

NEVADA STATE BOARD OF DENTAL EXAMINERS

NOTICE OF PUBLIC MEETING

Nevada State Board of Dental Examiners
6010 S Rainbow Blvd, Suite A-1
Las Vegas, Nevada 89118
Friday, April 6, 2012 at 10:00 am

Videoconferencing and Teleconferencing will **NOT** be available

FORMAL BOARD HEARING AGENDA

Please Note: The Nevada State Board of Dental Examiners may 1) address agenda items out of sequence to accommodate persons appearing before the Board or to aid the efficiency or effectiveness of the meeting; 2) combine items for consideration by the public body; 3) pull or remove items from the agenda at any time. The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. *See* NRS 241.030. Prior to the commencement and conclusion of a contested case or a quasi judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public comment. *See* NRS 233B.126.

Public comment is welcomed by the Board; but, at the discretion of the Chair, may be limited to five minutes per person. A public comment time will be available before any action items are heard by the public body and then once again prior to adjournment of the meeting. The Chair may allow additional time to be given a speaker as time allows and in his/her sole discretion. Once all items on the agenda are completed the meeting will adjourn. Prior to the commencement and conclusions of a contested case or a quasi judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public comment

Asterisks () denote items on which the Board may take action.
Action by the Board on an item may be to approve, deny, amend, or table.*

1. **Call to Order, roll call and establish quorum**
2. Public Comment.

<p>Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)</p>
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- *3. **Formal Hearing - Nevada State Board of Dental Examiners vs. Kathy Nelson-Burns, RDH (for possible action)**

The purpose of this hearing is to consider the allegations regarding/related to the verified complaints by the Nevada State Board of Dental Examiners for the violations of NRS 631 and NAC 631 and take such action the Board deems appropriate, pursuant to NRS 631.350. (Pursuant to NRS 241.030(1)(a), the board may, by motion, enter into closed session)

4. Public Comment.

Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

***5. Adjournment (For Possible Action)**

AGENDA POSTING LOCATIONS

Clark County District Health Department, 625 Shadow Lane, Las Vegas, Nevada

Elko County Courthouse, Room 106, Elko, Nevada

Washoe County Courthouse, 75 Court Street, Reno, Nevada

Office of the N.S.B.D.E., 6010 S Rainbow Boulevard, #A-1, Las Vegas, Nevada

On the Internet at the Nevada State Board of Dental Examiners website:

<http://www.nvdentalboard.nv.gov>

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements are necessary, please notify the Nevada State Board of Dental Examiners in writing at 6010 S Rainbow Boulevard, #A-1, Las Vegas, NV 89118, or by calling (800) 337-3926 or (702) 486-7044 no later than April 3, 2012.

Persons/facilities who want to be on the mailing list must submit a written request every six (6) months to the Nevada State Board of Dental Examiners at the address listed in the previous paragraph. With regard to any board meeting or telephone conference, it is possible that an amended agenda will be published adding new items to the original agenda. Amended Nevada notices will be posted in compliance with the Open Meeting Law.

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BEFORE THE NEVADA STATE BOARD OF DENTAL EXAMINERS

NEVADA STATE BOARD OF DENTAL
EXAMINERS,

Complainant,

vs.

KATHY NELSON-BURNS, RDH

Respondent.

Case No. 1967

**NOTICE OF FILING OF COMPLAINT,
DATE(S) SET FOR FORMAL HEARING,
& RELATED MATTERS**



TO: KATHY NELSON BURNS, RDH, Respondent; and

TO: CHARLES ZEH, ESQ., counsel for Respondent.

PLEASE BE ADVISED on or about the 2nd day of March, 2012, a Complaint was filed with the Nevada State Board of Dental Examiners (the "Board") seeking disciplinary action against your license to practice dentistry in the State of Nevada.

YOU ARE FURTHER ADVISED the Board has scheduled a public hearing to consider the allegations contained in the Complaint. The public hearing is scheduled to commence on **Friday April 6, 2012, at 10:00 a.m.** at the offices of the Nevada State Board of Dental Examiners, 6010 S. Rainbow Boulevard, Suite A-1, Las Vegas, Nevada 89118. If necessary, the hearing shall continue to Saturday, April 7, 2012 commencing at 8:30 am.

YOU ARE FURTHER ADVISED the hearing will be held pursuant to Nevada Revised Statutes ("NRS") chapters 233B, 622A, and 631 and Nevada Administrative Code ("NAC") chapter 631. The purpose of the hearing is to consider evidence regarding the allegations in the Complaint and to determine whether Respondent should be subject to discipline pursuant to NRS

1 and NAC chapters 631.

2 **YOU ARE FURTHER ADVISED** the hearing is to be an open meeting under Nevada's
3 Open Meeting Law and may be attended by the public. During the hearing, the Board may
4 choose to go into closed session to consider the character, alleged misconduct, professional
5 competence, or physical or mental health of Respondent. A verbatim record will be made by a
6 court reporter. You are entitled to a copy of the transcript, at your cost, of the open and closed
7 portions of the hearing.
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9 **YOU ARE FURTHER ADVISED** you have the right to answer the Complaint. You
10 have the right to appear and be heard at the hearing in your defense, either personally or through
11 counsel of your choice, at your cost. At the hearing, the Board has the burden of proving the
12 allegations in the Complaint and can call witnesses and offer exhibits/evidence regarding the
13 allegations in the Complaint.
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15 **YOU ARE FURTHER ADVISED** if a violation is found and discipline is imposed, the
16 Board may also recover reasonable attorney's fees and costs pursuant to NRS 622.400.
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18 **YOU ARE FURTHER ADVISED** you have the right to call and examine witnesses,
19 offer exhibits/evidence, and cross-examine opposing witnesses or any matter relevant to the
20 issues involved.
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