

**PROPOSED REGULATION OF THE
STATE BOARD OF HEALTH**

LCB FILE NO. R117-211

**The following document is the initial draft regulation proposed
by the agency submitted on 12/01/2021**

PROPOSED REGULATION OF THE DIVISION OF PUBLIC AND BEHAVIORAL HEALTH

State Employee Vaccination Requirement

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. *“Employee” defined. “Employee” means any person legally holding a position in the public service as defined in NRS 284.015, for the State.*

Section 4. *“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;

12. Summit View Youth Center; and

13. All Nevada Department of Corrections facilities.

Section 6. *Immunization mandate for State employees working in institutions for vulnerable populations; proof of vaccination.*

1. Except as set forth in subsection 4, all State employees or contractors who must enter an institution for vulnerable populations within the normal scope of their employment must receive all necessary doses, as defined by the Centers for Disease Control & Prevention, of an authorized or approved COVID-19 vaccine to become fully vaccinated within 90 days of the effective date of this regulation.

2. Except as set forth in subsection 4, all State new hires, who must enter an institution for vulnerable populations within the normal scope of their employment 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.

3. Proof of vaccination must be submitted to the personnel unit of the employing division.

4. Individuals subject to the provisions of this section are not eligible to request a variance through the process set forth in NAC 439.200 through NAC 439.280.