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## DEPARTMENT OF HUMAN SERVICES



NEVADA DIVISION of PUBLIC  
and BEHAVIORAL HEALTH



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### MEMORANDUM

Date: July 31, 2026

To: Jon Pennell, DVM, Chair  
State Board of Health

From: Andrea Rivers, Administrator  
Division of Public and Behavioral Health

RE: Consideration and adoption of proposed regulation LCB File No. R119-26  
revising Nevada Administrative Code (NAC) 441A (formerly LCB File No.  
R174-24)

#### PURPOSE OF REGULATIONS

The proposed regulations amend the current regulations governing NAC 441A by:

- Controlling tuberculosis in an educational institution through screening and/or testing.
- Revising procedures for screening and testing for tuberculosis for health care personnel and facility residents.
- Revising reporting standards and investigation requirements for coronavirus disease 2019 (COVID-19) cases.
- Revising mpox terminology.
- Sets new reporting standards for wastewater surveillance which cause infectious pathogens and other biological substances.
- Extending public health outreach to people who have experienced a drug overdose to provide connection to supportive services, treatment and other necessary public health interventions.

#### POSSIBLE OUTCOMES IF PROPOSED REGULATIONS ARE NOT APPROVED

If these proposed regulations are not approved by the Board of Health, the Division of Public and Behavioral Health ("DPBH") may be unable to control wastewater test result reporting to public health authorities, tuberculosis screening in educational settings

which are supposed to reduce the risk of transmission of tuberculosis and enhance public health outreach to people that have experienced a drug overdose to provide connection to supportive services, treatment and other public health interventions.

#### APPLICABILITY OF PROPOSED AMENDMENT

The proposed regulations will apply statewide to most local health authorities, healthcare agencies, schools, and facilities conducting wastewater testing.

#### PUBLIC COMMENT RECEIVED

Pursuant to NRS 233B.0608 (2)(a), DPBH sought input from public, charter and private schools, healthcare facilities, facilities conducting wastewater testing, and health authorities. On June 30, 2025, DPBH sent small businesses impact questionnaires to healthcare facilities, schools, and facilities conducting wastewater testing that are for profit and have fewer than 150 employees, regarding the proposed regulations through a link to the Division of Public and Behavioral Health, Office of State Epidemiology's webpage. The results of the small business impact study are summarized in the Small Business Impact Statement. See Small Business Impact Statement, attached hereto.

On January 6, 2026, Notice of Public Workshop was sent to request input from interested parties. On January 20, 2026, a public workshop was held regarding the proposed regulations. All comments received during the public workshop were reviewed and considered.

In addition, multiple stakeholder meetings have been held throughout the process, including the Nevada Department of Education, school superintendents, local health authorities, and community partners that are involved with wastewater testing processes.

#### STAFF RECOMMENDATIONS

Staff recommends the State Board of Health adopt the proposed changes to NAC 441A as set forth in LCB File No. R119-26. Approval of these changes will allow DPBH to maintain tuberculosis, COVID-19, and wastewater surveillance in order to protect the health of the public.

#### PRESENTER

Melissa Bullock, Medical Epidemiologist

#### Attachments:

LCB File No. R119-26

Small Business Impact Statement

Public Workshop Notice

Public Hearing Notice