



## MINUTES

**Southern Nevada District Emergency Board of Health  
September 3, 2020 – 1:00 p.m.  
Southern Nevada Health District, 280 S. Decatur Boulevard, Las Vegas, NV 89107  
Meeting Conducted Via Webex Event**

**BOARD:  
(Present)** Scott Black – Chair, Mayor Pro Tempore, City of North Las Vegas  
James Adams – Council Member, City of Boulder City  
Bobbette Bond - At-Large Member, Regulated Business/Industry (*joined at 1:14 p.m.*)  
Olivia Diaz – Council Member, City of Las Vegas (*joined at 1:08 p.m.*)  
Marilyn Kirkpatrick – Vice Chair, Commissioner, Clark County (*joined at 1:12 p.m.*)  
Brian Knudsen – Council Member, City of Las Vegas  
Frank Nemeč – At-Large Member, Physician  
Scott Nielson – At-Large Member, Gaming  
Tick Segerblom – Commissioner, Clark County  
Dan Stewart – Council Member, City of Henderson

**(Absent):** Brian Wursten – Council Member, City of Mesquite

**ALSO PRESENT:  
(In Audience)** None

**LEGAL COUNSEL:** Annette Bradley, General Counsel

**EXECUTIVE  
SECRETARY:** Fermin Leguen, MD, MPH, Acting Chief Health Officer

**STAFF:** Heather Anderson-Fintak, Stephanie Bethel, Cory Burgess, Andria Cordovez Mulet, Andrea Green, Heather Hanoff, Verallynn Orewyler, Vivek Raman, Larry Rogers, Christopher Saxton, Karla Shoup, Jennifer Sizemore, Leo Vega, Karen White

**I. CALL TO ORDER/ ROLL CALL/ SCOTT BLACK, CHAIR**

Chair Black called the Southern Nevada District Board of Health Meeting to order at 1:05 p.m. All Board Members joined the meeting by teleconference and the roll call was administered by Andrea Green, Executive Administrative Secretary.

**II. PLEDGE OF ALLEGIANCE**

**III. FIRST PUBLIC COMMENT:** A period devoted to comments by the general public about those items appearing on the agenda. Comments will be limited to five (5) minutes per speaker. Please clearly state your name and address and spell your last name for the record. If any member of the Board wishes to extend the length of a presentation, this may be done by the Chairman or the Board by majority vote.

Virginia Valentine, President of the Nevada Resort Association, expressed her thanks to the Board members, Dr. Leguen, and Mr. Saxton for providing guidance and accessibility. Ms. Valentine requested clarification on Sections 11 and 14 of the Senate Bill 4 Regulations and requested that the Southern Nevada Health District provide a checklist and a list of key contacts. Ms. Valentine welcomed the opportunity to provide input on any future proposed changes and/or drafts.

Olee Stewart Jr. submitted a comment in writing that he is a fry cook at Harrah's on the Las Vegas Strip and is in support of the Senate Bill 4 Regulations. (**Attachment #1**)

Alba Acosta submitted a comment in writing and participated in the Public Comment. Ms. Acosta stated that she is a Culinary Union member at the Aria and also a banquet server at Red Rock for 14 years and is in support of the Senate Bill 4 Regulations. (**Attachment #1**)

Maria Olivas submitted a comment in writing that she has worked as a food server at Boulder Station for 14 years. Ms. Olivas outlined that adopting the new Senate Bill 4 cleaning standards would protect her and her family's health and that the regulations are important to her and her coworkers because it addresses many of the COVID 19 safety concerns. (**Attachment #1**)

Oscar Ochoa submitted a comment in writing and participated in the Public Comment. Mr. Ochoa has worked as a bartender for Fiesta Rancho for 26 years. Mr. Ochoa supports Senate Bill 4 and indicated it would be extremely helpful for him and his coworkers. He further stated that he believes that Senate Bill 4 will address many of his concerns around COVID 19 safety, like social distancing, screening and a designated COVID 19 response point person. (**Attachment #1**)

Seeing no further comment, Chair Black closed this portion of the meeting.

#### **IV. ADOPTION OF THE SEPTEMBER 3, 2020 MEETING AGENDA (for possible action)**

*A motion was made by Member Knudsen seconded by Member Nielson and carried unanimously to approve the September 3, 2020 Agenda as presented.*

#### **V. REPORT / DISCUSSION / ACTION**

- 1. Discussion and Adoption of Nevada Administrative Code 447E, SARS-CoV-2 Regulations at Public Accommodation Facilities in response to Senate Bill 4, as approved by Governor Sisolak and subsequently adopted by the Nevada Department of Health and Human Services;** direct staff accordingly or take other action as deemed necessary (**for possible action**)

Christopher Saxton, Director of Environmental Health, and Vivek Raman, Supervisor of the Public Accommodation Program and Mosquito Disease Surveillance Program, outlined the Nevada Administrative Code 447E, SARS-CoV-2 Regulations at Public Accommodation Facilities. (**Attachment #2**)

Ms. Raman outlined the following three main aspects in Senate Bill 4 that need to be developed by facilities and will be referenced when inspecting facilities.

1. COVID-19 Prevention and Response Plan and have a designated person oversee, implement and update the Plan, as needed. Facilities need to train employees and maintain a hazard communication plan with staff so they understand the expectations of that plan.
2. Standards for cleaning a facility to reduce the transmission, that ensure (i) use of appropriate sanitizers that are labeled to be effective, (ii) hand sanitizers are located in appropriate locations for employees and guests, (iii) hand hygiene for employees, (iv) frequent sanitizing of high touch areas, (v) daily housekeeping of rooms that includes linen services, and (vi) managing social distancing at the facility.
3. Standards to protect employee health against COVID-19 that (i) manage social distancing requirements, (ii) provide daily screening for temperature checks and questions on employee fitness (iii) provide PPE to employees at no cost, and (iv) testing protocols for all staff that includes appropriate time off to await results and if positive, appropriate time off and compensation to those employees.

Mr. Raman outlined that the Regulation requires SNHD to do inspections of large gaming hotels every two months and hotels, that just have over 200 rooms, every three months. There is significant frequency in inspections to verify compliance. In total there are 310 properties, of which 101 are large properties with over 300 rooms. Frequency of those properties will have field staff very engaged with routine inspections and COVID-19 compliance checks. The language allows for

the health district to charge a fee of \$500 for each initial violation and \$1000 for each subsequent or second violation.

Mr. Raman confirmed a one-page summary of the inspection checklist has been developed and will be provided to all facilities, which is the same checklist used by inspection staff. Further a COVID-19 response plan has been developed and will be provided to facilities that don't have the technical knowledge or resources to develop their own plan.

The Board discussed the following items in the Regulation:

- The definition of 'close contact' in the Regulation and requested clarity that the current CDC definition is communicated to the industry. Mr. Saxton confirmed that the current CDC definition and any updates would be included in any communications plan. The Board further requested open communications and the ability for the industry to provide feedback.
- The definition of 'public accommodation facility' as the definition in Senate Bill 4 includes short-term rentals. SNHD needs to stay nimble in seeing where any outbreaks start. Mr. Saxton outlined that Senate Bill 4 states that if any issues arise, that SNHD does not regulate, SNHD can work with other community partners to resolve the issues.
- The sections on cleaning standards and noted that Senate Bill 4 establishes standards for cleaning that are designed to reduce the transmission of SARS-CoV2, allows the guest to decline whether he or she wants in-room housekeeping, and prohibits offering guests incentives to accept or decline in-room housekeeping.
- The paid time off requirements in the Regulation. Mr. Saxton confirmed that any issues regarding paid time off requirements would be referred to other entities.
- A possible effective date of the Regulations and was advised that Senate Bill 4 became effective upon signing. Following approval of the emergency regulations, the Health District will work with industry for 30 days to ensure understanding of the rules/standards with implementation to begin after this 30-day educational period.

Member Kirkpatrick requested that the Board be provided with monthly updates on the implementation of the Nevada Administrative Code 447E, SARS-CoV-2 Regulations at Public Accommodation Facilities.

*A motion was made by Member Nielson seconded by Member Stewart and carried unanimously to adopt the Nevada Administrative Code 447E related to SARS-CoV-2 Regulations at Public Accommodation Facilities and to receive monthly updates on its implementation.*

**VI. SECOND PUBLIC COMMENT:** A period devoted to comments by the general public, if any, and discussion of those comments, about matters relevant to the Board's jurisdiction will be held. Comments will be limited to five (5) minutes per speaker. If any member of the Board wishes to extend the length of a presentation, this may be done by the Chairman or the Board by majority vote.

Karl Johnson expressed his thanks to the Board members and SNHD staff. Mr. Johnson outlined that, at the property level, additional time be provided for implementation. He further indicated that they would be appreciative of the fact that the agencies involved would not be 'out to get us' but to be a partner that provides suggestion on how things can be improved.

Jeremy Boaz submitted a comment in writing regarding Senate Bill 4 and stated that the intention is good, which is to keep people safe from COVID, however there is a section in the Bill which does the complete opposite. Mr. Boaz outlined three problems with this mandate, (1) daily cleaning of rooms, (2) disregard for "Going Green" programs, and (3) increased labor, utilities and chemical costs. We are not allowed to ask a guest if they would like service or not. However, every establishment is different and should not be put into the same category. Mr. Boaz further stated that mandating that housekeeping enter every guest room to sanitize their room does not protect the guest from COVID and that all we will be doing is exposing our staff members to the virus by mandating they enter the guest's room.

**(Attachment #3)**

Kenneth Blanche is a Safety Director for Four Queens and Binions and agrees with the efforts and mitigation of the reduction of COVID 19 in the workplace. However, he indicated that his properties have implemented a health and safety mitigation plan that was submitted to the Gaming Control Board and was not clear whether that would be sufficient. He stated that he is trying to ensure that employees are protected, along with their guests. He confirmed that they do not have rooms cleaned throughout occupancy since guests or room attendants would be asymptomatic; his room attendants have thanked them for this. He further stated that clarification is needed regarding the daily cleanings.

Michael Rose is a resident of Enterprise Township and has worked in the resort industry for more than 40 years, with the last 20 years in catering which relies heavily on conventions. Mr. Rose wants to return to work but wants to think that the workplace is safe. He is not an infectious disease expert but everything that he reads makes him believe that the means of transmission is airborne pathogens. Mr. Rose further indicated that he has not read or heard anything regarding HVAC standards, filtration, number of air exchanges per hour or adequate respiratory protection. He would urge the Board to consider financial transactions, which absent contact-free payment systems should be a concern.

Deborah Ong submitted a written comment via the Chat feature requesting clarification on section 11.1.b. which speaks about cleaning of linen, whether it requires all linen to be changed daily (same guest) or only between stays of two different guests, and if it was acceptable to fog or spray an occupied room to minimize touching guest items. She further stated that while they are in support of keeping employees safe, having them enter rooms while occupied is a higher risk of exposure.

Lori Elly submitted a written comment via the Chat feature expressing support and respect of Senate Bill 4. As a Resort Manager of a 270 room timeshare resort, their main concern is exposing their housekeeping team to guests in occupied rooms on a daily basis by providing a full service clean.

Ted Wood submitted a comment in writing regarding the lack of an effective illegal food vendor program administered by SNHD. Mr. Wood expressed that through the SNHD illegal vendor program hotline, he has reported illegal fruit vendors on numerous occasions, given the increase in frequency and numbers of illegal vendors in neighborhoods. However, reporting does not seem to result in any real enforcement from SNHD, which is part of the responsibilities in protecting the public from such a health hazard. Mr. Wood encouraged the Board members to ask questions of SNHD to find out what it will take to create an effective illegal vendor program, which is especially important during a pandemic. The status quo is unacceptable, as the SNHD is failing in its responsibilities to protect the public and the lack of enforcement is only encouraging more of this illegal activity. (**Attachment #4**)

Seeing no one further, Chair Black closed this portion of the meeting.

### **XIII. ADJOURNMENT**

The Chair adjourned the meeting at 2:13 p.m.

Fermin Leguen, MD, MPH  
Acting Chief Health Officer/Executive Secretary

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