

EMERGENCY REGULATION OF THE BOARD OF HEALTH

Explanation – Language in *blue italics* is new.

AUTHORITY: NRS 441A.120

Section 1. Chapter 441A of the NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive, of this regulation.

Section 2. *“Contractor” defined. “Contractor” means any individual who is not employed in a State position, but who regularly completes work for the Department or Department of Corrections pursuant contract.*

Section 3. *“Department” defined. “Department” means the Nevada Department of Health and Human Services.*

Section 4. *“Employee” defined. “Employee” means any person legally holding a position in the public service as defined in NRS 284.013, for the Department or Department of Corrections.*

Section 5. *“Institution for vulnerable populations” defined. “Institution for vulnerable populations” includes:*

- 1. Caliente Youth Center;*
- 2. Desert Regional Center Intermediate Care Facility;*
- 3. Desert Willow Treatment Center;*
- 4. Lake’s Crossing Center;*
- 5. Northern Nevada Adult Mental Health Services Dini Townsend Hospital;*
- 6. Nevada Youth Training Center;*
- 7. Psychiatric Residential Treatment Facility (PRTF) – Enterprise;*
- 8. Psychiatric Residential Treatment Facility (PRTF) – North;*

9. *Psychiatric Residential Treatment Facility (PRTF) – Oasis;*
10. *Southern Nevada Adult Mental Health Services Rawson-Neal Hospital;*
11. *Southern Nevada Adult Mental Health Services Stein Hospital; and*
12. *Summit View Youth Center.*

Section 6. “New Hire” defined. *“New hire” means any individual not presently employed by the Department or the Department of Corrections who has accepted an offer for employment with the Department or the Department of Corrections.*

Section 7. “Transfer” defined. *“Transfer” means any individual employed by the State who has accepted an offer for a position within the Department or Department of Corrections.*

Section 8. Immunization mandate for State employees working in institutions for vulnerable populations; proof of vaccination.

1. *Except as set forth in subsection 4, all Department of Health and Human Services employees, contractors or transfers who must enter an institution for vulnerable populations within the normal scope of their employment and all Department of Corrections employees must receive all necessary doses of the COVID-19 vaccine to become fully vaccinated on or before November 1, 2021.*

2. *Except as set forth in subsection 4, all Department of Health and Human Services employees, contractors or transfers who must enter an institution for vulnerable populations within the normal scope of their employment and all Department of Corrections employees, who are partially or fully vaccinated for COVID-19, must comply with the immunization schedule established by the Division of Public and Behavioral Health.*

3. *Except as set forth in subsection 4, all Department of Health and Human Services new hires, who must enter an institution for vulnerable populations within the normal scope of their*

employment, and all Department of Correction new hires who are not vaccinated for COVID-19 must receive the first dose of the COVID-19 vaccine prior to the hire's start date and must receive all necessary doses of the COVID-19 vaccine necessary to become fully vaccinated to maintain employment.

4. Any individual subject to this section, who is seeking a religious or medical accommodation must submit a request for accommodation to their employer's personnel unit. The individual must provide all information reasonably necessary to evaluate the accommodation request, including the individual's name, the requested accommodation, the basis for the accommodation request with supporting information, and the individual's contact information.

5. Each division within the Department or Department of Corrections over an employee subject to this section may place the employee on administrative leave or temporary change of duty location while an accommodation request is pending review.

6. Proof of vaccination must be submitted to the personnel unit of the employing division at least five business days prior to the immunization requirements set forth by this section.

The Board of Health has made a finding that an emergency affecting the health and safety of the public exists, and that adoption of the Emergency Regulation is appropriate.

Dated this 10 day of September, 2021.



**Lisa Sherych, Administrator
Division of Public and Behavioral Health
Nevada Department of Health and Human Services**

I, Governor Steve Sisolak, endorse the Statement of Emergency presented by the State Board of Health.

Dated this 13th day of September, 2021.

Steve Sisolak
Governor



