

ASSEMBLY BILL NO. 260—ASSEMBLYMEN ALLEN,  
HARDY AND HETTRICK (BY REQUEST)

MARCH 21, 2005

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JOINT SPONSORS: SENATORS MATHEWS AND HECK

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Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to environmental health specialists. (BDR 54-855)

FISCAL NOTE: Effect on Local Government: Increases or Newly  
Provides for Term of Imprisonment in County or City  
Jail or Detention Facility.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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AN ACT relating to environment health specialists; defining the practice of environmental health; authorizing the Board of Registered Environmental Health Specialists to employ certain persons; requiring the Chairman of the Board to be elected biennially on or before a certain date; requiring persons who engage in the practice of environmental health to hold a certificate of registration as an environmental health specialist or environmental health specialist trainee; revising the requirements relating to the issuance and renewal of a certificate of registration; authorizing the Board to issue a certificate of registration to certain persons by reciprocity; exempting certain retired persons from the requirements for continuing education; requiring certain application, examination and renewal fees; providing penalties; and providing other matters properly relating thereto.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** Chapter 625A of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 10, inclusive, of this act.

**Sec. 2.** *“Board” means the Board of Registered Environmental Health Specialists.*

**Sec. 3.** *“Certificate of registration” or “certificate” means a certificate of registration as an environmental health specialist or environmental health specialist trainee issued by the Board pursuant to this chapter.*

**Sec. 4. 1.** *“Environmental health specialist” means a person who is engaged in the practice of environmental health and who holds a certificate of registration as an environmental health specialist issued by the Board pursuant to this chapter.*

**2.** *The term does not include any person who practices in a field excluded from the definition of the “practice of environmental health” pursuant to subsection 2 of section 6 of this act, unless the person holds a certificate of registration as an environmental health specialist issued by the Board pursuant to this chapter.*

**Sec. 5.** *“Environmental health specialist trainee” means a person who is engaged in the practice of environmental health and who holds a certificate of registration as an environmental health specialist trainee issued by the Board pursuant to this chapter.*

**Sec. 6. 1.** *“Practice of environmental health” means the use of public health principles in the application of the sanitary sciences, the biological sciences or the physical sciences to investigate, prevent or reduce environmentally acquired disease or illness.*

**2.** *The term does not include practice in the field of:*

**(a)** *Environmental health by a person whose primary work is performed by and for the Division of Environmental Protection of the State Department of Conservation and Natural Resources or for an entity whose activities are limited solely to issues relating to air quality;*

**(b)** *Industrial hygiene, public education, indoor air quality, health physics, mold assessment or mold remediation;*

**(c)** *Professional engineering;*

**(d)** *Cleaning up and disposing of hazardous waste and substances performed by a person who is certified by the State Department of Conservation and Natural Resources pursuant to NRS 459.400 to 459.600, inclusive, and the regulations adopted pursuant thereto, unless the clean up and disposal of the*



1 *hazardous waste and substances is performed directly by and for a*  
2 *public health agency;*

3 *(e) Zoonotic disease ecology or vector-borne disease ecology,*  
4 *or both, when the practice in that field is performed as a specialty;*

5 *(f) Mining performed by an employee or contractor of a*  
6 *mining company engaged in mining operations in this State;*

7 *(g) Building inspections performed by a person whose primary*  
8 *purpose is to determine compliance with building and safety*  
9 *codes; or*

10 *(h) Epidemiological investigations performed by a person*  
11 *whose primary profession or employment is as an epidemiologist*  
12 *or disease investigator.*

13 **Sec. 7. 1. On and after July 1, 2007, a person shall not**  
14 **engage in the practice of environmental health in this State unless**  
15 **the person holds a certificate of registration as an environmental**  
16 **health specialist or an environmental health specialist trainee**  
17 **issued by the Board pursuant to this chapter.**

18 **2. Any person who violates any provision of this section is**  
19 **guilty of a misdemeanor.**

20 **Sec. 8. 1. A person is eligible to engage in the practice of**  
21 **environmental health as an environmental health specialist**  
22 **trainee if the person possesses a baccalaureate or higher degree**  
23 **which includes the satisfactory completion of at least 45 quarter**  
24 **hours, or 30 semester hours, of academic work in basic science**  
25 **courses, including biology, chemistry, physics, geology, sanitary**  
26 **engineering or environmental engineering, from an institution of**  
27 **higher education approved by the Board.**

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

30 **(a) Must be employed as a part of a training program in which**  
31 **the person engages in the practice of environmental health under**  
32 **the direct supervision of one or more other persons who hold**  
33 **certificates of registration as environmental health specialists; and**

34 **(b) Must file with the Board an application for a certificate of**  
35 **registration as an environmental health specialist trainee not later**  
36 **than 90 days after the date on which the person initially becomes**  
37 **employed as a part of the training program.**

38 **3. Except as otherwise provided in this subsection, the**  
39 **certificate of registration of a person as an environmental health**  
40 **specialist trainee expires 3 years after the date on which the**  
41 **person initially becomes employed as a part of the training**  
42 **program in which the person engages in the practice of**  
43 **environmental health as an environmental health specialist**  
44 **trainee. If, upon completion of the 3-year period, the person has**  
45 **met all requirements to be issued a certificate of registration as an**



1 *environmental health specialist other than passing the*  
2 *examination required pursuant to NRS 625A.120, the Board may,*  
3 *upon a showing of good cause, grant the person a 1-year*  
4 *extension of the person's certificate of registration as an*  
5 *environmental health specialist trainee before the person must*  
6 *pass the examination. A request for such an extension must be*  
7 *submitted by the person in writing and received by the Board at*  
8 *least 60 days before the date on which the person's certificate of*  
9 *registration as an environmental health specialist trainee expires.*

10 **Sec. 9.** *The Board may employ and fix the compensation to*  
11 *be paid to attorneys, investigators and other professional*  
12 *consultants and clerical personnel necessary to the discharge of its*  
13 *duties and may reimburse those employees for any actual expenses*  
14 *they incur while acting on behalf of the Board. Any*  
15 *reimbursement paid pursuant to this section is in addition to any*  
16 *per diem allowance or travel expenses paid to those employees*  
17 *pursuant to NRS 625A.050.*

18 **Sec. 10.** *The provisions of this chapter do not preclude a*  
19 *person who practices in a field excluded from the definition of the*  
20 *"practice of environmental health" pursuant to subsection 2 of*  
21 *section 6 of this act from being issued a certificate of registration*  
22 *by the Board if the person otherwise meets the requirements for*  
23 *the issuance of the certificate.*

24 **Sec. 11.** NRS 625A.010 is hereby amended to read as follows:  
25 625A.010 The purpose of registering environmental health  
26 specialists *and environmental health specialist trainees* is to  
27 protect the public health and safety and the general welfare of the  
28 people of this State. Any certificate *of registration* issued pursuant  
29 to this chapter is a revocable privilege, and no holder of such a  
30 certificate *of registration* acquires thereby any vested right.

31 **Sec. 12.** NRS 625A.020 is hereby amended to read as follows:  
32 625A.020 As used in this chapter, unless the context otherwise  
33 requires ~~it~~:

34 ~~—1. "Board" means the Board of Registered Environmental~~  
35 ~~Health Specialists.~~

36 ~~—2. "Environmental health specialist" means a person who:~~

37 ~~—(a) Is qualified to advocate or recommend the use of sanitary~~  
38 ~~measures for the public benefit by reason of education, practical~~  
39 ~~training and experience determined by the Board to be satisfactory;~~  
40 ~~and~~

41 ~~—(b) Has received from the Board a certificate of registration.~~

42 ~~→ The term does not include any person who engages in the~~  
43 ~~practice of professional engineering, unless he is licensed to do so~~  
44 ~~pursuant to chapter 625 of NRS.] , the words and terms defined in~~



1 *sections 2 to 6, inclusive, of this act have the meanings ascribed to*  
2 *them in those sections.*

3 **Sec. 13.** NRS 625A.030 is hereby amended to read as follows:

4 625A.030 1. There is hereby created the Board of Registered  
5 Environmental Health Specialists, consisting of the State Health  
6 Officer or his designated representative and four members appointed  
7 by the Governor.

8 2. After the initial terms, each member appointed by the  
9 Governor must be appointed for a term of 3 years.

10 3. Of the members of the Board appointed by the Governor  
11 after his initial appointments:

12 (a) Two must represent the general public. These members must  
13 not be:

14 (1) An environmental health specialist ~~[-]~~ *or environmental*  
15 *health specialist trainee;* or

16 (2) The spouse or the parent or child, by blood, marriage or  
17 adoption, of an environmental health specialist ~~[-]~~ *or environmental*  
18 *health specialist trainee.*

19 (b) Two must be environmental health specialists, one employed  
20 by the health district containing Washoe County and one employed  
21 by the health district containing Clark County.

22 4. The Governor may, after notice and hearing, remove any  
23 member of the Board for misconduct in office, incompetency,  
24 neglect of duty or other sufficient cause.

25 5. The Board shall elect from its members who are not  
26 employees of the State a Chairman and a Secretary. The Chairman  
27 must be elected ~~[annually]~~ *biennially* on *or before* July 1 ~~[-]~~ *of each*  
28 *even-numbered year.* The Secretary continues in office at the  
29 pleasure of the Board.

30 **Sec. 14.** NRS 625A.040 is hereby amended to read as follows:

31 625A.040 1. The Board shall hold at least one meeting  
32 annually to:

33 (a) Review and evaluate applications for *certificates of*  
34 *registration as environmental health specialists* ~~[-]~~ *and*  
35 *environmental health specialist trainees.*

36 (b) Conduct examinations.

37 (c) Review expenditures by the Board.

38 (d) Prepare reports.

39 (e) Transact any other business necessary to enable the Board to  
40 carry out its duties.

41 2. Special meetings of the Board may be called by the  
42 Secretary upon the written request of any two members of the Board  
43 or upon a written request signed by 10 environmental health  
44 specialists ~~[-]~~ *or environmental health specialist trainees, or any*  
45 *combination thereof.*



3. Three members of the Board constitute a quorum to transact all business, and a majority of those present must concur on any decision.

**Sec. 15.** NRS 625A.090 is hereby amended to read as follows:

625A.090 The Board shall maintain a register of all:

1. Applicants for *a certificate of* registration as an environmental health specialist ~~[which contains:]~~ *or environmental health specialist trainee. The register must contain:*

(a) The name, age and place of residence of the applicant;

(b) The name and address of the employer of the applicant or address of the place of business of the applicant;

(c) The date of the application;

(d) The educational qualifications, practical training and experience of the applicant;

(e) The date on which the Board reviewed the application ~~[.]~~ and the action taken;

(f) The number of the certificate of registration, if any, issued to the applicant; and

(g) Such other information as the Board considers necessary.

2. ~~[Environmental]~~ *Persons who hold certificates of registration as environmental* health specialists ~~[currently registered.]~~ *or environmental health specialist trainees. The register must contain:*

(a) *The name of the person;*

(b) *The name and address of the employer of the person or the address of the place of business of the person;*

(c) *The number of the certificate of registration, if any, issued to the person; and*

(d) *Such other information as the Board considers necessary.*

**Sec. 16.** NRS 625A.100 is hereby amended to read as follows:

625A.100 1. An applicant for *a certificate of* registration as an environmental health specialist ~~[must]~~ *or environmental health specialist trainee shall* submit to the Board, through its Secretary:

(a) A completed application on a form prescribed and furnished by the Board;

(b) *A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report;*

(c) The required fee; and

~~[(e)]~~ (d) Proof of ~~[his]~~ *the applicant's* educational qualifications, practical training and experience.

2. The application must include the social security number of the applicant.

3. The fee is not refundable.



1     **Sec. 17.** NRS 625A.100 is hereby amended to read as follows:

2     625A.100 1. An applicant for *a certificate of* registration as  
3 an environmental health specialist *or environmental health*  
4 *specialist trainee* shall submit to the Board, through its Secretary:

5     (a) A completed application on a form prescribed and furnished  
6 by the Board;

7     (b) *A complete set of fingerprints and written permission*  
8 *authorizing the Board to forward the fingerprints to the Central*  
9 *Repository for Nevada Records of Criminal History for submission*  
10 *to the Federal Bureau of Investigation for its report;*

11     (c) The required fee; and

12     ~~[(e)]~~ (d) Proof of ~~[(his)]~~ *the applicant's* educational  
13 qualifications, practical training and experience.

14     2. The fee is not refundable.

15     **Sec. 18.** NRS 625A.105 is hereby amended to read as follows:

16     625A.105 1. An applicant for ~~[(the issuance of)]~~ a certificate of  
17 registration as an environmental health specialist *or environmental*  
18 *health specialist trainee or the holder of such a certificate* shall  
19 submit to the Board annually, through its Secretary, the statement  
20 prescribed by the Welfare Division of the Department of Human  
21 Resources pursuant to NRS 425.520. The statement must be  
22 completed and signed by the applicant.

23     2. The Board shall include the statement required pursuant to  
24 subsection 1 in:

25     (a) The application or any other forms that must be submitted  
26 for the issuance of the certificate of registration; or

27     (b) A separate form prescribed by the Board.

28     3. A certificate of registration as an environmental health  
29 specialist *or environmental health specialist trainee* may not be  
30 issued by the Board if the applicant:

31     (a) Fails to submit the statement required pursuant to subsection  
32 1; or

33     (b) Indicates on the statement submitted pursuant to subsection  
34 1 that he is subject to a court order for the support of a child and is  
35 not in compliance with the order or a plan approved by the district  
36 attorney or other public agency enforcing the order for the  
37 repayment of the amount owed pursuant to the order.

38     4. If an applicant indicates on the statement submitted pursuant  
39 to subsection 1 that he is subject to a court order for the support of a  
40 child and is not in compliance with the order or a plan approved by  
41 the district attorney or other public agency enforcing the order for  
42 the repayment of the amount owed pursuant to the order, the Board  
43 shall advise the applicant to contact the district attorney or other  
44 public agency enforcing the order to determine the actions that the  
45 applicant may take to satisfy the arrearage.



1     **Sec. 19.** NRS 625A.110 is hereby amended to read as follows:  
2     625A.110 1. ~~{Fe}~~ *Except as otherwise provided in this*  
3 *section, to be eligible for a certificate of registration* ~~{}~~ *as an*  
4 *environmental health specialist, an applicant* ~~{must have:~~

5 ~~—(a) At}~~:

6     (a) *Must:*

7         (1) *Possess a* baccalaureate or higher degree from an  
8 ~~{accredited college or university;~~

9 ~~—(b) Satisfactorily}~~ *institution of higher education approved by*  
10 *the Board;*

11         (2) *Have satisfactorily* completed at least 45 quarter hours or  
12 30 semester hours of academic work ~~{approved by the Board in~~  
13 ~~environmental health and public hygiene or the physical and~~  
14 ~~biological sciences, or a combination of both; and~~

15 ~~—(c) At}~~ *in basic science courses, including biology, chemistry,*  
16 *physics, geology, sanitary engineering or environmental*  
17 *engineering;*

18         (3) *Have passed the written examination pursuant to NRS*  
19 *625A.120; and*

20         (4) *Have at* least 2 years of experience approved by the  
21 Board in ~~{this field of public health.~~

22 ~~—2. The}~~ *the practice of environmental health;*

23         (b) *Must possess a baccalaureate or higher degree in*  
24 *environmental health or environmental health science from an*  
25 *institution of higher education approved by the Board and have*  
26 *passed the written examination pursuant to NRS 625A.120; or*

27         (c) *Must possess a master's degree in public health from an*  
28 *institution of higher education approved by the Board and have*  
29 *passed the written examination pursuant to NRS 625A.120.*

30     2. *Except as otherwise provided in this subsection, the* Board  
31 may ~~{register}~~ *issue a certificate of registration as an*  
32 *environmental health specialist to* a person who is not qualified  
33 under subsection 1 ~~{, if he:}~~ *if the Board determines to its*  
34 *satisfaction that the person:*

35         (a) Was actively ~~{employed in this field of public}~~ *engaged in*  
36 *the practice of environmental* health in this State on July 1, ~~{1987;~~

37 ~~—(b) Is a graduate of an accredited high school;~~

38 ~~—(c) Has had}~~ 2005; and

39         (b) *Has completed* at least ~~{4}~~ 2 years of successful experience  
40 in ~~{this field;~~

41 ~~—(d) Passes a written or oral examination administered by the~~  
42 ~~Board; and~~

43 ~~—(e) Completes all the requirements of this subsection before~~  
44 ~~July 1, 1991.~~



~~3. The Board may register, upon written application, any person who:~~

~~(a) Was employed in this field of public health in this State on July 1, 1987, and was a registered sanitarian in this State before July 1, 1977; or~~

~~(b) Is registered as an~~ *the practice of environmental health.*

*↳ To be eligible to be issued a certificate of registration pursuant to this subsection, a person must apply to the Board for a certificate of registration not later than July 1, 2006.*

*3. Notwithstanding the provisions of subsection 1 to the contrary, upon written application, the Board may issue a certificate of registration as an environmental health specialist to a person by reciprocity if the person is registered as:*

*(a) An environmental health specialist with the National Environmental Health Association* ~~[and is a resident of this State.] ;~~  
*or*

*(b) An environmental health specialist, environmental health scientist or registered sanitarian in another jurisdiction recognized by the Board as having requirements for that registration which are substantially similar to the requirements for the issuance of a certificate of registration as an environmental health specialist in this State.*

**Sec. 20.** NRS 625A.120 is hereby amended to read as follows:

625A.120 1. Except for an applicant ~~[applying pursuant to subsection 2 or 3 of]~~ *who may be issued a certificate of registration as an environmental health specialist without an examination pursuant to NRS 625A.110, an applicant who* ~~[is otherwise eligible]~~ *applies for a certificate of registration* ~~[, has paid the fee and presented the required credentials]~~ *as an environmental health specialist and who is otherwise qualified for the issuance of the certificate* must appear personally and pass the written examination certified by the National Environmental Health Association or an equivalent examination prepared by the Board.

2. ~~[If the application is filed pursuant to subsection 2 of NRS 625A.110, the Board may use the written examination certified by the National Environmental Health Association or a written or oral examination prepared by the Board.~~

~~3.]~~ The examination must be administered by the Board not less than once each year at such time and place in this State as the Board specifies.

~~[4.]~~ 3. The name of the applicant must not appear on the examination, and the applicant must be identified by a number assigned to him by the Secretary of the Board.



~~[5-]~~ 4. All examinations and the records pertaining to them must be filed with the Secretary of the Board and retained for at least 5 years.

~~[6-]~~ 5. If an applicant fails the examination, he may be reexamined upon resubmission of his application accompanied by the required fee.

**Sec. 21.** NRS 625A.130 is hereby amended to read as follows:

625A.130 1. Each applicant for *a certificate of registration as an environmental health specialist or environmental health specialist trainee* must pay a fee set by the Board not to exceed \$250.

2. Each applicant *for a certificate of registration as an environmental health specialist* who fails an examination and who desires to be reexamined must pay a fee set by the Board not to exceed \$200 for each reexamination.

3. Each ~~[registered]~~ *person who holds a certificate of registration as an environmental health specialist or environmental health specialist trainee* must pay to the Secretary of the Board on or before the date fixed by the Board an annual fee for *the certificate of registration* to be set by the Board not to exceed \$100. The annual fee for *the certificate of registration* must be collected for the year in which ~~[an environmental health specialist]~~ *the person* is initially ~~[registered]~~.

~~—4.—~~ ~~The~~ *issued the certificate of registration and for each year thereafter in which the person holds the certificate of registration.*

4. *If a person holds a certificate of [any] registration as an environmental health specialist [who] or environmental health specialist trainee and the person* fails to submit the statement required pursuant to NRS 625A.105 or pay the annual fee for *the certificate of registration* within 60 days after it is due, *the person's certificate of registration* is automatically suspended. The Board must notify the ~~[environmental health specialist]~~ *person* that his certificate *of registration* has been suspended pursuant to this subsection. It may be reinstated pursuant to regulations adopted by the Board.

**Sec. 22.** NRS 625A.130 is hereby amended to read as follows:

625A.130 1. Each applicant for *a certificate of registration as an environmental health specialist [shall] or environmental health specialist trainee must* pay a fee set by the Board not to exceed \$250.

2. Each applicant *for a certificate of registration as an environmental health specialist* who fails an examination and who desires to be reexamined ~~[shall]~~ *must* pay a fee set by the Board not to exceed \$200 for each reexamination.



3. Each ~~[registered]~~ *person who holds a certificate of registration as an environmental health specialist* ~~[shall]~~ *or environmental health specialist trainee must* pay to the Secretary of the Board on or before the date fixed by the Board an annual fee for *the certificate of* registration to be set by the Board not to exceed \$100. The annual fee for registration must be collected for the year in which ~~[an environmental health specialist]~~ *the person* is initially ~~[registered].~~

~~4. The~~ *issued the certificate of registration and for each year thereafter in which the person holds the certificate of registration.*

4. *If the person holds a* certificate of ~~[any]~~ *registration as an environmental health specialist* ~~[who]~~ *or environmental health specialist trainee and the person* fails to pay the annual fee for registration within 60 days after it is due, *the person's certificate of registration* is automatically suspended. The Board must notify the ~~[environmental health specialist]~~ *person* that his certificate *of registration* has been suspended for nonpayment of the annual fee. It may be reinstated pursuant to regulations adopted by the Board.

Sec. 23. NRS 625A.140 is hereby amended to read as follows:

625A.140 Each certificate *of registration* issued by the Board must be numbered and contain ~~[the:~~

~~1. Designation]~~ :

1. *The designation* "Registered Environmental Health ~~[Specialist.]~~

~~2. Name]~~ *Specialist" or "Environmental Health Specialist Trainee," as applicable.*

2. *The name* of the person registered.

3. ~~[Date]~~ *The registration number.*

4. *The date* of issuance.

~~[4.]~~ 5. *The Great Seal* of the ~~[Board.]~~

~~5. Signatures]~~ *State of Nevada.*

6. *The signatures* of the ~~[members]~~ *Chairman and Secretary* of the Board.

Sec. 24. NRS 625A.150 is hereby amended to read as follows:

625A.150 1. The Board shall adopt regulations requiring participation in a program of continuing education as a prerequisite for the renewal of a certificate of registration ~~[:]~~ *as an environmental health specialist.*

2. The Board may exempt an environmental health specialist from the requirements for continuing education if he is able to show good cause why the requirements could not be met. The exemption may not be granted to a person more than once in any ~~[2-year]~~ *6-year* period.

3. *An environmental health specialist who submits evidence satisfactory to the Board that he has retired and is no longer*



1 *engaged in the practice of environmental health is exempt from*  
2 *the requirements for continuing education established pursuant to*  
3 *this section.*

4 **Sec. 25.** NRS 625A.160 is hereby amended to read as follows:

5 625A.160 The grounds for initiating disciplinary action under  
6 this chapter are:

7 1. Unprofessional conduct;

8 2. Conviction of a felony relating to the practice of ~~an~~  
9 environmental health ~~specialist~~ or any offense involving moral  
10 turpitude;

11 3. The suspension or revocation of a certificate or license as an  
12 environmental health specialist by any other jurisdiction; or

13 4. Failure to meet the requirements for continuing education.

14 **Sec. 26.** NRS 625A.165 is hereby amended to read as follows:

15 625A.165 1. If the Board receives a copy of a court order  
16 issued pursuant to NRS 425.540 that provides for the suspension of  
17 all professional, occupational and recreational licenses, certificates  
18 and permits issued to a person who is the holder of a certificate of  
19 registration as an environmental health specialist ~~or~~ *or*  
20 *environmental health specialist trainee*, the Board shall deem the  
21 certificate of registration issued to that person to be suspended at the  
22 end of the 30th day after the date on which the court order was  
23 issued unless the Board receives a letter issued to the holder of the  
24 certificate of registration by the district attorney or other public  
25 agency pursuant to NRS 425.550 stating that the holder of the  
26 certificate of registration has complied with the subpoena or warrant  
27 or has satisfied the arrearage pursuant to NRS 425.560.

28 2. The Board shall reinstate a certificate of registration as an  
29 environmental health specialist *or environmental health specialist*  
30 *trainee* that has been suspended by a district court pursuant to NRS  
31 425.540 if the Board receives a letter issued by the district attorney  
32 or other public agency pursuant to NRS 425.550 to the person  
33 whose certificate of registration was suspended stating that the  
34 person whose certificate of registration was suspended has complied  
35 with the subpoena or warrant or has satisfied the arrearage pursuant  
36 to NRS 425.560.

37 **Sec. 26.5.** NRS 625A.170 is hereby amended to read as  
38 follows:

39 625A.170 The following acts, among others established by the  
40 Board, constitute unprofessional conduct:

41 1. Willfully making a false or fraudulent statement or  
42 submitting a forged or false document in applying for a certificate  
43 ~~of registration~~ *of registration*;

44 2. Habitual drunkenness or addiction to the use of a controlled  
45 substance;



3. Engaging in any conduct in his professional activities which is intended to deceive or which the Board has determined is unethical; or

4. Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate any provision of this chapter or a regulation of the Board.

**Sec. 27.** NRS 625A.180 is hereby amended to read as follows:

625A.180 1. If the Board finds after a hearing, or after providing an opportunity for a hearing, that disciplinary action is necessary, it may by order:

(a) Place the environmental health specialist *or environmental health specialist trainee* on probation for a specified period or until further order of the Board;

(b) Administer a public reprimand; or

(c) Suspend or revoke his certificate ~~of~~ *of registration*.

2. If the order places an environmental health specialist *or environmental health specialist trainee* on probation, the Board may impose such limitations or conditions upon his professional activities as ~~the~~ *the Board* finds consistent to protect the public health.

3. The Board shall not administer a private reprimand.

4. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

**Sec. 27.5.** NRS 625A.190 is hereby amended to read as follows:

625A.190 1. Upon denial of an application for ~~registration~~ or renewal of a certificate *of registration* or other disciplinary action, the Board shall give the person written notice of its decision mailed to him at his last known address by certified mail, return receipt requested. The notice must:

(a) State the reason for the denial or disciplinary action; and

(b) Inform the person that he has the right to a hearing before the Board.

2. A written request for a hearing must be filed with the Board within 30 days after the notice is mailed. If a hearing is requested, the Board shall set a time and place for a formal hearing and notify the person of the time and place set for the hearing. The Board shall hold the hearing at the time and place designated in the notice.

**Sec. 28.** NRS 625A.200 is hereby amended to read as follows:

625A.200 1. ~~Only a person who holds a valid certificate of registration issued by the Board may~~ *A person shall not* use the title "registered environmental health ~~specialist~~ *specialist*," "environmental health ~~specialist~~ *specialist*," "registered *sanitarian*" or "*sanitarian*," or the abbreviation ~~"R.E.H.S."~~ *"R.E.H.S.," "E.H.S." or "R.S."* after his name ~~;~~ *, unless the*



1 *person holds a certificate of registration as an environmental*  
2 *health specialist issued by the Board pursuant to this chapter.*

3 2. *A person shall not use the title “environmental health*  
4 *specialist trainee,” or any abbreviation or letters after his name*  
5 *that would suggest that the person is an environmental health*  
6 *specialist trainee, unless the person holds a certificate of*  
7 *registration as an environmental health specialist trainee issued by*  
8 *the Board pursuant to this chapter.*

9 3. Any person who violates *any provision of* this section is  
10 guilty of a misdemeanor.

11 **Sec. 29.** 1. This section, and sections 1 to 16, inclusive, 18 to  
12 21, inclusive, and 23 to 28, inclusive, of this act become effective on  
13 July 1, 2005.

14 2. Sections 16, 18, 21 and 26 of this act expire by limitation on  
15 the date on which the provisions of 42 U.S.C. § 666 requiring each  
16 state to establish procedures under which the state has authority to  
17 withhold or suspend, or to restrict the use of professional,  
18 occupational and recreational licenses of persons who:

19 (a) Have failed to comply with a subpoena or warrant relating to  
20 a proceeding to determine the paternity of a child or to establish or  
21 enforce an obligation for the support of a child; or

22 (b) Are in arrears in the payment for the support of one or more  
23 children,

24 ➤ are repealed by the Congress of the United States.

25 3. Sections 17 and 22 of this act become effective on the date  
26 on which the provisions of 42 U.S.C. § 666 requiring each state to  
27 establish procedures under which the state has authority to withhold  
28 or suspend, or to restrict the use of professional, occupational and  
29 recreational licenses of persons who:

30 (a) Have failed to comply with a subpoena or warrant relating to  
31 a proceeding to determine the paternity of a child or to establish or  
32 enforce an obligation for the support of a child; or

33 (b) Are in arrears in the payment for the support of one or more  
34 children,

35 ➤ are repealed by the Congress of the United States.





