I am a board-certified family physician in Las Vegas, NV and I have completed a diploma in Climate Medicine. I serve as Chair of [Nevada Clinicians for Climate Action.](https://www.nvcliniciansforclimate.org/) I encourage New Mexico to adopt the strongest possible occupational heat regulation as a means of ensuring that our state’s employers and workforce are prepared to remain safe in the face of rapidly increasing numbers of extreme heat days. Every heat death is preventable and action is essential.

I want to provide some context from Nevada. Nevada has the nation’s two fastest warming cities and is struggling to develop resilience provisions to protect our population. Southern Nevada recorded a record 527 heat-related deaths in 2024. Occupational heat-related complaints rose from 210 in 2022 to 300 in 2023 and 467 for the first 9 months of 2024.

In November 2024, the Nevada Division of Industrial Relations approved [an occupational heat illness standard](https://www.leg.state.nv.us/Register/2024Register/R131-24AP.pdf) that went into effect in April 2025. This regulation was developed in collaboration with employers and industry, along with occupational and health experts and community-based organizations.

I support the following measures included in Nevada’s standard--

1. Requiring employers with 10 or more employees to conduct a job hazard analysis to determine whether there is a risk of heat exposure, and when risk is identified, to develop a heat illness prevention plan to reasonably render employment and places of employment safe from heat related hazards. The plan must account for the severity and duration of workload and any protective clothing or equipment used by the employee.
2. Mandating employee input into the written plan.
3. Mandating mitigating practices to reduce risk, including engineering controls such as shade, practice controls like shifting work to earlier hours, and personal protective controls such as cooling vests or individual body temperature monitors.
4. Mandating water and a means of cooling for all employees working under the plan and additional rest breaks for those showing signs of heat illness.
5. Designating a person to carry out the safety plan, monitor working conditions and implement emergency response procedures.

Importantly, Nevada guidance for employee education includes assuring that employees understand their individual risks based on body habitus, chronic disease or conditions, medication and substance use. The federal regulation should include this important provision and mandate that information be understandable based on employees’ language facility and literacy.

The Nevada standard includes radiant heat exposure in the rule. This is important in part because of the risk of pavement burns. Research from the University of Nevada Las Vegas has shown that pavement burn incidence increases exponentially in our climate with temperatures over 95 degrees F.

New Mexico should consider opportunities to protect Nevada workers beyond the mandates of the state standard. The Nevada standard does not set forth temperature triggers, instead relying on a less specific one-time job hazard analysis. I am unaware of evidence documenting the effectiveness of this approach. The draft federal OSHA proposal documents extensive evidence supporting use of a temperature threshold, and New Mexico should take this data into account and consider implementing clear temperature thresholds. Examining Nevada’s 2025 heat-related complaint and heat-related illness and injury data could help determine whether our standard has resulted in decreased worker complaints or heat-related incidents.

Further, the Nevada standard suggests, but does not mandate, a period of acclimatization with modified job duties. I support mandated requirements for employee acclimatization, due to data extensively documented in the draft federal OSHA proposal. Concerns by some in industry that acclimatization periods are unnecessary because most employees are aware of a job position’s heat exposure risk are counter to my experience as a primary care physician. Many of my patients have worked occasional hours at heat-exposed jobs such as convention set-up and hospitality. I have treated several who became ill with heat exhaustion, dizziness, vertigo or nausea during their shifts, possibly due to the lack of regular hours to become acclimatized. I am aware of a young healthy resort pool attendant who suffered heat syncope during his first day on the job. Workers eager to demonstrate good job performance during their initial days of employment are unlikely to self-select for acclimatization protocols, so including clear acclimatization guidelines and protocols is essential.

Joanne Leovy, MD

Steering Committee Chair

**Nevada Clinicians for Climate Action**

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References

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NV OSHA heat illness prevention guidance <https://dir.nv.gov/uploadedFiles/dirnvgov/content/OSHA/Guidance/2025-01-29%20(Heat%20Illness%20Prevention%20Guidance).pdf>

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