

# LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY NRS 233B.066

## LCB FILE R075-19

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 625A.

### **1. A clear and concise explanation of the need for the adopted regulation.**

The need and purpose of the proposed regulation is to protect the public health, safety and welfare by ensuring that only qualified and competent environmental health specialists and environmental health specialist trainees are registered to practice in the state.

The proposed regulation addresses the requirements and provisions of NRS 625A, as amended by AB175 of the 2019 Legislative Session.

The proposed regulation establishing qualifications for certain hearing officers; revising provisions relating to the powers of the Board of Environmental Health Specialists; revising the requirements for obtaining and renewing a registration as an environmental health specialist or environmental health specialist trainee; setting forth the requirements for obtaining and renewing a temporary registration to practice environmental health; revising the fees required for registration to practice environmental health; setting forth certain standards of practice for persons who are registered to practice environmental health; authorizing the reinstatement of certain registrations to practice environmental health; making various other changes relating to environmental health; and providing other matters properly relating thereto

### **2. A description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.**

Copies of the proposed regulation, notices of workshops and notices of intent to act upon the regulation were sent by e-mail or U.S. mail to all registered environmental health specialists and persons who were known to have an interest in environmental health as well as any persons who had specifically requested such notice. These documents were also made available at the website of the Board of Environmental Health Specialists, [www.nvrehs.org](http://www.nvrehs.org), mailed to all county libraries in Nevada and posted at the following locations:

Board of Environmental Health Specialists, 6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523  
Office of the Attorney General, 100 North Carson Street, Carson City, Nevada 89701  
Office of the Attorney General, 5420 Kietzke Lane, Ste 202, Reno, Nevada 89511  
Grant Sawyer State Office Building,  
555 E. Washington Avenue #3900, Las Vegas, Nevada 89101  
Nevada Division of Public & Behavioral Health  
727 Fairview Drive, Suite D, Carson City, Nevada 89701  
Southern Nevada Health District  
330 S. 280 S. Decatur Blvd, Las Vegas, Nevada 89107  
Washoe County Health Division, 1001 E. 9<sup>th</sup> Street, Reno, Nevada 89501  
All Nevada County Public Libraries

Two (2) Workshops were held to solicit comments on the proposed regulations, September 16, 2019 and January 21, 2020. There were two (2) individuals representing small businesses and the public in attendance and two (2) written comments were received at the September 16, 2019 workshop. There were two (2) members of the public present and no written comments were received at the workshop held on January 21, 2020. Thereafter, on or about March 2, 2020, a Notice of Intent to Act Upon Regulations was issued; a revised Notice of Intent to Act Upon Regulations was issued March 25, 2020.

A Public Hearing was held on May 7, 2020; there were no oral or written comments received at the Hearing.

A copy of this summary of the public response to the adopted regulation may be obtained from the Board of Environmental Health Specialists, 6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523, 775-746-9423, or email to board@nvrehs.org.

**3. The number of persons who:**

<b>(a) Attended each workshop:</b>	September 16, 2019	2
	January 21, 2020	2
<b>(b) Attended public hearing:</b>	May 7, 2020	0
<b>(c) Testified at hearing:</b>	May 7, 2020	0
<b>(d) Submitted written comments:</b>		0

**4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:**

None

**5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**

Comments were solicited from affected businesses in the same manner as they were solicited from the public. No comments were received from businesses.

A copy of this summary of the public response to the adopted regulations may be obtained from the Board of Environmental Health Specialists, 6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523, 775-746-9423, or email to board@nvrehs.org.

**6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

The Board of Environmental Health Specialists adopted the regulation on May 7, 2020 without change, all revisions or changes suggested at the workshops of September 16, 2019 and January 21, 2020 were incorporated into the final regulation. There were no further revisions or changes as a result of the Hearing on May 7, 2020. There were no oral or written comments received as a result of the Notice of Public Hearing issued on March 2, 2020.

**7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:**

- (a) Both adverse and beneficial effects; and**
- (b) Both immediate and long-term effects.**

- (a) Both adverse and beneficial effects

There will be no adverse economic effect of these adopted regulations on the businesses which it is to regulate (environmental health specialists and environmental health specialist trainees) or the public. The adopted regulations will benefit the environmental health practitioners and the public by providing clarity to the regulations.

(b) Both immediate and long-term effects.

Direct effect will be to improve and clarify existing law and regulatory requirements. Businesses may experience the indirect effect of having qualified and knowledgeable environmental health practitioners.

Long-term effect will be clarity and consistency in regulation and registration of environmental health specialists and environmental health specialist trainees in Nevada.

**8. The estimated cost to the agency for enforcement of the adopted regulations.**

There are no additional costs involved in the enforcement of these adopted regulations.

**9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

The Board of Environmental Health Specialists is not aware of any similar federal, state or local standards regulating the environmental health specialist professions. These adopted regulations do not duplicate any federal, state or local standards.

**10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.**

The Board of Environmental Health Specialists is not aware of any similar federal regulations of the same activity in which the adopted regulations are more stringent.

**11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

The regulation establishes new fees as authorized in NRS 625A as amended by AB175; the fees do not increase fees previously established for applications and registration of environmental health specialists and reduces fees for initial registration of environmental health specialist trainees and individuals with military affiliations. The total annual fees collected will be approximately \$30,000 which will be used to support the Board's functions and administrative requirements.