

**Minutes of the State of Nevada  
Board of Registered Environmental Health Specialists Meeting  
June 1, 2006**

**Location:** Washoe County District Health Department  
1001 E. 9<sup>th</sup> Street  
Reno, Nevada 89512

**Quorum Present:** Teresa Long, R.E.H.S., Chairwoman  
John Kukulica, FMP, Member  
Cynthia L. Ulch, R.E.H.S., Member

**Absent:** Karen Dorsey, FMP, Member

**Attendees**

Name	Title/Organization
Teresa Long, R.E.H.S.	Board of R.E.H.S., Chairwoman/Washoe County District Health Dept.
John Kukulica, FMP	Board of R.E.H.S., Member/Food & Beverage Director, Sands Regency Hotel and Casino, Reno
Cynthia L. Ulch, R.E.H.S	Board of R.E.H.S., Member/Nevada State Health Division, Public Health Rating and Survey Officer Representing the State Health Officer
Daniel J. Maxson, R.E.H.S	Environmental Health Supervisor, Southern Nevada Health District
Jim Pierce	Sierra Horizons, Inc.
Peter Allen	Environmental Services Ltd.
Darrell Wiser	Southern Nevada Health District, EHS
Alexander Archie	Office of the Inspector General (DOC)
Bob Stulac	Bureau of Health Protection Services
Kathleen Harley	Washoe County Health District
Scott Baldwin	Washoe County Health District
Jeanne Rucker	Washoe County Health District
Sandy Bigley	Board of R.E.H.S., Recording Secretary

**1. Call To order**

Chairwoman Long called the meeting to order at 10:09 am. A quorum was present and the meeting had been duly noticed. Member Kukulica motioned, Member Ulch seconded and it was carried unanimously to adopt the Agenda as amended, with the amendment being Item 2, to change the date for the "past draft minutes" from February 6, 2006 to February 10, 2006.

**2. Review, Amend and Approve Past Draft Minutes (Reno Meeting of February 10, 2006)**

Member Ulch motioned, Member Kukulica seconded and it was carried unanimously to accept the Minutes of the February 10, 2006 meeting.

Chairwoman Long noted that according to the Open Meeting Law it was allowable for Public Comment to be heard at the end of each Agenda item and so advised the attendees. It was motioned, seconded and carried unanimously to allow public comment at the end of any agenda item.

**3. Review and Update Testing/Process Fess to Reflect Current Costs**

The testing and processing fees were received by Chairwoman Long via email from former Member Maxson.

**4. Vote on Grandfathering Clause**

This item was discussed at length by the Board with comments from those in attendance. Chairwoman Long commented that she had discussed this item with the Attorney General's (AG) office and that there was a delay for clarification on who should be grandfathered. Chairwoman Long also spoke with the Legislative Counsel Bureau (LCB) and they have not been able to review the legal ramifications and that the Board may be in a position to better define what the needs are. Chairwoman Long commented that a decision needs to be made. Scott from the LCB did comment that it would be prudent to err on the side of conservatism. If there are issues from any individual or entity they can go before the 2007 Legislature.

Chairwoman Long presented a "Proposed Resolution for Grandfathering Individuals." Member Ulch expressed concerns regarding the responsibility of the Board if certain individuals from the private sector were grandfathered. Chairwoman Long commented that she believed if their job is an Environmental Health Specialist it would be mandated that they are registered. Member Ulch believed that it would be up to the employer, such as the Department of Prisons, to determine the job classification for the employee.

Former Member Allen commented that according to Nevada Revised Statutes (NRS) 625A.025 it specifically speaks to those who qualify...any person engaged in the business of environmental services practice...

It was noted that several people appeared before the Legislature to ensure that they were specifically excluded. During the legislative hearings Senator Heck was adamant that mandatory registration would be limited to government employees. The bill probably would not have passed if mandatory registration was extended to the private sector. The intent was to insure that all that register are qualified.

Chairwoman Long commented that the Board spent a lot of money for legal input from the AG's office.

Former Member Maxson commented that out of over 100 applications there were approximately seven to ten that did not meet the requirements. He further added that during the 2005 Legislative session the Board was repeatedly told to be "inclusive" not "exclusive." Chairwoman Long noted that a lot of qualified people are not putting in their applications. Former Member Maxson commented that unfortunately those people are not here today. Member Ulch stated that she has received emails from individuals from California and Arizona interested in being registered. They can sit for the exam.

Again there was discussion on the responsibility of the Board and the setting of a precedence. Member Ulch commented that it is not the Board's responsibility to chase down any given employment sector for mandatory registration. It would be up to the employer to determine if the qualifications for an employee included being registered as an Environmental Health Specialist.

There was discussion on the requirements for the Trainee program and Former Member Allen noted that trainees are required to work in the scope of environmental health for a period of two

years. Member Ulch commented that some of them have more than two years of experience. Chairwoman Long reiterated that as a Board it is necessary to proceed with caution.

Exempt and non-exempt status was discussed by those in attendance. Member Ulch commented that as long as the Board follows the statute it is legally defensible if an appeal goes to court.

Chairwoman Long reminded those at the meeting of the July 1, 2005 date for grandfathering and those that were working in the profession on that date would not be considered trainees, but would be grandfathered.

Jim Pierce commented that the Board will make the best decision possible as long as it follows the law. If anyone has concerns or issues with that they can go before the Legislature and try to change the law.

Member Ulch commented that the first batch of applications were reviewed following the guidelines that an individual had to have successfully completed two years cumulative experience and be employed in the field of Environmental Health to be registered as a "regular" Environmental Health Specialist as of July 1, 2005. She further stated that individuals with less than two years experience would be registered as trainees and would have to take the exam. All future applications will be reviewed in the same manner.

*Member Ulch motioned, Member Kukulica seconded and the motion was carried unanimously as follows: "Pursuant to the NRS Statute 625A, those individuals who applied for grandfathering, who are specifically excluded under the Statute, be excluded based on the language that is in the Statute. Furthermore, those individuals employed for governmental agencies, such as Washoe County Health District, Southern Nevada Health District, Carson City Health Department, etc., be considered practicing Environmental Health Specialists and be approved."*

*Member Ulch motioned, Member Kukulica seconded and the motion was carried unanimously as follows: "Those individuals who have applied for grandfathering under NRS Statute 625A and are not employed by a governmental agency be reviewed individually on a case by case basis to determine whether or not their experience and scope of practice meet the statutory guidelines of the original intent of the scope of the legislation."*

Attendee Bob Stulac commented that the Board needs to be aware of the parameters and approve only qualified individuals to maintain quality and professionalism. Chairwoman Long stated that this has already been discussed earlier in this meeting and the motions carried above confirm same.

##### **5. Proposed Change to Create an Expiration Date on All Certificates**

Incoming Board Member, upon approval by the Governor, Darrell Wiser asked about an expiration date on the certificates and the possibility of it coinciding with the requirements for verification of CEU's. Former Secretary Maxson stated that perhaps a card, with a seal on it, could be issued, with an expiration date, thereby negating the need to print new certificates.

Past Member Maxson noted that the information may be able to be put on the Website for viewing. Chairwoman Long commented that she did not feel that would be appropriate because of the nature of the information. A log could be kept. Past Member Maxson stated that new member information is placed on a log before they get their certificate. Timeliness of the

information being posted was discussed. Member Ulch commented that the only “dicey” time would be during the rush of the grandfathering period. Once the last group of individuals is processed, the log will be updated. Past Member Maxson stated that he purchased software for this process and that he would turn it over to the incoming Board Secretary upon completion of the database. The maximum time for updates would be one Board cycle.

Past Member Allen commented that there is a provision under the NAC’s for suspension and revocation of registered status. The Board could send out a delinquency list to employers. Attendee Rucker questioned who the list would go to. Chairwoman Long commented that a process could be put into place similar to what National does. Member Ulch noted that you can go the National Website and verify CEU’s. The Board can print the National Report and verify individually. It was also noted that registrants must complete 24 CEU’s every two years. Past Member Allen stated that he believes the Statue requires the Board to send a letter to the registrant if their status is in jeopardy.

*Member Ulch motioned, Member Kukulica seconded and the motion was carried unanimously as follows: “In order to validate the Certificates and Cards, proving registration, a silver seal will be affixed to the Card with the expiration date.”*

**6. Secretary’s Report**

There was no secretary’s report as Secretary Maxson’s last day of service on the Board was May 31, 2006 and incoming new Board member Darrell Wiser’s application has not been approved by the Governor at this time.

**7. Discuss Completion of Biennial Report**

Chairwoman Long noted that this report is not due until November, however she asked for any input from the Board. Chairwoman Long stated she will do this report and will be using Past Member Allen’s report as a template.

**8. Elect New Chair and Secretary**

This election of a new Secretary was postponed until the next meeting due to the fact that Incumbent Wiser’s paperwork is still at the Governor’s office.

Chairwoman Long stated that her last day will be June 30, 2006, however she would not leave the Board in a lurch and would make sure her successor’s was in place and insure a smooth transition. It was noted that by law someone from Washoe County has to be on the Board and that whoever this person is will be new to the Board. It was further noted that Member Ulch, by the State Health Office, is prohibited from being elected as Chairperson. Past Member Maxson stated that in one month no one on the Board will be able to write a check.

There was discussion on the legality of Member Ulch being appointed as Acting Chair. Past Member Allen was concerned that a time frame be added to the appointment.

*Member Kukulica motioned, Member Long seconded and the motion was carried unanimously as follows: “That Cindy Ulch be appointed Acting Chairperson for the period of July 1, 2006 through December 31, 2006.*

*Member Ulch motioned, Member Long seconded and the motion was carried unanimously as follows: “That John Kukulica will be interim Secretary until July 1, 2006 or until Darrell Wiser is confirmed by the Governor and takes over the duties of Secretary.”*

**9. Bank Account**

Chairwoman Long will go to Bank of America today to sign as a signatory for the bank account through June 30, 2006. Cindy Ulch and John Kukulica will be added as signatories effective July 1, 2006.

**10. New Business**

Member Ulch suggested that due to Chairwoman's Long resignation the post office box be moved to Winnemucca. There is a cluster mailbox at the office there.

*Member Long motioned, Member Kukulica seconded and the motion was carried unanimously to move the Postal Box to Winnemucca immediately. The new address is: 475 West Haskell Street, Suite 54, Winnemucca, Nevada 89445. A forwarding will be filed for the current postal box.*

The Board recessed at 11:55 am to review the REHS applications. The meeting reconvened at 12:55 pm. At that time the Board presented Daniel Maxson a plaque for his service, dedication and professionalism to the organization

**11. Vote in New REHS Members**

Below listed are the results of the review of the applications:

**LIST TO BE ADDED UPON COMPLETION OF STATUS**

**12. Public Comment: Please note that no action may be taken on any matter raised during the public comment period, unless such matter itself has been specifically listed above as an action item.**

None, other than those already noted in these minutes.

**13. Adjourn**

There being no further business, it was motioned, seconded and carried unanimously to adjourn the meeting at 1:30 pm.

Respectfully submitted,  
Sandy Bigley, Recording Secretary