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Governor

STATE OF NEVADA
BOARD OF ENVIRONMENTAL HEALTH SPECIALISTS

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Loretta L. Ponton
Executive Director

Notice of Public Hearing to Review Regulations

NOTICE IS HEREBY GIVEN that the State of Nevada Board of Environmental Health Specialists will hold a Public Hearing to Review Regulations at **11:00 a.m. on Thursday, March 30, 2023**, at the following location:

VIRTUAL MEETING ACCESS

ZOOM:

<https://us06web.zoom.us/j/87461567979?pwd=L05TNDNzbE55TUVUbmxrYUhtVzVwUT09>

Meeting ID: **874 6156 7979**

Passcode: **082748**

Telephone Audio Only: (253) 215-8782

As set forth in **Executive Order 2023-003**, the Board has been directed to review its regulations (NAC 625A) and identify at least ten (10) regulations for removal. The purpose of this Public Hearing is to: (1) vet the Board's proposed recommended changes; (2) solicit input as to the merits of those changes; and (3) identify other regulatory changes stakeholders feel are worthy of consideration regarding the potential to streamline, clarify, reduced or otherwise improved regulations that pertain to the Nevada Administrative Code Chapter 625A. Stakeholder input received as a result of this Hearing will be reflected in the Report to the Governor

Persons wishing to comment upon the proposed recommended changes, or to propose additional regulatory changes may appear at the scheduled Public Hearing or may address their comments, data, views, or arguments in written form to the Board of Occupational Therapy. Written submissions must be received on or before **February 23, 2023**, and may be submitted by email to board@nvrehs.org or in hard copy addressed to the Board of Environmental Health Specialists, 6170 Mae Anne Ave., Reno, Nevada 89523. A copy of the Board regulations to be reviewed, *NAC 625A Compiled*, are attached hereto and are available for viewing or printing on the Board's website www.nvrehs.org.

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to participate in the meeting. If special arrangements are necessary, please notify Loretta Ponton, Executive Director at (775) 746-9423 within 72 hours of meeting date and time.

This **Notice of Hearing to Review Regulations** has been sent to all registered environmental health specialists and environmental health specialist trainees and persons on the agency's mailing list for administrative regulations and has been posted on the Board's website www.nvrehs.org, the Board of Environmental Health Specialists Administrative Office, 6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523 and online at www.leg.state.nv.us; and State of Nevada Public Notice Website: www.nv.gov

Dated: March 2, 2023

**BOARD OF ENVIRONMENTAL HEALTH SPECIALISTS
NAC 625A SUMMARY**

NAC	Section Title	Date Approved	Comments / Notes
GENERAL PROVISIONS			
625A.010	Definitions.	06/08/20	Remove definition of Board – defined in NRS 625A.020
625A.011	“Basic science courses” interpreted.	06/08/20	
BOARD OF ENVIRONMENTAL HEALTH SPECIALISTS			
625A.0111	Board to determine minimum qualifications and duties of Executive Director, professional consultants and other employees; qualifications of certain hearing officers.	06/08/20	
625A.0115	Authority to act on own motion; petition for adoption, amendment or repeal of regulation or hearing.	06/08/20	
625A.012	Petition for declaratory order or advisory opinion.	06/08/20	
625A.0125	Formal written communications and documents.	06/21/17	
REGISTRATION			
625A.013	Environmental health specialist trainee: Qualification to practice; application for provisional registration; credit for work experience.	06/08/20	
625A.0132	Environmental health specialist trainee: Approval of training program by Board; exception; Board to maintain list of employers that offer training program.	06/08/20	
625A.0133	Environmental health specialist trainee: Expiration of provisional registration; application for renewal; grounds for refusal to renew; automatic suspension.	06/08/20	
625A.0134	Environmental health specialist trainee: Qualifications and duties of supervisor.	06/08/20	
625A.0135	Environmental health specialist trainee: Application for national examination for credentialing; authorization to retake; acceptance of report of score.	04/11/22	
625A.0138	Environmental health specialist trainee: Application to convert provisional registration to standard registration.	06/08/20	
625A.014	Environmental health specialist: Application for standard registration; fee.	06/08/20	
625A.015	Environmental health specialist: Application for and issuance of standard registration by endorsement; authority of Board to establish list of similar jurisdictions.	06/08/20	
625A.017	Environmental health specialist: Application for renewal of standard registration; fees; grounds for refusal to renew.	06/08/20	
625A.040	Reinstatement of expired standard registration or provisional registration; grounds for refusal to reinstate.	06/08/20	
625A.046	Temporary registration: Application; expiration; renewal; subsequent applications.	06/08/20	
625A.048	Inactive status of standard registration: Application; renewal; exemption from continuing education; prohibition on practice; application for return to active status.	06/08/20	
625A.050	Provision of additional information or appearance before Board or member thereof before issuance, renewal or reinstatement.	06/08/20	
625A.055	Request for verification of registration.	06/08/20	
625A.060	Practice authorized only under name in which registration is held; change of name.	06/08/20	
625A.062	Registrant required to maintain contact information with Board; notices provided to registrant by Board.	06/08/20	
625A.064	Alteration of registration prohibited; issuance of duplicate registration.	06/08/20	
625A.065	Professional responsibility.	06/08/20	
625A.069	Fees.	04/11/22	
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625A.082	Acceptable courses of study; request for approval of and credit for courses.	06/08/20	
625A.084	Conditions for waiver of requirements or extension of deadline.	06/08/20	
625A.086	Evidence of completion; audits.	06/08/20	
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625A.100	Initiation, contents and review of complaint.	06/08/20	
625A.110	Authority of Board to require supervisor of trainee to accompany trainee to proceeding.	09/21/17	
625A.120	Witness fees and reimbursement.	06/08/20	Remove in entirety – Board has authority in NRS 625A.055 to expend funds for expenses of the Board
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CHAPTER 625A

ENVIRONMENTAL HEALTH SPECIALISTS

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GENERAL PROVISIONS

NAC 625A.010 Definitions. (NRS 625A.057, 625A.080) As used in this chapter, unless the context otherwise requires:

1. ~~["Board" means the Board of Environmental Health Specialists.]~~
2. "Contact hour" means 60 minutes of participation in an approved course.
3. "Environmental health sciences" means the science and practice of preventing human injury and illness and promoting human well-being by:
 - (a) Identifying and evaluating hazardous physical, chemical and biological agents that may adversely affect human health and the environmental sources of those agents; and
 - (b) Limiting exposures to those agents in air, water, soil, food and other environmental media or settings.
4. "Registrant" means:
 - (a) A person who holds a registration as an environmental health specialist issued by the Board pursuant to NRS 625A.110, including, without limitation, a person who holds a registration by endorsement;
 - (b) A person who holds a temporary registration to engage in the practice of environmental health issued by the Board pursuant to NRS 625A.112; or
 - (c) A person who holds a provisional registration as an environmental health specialist trainee issued by the Board pursuant to NRS 625A.115.
5. "Standard registration" means a registration to engage in the practice of environmental health as an environmental health specialist issued by the Board pursuant to NRS 625A.110. The term includes a person who holds a registration by endorsement. The term does not include a temporary registration to engage in the practice of environmental health issued by the Board pursuant to NRS 625A.112, or a provisional registration as an environmental health specialist trainee issued by the Board pursuant to NRS 625A.115.

(Added to NAC by Bd. for Registration of Pub. Health Sanitarians, eff. 2-19-91; A by Bd. of Reg. Environmental Health Sp. by R125-03, 3-26-2004; R003-06, 3-23-2007; R049-16, 6-21-2017; A by Bd. of Environmental Health Sp. by R075-19, 6-8-2020)

NAC 625A.011 "Basic science courses" interpreted. (NRS 625A.057, 625A.080, 625A.110)

1. In addition to the courses listed in NRS 625A.110, the Board will interpret the term "basic science courses" as used in NRS 625A.110 to include, without limitation:
 - (a) General chemistry;
 - (b) Organic chemistry;
 - (c) General physics;
 - (d) Microbiology;
 - (e) General biological science;
 - (f) Epidemiology;
 - (g) Statistics;
 - (h) Water quality;
 - (i) Waste management;
 - (j) Food and consumer protection;
 - (k) Housing and institution sanitation;
 - (l) Vector control;
 - (m) Recreational health;
 - (n) Air quality;
 - (o) Milk and dairy products;
 - (p) Occupational health;
 - (q) Radiological or nuclear science;
 - (r) Noise control;
 - (s) Toxicology;
 - (t) Soil science;

- (u) Land use development;
- (v) Zoology;
- (w) Physiology;
- (x) Ecology;
- (y) Chemical engineering;
- (z) Geology or earth science;
- (aa) Sanitary engineering;
- (bb) Environmental engineering;
- (cc) Allied health sciences; and
- (dd) Any other basic science course included in a degree program in environmental health from an institution of higher education approved by the Board.

2. The term does not include any general survey course which is not credited by an institution of higher education toward a major in a natural science or any precollege course which is below the level of an introductory course.

(Added to NAC by Bd. of Reg. Environmental Health Sp. by R049-16, eff. 6-21-2017; A by Bd. of Environmental Health Sp. by R075-19, 6-8-2020)

BOARD OF ENVIRONMENTAL HEALTH SPECIALISTS

NAC 625A.0111 Board to determine minimum qualifications and duties of Executive Director, professional consultants and other employees; qualifications of certain hearing officers. (NRS 625A.055, 625A.057)

1. The Board will determine the minimum qualifications and duties of the Executive Director and any other person employed pursuant to NRS 625A.055.

2. If the Board delegates authority to take a disciplinary action to a hearing officer pursuant to NRS 625A.060, the hearing officer must possess a level of education or experience, or a combination of both, equivalent to, at a minimum, a bachelor's degree in a field directly related to administrative law.

(Added to NAC by Bd. of Environmental Health Sp. by R075-19, eff. 6-8-2020)

NAC 625A.0115 Authority to act on own motion; petition for adoption, amendment or repeal of regulation or hearing. (NRS 625A.080)

1. The Board may act on its own motion. Any other request for the adoption, amendment or repeal of a regulation of the Board or for a formal hearing before the Board must be filed with the Board as a petition.

2. Any interested person may file a petition with the Board for the adoption, amendment or repeal of a regulation of the Board or for a formal hearing before the Board.

3. A petition filed with the Board pursuant to this section must:

- (a) Be in writing;
- (b) Be addressed to the Chair of the Board;
- (c) Contain:
 - (1) The full name and mailing address of the petitioner;
 - (2) If the petitioner is proposing the adoption of a new regulation, the body or substance of the proposed regulation and the supporting facts and arguments for the adoption thereof;
 - (3) If the petitioner is proposing the amendment or repeal of an existing regulation, the specific section of the Nevada Administrative Code that the petitioner is proposing to amend or repeal and the supporting facts and arguments for the amendment or repeal thereof;
 - (4) If the petitioner is requesting a formal hearing before the Board, the relevant facts supporting the request; and
 - (5) A statement that the petition is being made in accordance with all applicable provisions of the Nevada Revised Statutes and the Nevada Administrative Code; and
- (d) Be signed by the petitioner and contain a statement that the petitioner acknowledges that by signing the petition:

- (1) He or she has read the petition; and
- (2) To the best of his or her knowledge, information and belief, the statements made in the petition are true.

4. A person who files a petition pursuant to this section must file the original petition and two legible copies with the Board. The Board may, if appropriate, direct that a copy of the petition be made available to any other person who the Board determines might be affected by the petition.

(Added to NAC by Bd. of Reg. Environmental Health Sp. by R017-17, eff. 9-21-2017)

NAC 625A.012 Petition for declaratory order or advisory opinion. (NRS 625A.057, 625A.080)

1. A person may file, and the Board will consider, a petition for a declaratory order or an advisory opinion concerning the applicability of any relevant statutory provision or any regulation or decision of the Board.

2. A petition for a declaratory order or an advisory opinion must be filed with the Board in the same manner as a petition for the adoption, amendment or repeal of a regulation pursuant to NAC 625A.0115.

3. Not later than 90 days after the submission of a petition for a declaratory order or an advisory opinion, the Board will conduct a hearing regarding the petition.

4. The Board will provide by United States mail to the person who filed the petition for a declaratory order or an advisory opinion:

- (a) A copy of the declaratory order or advisory opinion; or
- (b) A copy of the Board's order denying the petition.

(Added to NAC by Bd. of Reg. Environmental Health Sp. by R017-17, eff. 9-21-2017; A by Bd. of Environmental Health Sp. by R075-19, 6-8-2020)

NAC 625A.0125 Formal written communications and documents. (NRS 625A.080)
All formal written communications and documents must be addressed to the Board and not to individual members of the Board.

(Added to NAC by Bd. of Reg. Environmental Health Sp. by R049-16, eff. 6-21-2017)

REGISTRATION

NAC 625A.013 Environmental health specialist trainee: Qualification to practice; application for provisional registration; credit for work experience. (NRS 625A.057, 625A.080, 625A.115)

1. To engage in the practice of environmental health as an environmental health specialist trainee pursuant to NRS 625A.115, a person:

(a) Must be employed in a position in which he or she receives training in environmental health as a part of a training program which has been approved by the Board and in which the person engages in the practice of environmental health under the direct supervision of one or more other persons who hold active and valid standard registrations as environmental health specialists issued by the Board pursuant to NRS 625A.110; and

(b) Must submit to the Board, not later than 30 days after the date on which the person initially becomes employed in a position described in paragraph (a):

- (1) An application for a provisional registration as an environmental health specialist trainee on a form prescribed by the Board;
- (2) The application fee for a provisional registration prescribed by NAC 625A.069; and
- (3) The registration fee for a provisional registration prescribed by NAC 625A.069.

2. In addition to the requirements set forth in subsection 1, unless an applicant meets the requirements set forth in paragraph (d) of subsection 1 of NRS 625A.110, an applicant for a provisional registration must:

(a) Attach to his or her application, in a sealed envelope, his or her official transcript from an accredited institution of higher education approved by the Board; or

(b) Request that the accredited institution of higher education transmit the transcript directly to the Board.

3. The Board may grant an applicant for provisional registration as an environmental health specialist trainee credit towards the 2 years of experience in the practice of environmental health required to register as an environmental health specialist pursuant to NRS 625A.110 for any work experience in the field of environmental health obtained by the applicant:

(a) Before beginning a training program; or

(b) During an initial period of training if a provisional registration is reinstated by the Board.

(Added to NAC by Bd. of Reg. Environmental Health Sp. by R003-06, eff. 3-23-2007; A by R049-16, 6-21-2017; A by Bd. of Environmental Health Sp. by R075-19, 6-8-2020)

NAC 625A.0132 Environmental health specialist trainee: Approval of training program by Board; exception; Board to maintain list of employers that offer training program. (NRS 625A.057, 625A.115)

1. A training program described in NAC 625A.013 must be approved by the Board. Except as otherwise provided in subsection 2, to be approved by the Board, the employer providing the training program must submit to the Board a description of the training program and any other information related to the training program the Board may require.

2. A training program is not required to submit the information described in subsection 1 and shall be deemed to be approved by the Board if the training program is provided by:

(a) A health district created pursuant to NRS 439.362 or 439.370;

(b) The Department of Health and Human Services;

(c) A division of the Department of Health and Human Services;

(d) The Cannabis Compliance Board; or

(e) The State Department of Agriculture.

3. A training program may consist of any combination of academic coursework, on-site training and work experience approved by the Board.

4. The Board will maintain a list of all employers that offer training programs that are approved by the Board pursuant to this section.

(Added to NAC by Bd. of Environmental Health Sp. by R075-19, eff. 6-8-2020)

NAC 625A.0133 Environmental health specialist trainee: Expiration of provisional registration; application for renewal; grounds for refusal to renew; automatic suspension. (NRS 625A.057, 625A.145)

1. A provisional registration to engage in the practice of environmental health as an environmental health specialist trainee expires 1 year from the date of issuance. Unless a 1-year extension is granted pursuant to subsection 4 of NRS 625A.115, a provisional registration may be renewed not more than twice.

2. To apply to renew a provisional registration, an environmental health specialist trainee must submit to the Board:

(a) A completed application on a form provided by the Board;

(b) The fee for the renewal of a provisional registration prescribed by NAC 625A.069; and

(c) If the application is received by the Board at least 1 day but less than 30 days after the expiration date of the provisional registration, the late renewal fee prescribed by NAC 625A.069.

3. The Board will not renew a provisional registration if the information required by subsection 2 is received by the Board more than 30 days after the expiration date of the provisional registration.

4. A provisional registration is automatically suspended if an environmental health specialist trainee fails to comply with the requirements of subsection 2.

5. If a provisional registration is renewed pursuant to subsection 2 at least 1 day but less than 30 days after the expiration date of the provisional registration, the renewal of the provisional registration is retroactive to the expiration date of the provisional registration.

(Added to NAC by Bd. of Environmental Health Sp. by R075-19, eff. 6-8-2020)

NAC 625A.0134 Environmental health specialist trainee: Qualifications and duties of supervisor. (NRS 625A.057, 625A.115)

1. An environmental health specialist who provides direct supervision of an environmental health specialist trainee, as required pursuant to NRS 625A.115, must:

- (a) Hold a standard registration issued by the Board that is on active status;
- (b) Be in good standing with the Board and have no record of disciplinary action; and
- (c) Have at least 3 years of experience as:

- (1) An environmental health specialist in this State; or
- (2) A registered, certified or licensed environmental health specialist in the District of Columbia or any state or territory of the United States whose requirements for that registration, certification or licensure are substantially similar to the requirements for the issuance of a registration as an environmental health specialist in this State.

2. An environmental health specialist who supervises an environmental health specialist trainee shall:

- (a) Evaluate the work of the environmental health specialist trainee;
- (b) Document all training and supervision provided to the environmental health specialist trainee; and
- (c) Notify the Board in writing within 30 days if the environmental health specialist trainee is no longer:

- (1) Supervised by the environmental health specialist; or
- (2) Participating in the training program provided by the employer.

- (1) Supervised by the environmental health specialist; or
- (2) Participating in the training program provided by the employer.

(Added to NAC by Bd. of Environmental Health Sp. by R075-19, eff. 6-8-2020)

NAC 625A.0135 Environmental health specialist trainee: Application for national examination for credentialing; authorization to retake; acceptance of report of score. (NRS 625A.057, 625A.120)

1. An environmental health specialist trainee who has at least 18 months of experience approved by the Board in the practice of environmental health and who wants to take the national examination for credentialing as a registered environmental health specialist offered by the National Environmental Health Association must apply to the Board to take the examination.

2. If an environmental health specialist trainee does not achieve a passing score upon completion of the national examination, he or she may apply to the Board to retake the examination not sooner than 30 days after the date of the previous examination.

3. The Board will accept a report of the score of an environmental health specialist trainee on the national examination from the National Environmental Health Association.

(Added to NAC by Bd. of Environmental Health Sp. by R075-19, eff. 6-8-2020, [R067-21](#), eff. [4-11-22](#))

NAC 625A.0138 Environmental health specialist trainee: Application to convert provisional registration to standard registration. (NRS 625A.057, 625A.080, 625A.100, 625A.115)

1. Upon completion of the requirements of NRS 625A.115, an environmental health specialist trainee may apply to the Board to convert his or her provisional registration to a standard registration as an environmental health specialist. The application to convert must include, without limitation:

- (a) A completed application form as provided by the Board;
- (b) The application fee to convert a provisional registration to a standard registration set forth in subsection 2 of NAC 625A.069;
- (c) The registration fee for a standard registration set forth in NAC 625A.069;
- (d) Proof in the form prescribed by the Board that the person passed the national examination for credentialing as a registered environmental health specialist pursuant to NRS 625A.120; and
- (e) Except as otherwise provided in subsection 2, proof in the form prescribed by the Board that the person completed 2 years of experience in the practice of environmental health.

2. An environmental health specialist trainee who meets the education requirements set forth in paragraph (b) or (c) of subsection 1 of NRS 625A.110 to be eligible for registration as an environmental health specialist is not required to submit proof that he or she completed 2 years of experience in the practice of environmental health with an application to convert a provisional registration to a standard registration.

(Added to NAC by Bd. of Reg. Environmental Health Sp. by R049-16, eff. 6-21-2017; A by Bd. of Environmental Health Sp. by R075-19, 6-8-2020)—(Substituted in revision for NAC 625A.016)

NAC 625A.014 Environmental health specialist: Application for standard registration; fee. (NRS 625A.057, 625A.080, 625A.100, 625A.110) Each applicant for a standard registration as an environmental health specialist must submit to the Board:

1. A completed application on a form provided by the Board;
2. The application fee for a standard registration prescribed by NAC 625A.069, as applicable;
3. The registration fee for a standard registration prescribed by NAC 625A.069;
4. Verification or proof the applicant:
 - (a) Is registered with the National Environmental Health Association; or
 - (b) Passed the National Environmental Health Association Registered Environmental Health Specialist examination or a comparable examination approved by the Board; and
5. Verification of every license, certificate or registration as an environmental health specialist issued in another state, territory, the District of Columbia or a foreign country, if any, within the 5 years immediately preceding the date on which the application is submitted.

(Added to NAC by Bd. of Reg. Environmental Health Sp. by R049-16, eff. 6-21-2017; A by Bd. of Environmental Health Sp. by R075-19, 6-8-2020)

NAC 625A.015 Environmental health specialist: Application for and issuance of standard registration by endorsement; authority of Board to establish list of similar jurisdictions. (NRS 625A.057, 625A.080, 625A.110)

1. For the purpose of issuing a standard registration to a person by endorsement as provided in NRS 625A.110, the Board will recognize registration as an environmental health specialist, environmental health scientist or registered sanitarian in a jurisdiction that requires registration with the National Environmental Health Association as being substantially similar to the requirements for the issuance of a standard registration as an environmental health specialist in this State.

2. A person who applies for a standard registration by endorsement as provided in NRS 625A.110 must submit with his or her application required pursuant to NAC 625A.014:

- (a) Proof in the form prescribed by the Board that he or she is registered with the National Environmental Health Association;

(b) Proof in the form prescribed by the Board showing satisfaction of substantially similar education, examination and training requirements for registration as an environmental health specialist; and

(c) Verification of a current license, certificate or registration as an environmental health specialist issued in another state, territory, or the District of Columbia or a foreign country.

3. For the purposes of a registration by endorsement, the Board may establish a list of jurisdictions determined to have substantially similar requirements for registration as an environmental health specialist in this State.

(Added to NAC by Bd. of Reg. Environmental Health Sp. by R003-06, eff. 3-23-2007; A by R049-16, 6-21-2017; A by Bd. of Environmental Health Sp. by R075-19, 6-8-2020)

NAC 625A.017 Environmental health specialist: Application for renewal of standard registration; fees; grounds for refusal to renew. (NRS 625A.057, 625A.080, 625A.130, 625A.145)

1. A standard registration as an environmental health specialist expires 1 year from the date of issuance.

2. To apply to renew a standard registration, an environmental health specialist must submit to the Board:

(a) A completed renewal application on a form provided by the Board;

(b) The fee for the renewal of a standard registration prescribed by NAC 625A.069; and

(c) If the application is received by the Board at least 1 day but less than 30 days after the expiration date of the standard registration, the late renewal fee prescribed by NAC 625A.069.

3. The Board will not renew a standard registration if the information required by subsection 2 is received by the Board more than 30 days after the expiration date of the standard registration.

4. If a standard registration is renewed at least 1 day but less than 30 days after the expiration date of the standard registration, the renewal of the standard registration is retroactive to the expiration date of the standard registration.

(Added to NAC by Bd. of Reg. Environmental Health Sp. by R003-06, eff. 3-23-2007; A by R049-16, 6-21-2017; A by Bd. of Environmental Health Sp. by R075-19, 6-8-2020)

NAC 625A.040 Reinstatement of expired standard registration or provisional registration; grounds for refusal to reinstate. [Effective until 2 years after the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] (NRS 625A.057, 625A.080, 625A.100, 625A.130, 625A.145, 625A.150)

1. If the standard registration of an environmental health specialist or the provisional registration of an environmental health specialist trainee has been expired for a period of at least 30 days but less than 5 years, except as otherwise provided in subsections 2 and 3, the Board will reinstate the registration if the holder of the registration submits to the Board:

(a) An application for reinstatement of the registration on a form approved by the Board.

(b) The statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services required pursuant to NRS 625A.105.

(c) The reinstatement fee prescribed by NAC 625A.069.

2. In addition to the requirements set forth in subsection 1, an applicant for the reinstatement of a standard registration must submit proof satisfactory to the Board of the completion of the contact hours of continuing education required pursuant to NAC 625A.080 for the 2 years immediately preceding the date of application for reinstatement.

3. The Board will not reinstate a registration pursuant to this section if:

(a) The applicant for reinstatement indicates on the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services required pursuant to NRS 625A.105 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order; or

(b) The application for reinstatement is submitted to the Board 5 years or more after the registration expired.

4. The reinstatement of a registration pursuant to this section is not retroactive.

(Added to NAC by Bd. of Reg. Environmental Health Sp. by R125-03, eff. 3-26-2004; A by R003-06, 3-23-2007; R049-16, 6-21-2017; A by Bd. of Environmental Health Sp. by R075-19, 6-8-2020)

NAC 625A.040 Reinstatement of expired standard registration or provisional registration; grounds for refusal to reinstate. [Effective on the date 2 years after the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] (NRS 625A.057, 625A.080, 625A.100, 625A.130, 625A.145, 625A.150)

1. If the standard registration of an environmental health specialist or the provisional registration of an environmental health specialist trainee has been expired for a period of at least 30 days but less than 5 years, except as otherwise provided in subsections 2 and 3, the Board will reinstate the registration if the holder of the registration submits to the Board:

(a) An application for reinstatement of the registration on a form approved by the Board.

(b) The reinstatement fee prescribed by NAC 625A.069.

2. In addition to the requirements set forth in subsection 1, an applicant for the reinstatement of a standard registration must submit proof satisfactory to the Board of the completion of the contact hours of continuing education required pursuant to NAC 625A.080 for the 2 years immediately preceding the date of application for reinstatement.

3. The Board will not reinstate a registration pursuant to this section if the application for reinstatement is submitted to the Board 5 years or more after the registration expired.

4. The reinstatement of a registration pursuant to this section is not retroactive.

(Added to NAC by Bd. of Reg. Environmental Health Sp. by R125-03, eff. 3-26-2004; A by R125-03, 3-26-2004; R003-06, 3-23-2007; R049-16, 6-21-2017; A by Bd. of Environmental Health Sp. by R075-19, 6-8-2020, effective on the date 2 years after the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

NAC 625A.046 Temporary registration: Application; expiration; renewal; subsequent applications. (NRS 625A.057, 625A.112)

1. A person who holds a valid and unrestricted registration, certification or license to engage in the practice of environmental health issued by the District of Columbia or any state or territory of the United States may apply to the Board for a temporary registration to engage in the practice of environmental health in this State by submitting to the Board:

- (a) An application on a form prescribed by the Board that includes, without limitation, proof satisfactory to the Board that he or she meets all of the qualifications set forth in NRS 625A.110;
- (b) The application fee for a temporary registration prescribed by NAC 625A.069; and
- (c) The registration fee for a temporary registration prescribed by NAC 625A.069.

2. A temporary registration expires 6 months after the date it is issued. To apply to renew a temporary registration, the registrant must submit to the Board:

- (a) A completed application to renew a temporary registration on a form provided by the Board;
- (b) The renewal fee for a temporary registration prescribed by NAC 625A.069; and
- (c) If, at the time the Board receives the application, the temporary registration has been expired more than 1 day but less than 30 days, the late renewal fee prescribed by NAC 625A.069.

3. The Board will not renew a temporary registration more than once, but the Board may issue one or more subsequent temporary registrations to a person if the person:

- (a) Completes the application for a temporary registration required pursuant to subsection 1;
- (b) Pays the application fee for a temporary registration prescribed by NAC 625A.069;
- (c) Pays the registration fee for a temporary registration prescribed by NAC 625A.069; and
- (d) Provides proof satisfactory to the Board of the completion of the 24 contact hours of continuing education required pursuant to NAC 625A.080 during the 2 years immediately preceding the date on which he or she submits the application for a temporary registration pursuant to paragraph (a).

4. A temporary registration is invalid if the holder of the temporary registration fails to renew the temporary registration within 30 days after the temporary registration expires.

5. The holder of a temporary registration may apply at any time for a standard registration pursuant to NAC 625A.014.

(Added to NAC by Bd. of Environmental Health Sp. by R075-19, eff. 6-8-2020)

NAC 625A.048 Inactive status of standard registration: Application; renewal; exemption from continuing education; prohibition on practice; application for return to active status. (NRS 625A.057, 625A.145)

1. At the time of applying to the Board to renew his or her standard registration, an environmental health specialist may request that the Board place his or her standard registration on inactive status by submitting to the Board:

(a) An attestation that he or she will no longer practice or represent to others that he or she is authorized to engage in the practice of environmental health in this State while the standard registration is inactive;

(b) A completed renewal application on a form provided by the Board;

(c) The renewal fee for an inactive standard registration as prescribed by NAC 625A.069; and

(d) If the application is received by the Board more than 1 day but less than 30 days after the expiration date of the standard registration, the late renewal fee prescribed by NAC 625A.069.

2. An inactive standard registration expires 1 year after the date of issuance and may be renewed by submitting to the Board the items described in subsection 1.

3. Except as otherwise provided in subsection 5, an environmental health specialist whose standard registration is on inactive status is not required to comply with the requirements for continuing education prescribed by NAC 625A.080.

4. An environmental health specialist shall not engage in the practice of environmental health in this State if his or her standard registration is on inactive status.

5. An environmental health specialist whose standard registration is on inactive status may apply to the Board to place his or her standard registration on active status by submitting to the Board:

- (a) A completed application on a form provided by the Board;
- (b) The fee to renew an active standard registration set forth in NAC 625A.069; and
- (c) Proof of completion of the 24 contact hours of continuing education required pursuant to NAC 625A.080 during the 2 years immediately preceding the date on which he or she submits the completed application to the Board.

(Added to NAC by Bd. of Environmental Health Sp. by R075-19, eff. 6-8-2020)

NAC 625A.050 Provision of additional information or appearance before Board or member thereof before issuance, renewal or reinstatement. (NRS 625A.057, 625A.080) Before the Board will issue, renew or reinstate, as applicable, a registration, the Board may require an applicant to:

1. Provide additional information; or
2. Appear before the Board or a member of the Board for an oral interview.

(Added to NAC by Bd. of Reg. Environmental Health Sp. by R049-16, eff. 6-21-2017; A by Bd. of Environmental Health Sp. by R075-19, 6-8-2020)

NAC 625A.055 Request for verification of registration. (NRS 625A.057) A registrant may request that the Board verify his or her registration to any organization or regulatory body of another state or territory of the United States by submitting a written request to the Board.

(Added to NAC by Bd. of Environmental Health Sp. by R075-19, eff. 6-8-2020)

NAC 625A.060 Practice authorized only under name in which registration is held; change of name. (NRS 625A.057, 625A.080)

1. A registrant may only engage in the practice of environmental health in this State under the name in which the registrant holds a registration issued by the Board.

2. If a registrant changes his or her legal name after his or her registration is issued, he or she must submit to the Board, within 30 days after the change, a copy of a marriage certificate or court decree demonstrating that his or her name was legally changed. Upon receiving a copy of a marriage certificate or court decree, the Board will issue the registrant a new registration with his or her legal name thereon.

(Added to NAC by Bd. of Reg. Environmental Health Sp. by R049-16, eff. 6-21-2017; A by Bd. of Environmental Health Sp. by R075-19, 6-8-2020)

NAC 625A.062 Registrant required to maintain contact information with Board; notices provided to registrant by Board. (NRS 625A.057)

1. Each registrant shall:

(a) Maintain with the Board the current residential address, business address and other contact information of the registrant, including, without limitation, the telephone number and electronic mail address of the registrant.

(b) Notify the Board of any change in the information provided pursuant to paragraph (a) not later than 30 days after the change is effective.

2. The Board will provide by United States mail to the last known residential address of the registrant provided pursuant to this section any notice to a registrant that is required by law or regulation.

(Added to NAC by Bd. of Environmental Health Sp. by R075-19, eff. 6-8-2020)

NAC 625A.064 Alteration of registration prohibited; issuance of duplicate registration. (NRS 625A.057)

1. A registrant shall not alter a registration issued by the Board.
2. The Board may issue a duplicate registration to a registrant who certifies that his or her registration has been lost or destroyed.

(Added to NAC by Bd. of Environmental Health Sp. by R075-19, eff. 6-8-2020)

NAC 625A.065 Professional responsibility. (NRS 625A.057) Each registrant shall:

1. Base his or her practice of environmental health upon the recognized knowledge relevant to the duties of the registrant;
2. Critically examine and keep current with emerging knowledge relevant to the practice of environmental health;
3. Seek the advice and counsel of his or her colleagues and supervisors when such a consultation is in the best interest and safety of the public;
4. Comply with the provisions of this chapter, chapter 625A of NRS and all applicable federal laws and regulations;
5. Set and maintain professional boundaries with clients and persons with whom the registrant works;
6. Report to the Board any unregistered, unauthorized, unqualified or unethical practice of environmental health that is occurring; and
7. Notify the Board in writing within 10 days after:
 - (a) An action is taken against any registration, certification, license or other credential to practice environmental health that was issued to the registrant by another state or territory of the United States;
 - (b) A criminal charge or a civil action is filed against the registrant;
 - (c) The registrant is convicted of a criminal offense, other than a traffic offense which is a misdemeanor and does not involve alcohol or a controlled substance; or
 - (d) A settlement or judgment is made in any civil action filed against the registrant for an act related to the practice of environmental health.

(Added to NAC by Bd. of Environmental Health Sp. by R075-19, eff. 6-8-2020)

NAC 625A.069 Fees. (NRS 625A.057, 625A.130)

1. Except as otherwise provided in subsections 2 and 3, the Board will charge and collect the following fees:

- (a) Application fee for:
 - (1) A standard registration..... \$250
 - (2) A temporary registration 250
 - (3) A provisional registration..... 150
- (b) Registration fee for:
 - (1) A standard registration..... \$125
 - (2) A temporary registration 50
 - (3) A provisional registration..... 125
- (c) Renewal fee for:
 - (1) An active standard registration \$125
 - (2) An inactive standard registration 50
 - (3) A temporary registration 75
 - (4) A provisional registration..... 125
- (d) Late renewal fee \$100
- (e) Reinstatement fee \$250

2. If an environmental health specialist trainee with a provisional license applies to convert his or her provisional registration to a standard registration, the application fee is \$100.

3. If an applicant for registration is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran, the Board will collect one-half of the initial application and registration fees established pursuant to subsections 1 and 2, as applicable.

(Added to NAC by Bd. of Environmental Health Sp. by R075-19, eff. 6-8-2020; **R067-21, eff 4-11-22**)

CONTINUING EDUCATION

NAC 625A.080 Requirements for renewal of standard registration; attestation of completion; exceptions. (NRS 625A.057, 625A.080, 625A.150)

1. Except as otherwise provided in subsection 2:

(a) Each environmental health specialist must complete 24 contact hours of continuing education approved by the Board that directly pertains to the practice of environmental health during the 2 years immediately preceding the date on which his or her application for renewal of a standard registration is submitted to the Board.

(b) Each environmental health specialist must submit to the Board with his or her application for renewal of a standard registration an attestation that he or she completed the contact hours of continuing education required pursuant to paragraph (a).

2. The requirement to complete continuing education does not apply to:

(a) The first renewal of a standard registration;

(b) An environmental health specialist who has received an exemption pursuant to NRS 625A.150;

(c) Except as otherwise provided in NAC 625A.048, an environmental health specialist whose registration is on inactive status;

(d) Except as otherwise provided in NAC 625A.046, a person who holds a temporary registration to practice environmental health issued by the Board pursuant to NRS 625A.112; or

(e) An environmental health specialist trainee.

(Added to NAC by Bd. for Registration of Pub. Health Sanitarians, eff. 2-19-91; A by Bd. of Reg. Environmental Health Sp. by R125-03, 3-26-2004; R003-06, 3-23-2007; R049-16, 6-21-2017; A by Bd. of Environmental Health Sp. by R075-19, 6-8-2020)—(Substituted in revision for NAC 625A.020)

NAC 625A.082 Acceptable courses of study; request for approval of and credit for courses. (NRS 625A.057, 625A.150)

1. The Board will accept for credit toward the continuing education requirements set forth in NAC 625A.080 a course of study or training related to environmental health sciences or sanitary measures for the benefit of the public which is approved or presented by any of the following:

(a) The National Environmental Health Association.

(b) The American Public Health Association.

(c) The Centers for Disease Control and Prevention of the United States Department of Health and Human Services.

(d) The Food and Drug Administration of the United States Department of Health and Human Services.

(e) The United States Department of Health and Human Services.

(f) The Environmental Protection Agency.

(g) The United States Department of Energy.

(h) The American Water Works Association.

(i) The Academy of Nutrition and Dietetics.

(j) The State Board of Nursing.

(k) The Nevada Environmental Health Association.

(l) The American Society of Agricultural and Biological Engineers.

(m) Any other organization approved by the Board.

(n) An accredited college or university.

2. In addition to the courses of study set forth in subsection 1, the Board will consider a written request from a registrant that the Board approve credit for any continuing education not specified in subsection 1 if the request is submitted to the Board before the renewal of the registration.

3. If a written request submitted pursuant to this section is not granted, the Board may grant additional time for the registrant to complete the continuing education requirements set forth in NAC 625A.080.

(Added to NAC by Bd. of Environmental Health Sp. by R075-19, eff. 6-8-2020)

NAC 625A.084 Conditions for waiver of requirements or extension of deadline. (NRS 625A.057, 625A.150)

1. As an alternative to exempting an environmental health specialist from the requirements of continuing education for good cause pursuant to NRS 625A.150, the Board may waive all or part of the requirements for continuing education or extend the deadline for completion of all or part of the requirements for 1 year if an environmental health specialist submits to the Board:

- (a) A written request for an exemption; and
- (b) Proof satisfactory to the Board of one of the following extenuating circumstances:
 - (1) A serious illness or injury;
 - (2) An extreme financial or familial hardship; or
 - (3) Military service.

2. The Board may extend the deadline for an environmental health specialist to complete all or part of the requirements for continuing education for less than 1 year for any reason.

(Added to NAC by Bd. of Environmental Health Sp. by R075-19, eff. 6-8-2020)

NAC 625A.086 Evidence of completion; audits. (NRS 625A.057, 625A.080, 625A.150)

1. Each environmental health specialist who is required to complete a program of continuing education shall retain and make available to the Board for inspection legible copies of all receipts, records of attendance, certificates and any other evidence of completion of an approved course for 4 years after completion of the course.

2. The Board will conduct random audits of the proof of completion of environmental health specialists to ensure compliance with the requirements of this section and NAC 625A.080.

(Added to NAC by Bd. for Registration of Pub. Health Sanitarians, eff. 2-19-91; A by Bd. of Reg. Environmental Health Sp. by R125-03, 3-26-2004; R049-16, 6-21-2017; A by Bd. of Environmental Health Sp. by R075-19, 6-8-2020)—(Substituted in revision for NAC 625A.030)

DISCIPLINARY ACTIONS

NAC 625A.090 Unprofessional conduct. (NRS 625A.057, 625A.160) Each of the following acts when committed by a registrant constitute unprofessional conduct pursuant to NRS 625A.160 and are grounds for disciplinary action by the Board against the registrant:

- 1. Any violation of a provision of this chapter or chapter 625A of NRS.
- 2. Failure to comply with a stipulation, agreement or order issued by the Board.
- 3. Authorizing another person to present the registration of the registrant as his or her own.
- 4. Authorizing a person under the supervision of the registrant to engage in the practice of environmental health in a way that is outside the scope of the person's registration, training or experience.
- 5. Failure to report or otherwise concealing information related to a violation of this chapter or chapter 625A of NRS that may result in harm to public health or welfare.
- 6. Intentionally filing with the Board a false or misleading report.
- 7. Failure to file or intentionally obstructing or attempting to obstruct another person from filing a report relating to the practice of environmental health and required by law.

8. Intentionally abusing, intimidating or harassing, including, without limitation, sexually harassing, another person including, without limitation, a client, employer, employee or colleague.

9. Failure to notify the Board of a disciplinary action imposed upon the registrant by a regulatory authority in another jurisdiction.

10. Advertising in a manner that the Board finds deceives or misleads the public, including, without limitation, making a false or misleading statement or representation in the advertisement or solicitation for services related to environmental health.

11. Making or providing false statements or omitting relevant information in connection with an application for a registration or the renewal of a registration.

12. Misrepresentation or falsification of credentials related to environmental health, including, without limitation, credentials relating to education, training, experience or areas of competency.

13. Practicing or offering to practice environmental health beyond the scope of the registrant's registration or field of expertise.

14. Performing any professional service related to environmental health in an incompetent or negligent manner.

15. Disparaging the qualifications of any other registrant.

16. Practicing environmental health while impaired by:

(a) Alcohol, drugs or any other chemical or substance; or

(b) A mental or physical condition that prevents him or her from safely performing his or her duties.

(Added to NAC by Bd. of Environmental Health Sp. by R075-19, 6-8-2020)

NAC 625A.100 Initiation, contents and review of complaint. (NRS 625A.057, 625A.080)

1. Any person who believes that a person who holds a registration as an environmental health specialist or a provisional registration as an environmental health specialist trainee has violated a provision of this chapter or chapter 625A of NRS may file a complaint with the Board on a form provided by the Board.

2. The Board may, on its own, initiate a complaint against a registrant if the Board believes that the person has violated a provision of this chapter or chapter 625A of NRS.

3. A complaint filed against a person pursuant to this section must, without limitation:

(a) Identify one or more grounds for disciplinary action against the person; and

(b) Set forth a statement of facts that contains sufficient detail to enable the Board to understand the allegations.

4. Upon receipt of a complaint filed against a person pursuant to this section, the Executive Director or other person designated by the Chair of the Board who is employed pursuant to NRS 625A.055 shall:

(a) In consultation with an attorney employed pursuant to NRS 625A.055, review the complaint and determine whether the complaint has merit and therefore warrants an investigation; and

(b) Present to the Board any such complaint determined to have merit.

(Added to NAC by Bd. of Reg. Environmental Health Sp. by R017-17, eff. 9-21-2017; A by Bd. of Environmental Health Sp. by R075-19, 6-8-2020)

NAC 625A.110 Authority of Board to require supervisor of trainee to accompany trainee to proceeding. (NRS 625A.080) During any proceeding held by the Board concerning a complaint filed against an environmental health specialist trainee pursuant to NAC 625A.100, the Board may require any environmental health specialist who provided to the environmental health specialist trainee supervision or training relating to the allegations contained in the complaint to accompany the environmental health specialist trainee to the proceeding.

(Added to NAC by Bd. of Reg. Environmental Health Sp. by R017-17, eff. 9-21-2017)

~~**NAC 625A.120—Witness fees and reimbursement. (NRS 625A.057, 625A.080)**~~

~~1.—A witness who participates in any proceeding held by the Board is entitled to be paid:~~

~~(a) A fee in the same amount set forth in paragraph (a) of subsection 1 of NRS 50.225 for each day's attendance; and~~

~~(b) Except as otherwise provided in subsection 2, if the witness is subpoenaed to appear and is required to travel, per diem and travel expenses at the rate provided for state officers and employees generally.~~

~~2.—The Board may reduce the amount of the per diem allowance and travel expenses authorized for payment to a witness pursuant to subsection 1 if the Board determines the financial resources of the Board warrant the reduction.~~

~~3.—The payment to which a witness is entitled pursuant to subsection 1 will be paid by the Board.~~

~~(Added to NAC by Bd. of Reg. Environmental Health Sp. by R017-17, eff. 9-21-2017; A by Bd. of Environmental Health Sp. by R075-19, 6-8-2020)]~~

NAC 625A.130 Recovery of attorney's fees and costs. (NRS 625A.057) Subject to the limitations prescribed pursuant to NRS 622.400, the Board may recover from a person reasonable attorney's fees and costs that are incurred by the Board as part of its investigative, administrative and disciplinary proceedings against the person.

(Added to NAC by Bd. of Environmental Health Sp. by R075-19, eff. 6-8-2020)