

**PROPOSED REGULATION OF THE  
BOARD OF ENVIRONMENTAL HEALTH SPECIALISTS**

**LCB FILE NO. R075-191**

**The following document is the initial draft regulation proposed  
by the agency submitted on 09/17/2019**

CHAPTER  
625A

ENVIRONMENTAL HEALTH SPECIALISTS

GENERAL  
PROVISIONS

**NAC 625A.001 Definitions. (NRS 625A.080)** As used in this chapter, unless the context otherwise requires, *the words and terms defined in NAC 625A.xxx to 625A.xxx, inclusive, have the meanings ascribed to them in those sections.*

~~—1. “Approved course” means a course of study or training which must be related to environmental health sciences or sanitary measures for the benefit of the public and which is approved or presented by any of the following: (Removed from definitions, added to continuing education)~~

~~—(a) The National Environmental Health Association.~~

~~—(b) The American Public Health Association.~~

~~—(c) The Centers for Disease Control and Prevention.~~

~~—(d) The Food and Drug Administration.~~

~~—(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.~~

*NAC 625A.xxxx “Applicant” defined. “Applicant” means a person who applies for any privilege, registration, approval or authority from the Board.*

*NAC 625A.xxxx ~~2.~~ “Board” defined. “Board” means the Board of ~~Registered~~ Environmental Health Specialists.*

*NAC 625A.0045 “Registrant” defined. (NRS 625A.132) “Registrant” means any person who holds a registration as a registered environmental health specialist or environmental health specialist trainee pursuant to chapter 625A of NRS.*

*NAC 625A.008 “Standard Registration” defined. (NRS 625A.132) “Standard Registration” means a registration to engage in the practice of environmental health that is not a provisional registration, or a temporary registration.*

*NAC 625A.xxxx ~~3.~~ “Contact Hour” defined “Contact hour” means 60 minutes of participation in an approved course.*

~~—4. “Environmental health sciences” means the science and practice of preventing human injury and~~

~~illness and promoting human well-being by:~~

~~—(a) Identifying and evaluating the environmental sources and hazardous agents which may adversely affect human health; and~~

~~—(b) Limiting human exposure to hazardous physical, chemical, biological, radiological and nuclear agents in the environment, including, without limitation, agents found in the air, water, soil or food.~~

(in law, Sec 17 NRS 625A.028, definition of practice of environmental health)

(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)

***NAC 625A.011 “Basic science courses” interpreted. ([NRS 625A.080](#))***

1. *In addition to the courses listed in [NRS 625A.110](#) and [625A.115](#), the Board will interpret the term “basic science courses” as used in [NRS 625A.110](#) and [625A.115](#) 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)

## **BOARD OF ENVIRONMENTAL HEALTH SPECIALISTS**

### ***NAC 625A.xxx Executive Director and staff: Appointment; duties; qualifications.***

*The Board may:*

- 1. Appoint an Executive Director and employ such persons as it deems necessary to carry out its duties, including but not limited to attorneys, investigators, and hearing officers.*
- 2. The Board shall:*
  - (a) Establish minimum qualifications of the Executive Director,*
  - (b) Determine the duties to be performed by or delegated to the Executive Director, and*
  - (c) Establish qualifications and duties to be performed by staff.*
- 3. If the Board delegates its authority to take any disciplinary action to a hearing officer, 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.*

### **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.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 625.0115.

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

**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.

***NAC 625A.xxx Petition for declaratory order or advisory opinion: Meeting and decision by Board; service of denial and other correspondence.***

*1. Upon submission of a petition for a declaratory order or an advisory opinion, the Board*

*will, within 90 days:*

*(a) Schedule a meeting to discuss and grant or deny the petition in writing, stating its reasons; or*

*(b) Initiate proceedings for adoption of an appropriate regulation.*

*2. A copy of any denial or other correspondence from the Board to the petitioner will be*

*served by mailing a copy thereof to the petitioner.*

## **CERTIFICATES OF REGISTRATION; TRAINEES**

***NAC 625A.xxxx Application: Payment of fee.***

*1. Any person seeking registration by the Board or seeking to renew, reinstate or change the type of a registration issued by the Board must submit a completed application on a form provided by the Board.*

*2. Each application submitted pursuant to subsection 1 must be accompanied by payment of any fee prescribed by NAC 625A.030.*

***NAC 625A.013 Environmental health specialist trainee: Qualification to practice; application for ~~certificate of provisional~~ registration; ~~approval of training program~~.*** ([NRS 625A.080](#), [625A.115](#))

*1. To engage in the practice of environmental health as an environmental health specialist trainee, a person:*

*(a) Must be employed 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 ~~certificates of current~~ registration as environmental health specialists; and*

*(b) Must file with the Board an application for a ~~certificate of provisional~~ registration as an*

environmental health specialist trainee not later than ~~90~~ 30 days after the date on which the person initially becomes employed as a part of the approved training program.

**NAC625A.xxx Approval of training program.**

~~2.1.~~ Except as otherwise provided in subsection ~~3~~ 2., to be approved by the Board for purposes of employing environmental health specialist trainees, a training program must submit to the Board ~~an application~~, a description of the training program and any other information related to the training program that the Board may require.

~~3- 2~~ A training program is not required to submit an application to the Board pursuant to subsection 2 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; or
- (c) A division of the Department of Health and Human Services;
- (d) The Department of Taxation, Marijuana Enforcement Division; and
- (e) The Department of Agriculture.

~~4.3.~~ The Board will maintain a list of all training programs that are approved by the Board to employ environmental health specialist trainees.

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

**NAC 625A.014 Provisional Registration, Submission of transcript ~~and verification of other license, certificate or registration~~ with application. ([NRS 625A.080](#), [625A.100](#))**

~~1.~~ Each applicant for a ~~certificate of provisional~~ registration as an ~~environmental health specialist~~ ~~or~~ environmental health specialist trainee must:

~~—1.~~ Unless an applicant meets the requirements set forth in paragraph (d) of subsection 1 (~~military experience~~) of [NRS 625A.110](#),

(a) Attach to his or her application, 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 ~~mail~~ transmit the transcript directly to the Board;

~~2.~~ ~~Submit 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 within 5 years from the date of the application, if any.~~ (moved to new section)

~~—NAC 625A.0145 Submission of proof of examination score with application. ([NRS 625A.080](#), [625A.100](#))—~~ Except for an applicant who may be issued a certificate of registration as an environmental health specialist without an examination pursuant to [NRS 625A.110](#), an applicant for a certificate of registration as an environmental health specialist who takes the examination must submit to the Board proof of the score that the applicant received on the examination in the form prescribed by the Board. (trainee score reports are received directly from NEHA, new section for REHS)

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

**NAC 625A.xxx Program of Training: General requirements; direct supervision.**

1. The program of training of a person who has been issued a provisional registration as an environmental health specialist trainee by the Board pursuant to NRS 625A.xxx may consist of any combination of academic coursework, on-site training and work experience.
2. A trainee shall participate in on-site training under the direct supervision of a registered environmental health specialist.
3. A registrant may not practice as a trainee for more than 3 years without passing the examination set forth in NAC 625A.xxx, unless a waiver has been granted pursuant to NRS 625A.xxx.
3. Work experience in the field of environmental health prior to entering a training program may be credited toward the training program requirements pursuant to this section, upon approval of the Board.

**NAC 625A.016 Application upon completion of training program. (NRS 625A.080, 625A.100)** Upon completion of the training program required pursuant to [NRS 625A.115](#), an environmental health specialist trainee may apply to the Board for a ~~certificate of~~ registration as an environmental health specialist. The application must include, without limitation, proof in the form prescribed by the Board that the person:

1. Completed the training program required pursuant to [NRS 625A.115](#); and
  2. Passed the written examination pursuant to [NRS 625A.120](#).
- (renumber & group trainee sections together)*

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

**NAC 625A.xxx Environmental Health Specialist, submission of proof of qualifications; verification of license, certificate or registration**

1. Each applicant for registration as an environmental health specialist must:
  - (a) Submit verification of certification by the National Environmental Health Association, or
  - (b) Proof of passage of the National Environmental Health Association Registered Environmental Health Specialist examination, or
  - (c) Proof of passage of a comparable examination approved by the Board; and
  - (d) Submit 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 within 5 years from the date of the application, if any. *(Moved from NAC 625A.014)*

**NAC 625A.015 Application for and issuance of ~~certificate~~ registration by ~~reciprocity~~ endorsement. (NRS 625A.080, 625A.110)**

1. For the purpose of issuing a ~~certificate of~~ registration to a person by ~~reciprocity~~ 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 ~~certificate of~~ registration as an environmental health specialist in this State.
2. A person who applies for a ~~certificate of~~ registration by ~~reciprocity~~ endorsement as

provided in [NRS 625A.110](#) must submit with his or her application:

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

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

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

(d) **Submit** 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 within 5 years from the date of the application, if any.

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

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

**NAC 625A.017 ~~Deadline for submission of application for renewal of registration and annual fee; Expiration and renewal of registration; effect of noncompliance.~~ (NRS 625A.080, 625A.130)**

1. Except for a temporary registration issued pursuant to NAC 625A.xxx, each registration issued by the Board, including, without limitation, each standard registration that has been converted to inactive status, expires 1 year after the date on which the registration was issued.

2. An application to renew a registration will not be approved unless the application is submitted not later than 30 days after the date on which the registration expired.

3. The ~~certificate of~~ registration as an environmental health specialist or environmental health specialist trainee ~~is automatically suspended-expires~~ if the ~~specialist or trainee~~ registrant fails to comply with subsection 1 or 2, as applicable.

~~1. A certificate of registration as an environmental health specialist expires 1 year from the date of issuance. An environmental health specialist must submit an application for renewal of a certificate of registration and the annual fee set forth in subsection 3 of NAC 625A.070, which must be received by the Board not later than 60 days after the date the certificate of registration expires.~~

~~2. Pursuant to subsection 3 of NRS 625A.115, a certificate of registration as an environmental health specialist trainee expires 3 years from the date the person initially becomes employed as a part of an approved training program. An environmental health specialist trainee must submit the annual fee set forth in subsection 3 of NAC 625A.070, which must be received by the Board not later than 60 days after the anniversary of the issuance of the certificate of registration.~~

**NAC 625A.xxxx *Qualifications of environmental health specialist to act as supervisor of trainee***

1. To be eligible to act as a supervisor of a trainee, an environmental health specialist must:

(a) Hold a standard registration that is on active status;

(b) Have experience as an environmental health specialist for a minimum of 3 years; and

(c) Be in good standing with the Board and have no record of disciplinary action.



***NAC 625A.xxx Duties of supervisor, review of work A supervisor of a trainee shall:***

- (1) Evaluate the work of the trainee;*
- (2) Document the training provided to and the supervision of the trainee; and*
- (3) Provide written notification to the Board if:
  - (a) The trainee withdraws from a program of training, or*
  - (b) The trainee successfully completes all the requirements of the training program.**

***NAC 625A.xxxx Renewal of provisional registration as an environmental health specialist trainee.***

*1. Except as otherwise provided in subsection 2, the Board may renew a provisional registration as an environmental health specialist trainee, which has been issued to a person pursuant to NRS 625A.xxx if the person:*

- (a) Has not completed the training required for registration as an Environmental Health Specialist; or*
- (b) Has not achieved a passing score on the Registered Environmental Health Examination administered by the National Environmental Health Association, or its successor organization, or another comparable examination approved by the Board;*

*2. A provisional registration may not be renewed more than twice, unless the trainee has been granted an extension to pass the examination pursuant to NRS 625A.115.*

***NAC 625A.xxx Retroactive renewal of standard or provisional registration.*** *A standard registration or provisional registration that has been expired less than 30 days may be renewed retroactively to the date of expiration of the registration if the registrant satisfies all requirements for renewal of the registration and pays fees prescribed by NAC 625A.030.*

*(moved all continuing education requirements NAC 625A.020, 625A.025 and 625A.030 to new section beginning on page 13)*

***NAC 625A.040 Reinstatement: Application; proof of completion of continuing education; fees; deadline for submission of application.***

*1. An applicant for reinstatement of his or her registration as an environmental health specialist shall include with the application for reinstatement:*

*(a) Proof satisfactory that the applicant has completed the continuing education that is required of a registrant for the two (2) years immediately preceding the application for reinstatement, and.*

*(b) The fees imposed by the Board pursuant to NRS 625A.030 for the reinstatement of a registration.*

*2. The reinstatement of an expired r registration shall not be retroactive.*

*3. An application to reinstate a registration must be submitted not later than five (5) years after the date on which the registration expired.*

~~***NAC 625A.040 Reinstatement of suspended certificate of registration. [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.080, 625A.100, 625A.130, 625A.150) If the certificate of registration as an environmental health specialist has been suspended pursuant to the provisions of NRS 625A.130 or NAC 625A.017 or 625A.020, the Board will reinstate the certificate of registration after the environmental health specialist submits to the Board:~~

- ~~—1.— An application for reinstatement of the certificate of registration on a form approved by the Board.~~
- ~~—2.— 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 if the environmental health specialist failed to submit the statement to the Board.~~
- ~~—3.— The annual fee for registration for each year in which the certificate of registration was suspended and for the year in which the environmental health specialist requests reinstatement.~~
- ~~—4.— A penalty fee of \$100.~~
- ~~—5.— Proof of completion of the contact hours of continuing education required pursuant to NAC 625A.020 for the period in which the certificate of registration was suspended. Any contact hours of continuing education required to be completed during the period in which the certificate of registration was suspended must be completed within the 2 years immediately preceding the date of application for reinstatement.~~

~~—(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)~~

~~—**NAC 625A.040—Reinstatement of suspended certificate of registration.** [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.080, 625A.100, 625A.130, 625A.150) If the certificate of registration as an environmental health specialist has been suspended pursuant to the provisions of NRS 625A.130 or NAC 625A.017 or 625A.020, the Board will reinstate the certificate of registration after the environmental health specialist submits to the Board:~~

- ~~—1.— An application for reinstatement of the certificate of registration on a form approved by the Board.~~
- ~~—2.— The annual fee for registration for each year in which the certificate of registration was suspended and for the year in which the environmental health specialist requests reinstatement;~~
- ~~—3.— A penalty fee of \$100.~~
- ~~—4.— Proof of completion of the contact hours of continuing education required pursuant to NAC 625A.020 for the period in which the certificate of registration was suspended. Any contact hours of continuing education required to be completed during the period in which the certificate of registration was suspended must be completed within the 2 years immediately preceding the date of application for reinstatement.~~

~~—(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, 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)~~

#### **REVISER'S NOTE.**

~~—The regulation of the Board of Registered Environmental Health Specialists filed with the Secretary of State on March 26, 2004 (LCB File No. R125-03), the source of this section, as amended by the regulation of the Board of Registered Environmental Health Specialists filed with the Secretary of State on March 23, 2007 (LCB File No. R003-06), contains the following provision not included in NAC:~~

~~—“Section 3 of this regulation [amending NAC 625A.040] becomes effective on the date 2 years after the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:~~

~~— (a) Have failed to comply with a subpoena or warrant relating to a procedure to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or~~

~~— (b) Are in arrears in the payment for the support of one or more children;~~  
~~Ê are repealed by the Congress of the United States.”~~

***NAC 625A.xxxx Conversion of standard registration to inactive status; continuing education; renewal of inactive registration; conversion of inactive registration to active status***

1. *An environmental health specialist who holds a standard registration that is not suspended, revoked or otherwise restricted may convert his or her registration to inactive status by submitting with his or her application to renew the registration 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 after the registration has been converted to inactive status.*

2. *An environmental health specialist who holds a standard registration that is on inactive status is not required to comply with the requirements for continuing education that apply to a registrant who holds a standard registration that is on active status during the period the registration is inactive.*

3. *A standard registration that is on inactive status must be renewed in the manner prescribed in NAC 625A.017.*

4. *A person may convert the status of a standard registration from inactive to active status at any time by submitting to the Board an application pursuant to NAC 625A.xxx and proof of completion of continuing education within the previous two years pursuant to NAC 625A.xxx.*

***NAC 625A.xxx Application for registration expired 5 years or more.*** *If a person’s registration has been expired for 5 years or more, he or she must apply for a registration as an applicant for an original registration.*

***NAC 625A.xxxx Examination for registration to engage in the practice of environmental health: authorization to examine, passing score; examination retakes, direct access to examination.***

1. *A registrant who holds a provisional registration as an environmental health specialist trainee may request authorization to take the examination prescribed by the Board pursuant to NRS 625A.120.*

2. *An registrant must file an application to request authorization to examine with the Executive Director of the Board.*

3. *If a registrant does not achieve a passing score on the examination as established by the Board pursuant to subsection 6, he or she may submit a request to retake the examination.*

4. *A registrant may apply directly to the National Environmental Health Association to take the National Environmental Health Association Registered Environmental Health*

*Specialist/Registered Sanitarian Exam.*

5. *If the registrant applies directly to take the examination, the registrant must ensure the examination score report is submitted to the Board.*

6. *The Board will establish the passing score for the examination prescribed by the Board pursuant to NRS 625A.xxx.*

***NAC 625A.xxxx Temporary Registration to engage in practice of environmental health; renewal; expiration.***

1. *An environmental health specialist who holds a license, registration or certification that is active and in good standing issued in another state or territory of the United States may apply to the Board for a temporary registration to practice in this state by meeting the requirements set forth in NAC 625A.xxx.*

2. *A temporary registration expires 6 months after the date on which it is issued.*

3. *A temporary registration may be renewed not more than once.*

4. *A temporary registration may be converted to a standard registration upon application and payment of the fees pursuant to NAC 625A.030.*

5. *A temporary registration may be issued to an applicant more than once if the applicant provides proof of completion of continuing education pursuant to NAC 625A.xxx.*

***NAC 625A.050 Provision of additional information or appearance before Board or member thereof before issuance, renewal or reinstatement. (NRS 625A.080)*** *Before the Board will issue, renew or reinstate, as applicable, a ~~certificate of~~ 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)*

***NAC 625A.060 Practice ~~authorized only~~ under any name ~~in~~ under which ~~certificate is held~~ registrant does not hold registration prohibited; change of name; issuance of duplicate registration.***

~~1. An environmental health specialist or environmental health specialist trainee may only engage in the practice of environmental health under the name in which the environmental health specialist or environmental health specialist trainee holds a certificate of registration issued by the Board.~~

~~2. If an environmental health specialist or environmental health specialist trainee changes his or her name after his or her certificate of 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 environmental health specialist or environmental health specialist trainee a new certificate of registration with his or her legal name thereon.~~

1. *A registrant shall not engage in the practice of environmental health under any name under which the registrant does not hold a registration issued by the Board.*

2. *If a registrant changes his or her legal name after the issuance of his or her registration, the registrant shall submit a copy of a marriage certificate or court decree to the Board not later than 30 days after the change. The Board will, upon receiving sufficient evidence that a registrant has changed his or her legal name, issue a new registration with the registrant's legal name thereon.*

3. The Board may issue a duplicate registration to any registrant who certifies that his or her registration has been lost or destroyed.

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

**NAC 625A.xxx** *Alteration of registration prohibited. A registrant shall not alter a registration issued by the Board.*

**NAC 625A.070** **Schedule of fees.** ~~The fee required for:~~

~~—1. An application for a certificate of registration as an environmental health specialist or environmental health specialist trainee is \$250.~~

~~—2. The initial issuance of a certificate of registration as an environmental health specialist or environmental health specialist trainee is \$100.~~

~~—3. The annual renewal of a certificate of registration is \$100.~~

~~—4. The reexamination of an applicant is \$50.~~

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

(a) For an Environmental Health Specialist:

(1) Application for Registration	\$ 250.00
(2) Annual Registration Fee	\$ 100.00
(3) Temporary Registration Fee	\$ 50.00
(4) Renewal of an Active Registration	\$ 100.00
(5) Renewal of an Inactive Registration	\$ 50.00
(6) Renewal of a Temporary Registration	\$ 75.00

(b) For an Environmental Health Specialist Trainee

(1) Application for Provisional Registration	\$ 150.00
(2) Provisional Registration Fee	\$ 75.00
(3) Renewal of a Provisional Registration	\$ 100.00

(c) General Fees

(a) Conversion Fee	\$ 100.00
(b) Late Renewal Fee	\$ 100.00
(c) Reinstatement Fee	\$ 200.00

2. If an applicant as an environmental health specialist or environmental health specialist trainee 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 charge one-half of the application fee and registration fee set forth in subsection 1 for the initial registration of any type.

**NAC 625A.xxx** **Information to be maintained with Board; notices provided to registrant by Board. (NRS 625A.150)**

1. Each registrant shall:

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

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

*2. The Board will provide by United States mail to the last known residential address of the registrant and electronic mail address provided pursuant to paragraph (a) of subsection 1 any notice to a registrant that is required by law or regulation.*

***NAC 625A.xxx Verification of registration by Board upon request of registrant.***

*A person may request that the Board verify his or her registration to another organization or to the regulatory authority of another state or territory of the United States by submitting a written request for verification to the Board.*

***(New Sections)***

***PROFESSIONAL CONDUCT AND STANDARDS OF PRACTICE***

***NAC 625A.xxx Professional responsibility. A registrant:***

*1. Shall not misrepresent, in advertising or otherwise, his or her education, training, type of registration or certificate, qualifications, or competence.*

*2. Shall not engage in the practice of environmental health while the registrant is impaired by:*

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

*(b) A mental or physical condition that prevents him or her from safely engaging in the practice of environmental health.*

*3. Shall not use his or her position to further his or her own personal, religious, political or business interests.*

*4. Shall set and maintain professional boundaries with clients and persons with whom the registrant works.*

*5. Except as otherwise provided in subsection 6, shall not disparage the qualifications of any colleague.*

*6. Shall report to the Board any unregistered, unauthorized, unqualified or unethical practice of environmental health that is occurring.*

*7. Shall not attempt to provide advice for any problem which is outside of his or her field of competence, the scope of the practice of environmental health or the scope of his or her registration.*

*8. Shall base his or her practice upon the recognized knowledge relevant to the practice of environmental health.*

*9. Shall critically examine and keep current with emerging knowledge relevant to the practice of environmental health.*

*10. Shall 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.*

*11. Shall comply with the provisions of this chapter and chapter 625A of NRS and all other applicable federal laws and regulations.*

*12. Shall not authorize a person under the supervision of the registrant to perform*

*services  
that are outside of the scope of the registration, certificate, training or experience of the person  
performing the services, or allow such a person to hold himself or herself out as having expertise  
in a field or activity in which that person is not qualified.*

*13. Shall notify the Board in writing within 10 days after:  
(a) An action is taken against any registration, license, certification, or other credential held by the registrant that was issued by another state or territory of the United States;  
(b) A criminal charge is filed against the registrant;  
(c) The registrant is convicted of a criminal offense, other than a traffic offense which is a misdemeanor that does not involve alcohol or controlled substances;  
(d) A settlement or judgment is made in any civil action, in any case filed against the registrant for any act relating to the practice of environmental health.*

***NAC 625A.xxx Grounds for disciplinary action: Unprofessional conduct.***

- 1. A violation of any provision of this chapter by a registrant constitutes unprofessional conduct and subjects the registrant to disciplinary action by the Board.*
- 2. If a registrant violates any provision of this chapter or engages in any other kind of unprofessional conduct while his or her registration is in effect, the Board will take disciplinary action against the registrant, including, without limitation, taking action against the registrant after his or her registration has expired or been suspended.*
- 3. If a board or entity in this State or in another state which has issued a license, certificate, registration or other credential to a registrant for the practice of environmental health or a related field revokes or suspends the license, certificate, registration or other credential, or takes any other disciplinary action against the registrant, the revocation, suspension or disciplinary action is a ground for disciplinary action by the Board against the registrant for unprofessional conduct.*
- 4. The failure of a registrant to comply with a stipulation, agreement, advisory opinion or order issued by the Board constitutes unprofessional conduct and is a ground for disciplinary action by the Board against the registrant.*
- 5. In addition to the acts specified in this section and NRS 625A.160, the following acts constitute unprofessional conduct and are grounds for disciplinary action by the Board against a registrant or an applicant for a registration, as applicable:  
(a) Engaging in the practice of environmental health when unable to do so with reasonable skill and safety because of the use of alcohol or any controlled substance or any mental or physical condition or illness.  
(b) Committing negligence in the practice of environmental health.*

- (c) *Allowing another person to use the registration issued to the registrant.*
- (d) *Failing to report or otherwise concealing information relating to a violation of this chapter or chapter 625A of NRS that could result in harm to the public health and welfare.*
- (e) *Intentionally making or filing a false or misleading report.*
- (f) *Failing to file or intentionally obstructing or attempting to obstruct another person from filing a report required by law or a third person.*
- (g) *Intentionally harassing, abusing or intimidating a client, employer, employee, colleague or other person, either physically or verbally, including, without limitation, committing sexual harassment.*
- (h) *Failing to notify the Board of disciplinary action imposed upon the registrant or the applicant for a registration by a regulatory authority in another jurisdiction.*
- (i) *Advertising in a manner that tends to deceive or mislead the public, including, without limitation, making a false or misleading statement or representation in the advertisement or solicitation of services.*
- (j) *Making or providing false statements or omitting relevant information in connection with an application for a registration or the renewal of a registration.*
- (k) *Misrepresenting or falsifying credentials, including, without limitation, credentials relating to education, training, experience or areas of competency.*
- (l) *Practicing or offering to practice beyond the scope required by law.*
- (m) *Performing any professional service that the registrant knows he or she is not competent to perform.*

**CONTINUING  
EDUCATION**

*(moved existing to new  
section)*

***NAC 625A.020 ~~Continuing education: Requirements for renewal of standard registration; effect of noncompliance; exceptions; records; audits.~~***

~~1. Except as otherwise provided in subsection 2:~~

*1. Except as otherwise provided in subsection xx of NAC 625A.xxx, (next section) as a prerequisite for each renewal of a standard registration, an environmental health specialist must complete, during the two-years immediately preceding the renewal, at least 24 contact hours of continuing education approved by the Board that directly pertains to the practice of environmental health.*

*2. Legible copies of all receipts, records of attendance, certificates and any other evidence of completion of a course of continuing education must be retained and made available to the Board for inspection for not less than 4 years after the completion of the course.*

*3. The Board will conduct random audits to ensure compliance with the requirements of this section.*

~~1. Except as otherwise provided in subsection 2:~~

~~(a) Each environmental health specialist must complete 24 contact hours of continuing education during the 2 years immediately preceding the date on which the certificate of registration expires pursuant to subsection 1 of NAC 625A.017.~~

~~(b) Except as otherwise provided in paragraph (c), each environmental health specialist must submit to~~



~~the Board with his or her application for renewal of a certificate of registration proof of the contact hours of continuing education completed in the previous 2 years.~~

~~—(c) An environmental health specialist is not required to submit proof of any completed contact hours of continuing education with his or her initial application for the renewal of a certificate of registration.~~

~~—(d) The certificate of registration as an environmental health specialist who fails to comply with the provisions of paragraphs (a) and (b) is automatically suspended.~~

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

~~—(a) An environmental health specialist who has received an exemption pursuant to NRS 625A.150; or~~

~~—(b) 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)~~

~~—**NAC 625A.025 — Continuing education: Application by retiree for exemption from requirements.** (NRS 625A.080, 625A.150) An environmental health specialist who holds a certificate of registration and who wishes to be exempt from the requirements for continuing education set forth in NAC 625A.020 because he or she has retired and is no longer engaged in the practice of environmental health may request an exemption from the Board by submitting an attestation that he or she will no longer practice as an environmental health specialist in this State or represent to others that he or she is authorized to engage in the practice of environmental health 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)~~

~~—**NAC 625A.030 — Continuing education: Proof of completion; audits.** (NRS 625A.080, 625A.150)~~

~~—1. Each environmental health specialist who is required to complete a program of continuing education shall retain proof of completion of an approved course for 4 years after completion of the course.~~

~~—2. Proof of completion of an approved course must be in the form of a transcript, certificate of completion or other document furnished by the organization which conducted the course.~~

~~—3. The Board may conduct random audits of the proof of completion of environmental health specialists to ensure compliance with the requirements of this section and NAC 625A.020.~~

~~—(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)~~

### ***NAC 625A.xxx Requirements for holder of standard registration; exception for first renewal of registration.***

*1. Except as otherwise provided in subsection 2, an environmental health specialist who holds a standard registration shall complete continuing education in accordance with the provisions of NAC 625A.xxx.*

*2. An environmental health specialist is not required to submit proof of any completed contact hours of continuing education for the first renewal of a standard registration.*

### ***NAC 637B.xxx Acceptable activities, courses, and similar functions; written request for approval of other continuing education.***

*1. The Board will accept for credit toward fulfilling its requirement for continuing education a course of study or training related to environmental health sciences or sanitary measures for the benefit of the public and which is approved or presented by any of the following: (moved from definitions)*

*(a) The National Environmental Health Association.*

- (b) *The American Public Health Association.*
- (c) *The Centers for Disease Control and Prevention.*
- (d) *The Food and Drug Administration.*
- (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. *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 date of renewal of the registration.*

3. *If a written request submitted pursuant to subsection 2 is not granted, the Board may grant additional time for the registrant to fulfill any required continuing education that he or she has not completed.*

***NAC 625A.xxx Waiver of requirements; additional time for completion if waiver not granted.***

1. *The Board may waive all or part of the requirements for continuing education for an environmental health specialist who holds a standard registration if the registrant:*

- (a) *Submits a written request for a waiver; and*
- (b) *Provides proof satisfactory to the Board of an extenuating circumstance that does not allow the completion of the required continuing education.*

2. *If a waiver is granted pursuant to this section, the unfulfilled requirements for continuing education will be added to the requirements for continuing education for the registrant for the following year.*

3. *If a waiver is not granted pursuant to this section, the Board may grant additional time for the registrant to fulfill any required continuing education that he or she has not completed.*

4. *As used in this section, "extenuating circumstance" includes, without limitation:*

- (a) *Extreme illness or injury;*
- (b) *Extreme financial or familial hardship; or*
- (c) *Military service.*

**DISCIPLINARY ACTIONS**

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

1. Any person who believes that a person who holds a ~~certificate of~~ registration as an environmental health specialist or *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 **person registrant** who holds a **certificate of any type of registration as an environmental health specialist or environmental health specialist trainee** 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 **Chair of the Board-Executive Director** or a person designated by the Chair 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)

**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.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) *If a witness is subpoenaed to appear and is required to travel, per diem and travel expenses as established by the Board which will not exceed the rate provided for state officers and employees, generally. ~~At the standard mileage reimbursement rate for which a deduction is allowed for the purposes of federal income tax for each mile necessarily and actually traveled from and returning to the place of residence by the shortest and most practical route.~~*

2. 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)

**NAC 625A.xxx Recovery of attorney's fees and costs.** Pursuant to NRS 622.400, the Board may recover from a person reasonable attorney's fees and costs relating to any disciplinary proceedings involving the person.