB 77. Comments for this bill are the same as it.	4/13/2015 -- From printer. To engrossment. Engrossed. First reprint.	3/27	Mentioned no jurisdiction	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB79.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB79.pdf</a>

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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
AB83	Attorney General	Active	Revises provisions governing the sale of electronic cigarettes and licensure of machinery used to manufacture cigarettes.	CCHS, EHPH, CD	Monitor				KS - AB83 relates to licensing of cigarette rolling machines. While it's not directly applicable to the HD, it may be something that we would support because it would strengthen continuity of regulations impacting access of cigarettes. This would be something that I would recommend we support, but not necessarily take action on.	4/10/2015 -- Read third time. Passed, as amended. Title approved. (Yeas: 34, Nays: 7, Excused: 1.) To Senate.	3/5	Amend No. 159 do pass.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB83.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB83.pdf</a>

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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
AB90	Emergency Mgt, DPS	Active	Establishes the Nevada Intrastate Mutual Aid System to create a flexible and scalable method of implementing intrastate mutual aid among political subdivisions, special districts and federally recognized tribes within the State for all hazards	ALL	Monitor				CA - EPHP bill – no AQM impact other than staff with ICS training may be requested to respond. SK it could impact the entire Health District, depending upon the emergency.	4/7/2015 -- In Senate. Read first time. Referred to Committee on Government Affairs. To committee.	2/20	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB90.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB90.pdf</a>

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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
AB93	Frierson	Active	Requires suicide awareness and prevention training for licensed educational personnel and certain other professionals	CCHS, EPHP, CD	Monitor				SK - Still no mention of nursing, so still no interest on CCHS' behalf. I would continue to monitor, should they decide to add nursing in somewhere along the way. BS - No impacts to us. RT This bill does not appear to have any direct impact on EPHP programs	2/2/2015 -- Read first time. To committee.	2/25	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB93.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB93.pdf</a>
AB99	Assemblyman Ellison	Active	Makes various changes relating to nonprofit camping programs for children.	EHS	Monitor					3/11/2015 -- In Senate. Read first time. Referred to Committee on Health and Human Services. To committee.	2/20	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB99.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB99.pdf</a>

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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
AB107	Legislative Committee on Education	Active	Revises provisions relating to information included in the annual report of accountability prepared by school districts and sponsors of charter schools	CCHS, CD	Monitor				KS - AB107 is something that I think many of our partners in the area of childhood nutrition would support. I don't see us playing an active role in this legislation, but we may want to continue to monitor it. I think it would supply good data related to income and academic success.	2/2/2015 -- Read first time. To committee.	2/18	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB107.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB107.pdf</a>
AB146	Assembly Committee on Transportation	Active	Revises provisions governing motor vehicle licensing.	AQM	Track	Yes	02/24/15	Oppose	CA - Extending smog check on new vehicles from 2 to 4 yrs has fiscal impact. Extending renewal smog check to every 2 yrs has potential environmental impact on ozone attainment status. EPA proposed ozone standard 65-70 ppb. Washoe, Carson, Fernley currently 68-69 ppb	3/17/2015 -- Notice of eligibility for exemption.	4/9	02/10 Discussed; 2/24 - Heard 4/9 - Amend, pass as amended	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB146.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB146.pdf</a>

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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
AB152	Assemblyman Araujo	Active	Establishes provisions to address childhood obesity for children in child care facilities, including nutrition, physical activity, screen time, and breastfeeding.	CCHS, CD	Track			Support		2/16/2015 -- From printer. To committee.	4/6	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB152.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB152.pdf</a>
AB156	Assemblyman Thompson	Active	Revises provisions governing family resource centers	CCHS, ODHO	Monitor					4/3/2015 -- Taken from General File. Placed on Chief Clerk's desk.	3/13	Amend No. 126, do pass.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB156.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB156.pdf</a>



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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
AB157	Assemblyman Oscarson	Active	Revises provisions governing service animals.	EHS	Monitor	No		Neutral		4/13/2015 -- From printer. To engrossment. Engrossed. First reprint.	3/13	Amend No. 127 do pass	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB157.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB157.pdf</a>
AB158	Leg Comm on Health Care	Active	Provides for certain businesses to obtain and use auto-injectable epinephrine in certain circumstances	CCHS, EPHP	Monitor	No		Neutral	CCHS already has an extensive training and skills evaluation /competency program for Epi admin. No impact to Division at this point.	2/16/2015 -- From printer. To committee.	3/20	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB158.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB158.pdf</a>

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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
AB163	Assemblyman Hansen	Active	Provides for the establishment of Rangeland Fire Protection Associations	EPHP, EMS, ODHO						2/16/2015 -- From printer. To committee.	3/10	Mentioned no jurisdiction.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB163.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB163.pdf</a>
AB169	Assembly Committee on Health and Human Services	Active	Provides for the collection and application of graywater for a single-family residence.	EHS	Monitor	Yes		Support	Mandates that local jurisdictions allow grey water disposal systems on those lots which are allowed to have onsite sewage disposal. We already allow for it in our regulations	4/10/2015 -- Taken from General File. Placed on General File for next legislative day.	3/20	Amend No. 167 do pass.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB169.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB169.pdf</a>

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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
AB199	Legislative Commission	Active	Makes various changes to certain advisory committees in the field of health care	AQM, CCHS, EPHP, CD	Monitor	No			KS - The bill abolishes or makes changes to certain advisory committees. As written, the bill does not affect the Health District, but we will monitor to watch for any changes.	3/26/2015 -- Notice of exemption.	3/20	Do pass.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB199.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB199.pdf</a>

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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
AB243	Thompson	Active	Provides for targeted HIV outreach and testing	CCHS, EPHP	Monitor	Maybe		Support with Amendment	JH - Early detection of Human Immunodeficiency Virus (HIV) is critical in supporting the public health tenets of disease prevention and surveillance. Rapid HIV testing provides accurate screening results while reducing barriers to a person determining their HIV status. <u>The Washoe County Health District (WCHD) supports AB 243, with a minor modification to language specific to informing sexual and drug sharing partners of newly diagnosed individuals (Section 1 (f)). Support of revisions to the current statute will help increase the number of qualified people that can provide rapid HIV testing to people that may be difficult to reach through traditional testing opportunities. Suggested amendment provided to Thompson to add "drug sharing partners" to section 1(f). Language not changed.</u>	4/6/2015 -- In Senate. Read first time. Referred to Committee on Health and Human Services. To committee.	3/27	Do pass	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB243.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB243.pdf</a>

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Bill	Sponsor	Status	Summary	Division	Track/Monitor/No Int.	Testify	Testify Date	Support/Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
AB285	Assemblywoman Woodbury	Active	Revises provisions governing pupils.	EPHP		Yes			SK - CCHS has no interest in this bill	3/16/2015 -- From printer. To committee.	4/6	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB285.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB285.pdf</a>
AB305	Senate Commission on Transportation	Active	Revises provisions governing community paramedicine programs.	EPHP, EMS, ODHO					SK - CCHS has no interest in this bill	3/16/2015 -- From printer. To committee.	4/3	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB305.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB305.pdf</a>
AB307	Assemblywoman Spiegel	Active	Makes various changes to the provision of care for children with special needs.	CCHS		Yes				3/17/2015 -- From printer. To committee.	4/10	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB307.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB307.pdf</a>

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AB308	Assemblywoman Woodbury	Active	Revises provisions relating to emergency medical services.	EPHP, EMS	Track	Yes		Oppose	CC - The changes to this bill are good with the splitting out of a concert and then other factors applying. However, the opposition to the bill is due to subsection 2 within each of the three sections of the bill. If the subsection was removed, WCHD should support this bill.	3/17/2015 -- From printer. To committee.	4/10	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB308.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB308.pdf</a>

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AB326	Assemblyman Carrillo	Active	Revises provisions governing motor vehicle registration.	AQM	Monitor	Yes	03/26/15	Support	CA - The Washoe County Health District supports the proposed changes to NRS 482.3816, contained in Section 1 of Assembly Bill 326, which require proof be submitted upon renewal, satisfactory to the Department of Motor Vehicles, to verify the odometer reading of a passenger car with a special license plate. Washoe County Health District is taking a neutral position on all other changes in the bill. It is anticipated that the language included in Section 1 of AB 326 will support our State Implementation Plans for ozone and carbon monoxide while providing a necessary control measure in the effort to attain the more stringent ozone standards expected to be issued by EPA later on this year.	4/6/2015 -- Notice of eligibility for exemption.	4/9	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB326.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB326.pdf</a>

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AB333	Assemblyman Kirner	Active	Provides for the merger of certain fire protection districts in certain counties.	EPHP, EMS, ODHO		Yes				4/6/2015 -- In Senate. Read first time. Referred to Committee on Government Affairs. To committee.	4/13	Heard, No Action	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB333.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB333.pdf</a>
AB364	Assemblyman Thompson	Active	Revises provisions governing business licensing.	AQM, EHS		Maybe			CA - requires info received through Silver Flume to remain confidential which conflicts with Health regulations supporting the Freedom of Information Act and permitting/inspection procedures.	4/6/2015 -- Notice of eligibility for exemption.	4/9	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB364.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB364.pdf</a>



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AB375	Assemblywoman Dooling	Active	Revises provisions governing certain courses of study in public schools.	CCHS, CD	Monitor	Yes	4/10/15	Oppose	4/10/15 update - At Assembly Judiciary hearing, Dooling amended to remove sex ed provisions. However it was unclear if the amendment would eliminate all of sex ed (current law) or just the proposed changes. At the beginning of my testimony, I asked for clarification on that point to Chair Hansen. I was not allowed to continue testimony to support comprehensive sex education. It was later clarified by LCB counsel that current law would remain. JH -  Aside from the transgender discrimination portion, this bill seeks to remove outside presentors in sexual health classes (redundant to SB301) and also to remove sex ed for grades K-6. Curriculum content is also being censored more than what school boards may allow	4/8/2015 -- From committee: Without recommendation, and refer to Committee on Judiciary. Rereferred to Committee on Judiciary. To committee.	4/10	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB375.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB375.pdf</a>

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AB405	Assemblyman Hambrick	Active	Enacts provisions for the protection of women.	CCHS		Yes				4/8/2015 -- From committee: Without recommendation, and rerefer to Committee on Judiciary. Rereferred to Committee on Judiciary. To committee.	4/10	Amend, and do pass as amended	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB405.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB405.pdf</a>
AB409	Assemblywoman Seaman	Active	Revises provisions governing cosmetology.	EHS						3/20/2015 -- From printer. To committee.	4/8	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB409.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB409.pdf</a>

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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
AB463	Assembly Committee on Health and Human Services	Active	Revises provisions relating to emergency medical services.	EPHP, EMS	Monitor	No		Neutral	CC - Washoe County does not participate in the licensing of EMS personnel or organizations, that is a State function. However, it would be important to monitor to know of any changes that may impact our regional organizations.	4/6/2015 -- Notice of eligibility for exemption.	4/10	Without recommenda tion and rerefer.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB463.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB463.pdf</a>
SB15	Senate Comm on Health & Human Services	Active	Revises provisions relating to mental health	CCHS, CD	Monitor			Support	SK - We'll monitor and would support. No fiscal impact. Nurses already are mandatory reporters, this appears to expand the scope of what and to whom to report to.	4/10/2015 -- In Assembly. Read first time. Referred to Committee on Health and Human Services. To committee.	3/11	Mentioned no jurisdiction	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB15.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB15.pdf</a>

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SB29	Nevada Association of Counties	Active	Grants authority for a Board of Commissioners to adopt ordinances regulating specific health and safety issues.	ALL	Track	No		Neutral	CA - Grants authority to BCC unless otherwise assigned to another agency. DBOH has authority so this shouldn't have an effect	4/10/2015 -- In Assembly. Read first time. Referred to Committee on Government Affairs. To committee.	4/10	Mentioned no jurisdiction	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB29.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB29.pdf</a>
SB33	Clark County	Active	Revises provisions relating to the public records of county hospitals and meetings of the governing bodies of county hospitals.	EPHP, ODHO						2/2/2015 -- Read first time. To committee.	4/10	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB33.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB33.pdf</a>

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SB49	Clark County	Active	Revises provisions governing the regulation of county emergency shelters for children.	EHS, EPHP					SK - No impact to CCHS.	4/9/2015 -- From printer. To engrossment. Engrossed. First reprint. To committee. Exemption effective.	2/18	Amend No. 23 do pass	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB49.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB49.pdf</a>

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SB59	Secretary of State	Active	Revises provisions governing the State Business Portal	ALL	Monitor	Yes	2/4/15	Neutral	SK - No interest to CCHS. CA - This bill has the potential to have a significant impact on the District. The Secretary of State's Office was made aware of the Accela Project at the last session so I expect an update will be provided by someone during this session. The other problem is the State portal is not the most efficient at receiving information so IT continues to work on the problems. 2/26 - Amendments presented to emphasize Silver Flume is not intended to be mandatory but enabling and recognizes the effort being put into Accela. No further impacts expected once the amended language is adopted.	4/10/2015 -- In Assembly. Read first time. Referred to Committee on Judiciary. To committee.	4/2	Mentioned no jurisdiction	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB59.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB59.pdf</a>

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SB65	State Dept. of Conservation & Natural Resources	Active	Makes various changes relating to the adjudication of vested water rights, appropriatio n of public waters, underground water and wells and planning and development of water resources	EHS						2/2/2015 -- Read first time. To committee.	4/10	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB65.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB65.pdf</a>

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SB70	Attorney General	Active	Revises provisions governing meetings of public bodies	AQM, EHS, ODHO	Monitor	No			<p>DS - no fiscal impact, as the only alteration of the secretary's tasks involves signing a form and retaining it with the meeting records. However, retrieving records in the case of a complaint could be time consuming if they are not maintained in a concise and easily accessible way.</p> <p>CA - I agree, there should be no significant fiscal impact since the completion of the Attorney General's form would be the only change. We already keep records and provide them upon request. The Committee's that we are members of already have alternate delegates assigned in writing. I don't believe there's anything else that would have an impact on Air Quality. KD - I agree. BS - Other than the form listed below I think we are already doing what this bill says</p>	2/2/2015 -- Read first time. To committee.	3/11	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB70.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB70.pdf</a>



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SB79	Department of Taxation	Active	Clarifies provisions governing taxation of tobacco products other than cigarettes to specifically include the consumable part of e-cigarettes and nicotine heated in a vapor device	CCHS, CD	Monitor			Support		4/10/2015 -- Waiver granted effective: April 10, 2015	2/12	Heard, no action.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB79.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB79.pdf</a>
SB85	Attorney General	Active	Clarifies provisions of the Nevada Insurance Code	CCHS	Monitor				Currently only pertains to insurance fraud. Plan to monitor to ensure no other language added that may pertain specifically to the WCHD.	3/16/2015 -- Taken from General File. Placed on Chief Clerk's desk.	3/11	Do pass	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB85.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB85.pdf</a>

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SB86	PUC of NV	Active	Revises provisions governing pipeline and subsurface safety	EHS						4/10/2015 -- In Assembly. Read first time. Referred to Committee on Commerce and Labor. To committee.	2/20	Amendment No. 251 do pass.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB86.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB86.pdf</a>
SB89	EPA Div of Conservation & Natural Resources	Active	Clarifies provisions governing expenditure of money from the Fund for Cleaning Up Discharges of Petroleum	EHS	Monitor			Support	BS - no impacts but we support if needed to.	3/16/2015 -- Taken from Second Reading File. Re-referred to Committee on Finance. To committee. Exemption effective.	3/31	Heard, no action.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB89.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB89.pdf</a>

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SB110	Senator Goicoechea	Active	Revises provisions governing the disposal of abandoned recreational vehicles.	EHS						2/23/2015 -- Notice of eligibility for exemption.	3/11	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB110.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB110.pdf</a>
SB122	Senator Denis	Active	Revises provisions relating to recycling.	AQM, EHS	Monitor	Maybe	02/13/2015	Neutral	EHS - Does not affect us directly but that could change if amended; AQM - may result in an increase in the number of recycling facilities operating in the area affecting permitting & compliance staff resources	4/10/2015 -- From committee: Without recommendation and re-refer to the Committee on Finance. Re-referred to Committee on Finance. To committee. Exemption effective.	4/10	Without recommendation, recommend ed to be re-referred	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB122.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB122.pdf</a>

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SB142	Senator Gustavson	Active	Revises provisions governing the equipment and training required to operate a motorcycle.	CCHS, CD						2/13/2015 -- From printer. To committee.	4/9	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB142.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB142.pdf</a>
SB144	Manendo	Active	Revises provisions governing traffic laws	CCHS, CD						4/3/2015 -- In Assembly. Read first time. Referred to Committee on Transportatio n. To committee.	3/5	Amend No. 82, do pass.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB144.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB144.pdf</a>

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SB151	Senator Atkinson, Assemblywoman Kirkpatrick	Active	Makes various changes concerning infrastructure for natural gas	EHS		Yes				4/10/2015 -- In Assembly. Read first time. Referred to Committee on Commerce and Labor. To committee.	2/27	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB151.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB151.pdf</a>
SB172	Senator Farley	Active	Revises provisions relating to medical students.	CCHS, EPHP		Yes				4/6/2015 -- In Assembly. Read first time. Referred to Committee on Health and Human Services. To committee.	3/11	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB172.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB172.pdf</a>

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SB178	Hardy	Active	Makes various changes to encourage physical activity in schools	CCHS, CD	Track	Yes		Support	Bill would mandate physical education for students in K-11, and require collection of height and weight data for BMI analysis.	2/20/2015 -- From printer. To committee.	2/24	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB178.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB178.pdf</a>
SB185	Kieckhefer	Active	Makes various changes relating to fire and emergency medical services in Washoe County	EPHP, EMS, ODHO						2/24/2015 -- From printer. To committee.	4/10	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB185.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB185.pdf</a>

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SB196	Senate Comm on Health & Human Services	Active	Revises provisions relating to licensing of medical professionals	CCHS	Monitor			Support	SB 196 would require the State to establish and maintain a Stroke Registry. This would help the NDPBH reach a goal in the State Plan for Chronic Disease Prevention related to the creation of a stroke registry. Some medical providers are already providing this data; this bill will expand the entities that are required to do so. Using the American Heart Association Get with the Guidelines program will help minimize the costs of the program.	4/10/2015 -- In Assembly. Read first time. Referred to Committee on Health and Human Services. To committee.	3/16	Amend No. 128 do pass	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB196.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB196.pdf</a>

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SB205	Leg Comm on Education	Active	Revises provisions relating to plans for schools to use in responding to a crisis or emergency.	EPHP	Track	No		Neutral	CC - WCHD works closely with WCSD on emergency plans, specifically recovery plans. It will be important for EPHP to know if there are legislative actions regarding preparedness.	4/10/2015 -- In Assembly. Read first time. Referred to Committee on Education. To committee.	3/23	Mentioned no jurisdiction	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB205.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB205.pdf</a>
SB214	Senate Committee on Finance	Active	Provides for a statewide strategy regarding receipt of federal funds.	ALL		Yes				4/8/2015 -- From printer. To engrossment. Engrossed. First reprint. To committee. Exemption effective.	3/30	Amend No. 212 do pass	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB214.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB214.pdf</a>



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SB225	Senator Farley	Active	Revises provisions relating to the regulation of certain products.	CCHS, CD	Monitor	Yes				3/10/2015 -- From printer. To committee.	4/6	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB225.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB225.pdf</a>
SB247	Senate Committee on Health and Human Services	Active	Makes various changes relating to public health.	ALL	Track				SK - track.	3/12/2015 -- From printer. To committee.	4/8	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB247.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB247.pdf</a>
SB273	Senator Hardy	Active	Revises provisions relating to medical records.	AHS, CCHS, EHS, EPHP, CD, EMS	Monitor	No			SK - Correct, monitor/track	3/16/2015 -- From printer. To committee.	4/9	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB273.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB273.pdf</a>

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SB276	Senator Segerblom	Active	Revises provisions governing medical marijuana dispensaries.	AQM, EHS	Track	No		Neutral	CA - Bill establishes a one time increase in number of approved dispensaries registration certificates issued by State Health	4/8/2015 -- Withdrawn from committee. Re-referred to Committee on Finance. To committee. Exemption effective.			<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB276.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB276.pdf</a>
SB281	Senator Hammond	Active	Revises provisions relating to certain businesses.	EHS	Monitor			Neutral	BS - We are interested. We have no problem with the bill, so we should stay neutral on it but we do want to keep an eye on it and find out more about what is motivating this.	4/8/2015 -- In Assembly. Read first time. Referred to Committee on Health and Human Services. To committee.	3/26	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB281.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB281.pdf</a>

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SB291	Senate Majority Leader	Active	Revises provisions relating to civil actions.	AHS, AQM, EHS, EPHP, ODHO		No			SK - no interest for CCHS. CA - no AQM impact	4/9/2015 -- Waiver granted effective: April 8, 2015	3/30	Heard no action	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB291.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB291.pdf</a>
SB292	Senate Majority Leader	Active	Revises provisions relating to medical malpractice.	CCHS, EPHP						4/10/2015 -- Waiver granted effective: April 10, 2015	3/26	Heard, No Action	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB292.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB292.pdf</a>
SB300	Senate Majority Leader	Active	Revises provisions relating to comparative negligence.	AQM, CCHS, EHS, EPHP, EMS		Maybe				4/9/2015 -- Waiver granted effective: April 8, 2015			<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB300.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB300.pdf</a>

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SB305	Senator Segerblom	Active	Authorizes industrial hemp farming in Nevada and makes various other changes relating to hemp	AQM, EHS	Track	No		Neutral	CA - cultivation may be exempt per agricultural exemption, however, processing of industrial hemp will be regulated by AQM	3/30/2015 -- Notice of eligibility for exemption.	4/7	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB305.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB305.pdf</a>
SB314	Senate Majority Leader/Asse mblyman Thompson	Active	Revises provisions governing health districts.	ODHO	Monitor	No		Neutral	KD - Changes administration of Health District in Counties of 700,000+. A Southern Nevada issue sponsored by S. Nevada legislators.	3/31/2015 -- Withdrawn from committee. Re-referred to Committee on Finance. To committee.	4/10	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB314.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB314.pdf</a>
SB318	Senator Kieckhefer	Active	Revises provisions relating to fire districts.	EPHP, EMS		Yes				4/10/2015 -- Read second time.	4/8	Do pass	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB318.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB318.pdf</a>

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SB327	Senator Farley	Active	Revises certain provisions governing air ambulances.	EPHP, EMS						3/18/2015 -- From printer. To committee.	4/10	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB327.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB327.pdf</a>
SB339	Senator Smith	Active	Revises provisions governing prohibitions on smoking tobacco in certain locations.	CCHS, CD		Yes				4/10/2015 -- In Assembly. Read first time. Referred to Committee on Judiciary. To committee.	4/3	Do pass	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB339.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB339.pdf</a>

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SB386	Senator Manendo	Active	Revises provisions relating to motor vehicles.	AQM, EHS	Track	No		Neutral	CA - Bill establishes the requirement for a smog station technician to determine if the "check engine" light is on prior to running a test. If the light is on, the test will not pass, this bill requires the technician to inform the driver that the test cannot be completed and there will be no charge. The bill has no significant air quality impact but does provide a sense of customer service by avoiding tests that are sure to fail. Smog check is required by the I/M program and included in the State SIP.	4/2/2015 -- Notice of eligibility for exemption.	4/9	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB386.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB386.pdf</a>
SB402	Senator Denis	Active	Makes various changes concerning prevention and treatment of obesity.	CCHS, CD		Yes				4/10/2015 -- Read second time.	4/8	Do pass	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB402.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB402.pdf</a>

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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
SB441	Senate Committee on Commerce, Labor and Energy	Active	Revises provisions relating to cottage-food industries.	EHS	Track	Yes	4/6	Oppose (provide explanation)	bill would allow high hazard home pickling of vegetables and fruit and then allow them to be sold to the general public with no permitting or inspection oversight	3/24/2015 -- From printer. To committee.	4/10	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB441.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB441.pdf</a>
SB459	Governor	Active	Establishes Opioid Overdose Prevention Policy for Nevada	CCHS						3/25/2015-- From printer. To committee.	4/10	Amend, and do pass as amended	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB459.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB459.pdf</a>
SB481	Senate Committee on Government Affairs	Active	Limits the information that a city or county may request from a public utility.	AQM, EHS	Track			Neutral	CA - AQM provides for information to be kept confidential so there shouldn't be any conflict in keeping utility company asset & infrastructure information confidential	3/25/2015 -- From printer. To committee.	4/10	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB481.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB481.pdf</a>

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Bill	Sponsor	Status	Summary	Division	Track/Monitor/No Int.	Testify	Testify Date	Support/Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
SB503	Governor	Active	Provides for the implementation of a "Breakfast After the Bell" program in certain public schools.	CCHS, CD	Monitor					3/30/2015 -- Notice of eligibility for exemption.	4/9	Amend and do pass as amended.	<a href="https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB503.pdf">https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB503.pdf</a>
AB186	Assemblywoman Seaman	Dead	Makes various changes to liquor.	EHS	Monitor	Maybe		Neutral	BS - This bill does not apply other than it may have an indirect effect of having a few more bars or food facilities that may come into existence because of it. Some of these facilities will serve food and drinks			No	
AB232	Assemblyman Thompson	Dead	Revises provisions governing health districts.	ODHO	Monitor	No		Neutral	KD - Changes administration of Health District in Counties of 700,000+. A Southern Nevada issue sponsored by S. Nevada legislators.			No	



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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Link Action
AB269	Assemblyman Jones	Dead	Revises provisions governing professional licensing.	AQM, CCHS, EPHP	Track	Maybe					No	
AB322	Aizley	Dead	Revises provisions governing the health and safety of children	CCHS, CD	Monitor							
AB331	Assembly Minority Leader	Dead	Revises provisions governing Medicaid reimbursements.	AHS, CCHS	Track				SK - track			
AB347	Assemblyman Ohrenschall	Dead	Revises provisions relating to water resources	EHS	Monitor	Yes			BS - We are interested but have no problems with it. We need to stay neutral and track it		No	

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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
AB36	Clark County	Dead	Revises provisions governing requirements for hospitals to provide emergency services and care.	CCHS, EPHP, EMS									
AB361	Assemblywoman Swank	Dead	Enacts provisions relating to captive wild animals.	EHS		Yes					No		

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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
AB38	Public and Behavioral Health, Division of - Health and Human Services	Dead	Revises provisions governing certification and decertification of persons for involuntary court-ordered admissions.	CCHS	Monitor	No		Neutral	SK - depending on outcome, may affect our Registered Nurses.				
AB417	Assembly Committee on Government Affairs	Dead	Extends the deadline for approval of the revision of the boundary line between Storey and Washoe Counties.	AQM, CCHS, EHS, EPHP, EMS	Track	No		Neutral	CA - boundary change will determine permitting authority for air pollution sources that may locate in effected area	No	No		

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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
AB479	Assembly Committee on Government Affairs	Dead	Revises provisions relating to public notices.	AHS, AQM, EHS, EPHP, EMS, ODHO	Track	No		Support	CA - authorizes public notices on internet websites maintained by newspaper or broadcast companies. AQM regulations will not need to be amended.	No	No		
AB72	Attorney General	Dead	Revises provisions governing state professional licensing boards	CCHS, EHS, EPHP	Monitor				SK - it seems like it pertains to the State Board of Nursing.		No		

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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
AB95	Hansen	Dead	Exempts home-based businesses with an annual gross income of less than \$60,000 from the requirement to obtain a state business license	AQM, CCHS, EHS, CD	Monitor	No		Neutral	BS - no effect on our ability to issue permits; CA - agree	No	No		

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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Link Action
SB102	Legislative Committee on Public Lands	Dead	Creates a nonprofit Rangeland Fire Protection Association in each county in Nevada.	AQM, EPHP, EMS	Monitor				CA - No significant impact for AQM. Any approved rangeland fire protection associations will be required to submit Smoke Management Plans to AQM if they intent to perform any prescribed or training burns. If SB102 passes, AQM will contact the State Forester Firewarden for contact information to notify the new association of the permitting requirements.			
SB105	Senator Settlemyer	Dead	Allows a stand-alone bar to permit dogs to enter the establishment at the discretion of the establishment's owner	EHS	Monitor	Yes	02/16/2015	Oppose	BS - this bill allows dogs in bars. It also allows dogs in any bar that chooses to serve food. We can not support dogs or any animals in food prep areas. SK No interest to CCHS.		Yes	

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Bill	Sponsor	Status	Summary	Division	Track/Monitor/No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
SB11	Goicoechea	Dead	Grants power to local governments to perform certain acts or duties which are not prohibited or limited by statute.	ODHO									
SB117	Senate Committee on Health and Human Services	Dead	Revises provisions relating to immunizations.	CCHS	Monitor	Yes		Support	SK - this bill adds HPV and Meningococcal vaccinations to the list of required immunizations.		No		
SB139	Senator Gustavson	Dead	Makes various changes relating to certain businesses.	EHS	Monitor				CA - SB139 has no AQM impact. Emissions from microbreweries are below permit trigger levels.		No		

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Bill	Sponsor	Status	Summary	Division	Track/Monitor/No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
SB152	Senator Spearman, Senator Woodhouse, Senator Manendo	Dead	Makes various changes to provisions governing public safety	CCHS, CD							No	Amend No. 66 do pass	
SB201	Senate Committee on Finance	Dead	Makes various changes relating to the regulation of e-cigarettes	CCHS, EHS, CD	Track	Yes	4/1/15	Support	SB 201 would include e-cigarettes in the Nevada Clean Indoor Air Act and prohibit their use in places that combustible cigarettes are prohibited. In the case of a proposed amendment exempting vape shops from complying, we would still support.				
SB267	Senator Woodhouse	Dead	Revises provisions relating to safe transportation of children.	CCHS, EPHP, CD	Monitor	Yes			NA - At this point I'm thinking we need to keep monitoring SB267. I might be overly cautious in saying so though. It's been heard in the committee but it's not looking like any further action has yet taken place. Will keep watching it		No		



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SB275	Senator Segerblom	Dead	Makes various changes concerning rehabilitation of persons who are suffering from addiction to alcohol, drugs or other addictive substances or behaviors.	CCHS, CD	Monitor							
SB277	Segerblom	Dead	Enacts an "Environmental Policy Act" for Nevada.	AQM, EHS	Track	Maybe		Oppose	CA - significant impact on processing and approval of plans/permits and adoption of regulations			

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Bill	Sponsor	Status	Summary	Division	Track/Monitor/No Int.	Testify	Testify Date	Support/Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Action	Link
SB28	Nevada League of Cities and Municipalities	Dead	Clarifies provisions governing the fees that may be charged for providing copies of public records.	ALL	Monitor	No		Support	SK - Not of particularly high interest to CCHS. CA - This bill establishes the "extraordinary" effort so supply public records as more than 30 minutes or 25 or more pages (paper or electronic). I believe this bill supports our Fundamental Review for cost recovery when fulfilling the Freedom of Information Act. A bill to monitor with testimony only if recommended by AHS. AH - It would be a good idea to keep an eye on this one.				
SB301	Senator Hammond	Dead	Revises provisions relating to programs of instruction in sex education.	CCHS	Monitor	Yes		Oppose	JH - Oppose as is but support amendments to include the use of outside presenters and to require comprehensive, medically/legally accurate sexual health education	Yes	No		

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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Link Action
SB309	Kieckhefer	Dead	Creates Nevada's "Good Samaritan Drug Overdose Law."	CCHS, EPHP	Monitor			Support	SK - follow until we know more. JH - (this is <b>super</b> important to syringe service programs and is being backed by NNOT) JH- Attending SB459 joint HHS committee today and signing in as support. Many community partners, First Lady Sandoval, UNR CHS, Judge Nash Holmes will be testifying in support. SB459 was proposed by the Governor. Both bills may end up together.			

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SB343	Smith	Dead	Revises provisions relating to vital statistics	EPHP	Monitor	No		Support	JW - This amendment authorizes a person who has completed treatment for gender change transition to obtain a new certificate of birth to reflect his or her gender identity. The original birth certificate and the court order for the change are kept sealed and only released upon court order. The new birth certificate can only be issued by the State Registrar. This is no different than name change, removing a notation of illegitimacy and adding or changing the name of the father upon establishment of paternity, currently allowed by NRS 41.270. The new birth certificate would still be provided electronically to Washoe County, just as it is now.			

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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Link Action
SB438	Senate Committee on Commerce, Labor and Energy	Dead	Makes various changes relating to business.	AQM	Track	No		Neutral	CA - Bill establishes Legislative approval of the state plan to reduce CO2 emissions from fossil fuel fired electric generating plants required by EPA per Sec 111(d) of the Clean Air Act. NDEP has jurisdiction over these power plants so no impact to WCHD-AQMD regulatory authority. Sec 111(d) does require collaboration with Local AQMD to develop energy efficiency programs. If bill passes, the Washoe Co portion of the plan would also be subject to Legislative approval prior to submittal to EPA for final approval. Impact would be additional time for review/approval by Legislature prior to final submittal of WCHD-AQMD portion of the plan, in addition to standard DBOH approval.	No	No	

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Bill	Sponsor	Status	Summary	Division	Track/ Monitor/ No Int.	Testify	Testify Date	Support/ Oppose	Evaluation	Most Recent History Action	Last Meeting Date	Last Meeting Link Action
SB466	Oscarson	Dead	Implementation of the Federal Innovation in Surface Transportation Act	AQM	Track	Yes		Support	CA - Bill provides for a review panel appointed by the Governor to include local air quality representative and organization for active transportation which supports AQM Rack Em Up Campaign. If adopted AQM will apply for a position on the panel. The Act includes review of air quality impacts from roads/highway projects. AQM activities would support EPA 105 Grant objectives.	No	No	

**AIR QUALITY MANAGEMENT DIVISION DIRECTOR STAFF REPORT**  
**BOARD MEETING DATE: April 23, 2015**

**DATE:** April 10, 2015

**TO:** District Board of Health

**FROM:** Charlene Albee, Director  
775-784-7211, calbee@washoecounty.us

**SUBJECT:** Program Update, Divisional Update, Program Reports

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**1. Program Update**

a. Save the Date - Bike Week 2015

The AQMD wants to invite everyone in the community to participate in the 2015 Bike Week events scheduled for May 9<sup>th</sup> – 15<sup>th</sup>. Bike Week is a bicycle awareness campaign focused on promoting healthy living and physical fitness through active transportation. The Bike Week activities support the AQMD “Rack Em Up” Program which is a component of the award winning Keep it Clean Campaign. Since vehicles contribute up to 67% of the ozone precursors in Washoe County, providing education and outreach about alternative forms of transportation, like cycling, may lead to behavior changes which can positively impact our air quality and an overall healthy community.

Bike Week events are available for all interested members of the community. The AQMD, in partnership with Safe Routes to School, invites all Washoe County Schools to participate in the Bike to School Week “Rack Em Up” contest. The Commuter Challenge is an easy and fun way to challenge colleagues and other businesses in the community to promote teamwork and create a healthier workplace. Fun rides are also planned starting on May 9<sup>th</sup> with the Spoker Ride followed by The MidTown Monday and Bike Around Bingo on May 11<sup>th</sup>, and the Mayoral Challenge and Ride for Reading on May 14<sup>th</sup>. Friday May 15<sup>th</sup> starts off with the Reno Bike Project Pancake Feed from 6 – 10 am and the Coffee Shop Stop where riders can get a FREE cup of joe at participating coffee shops. Friday will also provide an opportunity for everyone to participate in the Family Fun Ride, hosted by the Kiwanis Bike Program and the City of Reno, which will take place from Cottonwood Park to Rock Park.

For details on all Bike Week events, please visit [www.bikewashoe.org](http://www.bikewashoe.org).

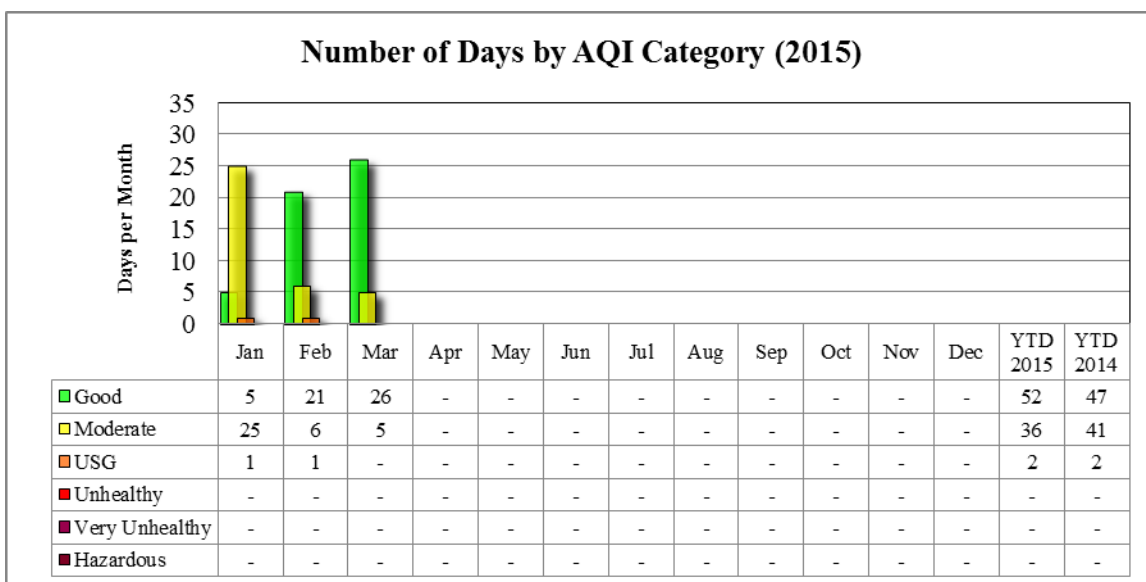
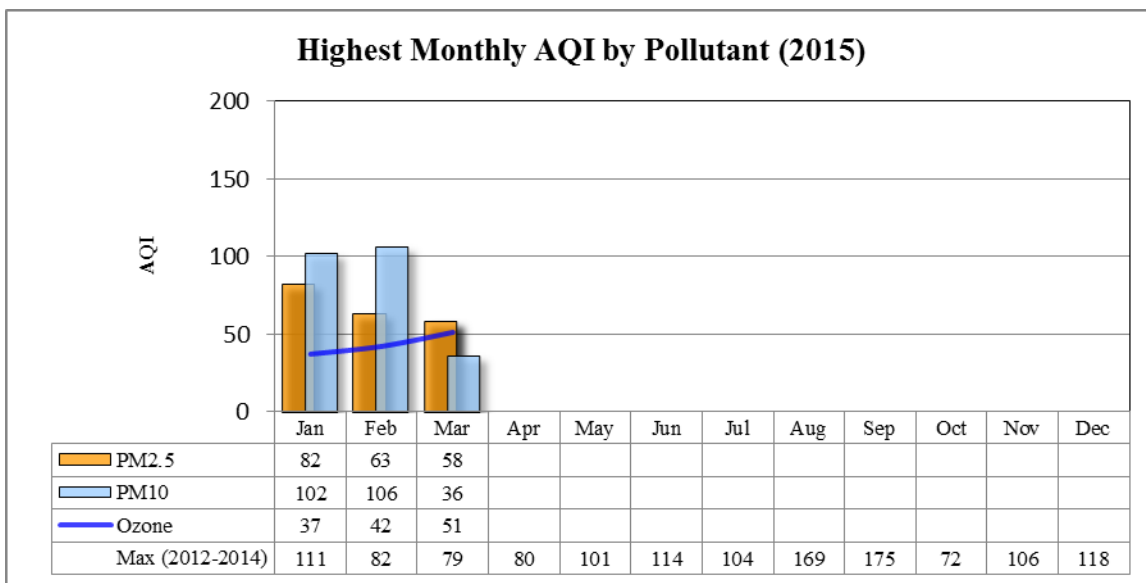


Charlene Albee, Director,  
Air Quality Management Division



## 2. Divisional Update

- a. Below are two charts detailing the latest air quality information for the month of March. The top chart indicates the highest AQI by pollutant and includes the highest AQI from the previous three years in the data table for comparison. The bottom chart indicates the number of days by AQI category and includes the previous year to date for comparison.



Please note AQI data are not fully verified and validated and should be considered preliminary. As such, they should not be used to formulate or support regulation, guidance, or any other governmental or public decision. For a daily depiction of the AQI data, please visit [www.OurCleanAir.com](http://www.OurCleanAir.com) for the most recent AQI Summary.

### **3. Program Reports**

#### **a. Monitoring & Planning**

There were no exceedances of any National Ambient Air Quality Standard during the month of March.

The Regional Transportation Commission of Washoe County (RTC) is the Metropolitan Planning Organization (MPO) for this area. Every three years, the RTC is reviewed by the US Department of Transportation to ensure that they are fulfilling their MPO responsibilities for transportation management. AQMD provided input in this review, specifically on the AQMD/RTC collaborative process to ensure RTC's transportation plans conform to the air quality State Implementation Plans.

Planning Staff participated in an American Planning Association "Urban Design, Sustainability, and the Environment" webinar hosted by the Washoe County Planning and Development Division. Staff also participated in conference calls and webinars regarding: 1) The Air Emissions Reporting Requirements rule update, 2) Implementation of the 2012 PM2.5 NAAQS, and 3) Data Storytelling Using Infographics.

Air Quality Awareness Week begins Monday, April 27th. The AQMD will provide daily information on how each of us can make small, positive differences that add up to cleaner air. Visit [OurCleanAir.com](http://OurCleanAir.com) and stay connected with local air quality through Facebook, Twitter, and EnviroFlash.

Daniel K. Inouye  
Chief, Monitoring and Planning

b. Permitting & Enforcement

Type of Permit	2015		2014	
	March	YTD	March	Annual Total
<b>Renewal of Existing Air Permits</b>	105	301	129	1328
<b>New Authorities to Construct</b>	14	40	15	133
<b>Dust Control Permits</b>	8 (49 acres)	27 (210 acres)	12 (162 acres)	114 (1172 acres)
<b>Wood Stove Certificates</b>	23	72	37	322
<b>WS Dealers Affidavit of Sale</b>	3 (3 replacements)	29 (22 replacements)	7 (6 replacements)	105 (80 replacements)
<b>WS Notice of Exemptions</b>	624 (3 stoves removed)	1412 (7 removed)	724 (7 stoves removed)	7143 (63 stoves removed)
<b>Asbestos Assessments</b>	137	309	90	862
<b>Asbestos Demo and Removal (NESHAP)</b>	25	79	12	199

Staff reviewed thirty six (36) sets of plans submitted to the Reno, Sparks or Washoe County Building Departments to assure the activities complied with Air Quality requirements.

- The Permitting Section continues work on the new Accela development. All To-Be-Documents have been reviewed by Air Quality Staff and returned to Accela with corrections noted. Air Quality's subject matter expert has been having WebEx meetings with Accela staff to finalize the To-Be-Documents so that configuration can begin.
- Inspection staff is working with RTC, Aspen Development and various asbestos abatement contractors to monitor and ensure continued compliance for the Pyramid Highway expansion project.
- Inspection staff is continuing to working with TMWRF to monitor the development of policies to prevent future upset conditions and ensure continued compliance for the facility.

- Permitting staff has issued the SFPP LP major source operating permit, as well as received an application for a modification to this facility. It is anticipated that the permit modification will be completed by the end of April.

Staff conducted sixty-six (66) stationary sources and thirty four (34) gas station inspections in March 2015. Staff also conducted inspections on asbestos removal and construction/dust projects.

COMPLAINTS	2015*		2014	
	March	YTD	March	Annual Total
Asbestos	2	7	2	27
Burning	0	1	0	9
Construction Dust	3	9	2	53
Dust Control Permit	0	0	0	20
General Dust	4	10	6	52
Diesel Idling	0	0	2	3
Odor	0	8	0	16
Spray Painting	0	3	2	8
Permit to Operate	4	4	0	31
Woodstove	1	8	0	12
<b>TOTAL</b>	<b>14</b>	<b>50</b>	<b>17</b>	<b>231</b>
NOV's	March	YTD	March	Annual Total
Warnings	5	10	5	41
Citations	1	2	3	11
<b>TOTAL</b>	<b>6</b>	<b>12</b>	<b>8</b>	<b>52</b>

\*Discrepancies in totals between monthly reports can occur due to data entry delays.

**COMMUNITY & CLINICAL HEALTH SERVICES DIRECTOR STAFF REPORT**  
**BOARD MEETING DATE: April 23, 2015**

**DATE:** April 10, 2015  
**TO:** District Board of Health  
**FROM:** Steve Kutz, RN, MPH  
 775-328-6159; skutz@washoecounty.us  
**SUBJECT:** Program Report – National STD Awareness Month, Divisional Update,  
 Program Reports

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**1. Program Report – National STD Awareness Month**



April is Sexually Transmitted Disease (STD) Awareness Month, an annual observance that focuses on ways to prevent some of the nearly 20 million new cases of STDs occurring in the United States each year. STDs affect persons of all ages, particularly the younger population. CDC estimates that half of all new infections are among people aged 15–24.

Consequences of STD infections are widespread including infertility for males and females, miscarriage, congenital transmission, and even death in some instances. Direct medical costs associated with STD diagnosis and treatments are estimated at over \$16 billion per year, not including HIV medical costs.

Nevada and Washoe County mirror national trends in chlamydia and gonorrhea rates. Syphilis rates are remarkably higher for the state and Washoe County compared to national rates. Reported cases of these diseases continue to rise.

	Washoe County % Increase in Cases (2013-2014)	2013 Rates Per 100,000 Population			Nevada Ranking (out of 50 states and DC)
		Washoe County	Nevada	U.S.	
<b>Chlamydia</b>	8.7%	394	427.0	446.0	25
<b>Gonorrhea</b>	37.1%	86	98.4	106.1	24
<b>Syphilis (Primary &amp; Secondary Stages)</b>	9.1%	7.75	7.4	5.5	7
<b>Early Latent Syphilis</b>	41.7%	3.0	8.4	5.4	N/A
<b>HIV</b>	3.8%	8.7	15.7	17.9	10

Program operations are shifting to more intensive Partner Services, i.e. disease/partner investigation. Testing services are targeting those at high-risk for infection. Strategically combining the disease and testing efforts, along with leveraging community partnerships is imperative to curbing these increases. Best practice, CDC recommendations and local data drive decision making of what cases are to be investigated and the level of intensity of investigations.

All program staff and supervisors have trained together in the CDC recommended Partner Service intervention. Syphilis interviews are more rigorous and probing, and infections are being mapped utilizing Visual Case Analysis (VCA) where infectious syphilis cases are mapped for each infected partner related to an index case. VCA allows the DIS to systematically document medical and epidemiologic facts related to early syphilis cases, analyze those facts, determine the most likely hypothesis of disease spread, identify where disease intervention could occur, and develop a plan for action. Quality improvement methods have been utilized to streamline paperwork processes, modify clinic appointments, and leverage resources. The Sexual Health Program is fortunate to have a dynamic, flexible team that is committed to changing operations to better suit the community's needs.

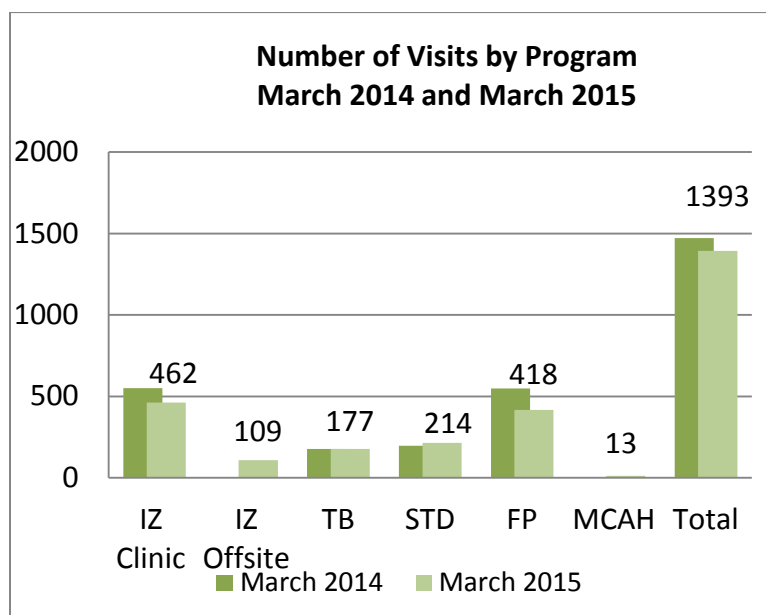
To further reach the community and further investigative efforts, social media and advertising are being utilized. This includes advertisements and outreach on Facebook and Twitter. Additional advertisements on "dating" phone apps that target men who have sex with men have been very successful.

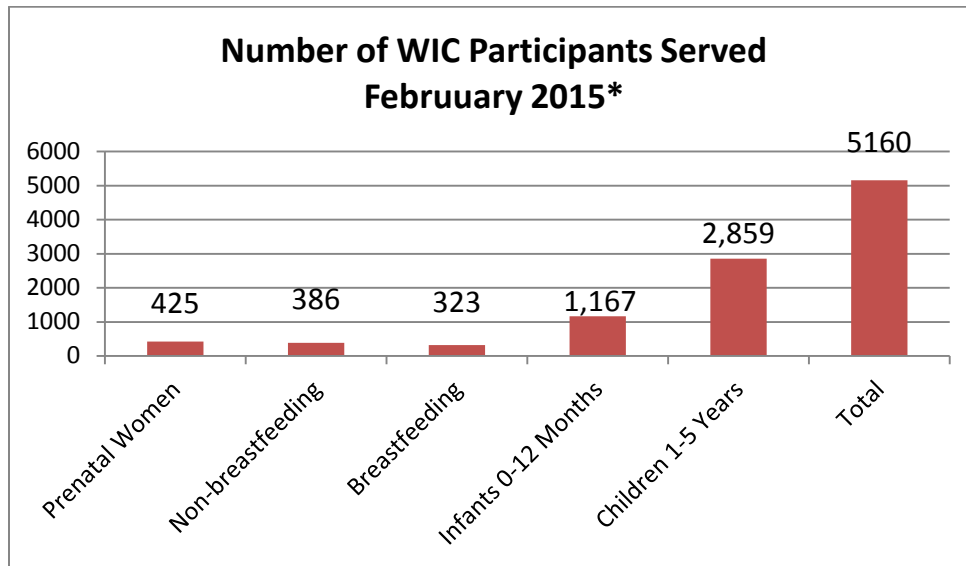
STD tests aren't always part of a regular doctor's visit, and many doctors may not offer young patients an HIV or STD test unless the patient asks for one. Community members who get tested for STDs and are aware of their STD status can better protect their own health and the

health of their sexual partner(s). WCHD's Sexual Health Program strives to improve our community's sexual health through partnerships with providers as well as our clients.

**2. Divisional Update –**

- a. Training Day 2015 – The seventh Annual Employee Training Day was held on March 25, 2015, assuring completion of many required annual trainings in a timely, efficient manner and minimal disruption to service delivery. Guest speakers from the County's EAP program, Washoe County Social Services, and American Lung Association provided presentations to staff on dealing with challenging colleagues, child abuse and neglect, and Brief Tobacco Interventions. Sixty-seven staff attended the sessions. Training Day not only meets our required training needs, but also gives CCHS staff an opportunity to network with staff from other programs, improve morale, strengthen relationships, and enhance staff communication.
- b. Electronic Health Record (EHR) Database – Our EHR Workgroup had an onsite demonstration of the Patagonia Health EHR database March 19 - 20, 2015. Overall the group was very impressed with the capabilities and potential for the EHR. I am in the process of checking references of current Patagonia users.
- c. Revenue and Reimbursement – The Anthem contract has been sent to the vendor for execution. Credentialing packets are being completed for the Prominence Health, and then will be sent to the vendor for execution as well. These contracts are expected to improve revenues and reimbursement for CCHS clinical services.
- d. Data/Metrics –





\*It takes a full month after the last day of the reporting month for final caseload counts as WIC clinics operate to the end of the month and participants have 30 days after that to purchase their WIC foods.

Changes in data can be attributed to a number of factors – fluctuations in community demand, changes in staffing and changes in scope of work/grant deliverables, all which may affect the availability of services.

### 3. Program Reports – Outcomes and Activities

- a. **Sexual Health** – Please see item one, above, for this month's report.
- b. **Immunizations** – The Immunization Clinic has returned to normal scheduling after increasing clinic hours to accommodate the increased demand related to recent measles activity across the nation. Measles and immune globulin protocols have been updated to reflect current local and national recommendations.
- c. **Tuberculosis Prevention and Control Program** – Staff will host 60 medical students from the University of Nevada, Reno, conducting a tour of the clinic and providing a presentation on TB. This presentation is an opportunity to provide education on tuberculosis testing and treatment as well as familiarize the students with the location of the clinic.
- d. **Family Planning/Teen Health Mall** – The Family Planning Program submitted their Non-Competitive Grant Application this month. A funding increase of \$167,531 was requested to support both Intermittent Hourly staff to maintain clinic efficiency and clients seen in the clinic, as well as increasing the number Long Acting Reversible



Contraceptives (LARCs) provided in the clinic. LARC use is expected to increase if more readily available, as they are effective, safe and easy to use.

- e. **Chronic Disease Prevention Program (CDPP)** – A Position Statement on E-Cigarettes was written and a Press Release was launched on March 24, 2015 (included in the District Health Officer's March DBOH Legislative Report). Staff have been monitoring several chronic disease and tobacco related legislative bills. An Epi-News on Tobacco Cessation Treatments and the Affordable Care Act was released on March 27, 2015 (see attached).

The secondhand smoke media campaign is underway which has included TV, radio and digital media.

- f. **Maternal, Child and Adolescent Health (MCAH)** – Fetal Infant Mortality Review (FIMR) staff has received 68 fetal/infant death cases since July 1, 2014. They have conducted data abstraction and summarized 44 cases and have presented 11 cases to the Case Review Team (CRT). The first FIMR Community Action Team (CAT) meeting is scheduled for April 20, 2015. The CAT team will be conducting joint meetings with the Northern Nevada Maternal Child Health Coalition. FIMR staff continues to work with the Nevada Division of Public and Behavioral Health (DPBH) to develop a REDcap (Research Electronic Data Capture) database for FIMR data abstraction to replace the current NFIMR database system.
- g. **Special Supplemental Nutrition Program for Women, Infants and Children (WIC)** – WIC provided nutritious food packages to 5,160 clients in February. 1,352 of these visited WIC clinics in March for health assessments, nutrition education, professional dietary counseling, breast feeding assistance (including breast pumps), and referrals to other services.

The WIC Program Manager provided information on WIC for the County Manager's "State of the County" address. In collaboration with UNLV, WIC is gearing up for the second year of the "Choose Your Partner Carefully" research project designed to help reduce the incidence of violence in the home. Per request, WIC successfully recruited participants for the Nevada Department of Public and Behavioral Health, Maternal and Child Health Program, focus group of women on public health concerns and resources available. As part of orientation and training, new State WIC staff visited Health District's WIC clinics for a day. The State of Nevada WIC Program contracted with UNR School of Community Health Services to survey WIC participant perceptions of WIC

Subject: CCHS Division Director's Report

Date: April 23, 2015

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breastfeeding services. Health District WIC will distribute a series of three surveys to voluntary clients from April through the end of the year. Results are expected in 2016, and may help secure funding for additional breastfeeding resources for WIC and contribute to the evaluation component of public health accreditation, should the Health District move forward on this.

**IN THIS ISSUE:**

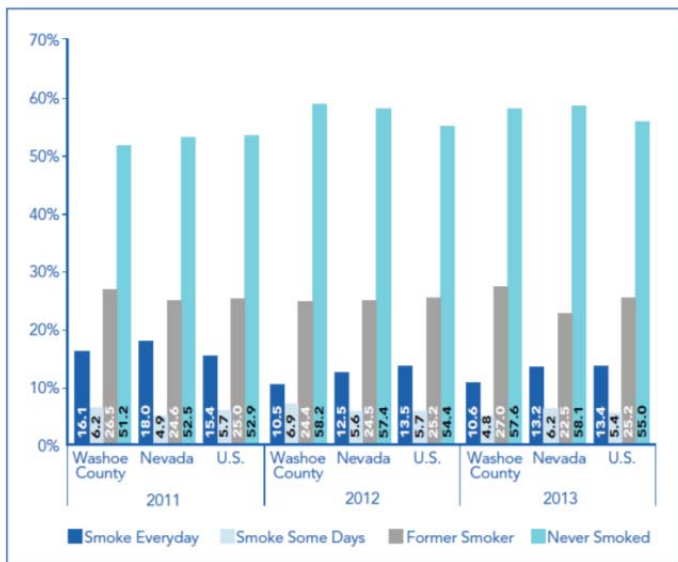
Tobacco Cessation and the Affordable Care Act

**TOBACCO CESSATION TREATMENTS AND THE AFFORDABLE CARE ACT:  
WHAT IS COVERED?**

Tobacco use and exposure negatively affects every organ in the body, and is the leading preventable cause of death in the United States.<sup>1</sup> In 2006-2010, 21.7% of deaths in Washoe County were due to tobacco-related illnesses.<sup>2</sup> This is slightly higher than the percentage of deaths due to tobacco-related illnesses in Nevada (21.3%).

Washoe County residents continue to smoke, but usage is decreasing.

Smoking Status of Adults  
Washoe County, Nevada and U.S., 2011 – 2013



Data Source: BRFSS 2011-2013.

There was a significant decrease between 2011 and 2012 for those in Washoe County that reported smoking every day, and leveling off between 2012 and 2013.<sup>2,3</sup> The rate in Washoe County is comparable to those in Nevada and the US.

According to the Centers for Disease Control and Prevention, about 70% of smokers want to quit smoking, and about half try to quit each year. However, less than half (48.3%) of people who smoked and who saw a health professional in the past year reported receiving advice to quit.<sup>4</sup> In fact, the majority of people who attempt to quit using tobacco do not utilize recommended tobacco cessation treatments, and healthcare providers often do not discuss options to increase chances for success. This is largely due to confusion on what treatments are covered by insurance companies under the Affordable Care Act (ACA), and what the patient must pay for treatments.<sup>5</sup> The intent of this report is to help alleviate some of this confusion.

changed as the ACA now requires all new or non-grandfathered private health insurance plans to cover various treatments based on the Public Health Service sponsored Clinical Practice Guideline's with no cost-sharing such as co-pays.<sup>6</sup>

\*Grandfathered plans are plans that provided coverage on or before March 23, 2010

Specifically, covered by ACA,<sup>6</sup>

1. Screening for tobacco use; and
2. For those who use tobacco products, at least two tobacco cessation attempts per year, which includes;
  - Four tobacco cessation counseling sessions of at least 10 minutes (including telephone counseling, group counseling and individual counseling) without prior authorization; and
  - All FDA-approved tobacco cessation medications (including both prescription and over-the-counter medications) for a 90-day treatment regimen when prescribed by a health care provider without prior authorization

FDA-approved cessation medications include:<sup>7</sup>

- Over-the-counter nicotine replacement therapies such as the patch, gum, and lozenge
- Prescription nicotine replacement therapies such as an inhaler and nasal spray
- Bupropion SR (brand name Zyban if used for tobacco cessation and Wellbutrin if used as an antidepressant), varenicline (brand name Chantix)

The ACA not only requires individuals to have health insurance but tobacco users can be charged up to 50% more for health insurance premiums compared to non-tobacco users in the individual or small group market.<sup>5, 8, 9</sup> Each carrier can select their own penalty.

The four tables below briefly describe the tobacco cessation coverage through employer health insurance, individual health insurance, traditional Medicaid and Medicaid Expansion, and Medicare.

<b>Employer Health Insurance<sup>9</sup></b>
Purchased or obtained from employer through small or large group market
Tobacco cessation must be covered as a preventive service, but benefits can vary slightly from plan to plan
<b>Cost to patient:</b> Costs vary slightly from plan to plan

## Individual Health Insurance<sup>8, 9</sup>

Purchased through;

- The Silver State Health Insurance Exchange or;
- The private market

Tobacco cessation must be provided at no cost as an "essential health benefit," which includes "preventive and wellness services" as well as "mental health and substance use disorder services."

Preventive benefits can vary slightly from plan to plan, but in many instances tobacco cessation counseling is covered. Some of the plans through the Silver State Health Insurance Exchange offer their own tobacco cessation programs free of charge

**Cost to patient:**

Costs vary slightly from plan to plan

## Traditional Medicaid & Medicaid Expansion<sup>9, 10</sup>

As of January 1, 2014, nicotine replacement therapy products can no longer be excluded under Medicaid

For pregnant women, comprehensive cessation coverage should include counseling and can include nicotine replacement therapy, if doctor-approved

Tobacco cessation coverage is required for children and adolescents (up to age 21) when medically necessary

Other (non-pregnant, adult) Medicaid beneficiaries are eligible for counseling as part of an office visit from the physician

Other (non-pregnant, adult) full Medicaid beneficiaries are eligible to receive patches, gums, lozenges and inhalers. These nicotine replacement therapy products are subject to quantity limitations

**Cost to patient:**

No cost

## Medicare<sup>9</sup>

Counseling for two quit attempts per year (up to four sessions for each attempt or a total of eight sessions every 12 months)

Prescription drugs for tobacco cessation are covered but not over-the-counter nicotine replacement therapy treatments such as nicotine patches or gum (since over-the-counter treatments are not covered by Medicare in general)

The ACA establishes a new Annual Wellness Visit for Medicare recipients, which should include questions and personalized health advice about behavioral risks, such as tobacco use

**Cost to patient:**

-No cost if provided as a preventive service

-For Medicare beneficiaries with diagnosis of a disease or condition caused by tobacco use, a co-pay and deductible apply

## RECOMMENDATIONS

Medical visits are unique opportunities for healthcare professionals to assess and intervene with individuals who use tobacco. Brief cessation advice and counseling by health care providers is effective, and should be offered to every patient.<sup>7</sup> When speaking to your patients about quitting, it's helpful to refer to the 5 A's:<sup>11</sup>

1. **Ask** - Identify and document tobacco use status for every patient at every visit.
2. **Advise** - In a clear, strong, and personalized manner, urge every tobacco user to quit.
3. **Assess** - Is the tobacco user willing to make a quit attempt at this time?
4. **Assist** - For the patient willing to make the quit attempt, use counseling and pharmacotherapy to help him or her quit.
5. **Arrange** - Schedule follow up contact, in person or by telephone, preferably within the first week after the quit date.

Finally, refer patients to the Nevada Tobacco Quitline which offers cessation phone coaching sessions and nicotine replacement therapy at no charge:

**Nevada Tobacco Quitline**

**1-800-QUIT-NOW or [www.nevadatobaccoquitline.com](http://www.nevadatobaccoquitline.com)**

To obtain 1-800-QUIT NOW cards, Nevada Tobacco Quitline Provider Referral Forms and other information for your office, please visit [www.GetHealthyWashoe.com](http://www.GetHealthyWashoe.com), or contact Washoe County Health District, Chronic Disease Prevention program at (775) 328-6150 or [info@gethealthywashoe.com](mailto:info@gethealthywashoe.com).

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**The Washoe County Health District would like to give special thanks and recognition to Tom McCoy, JD, American Cancer Society Cancer Action Network, Inc., for his assistance with this report.**

**ENVIRONMENTAL HEALTH SERVICES  
DIRECTOR STAFF REPORT  
BOARD MEETING DATE: April 23, 2015**

**DATE:** April 10, 2015  
**TO:** District Board of Health  
**FROM:** Robert O. Sack, Division Director, Environmental Health Services (EHS)  
775-328-2644; [bsack@washoecounty.us](mailto:bsack@washoecounty.us)  
**SUBJECT:** EHS Division Update, Program Updates - Food, IBD, Land Development,  
UST/LUST, Vector-Borne Disease, Waste Management, and EHS Inspections /  
Permits / Plan Review.

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**DIVISION UPDATE**

- REHS staff attended a FDA Food Code Training course April 7 through 8. The course covered information in the FDA Food Code and how to apply it in our food facilities. The course was timely since the new proposed Food Establishment Regulations cover the same material as the national standard.
- The Division continues to be heavily involved with the Accela Regional Permitting Project. Currently two permit types have been reviewed and approved for Accela to begin building.
  - EHS staff along with AHS staff built one record type in March which was for the licensing of Certified Pool Operators.
  - The Division has currently dedicated one Environmental Health Specialist to the project to ensure the Division is prepared for the build and implementation of the new program.
- The Divisional Social Media QI project started March with the goal of completing their project in June.

**PROGRAM UPDATES**

**Food**

- Staff from the Food Protection Program, in conjunction with staff from the Communicable Disease Program, investigated a Salmonella Enteritidis outbreak that was associated with several restaurants within Washoe County. The epidemiological and environmental investigations suggest that spices were likely the source of the outbreak. Staff was unable to identify the same brand of spices among the restaurants but spices appeared to be a common link. The last case onset was on February 17, 2015, and the investigation was officially closed on March 24, 2015.
- Food Protection Program staff attended an industry hosted question and answer session with various stakeholders regarding the proposed food regulations. Staff incorporated comments and input obtained through public meetings and workshops to complete the final draft regulations as presented in the earlier agenda item titled Food Establishment Business Impact Statement.



- Special Events/Temporary Foods - There were several events in March at which staff conducted inspections including the Nevada Women's Expo at the Reno Sparks Convention Center and Molecular Yelpstronomy at the Discovery Museum. Staff is preparing for upcoming large events including Earth Day on April 26 and Cinco de Mayo May 1 through May 3.

### **Invasive Body Decoration (IBD)**

- The Lady Luck Tattoo and Arts Expo brought over 100 tattoo artists from all over the United States to Reno on the weekend of March 20 through 22. Staff conducted 114 inspections of artists during the 3-day event, working closely with the event promoters to ensure compliance with the IBD regulations. Staff is gearing up for the next big IBD event, Silver State Tattoo and Arts Festival at Peppermill Casino May 15 through 17. With the beginning of the season for IBD events the Reno Gazette-Journal published an article on the IBD boom and Washoe County Health District's role (see attached).

### **Land Development**

- Staff completed more residential septic and well construction inspections in March than any other month since the start of the recession. This increase includes a new subdivision in Palomino Valley which will be built with individual wells and septic systems.
- Multiple water projects were approved for construction of new residential developments within the City of Sparks.

### **UST/LUST Program**

- Scanning project started for closed leaking underground storage tank files, storing files electronically will allow the Health District to save file cabinet space while having an easily searchable database for both the Division and public to access.
- Construction remodel activities continue at an accelerated pace, with staff overseeing a re-piping project at Sierra Sid's in Sparks.

### **Vector-Borne Disease**

- Staff attended the Lake Tahoe Vector Coalition meeting April 9, with Vector Districts in California and Nevada (Placer, El Dorado, Douglas) that border Lake Tahoe. There was discussion regarding the potential of "Waters of the U.S." impact on the NPDES permitting which is required reporting of pesticide use by Nevada Department of Environmental Protection (NDEP) annually. In addition, other discussion items on the agenda are plague and tick surveillance and invasive mosquito species update of *Aedes albopictus* and *Aedes aegypti* and the possible impacts on the Tahoe Area.
- The Program will be hosting the Nevada Vector Control Association meeting with Vector Districts of Northern Nevada, including Southern Nevada Health District, Indian Health Services and Nevada Department of Agriculture. The Association will be discussing the Districts' activities for the 2015 mosquito season, including Arbo virus surveillance activities and the Animal Diseases Laboratory (NDEP) support of this surveillance. NDEP will be testing the adult species submitted by the Vector Districts to see if they are negative or positive for West Nile virus (WNV), including other mosquito transmitted diseases.

- With the recent concern of bees and the use of pesticides, staff will be attending the Nevada Beekeepers Association meeting April 14, along with Jeff Knight, State Entomologist for Nevada Department of Agriculture to discuss our Program's larvaciding and adultciding (misting/fogging) activities. The discourse is to inform the Board that the misting/fogging activity performed in early morning hours before bees emerge to forage does not harm their movement. Handouts of our Program activities will be provided to the Nevada Beekeepers Board.
- Staff is actively interviewing perspective public health interns to fill three seasonal positions starting April 20.

### **Waste Management**

- Staff presented the Urban Bear video to the Nevada Wildlife Commission at their regularly scheduled meeting on March 20, 2015. The video was also played for the Commission and was well received by Commissioners and the general public in the audience. Interest and demand for the video has been high, with requests for the online link and the DVD daily. To date, staff is unaware of any negative feedback regarding the video (see attached).
- Waste Management staff gave a presentation to the Air and Waste Management Association, Eastern Sierra Chapter at their March meeting which was hosted by the Washoe County Health District (see attached).
- The program provided two 30-yard garbage dumpsters to a residence in the City of Sparks to assist in the clean-up of a nuisance property. The program also provided three 30-yard dumpsters to two addresses within unincorporated Washoe County to clean up nuisance properties.
- At the request of the City of Reno Planning and Public Works Departments, staff helped develop the final revised special use permit codes and was present at the March 25, 2015, City Council Meeting to answer any questions. The updated codes were approved. These changes should provide for better oversight and review of proposed projects using hazardous materials and creating hazardous wastes within our community.

### **EHS 2015 Inspections/Permits/Plan Review**

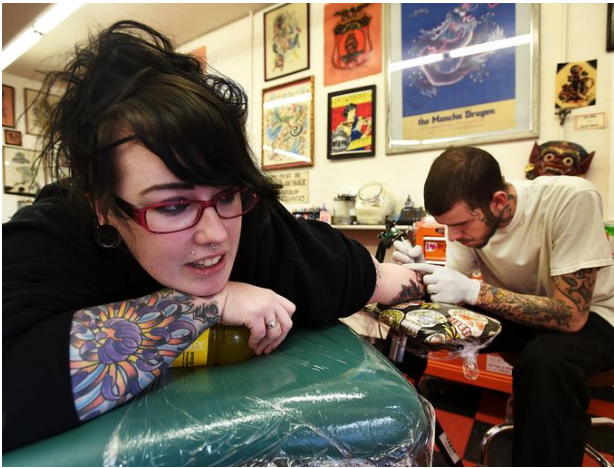
	<b>JAN 2015</b>	<b>FEB 2015</b>	<b>MAR 2015</b>	<b>Mo. Avg</b>
Child Care	5	11	5	7
Complaints	49	53	77	60
Food	404	543	536	494
General	63	103	108	91
Plan Review (Commercial Food/Pool/Spa)	19	10	13	14
Plan Review (Residential Septic/Well)	46	57	45	49
Residential Septic/Well Inspections	33	76	86	65
Temporary Food/Special Events	26	46	60	44
Well Permits	8	12	11	10
Waste Management	8	21	32	20
<b>TOTAL</b>	<b>661</b>	<b>932</b>	<b>973</b>	<b>855</b>

\* **General Inspections Include:** Invasive Body Decorations; Mobile Homes/RVs; Public Accommodations; Pools; Spas; RV Dump Stations; and Sewage/Wastewater Pumping.

# Reno tattoo parlors rely on skill, reputation to survive

[Jenny Kane](#), RGJ 1:28 p.m. PDT April 5, 2015

Sammi Chaparro, left, gets an image of an eel on her arm by tattooer Griffen Graehl at Body Graphics Tattoo Shop in Reno on March 18, 2015. (Photo: Jason Bean/RGJ)



A instructional sign is seen at Body Graphics Tattoo shop in Reno on March 18. (Photo: Jason Bean/RGJ) Buy Photo  
153 CONNECT [8 TWEETLINKEDIN](#) 2 COMMENTEMAILMORE

Jesse Martynuik's tattoo shop is steeped in history.

Hoarded away are old tattoo machines, faded letters from one artist to another and hundreds of sketches. Most of the items are relics formerly owned by Martynuik's grandfather, Pat Martynuik, a sort of godfather in the world of tattoo old schoolers.

Jesse Martynuik's father, Guy Martynuik, first opened Body Graphics in 1976.

Since then, Body Graphics proudly has clung to its seedy, vintage image.

But times have changed around it.

"Reno blew up pretty big," Jesse Martynuik, 34, said.

In Martynuik's 18 years of tattooing, he has never seen Reno's city scape so dotted with parlors, a trend that started about five years ago.

"Back when we started, we probably made more money," Martynuik said.

The competition has become fierce, Martynuik said.

But while the Biggest Little City may not be big enough for all of the parlors that start up in town, not all of them last, and it seems that the number of shops is finally plateauing.

## The big boom

When tattoo-centric reality television shows exploded in popularity in the early 2000s, tattooing became considerably more accepted by the masses.

Throng of soccer moms and vegan hipsters were joining the tattoo revolution, meaning that more people were getting tattoos, Martynuik recalled.

As a result, tattoo shops sprouted in abundance nationwide. Reno was no exception.

"I don't even know a lot of the shops anymore," Martynuik said. "It's hard to keep track."

Flash created by Pat "picture machine" Martynuik is seen at Body Graphics Tattoo shop in Reno on March 18, 2015. Pat is the grandfather of shop owner Jesse Martynuik, a third generation tattooer.

Tattoo enthusiasts now have between 25 and 30 shops to choose from in Washoe County, according to the county health department, and nearly four dozen permitted artists.

While officials from the city of Reno proposed a moratorium on tattoo shops in 2011, it would have violated the city code, according to the Reno Licensing Department's Code Enforcement Manager, Alex Woodley.



The city subsequently considered a distance requirement, one that would mandate tattoo parlors to be a certain distance from one another, he said. That suggestion quickly died as well since it seemed like the issue of too many shops was fast becoming a nonissue.

The growth of tattoo shops in Reno had stopped.

### **Quality over quantity**

Part of the plateau has to do with regulation.

The Washoe County Department of Health has regulated tattoo shops since 1998. Before that, there was no regulator.

"There are several places in this country where there are no regulations for someone to put a needle under your skin," said Jeff Brasle, senior environmental specialist for the Washoe County Health Department.

The county never has brought a shop before the board of health, to Brasle's recollection, but the department suspends two or three shops' business licenses each year for a variety of reasons.

The county conducts an hourlong inspection of each shop once or twice a year, checking to see whether the shop meets building and sanitation standards, among others.

"We don't regulate your end result," Brasle said, explaining that some members of the public will call the health department to report a shop because they don't like how the artists execute tattoos.

"You may want a peacock, and you end up with a pigeon. They may spell your boyfriend's name wrong. Hey, buyer beware."

After the county suspends a permit, it can be re-earned once it meets all of the county standards again. Granted, many of the shops close business because of the financial strain and damaged reputation that comes with a suspension.

The same standards must be met when they first acquire a permit.

### **Word of mouth**

Most tattoo shop owners seem to believe that the quality of their work will carry them through the steady competition that waxes and wanes each year.

"Business is business. You have to do something to set yourself apart," said Jordan Isaacson, 25, Reno Tattoo Company owner.

Isaacson opened his shop, in the heart of downtown, with a partner when he was only 19. The opening was in the thick of the boom, in 2009, when dozens of other shops also were opening.

How did he last?

"A lot of it is word of mouth," Isaacson said.

Word of mouth also can be the downfall if the quality of work is not up to par, Isaacson said.

While Isaacson has thought about the reduced competition that would come with the local government imposing a moratorium on tattoo shops, like the one proposed in 2011, he feels that it would be unfair.

Not to mention, current city officials have no evidence that the abundance of tattoo shops is hindering economic growth, or that it is in any way harming the city, according to Woodley.

The number of service calls, or times that emergency services have responded to incidents at a tattoo shop, is an insignificant figure, he said.

Sharon Zadra, a former Reno City Council member who supported the push for the moratorium while she was on the council, still feels that the main streets could use a little more diversity of store fronts.

"It had to do with providing a better variety," Zadra said.

### **Popular by demand**

Love them or hate them, tattoo shops have benefited at least one demographic: tattoo enthusiasts, of which there are many.

"It can be kind of hard for the consumer to choose sometimes," said Reno's Kayla Johnston, who is working on two full sleeves of tattoos with the handiwork of Isaacson.

In Reno alone, the assortment of tattoo shops is like a cornucopia.

Owner and third generation tattooer Jesse Martynuik show off an acetate sheet created by his grandfather Pat at Body Graphics Tattoo shop in Reno on March 18, 2015. (Photo: Jason Bean/RGJ)



"If there's five restaurants on a block, you're going to find the one you like the best," Johnston said.

But how do you figure out which one you like best without getting a permanent piece of ink on your flesh?

Johnston, an avid tattoo collector, said that the best way to find a tattoo artist that meets an individual's needs is to ask around and also to check out their portfolios.

Now that she has connected with Isaacson, he is able to vouch for other artists whose work she also might be interested in, she said.

"Some girls collect jewelry. Some love make-up. I collect tattoos," she said.

### **Reno's unknown tattoo history**

- Before Washoe County Health Department started regulating tattoo shops in 1998, no agency regulated the tattoo shops within county boundaries. Many of the tattoo artists used to make their own needles and ink, which is still allowed, but all materials and tools must meet county standards.

- Body Graphics tattoo parlor, located on Wells Avenue, is the oldest tattoo shop in Reno, and now in Nevada -- after Las Vegas's oldest shop recently closed, according to Body Graphics owner Jesse Martynuik. Jesse's father, Guy Martynuik, opened the shop in 1976, continuing the legacy of Jesse's grandfather, Pat Martynuik. That same year, Pat Martynuik, who had been tattooing at that time for years, opened his own shop, Picture Machine Tattoo, in San Francisco. Pat Martynuik tattooed everyone from Janis Joplin to Hunter S. Thompson in that shop, where Pat eventually died in 1989 while tattooing the grim reaper on a client.

- The first International Tattoo Artists Association was held in Reno in 1977.

April 8, 2015

Tahoe Daily Tribune – Sierra Sun – North Lake Tahoe Bonanza

## Lake Tahoe, Sierra Nevada human-bear conflicts subject of film



This image from the film shows a black bear approaching a vehicle on a street in broad daylight.

### Related Media

INCLINE VILLAGE, Nev. — The Washoe County Health District recently produced a film showcasing the Incline Village and Reno-Galena areas and how Sierra bears are becoming increasingly bolder with human interaction.

The roughly 25-minute film, produced on DVD by Northern Nevada-based NineCaribou Productions, is titled, “Urban Bears: Keeping Nevada’s Bears Wild.”

It bears the following tagline: “A must-see for anyone living in bear country.”

The film features commentary from wildlife experts, including the Nevada Department of Wildlife’s Carl Lackey, and homeowners in Washoe County who’ve had encounters with bears; along with still images and video of bears walking within steps of humans, and destroyed homes after bruin break-ins.

“Garbage is enticing these bears from their forested habitats not urban areas, creating conflict with humans and devastating consequences for people and bears alike,” according to a film description.

While the film — [also available on YouTube](#) — focuses on Washoe County, it includes helpful tips and reminders that resonate across the greater Truckee-Tahoe region in terms of being bear aware.

Visit [9caribou.com](http://9caribou.com) to learn more about the production company, or [washoecounty.us/health](http://washoecounty.us/health) for the county health district.



THE NEVADA LANDSCAPE ASSOCIATION  
IS CELEBRATING ITS 24th ANNUAL

# Trade Show & Conference

## "Looking Ahead-Seeing Green"

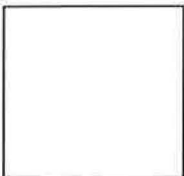
February 3rd & 4th, 2015  
Reno-Sparks Convention Center  
4590 S. Virginia, Reno, NV

24 Seminar Opportunities  
4 Conference Tracks

2 Day ICPI Certification &  
CEUs available  
for ISA, GCSAA,  
Landscape Industry  
Certified, and Pest  
Control operators  
for both Nevada and  
California.



Nevada Landscape Association | 561 Keystone Ave #356, Reno, NV 89503 | For information, contact NLA at 775.673.0404. Fax your registration to 775.673.5828.



Nevada Landscape Assoc.  
561 Keystone Ave #356  
Reno, NV 89503

CEUs available for ISA, GCSAA, Landscape Industry Certified, and Pest Control operators for both Nevada and California.

- Hardscape Track – ICPI Certification
- Arboriculture Track – ISA CEUs available
- Pesticide Track:
  - ISA CEUs available
  - NV and CA Pest Control Operator CEU's: 2 Law, 5 general
- Turf & Irrigation Track – 1 CEU available for NV Pest Control Operators for classes given by Dave Peterson.
  
- Entire Conference Attendance:
  - GCSAA Education Points available.
  - 6 Landscape Industry Certified CEUs available.



**THANK YOU TO THE CONFERENCE COMMITTEE:**

Sara Anderson, All Seasons Lawn and Landscaping; Pam Bedard, City of Reno; Heidi Kratsch, UNCE; Scott Leonard, Signature Landscapes; Bret Allen, NDA; Steve Churchillo, Reno Urban Forestry; Bob Kelly, Kelly Tree Service

Feb. 3rd & 4th  
**Hardscape  
TRACK**

**8–8:30 am REGISTRATION Feb. 3, 2015**

**8:30–11:50 am**

*ICPI Concrete Paver Installer Course*  
Speaker: Andrew Vear, PaverCrafters

**12–12:50 pm**

**LUNCHEON**

**1–4:30 pm**

*ICPI Concrete Paver Installer Course*  
Speaker: Andrew Vear

**8–8:30 am February 4, 2015**

**TRADE SHOW CHECK-IN**

**8:30–11:50 am**

*ICPI Concrete Paver Installer Course*  
Speaker: Andrew Vear

**12–2 pm**

**LUNCHEON / TRADE SHOW**

**2–4:50 pm**

**2–2:50 pm**

*Rules & Regulations for Hardscape Installation in Northern Nevada*  
Speaker: James Motarex, Municipal Reps.

**ICPI Testing**

**3–3:50 pm**

*Permeable Paver Installation*

Speaker: Andrew Vear

**4–4:50 pm**

**NETWORKING & TRADE SHOW**

# February 4th, Trade Show

## Arboriculture TRACK

8–9 am REGISTRATION / TRADE SHOW

9–9:50 am

*Tree Risk Assessment*

Speaker: Brian Dean, Gail Willey  
Landscape

10–10:50 am

*ANSI Safety Standards Review*

Speaker: David Gunter, Reno Urban  
Forestry Commission

11–11:50 am

*First Aid for Arborists*

Speaker: Sheri Blackwell-Ralphe,  
Certified CPR

12–1 pm

LUNCHEON / TRADE SHOW

1–1:50 pm

NETWORKING & TRADE SHOW

2–2:50 pm

*Safety Demonstrations in the Field*

Speakers: Chris Bruner, Bailey's, Inc. &  
Jared Abrojena, Evergreen Tree Care

3–3:50 pm

*Safety Demonstrations in the Field Cont.*

Speakers: Chris Bruner &  
Jared Abrojena

4–4:50 pm

*Safety Demonstrations in the Field Cont.*

Speakers: Chris Bruner &  
Jared Abrojena

## Turf & Irrigation Management TRACK

8–9 am REGISTRATION / TRADE SHOW

9–9:50 am

*Water In the Truckee Meadows*

Speaker: Andy Gebhardt, Manager of  
Customer Services, TMWA

10–10:50 am

NETWORKING & TRADE SHOW

11–11:50 am

*Basic Agronomy Principles*

Speaker: Dave Barlow, Technical  
Support Specialist, Best Professional  
Products

12–1 pm

LUNCHEON / TRADE SHOW

1–1:50 pm

*Matched Precipitation Rates / Efficient  
Use of Water*

Speaker: Donald D. Franklin, CID,  
CILA, Hunter Industries

2–2:50 pm

*Advanced Controller Programming*

Speaker: Donald D. Franklin, CID,  
CILA, Hunter Industries

3–3:50 pm

*Turfgrass Disease - Identification &  
Control*

Speaker: Dave Patterson, Target  
Specialty Products

4–4:50 pm

*Importance of Trees During a Drought*

Speaker: Molly Sinnott, Sinnott  
Consulting

## Pesticide TRACK

8–9 am REGISTRATION / TRADE SHOW

9–9:50 am

*Pesticide Laws and Regulations*

Speaker: Bret Allen, Nevada  
Department of Agriculture

10–10:50 am

NETWORKING & TRADE SHOW

11–11:50 am

*Effective Vector Control Program*

Speaker: Jeff Jeppson, Washoe  
County Health District

12–1 pm

LUNCHEON / TRADE SHOW

1–1:50 pm

*Nevada Weeds / EDD Maps*

Speaker: Jamie Greer, Nevada  
Department of Agriculture

2–2:50 pm

*Environmental Factors That Affect  
Pesticides*

Speaker: Tim Fernald, Ewing

3–3:50 pm

*Pollinators and Beneficials in Nevada*

Speaker: Jeff Knight, Nevada  
Department of Agriculture

4–4:50 pm

*Extending the Growing Season*

Speaker: Pawl Hollis, Rail City Garden  
Center

Buffet lunch provided.

Trade Show is free of charge.

# Registration Form

February 3 & 4, 2015 | Reno-Sparks Convention Center | 4590 S. Virginia, Reno, NV

CONFERENCE REGISTRATION FEES: \$85 Member \$95 Non-Member

ICPI CERTIFICATION FEES: \$350 Member \$400 Non-Member

COMPANY DISCOUNTS: 5 to 9 Attendees = 5% Discount  
10 to 15 Attendees = 10% Discount  
Over 15 Attendees = 15% Discount

PLEASE NOTE: You must Pre-register to attend this conference.  
Parking at the Convention Center is \$8 per vehicle.

For more information, contact the  
Nevada Landscape Association 775.673.0404

Fill out and fax this form to 775.673.5828 or  
pay online @ [NLAConference.eventbrite.com](http://NLAConference.eventbrite.com)

Attendee #1: \_\_\_\_\_ Amount Due: \_\_\_\_\_

Attendee #2: \_\_\_\_\_ Amount Due: \_\_\_\_\_

For additional attendees, please attach a list.

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Total Amount Due: \_\_\_\_\_

Check enclosed for \$ \_\_\_\_\_. (Please make checks payable to Nevada Landscape Association.)

Visa/Mastercard # \_\_\_\_\_

Expiration Date

3 Digit Security Code

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_

#### CANCELLATION POLICY:

Registrations cancelled prior to January 23, 2015, will be assessed a \$25 handling fee. Registrations cancelled after January 23 will be assessed one half the registration fee. No refunds will be given for the NLA Conference after February 1, 2015.



**EPIDEMIOLOGY AND PUBLIC HEALTH PREPAREDNESS  
DIVISION DIRECTOR STAFF REPORT  
BOARD MEETING DATE: April 23, 2015**

**DATE:** April 9, 2015  
**TO:** District Board of Health  
**FROM:** Randall Todd, DrPH, EPHP Director  
 775-328-2443, rtodd@washoecounty.us  
**Subject:** Program Updates for Communicable Disease, Public Health Preparedness, and  
 Emergency Medical Services

**Communicable Disease (CD) –**

**Measles** – Five of the suspect measles cases that were investigated by the CD staff have now been diagnosed with influenza. One of the cases had influenza B while the other four had influenza A. All five had an acute febrile rash illness. Influenza is not typically characterized as a rash illness. An association between influenza B and rash has been described infrequently but prior to a Canadian report last year had not been observed in North America. CD staff members have been assisting the CDC for a national study regarding influenza associated with a measles-like rash. In total, CD staff have investigated and evaluated 35 suspected cases of Measles between January 30 and March 19. There have been no confirmed cases of Measles in Washoe County to date.

**Influenza** – For the week ending March 28 (Week 12), the twelve participating sentinel healthcare providers reported a total of 118 patients with influenza-like-illness (ILI) out of a total of 6,473 patients seen. This represents an ILI percentage of 1.8% which is below the regional baseline of 2.7%. During week 11, the percentage of ILI patient visits to US sentinel healthcare providers was 2.2% which is above the national baseline of 2.0%. On a regional level the ILI percentage ranged from 1.0% to 3.9%.

Four death certificates were received for week 11 listing pneumonia (P) or influenza (I) as a factor contributing to the cause of death. The total number of deaths submitted for week 11 was 67. This reflects a P&I ratio of 6.0 which is below the epidemic threshold set by CDC for week 11 at 7.2%. The national P&I for week 11 was above the epidemic threshold at 7.4%. The total P&I deaths registered to date in Washoe County for the 2014-2015 influenza surveillance season is 177. This reflects an overall P&I ratio of 7.9% (177/2,239).

In terms of severity, among laboratory-confirmed cases of influenza there have been 216 hospitalizations, 30 admissions to intensive care and 7 deaths cumulatively this season. By comparison, for the entirety of last year's influenza season there were 101 hospitalizations, 29 admissions to intensive care and 9 deaths.



**Public Health Preparedness (PHP) –**

**Ebola Grants** – The PHP staff applied for one more Ebola funding grant. This was the fourth Ebola funding grant the program has applied for in the last 3 months. This funding would be provided by the Assistant Secretary for Preparedness and Response (ASPR) Program. If funded, it will provide for the following:

- Plan revisions
- Personal Protective Equipment (PPE)
- Ebola Hospital Assessments
- First Encounter Drill/Exercise for Infectious Diseases
- On-line PPE Donning/Doffing training

**Preparedness, Emergency Response and Recovery Consortium** – Three EPHP staff attended this conference in Orlando, Florida. They received valuable information, tools and networking for EMS, Healthcare, Special Needs Populations and Preparedness

**Regional Active Assailant Exercise** – The Public Health Emergency Response Coordinator (PHERC) participated in the March 19 exercise and utilized WebEOC to practice patient tracking. The Program Manager and the MRC Coordinator were observers for this exercise which was conducted by UNR and involved many local public health and first responder partners.

**Ebola Tabletop Exercise** – The PHERC participated in an Ebola Tabletop exercise in Winnemucca with multiple rural agencies and state partners to better understand the transportation needs and gaps in the event of an Ebola patient needing to be transferred from rural Nevada into Washoe County.

**Emergency Medical Services (EMS) –**

**REMSA Percentage of Compliant Responses  
 FY 2014 -2015**

Month	Zone A	Zone B	Zone C	Zone D	Zones B, C and D	All Zones
July 2014	93.1%	93.1%	93.7%	100%	93.4%	93.1%
August 2014	91.9%	97.5%	98.0%	100%	97.8%	92.4%
September 2014	91.5%	98.6%	93.0%	100%	96.6%	91.9%
October 2014	92.3%	97.6%	100%	100%	98.4%	92.7%
November 2014	93.2%	100%	100%	100%	100%	93.7%
December 2014	92.5%	94.9%	98.5%	100%	96.6%	92.8%
January 2015	93.1%	100%	95.6%	100%	98.6%	93.4%
February 2015	91.8%	100%	93.9%	100%	97.6%	92.2%
March 2015	91.3%	99.0%	100%	100%	99.9%	92.0%
<b>YTD</b>	<b>92.3%</b>	<b>97.8%</b>	<b>97.1%</b>	<b>100%</b>	<b>97.6%</b>	<b>92.7%</b>

### REMSA 90<sup>th</sup> Percentile Response

<b>Month</b>	<b>Zone A 8:59</b>	<b>Zone B 15:59</b>	<b>Zone C 20:59</b>	<b>Zone D 30:59</b>
July 2014	8:30	13:58	18:11	N/A*
August 2014	8:39	13:51	18:12	N/A*
September 2014	8:43	12:22	19:22	N/A*
October 2014	8:27	11:46	16:50	N/A*
November 2014	8:17	12:00	17:22	N/A*
December 2014	8:32	12:22	18:21	N/A*
January 2015	8:23	12:22	19:16	N/A*
February 2015	8:35	13:16	18:23	N/A*
March 2015	8:41	13:41	16:37	N/A*

\*There were 5 or less calls per month in Zone D, therefore a statistically meaningful 90<sup>th</sup> percentile analysis cannot be conducted. However, no calls in Zone D exceeded the 30:59 time requirement.

**DISTRICT HEALTH OFFICER STAFF REPORT**  
**BOARD MEETING DATE: April 23, 2015**

**DATE:** April 9, 2015  
**TO:** District Board of Health  
**FROM:** Kevin Dick, District Health Officer  
(775) 328-2416, kdick@washoecounty.us  
**SUBJECT:** District Health Officer Report – Budget, Legislature, Community Health Improvement Plan, Truckee Meadows Healthy Communities, Quality Improvement, Program Cost Analysis, Other Events & Activities and Health District Media Contacts.

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Budget

I continue to work with Ms. Heenan to advance the FY 16 budget. Washoe County Board of County Commissioners will approve a tentative budget for the Health District on April 14, 2015.

Legislature

The Health District continues to monitor bills for the 2015 Legislative Session and provide comment or testimony as appropriate.

Community Health Improvement Plan

Ms. Sara Dinga is working with me to develop plans for, and an approach to, developing a Community Health Improvement Plan. Initial efforts include recruiting members of a Steering Committee to provide advice and recommendations to guide the CHIP development. A conceptual timeline and approach is being developed for presentation to the Steering Committee during an initial meeting anticipated to occur in May. A monthly meeting schedule for the Committee is anticipated. Information on key issues from the Community Needs Health Assessment is being organized to assist with selection of priorities to be addressed through the CHIP.

The process for development of the CHIP will involve stakeholders gathering to assist in: a) selection of priorities based on qualitative and quantitative data collected for the Community Health Needs Assessment and b) development of goals and strategies to address each selected priority.

Engagement of partners, stakeholders, and community members will be an important component of the CHIP development. Ms. Dinga was invited to observe several focus group sessions being organized by the City of Reno to receive input on the Cities direction from food policy council members, millennials, and the Reno Sparks Indian Colony during the third week of April.

### Truckee Meadows Healthy Communities

On April 14 a stakeholder meeting is scheduled at Wooster High School to discuss implementation of a community hub to assist in providing access to healthcare and services to members of the community. The community hub concept was identified by needs identified by the CHNA, by community engagement in 89502, from meeting of subject matter experts, and from table discussions at the January Truckee Meadows Healthy Communities conference.

A conference call is scheduled with the Federal Reserve Bank of San Francisco and Renown Health to discuss progress since the TMHC Conference and direction forward with the 89502 and CHIP projects

The TMHC Committee meeting is scheduled for April 17. The Committee will discuss the organizational structure for the Committee and its relationship to the 89502 Project, the CHIP, and other potential focus area.

### Quality Improvement

Work continues to streamline the QI process to make it more readily accessible to Health District staff to utilize for process improvement. Leadership of the Q-Team has transitioned from Bob Sack to Sara Dinga and the next Q-Team Meeting is scheduled for April 16.

### Program Cost Analysis

Phase 1 of the Health District Programs cost analysis is proceeding. As this analysis has occurred staff has realized that the most feasible approach is to include all EHS programs within the Phase I analysis. This is because personnel frequently conduct work activity in a number of these programs and so it is important to include all of these programs in order to best understand and evaluate costs, staff productivity, and outcomes.

### Other Events and Activities

I met with the Division Directors/Supervisors on April 1 and Division Directors on April 13. I meet regularly with the ODHO staff.

I participated in the March 31 Public Health Associate Meeting with the CDC Program representative for status reports and activity updates from the CDC representative and our three CDC Public Health Associates.

Nevada Health Authorities Conference Call, April 7.

Washoe County Department Heads meeting April 8.

REMSA Board meeting scheduled April 17.

I continue to serve as President of HomeFree Nevada / EnergyFit Nevada, the not-for-profit Home Performance with Energy Star Provider for the State of Nevada. The organization is planning to merge with another sustainability-oriented, not-for-profit organization called GreenChips that will continue to deliver the EnergyFit Nevada programs.

### **Health District Media Contacts: March 17 - April 10, 2015**

<b><u>DATE</u></b>	<b><u>MEDIA</u></b>	<b><u>REPORTER</u></b>	<b><u>STORY</u></b>
4/9/2015	Reno Gazette Journal	Mark Robison	Health District Edirtorial Board Meeting Set/Ulibarri
3/31/2015	Reno News and Review	Georgia Fisher	Earth Day/Hunter
3/26/2015	KTVN CH2 - CBS Reno	Paul Nelson	2nd Hand Smoke/Alberti
3/25/2015	KTVN CH2 - CBS Reno	Chloe Beardsley	NV County Health Rankings/Dick
3/25/2015	KTVN CH2 - CBS Reno	Andi Guevara	E-Cigarettes/Dick
3/25/2015	UNIVISION	Laura Calzada	E-Cigarettes/Dick

### **Press Releases/Media Advisories/Editorials**

4/8/2015	Press Release	PIO Ulibarri	Health District Communicator Earns National Recognition
3/24/2015	Press Release	PIO Ulibarri	Health District E-cigarette Position Statement Released
3/20/2015	Media Advisory	PIO Ulibarri	County Health Rankings

## Fundamental Review Recommendation Status

Legend:

April 23, 2015

Complete
Underway
Underway - Regulatory, Budget, Policy Analysis or Issue Resolution Necessary or in Process
Underway but Progress Stalled or Delayed
Not Yet Underway - No Changes Necessary
Parking Lot
Not Recommended

Status Goal

	<b>1</b>	<b>Place WIC organizationally where it is most closely aligned with similar functions</b>
	a.	WIC moved to CCHS effective 1/21/14
	<b>2</b>	<b>Develop a DBOH orientation manual and program</b>
	a.	Design an orientation program and compile a draft manual
	<b>3</b>	<b>Strengthen customer focus, exploring the potential for user groups to share consumer viewpoints</b>
	a.	Land development user group established
	<b>4</b>	<b>Critically examine clinic appointment scheduling from a patient access perspective</b>
	a.	Staffing IZ five days a week, accept IZ walk ins on a limited basis
	b.	Extended IZ hours established.
	c.	Staffing Vital Statistics five days a week
	d.	Discussion has begun with Interactive Voice Response software companies
	<b>5</b>	<b>Update fee schedules and billing processes for all clinical and environmental services</b>
	a.	Third-party billing service began July 1, 2014
	b.	Identify costs for permits and services that could be included in fee schedules/propose
	c.	Identify costs for regulatory programs that could be included in fee schedules/propose
	d.	Identify community and clinical services for which reimbursement is available/bill

## Fundamental Review Recommendation Status

	<b>6</b>	<b>Explore tiered level of services for Environmental Health programs and inspections</b>
	a.	Consider the desire & support for this type of tiered structure and this item within the larger context
	<b>7</b>	<b>Participate in the business process analysis across all building permitting in the county</b>
	a.	ILA and contract with Accela signed. 16-month implementation proceeding.
	<b>8</b>	<b>Develop infrastructure to support the District Health Officer</b>
	a.	The Office of the District Health Officer was established on July 1, 2014. Staffing in process.
	<b>9</b>	<b>Implement time coding for employees</b>
	a.	Time coding in EHS has been expanded, AQM timecoding is underway. CCHS timestudy occurring.
	<b>10</b>	<b>Perform cost analysis of all programs</b>
	a.	A proposed schedule approved on June 26, 2014 by DBOH. Pilot analysis of Administration completed.
	<b>11</b>	<b>Perform assessment of needed administrative and fiscal staffing to increase efficiencies</b>
	a.	Will be performed in conjunction with program const analysis. See 10a
	<b>12</b>	<b>Demonstrate a concerted effort among all parties to address tensions regarding overhead/direct costs</b>
	a.	Additional General Fund transfer provided in FY 15 adopted budget to support unrecoverable indirect costs.
	<b>13</b>	<b>Align programs and services with public demand</b>
	a.	Shifted home visiting resources to provide additional clinical services on June 1, 2014
	b.	Assess changes in service levels and program alignment with respect to CHA CHIP, SP or funding
	<b>14</b>	<b>Conduct a CHA in concert with current partner organizations</b>
	a.	Complete.
	<b>15</b>	<b>Develop metrics for organizational success and improved community health</b>
	a.	In FY15, continue to identify metrics that help to manage programs and resources and tell our story
	<b>16</b>	<b>Continue current collaborative action plan to resolve REMSA oversight issues</b>
	a.	Franchise Agreement approved, Regional EMS Oversight Program and Advisory Board established.
	<b>17</b>	<b>Maintain current levels of local and state financial support</b>
	a.	Action on this recommendation is captured under Recommendation 12 above
	b.	Advocate sustaining or enhancing funding through State agencies
	<b>18</b>	<b>Conduct a governance assessment utilizing NALBOH criteria</b>
	a.	Completed January 16, 2014. Determine future schedule to repeat.
	<b>19</b>	<b>Undertake an organizational strategic plan to set forth key Health District goals and objectives</b>
	a.	Conduct a strategic planning initiative following the completion of the CHA and a CHIP
	<b>20</b>	<b>Implement a performance management system</b>
	a.	Use results of program cost analysis, performance metrics and SP to develop & implement performance mgmt. syst

## Fundamental Review Recommendation Status

	<b>21</b>	<b>Consider alternative governance structures</b>
	a.	This is not a recommendation for staff action
	<b>22</b>	<b>Take a greater leadership role to enhance the strong current State/Local collaboration</b>
	a.	Health District efforts to focus on internal and local issues
	b.	Seek direction from DBOH on a greater leadership role
	<b>23</b>	<b>Develop an organizational culture to support quality by taking visible leadership steps</b>
	a.	Cross-Divisional Q-Team established and Div. QI projects conducted. Additional mgmt. training completed.
	<b>24</b>	<b>Seek Public Health Accreditation Board accreditation</b>
	a.	Seek DBOH direction on this recommendation once the CHA, CHIP and the SP are completed

Acronyms: IZ - Immunizations  
 ILA - Interlocal Agreement  
 CHA - Community Health Assessment  
 CHIP - Community Health Improvement Plan  
 SP - Strategic Plan  
 QI - Quality Improvement  
 DBOH - District Board of Health  
 NALBOH - National Association of Local Boards of Health