

BEFORE THE NEVADA STATE BOARD OF DENTAL EXAMINERS

IN REGARDS TO THE MATTER OF:)
)
Request for an Advisory Opinion)
for clarification as to whether CPR) NO OPINION ISSUED
on-line training complies with NAC)
631.173(3).)

On May 20, 2016, pursuant to agenda item 7(a) at a properly noticed meeting held at the Nevada State Board of Dental Examiners ("Board") office located at 6010 S Rainbow Boulevard, Suite A-1, Las Vegas, Nevada 89118 the "Board" considered the following.

Dr. Brendan Johnson	Present
Dr. Gregory Pisani	Present
Dr. Jason Champagne	Present
Dr. Timothy Pinther	Present
Dr. James G Kinard	Excused
Dr. Ali Shahrestani	Excused
Dr. Byron Blasco	Present
Ms. Maria "Sharon" Gabriel	Present
Mrs. Leslea Villigan	Excused
Mrs. Theresa Guillen	Present
Mrs. Stephanie Tyler	Present

ADVISORY OPINION

I.
BACKGROUND

1. As set forth in NAC 631.279 through authority of NRS 631.190 and NRS 233B.120 the Board is authorized to provide advisory opinions.

NAC 631.279 Proceedings to determine applicability and construction of statutes and regulations. (NRS 631.190)

1. Any applicant or licensed dentist or dental hygienist may obtain a determination or advisory opinion from the Board as to the applicability of any provision of chapter 631 of NRS or any regulation adopted pursuant thereto by bringing an action for a declaratory judgment before the Board.
2. The Board will construe any statute or regulation reviewed pursuant to this section in a manner consistent with the declared policy of the State of Nevada.

- A. The Board has discretion whether or not to issue an advisory opinion pursuant to NAC 631.279.
- B. Licensee, Mary Bobbett, BA, RDH requested an advisory opinion for clarification as to whether CPR on-line training complies with NAC 631.173(3).
- C. Public notice of the above-referenced request for an advisory opinion was provided in accordance with state law.

II. DISCUSSION

- D. RDH Bobbett requested an advisory opinion clarification as to whether CPR on-line training complies with NAC 631.173(3). Board Counsel went over NAC 631.173(3) with the Board Members and the Public. RDH Bobbett stated with changing times, there are more on-line courses offered and she wanted clarification that if she participated in an on-line course would she be in compliance with the regulation. Board Member Johnson stated he is an instructor for CRR certification and realizes that a didactic portion of CPR certification may be permissible but the didactic portion should be in conjunction with a hands-on clinical portion.
- E. Board Counsel advised the Board Members they have of the following discretion:
 1. Issue no Opinion
 2. Issue an Advisory Opinion

III. CONCLUSION

After considering and discussing public comment pursuant to the authority set forth in NAC 631.279, NRS 631.190 and NRS 233B.120, a motion was made by Board Member that the Board not issue an opinion to Mary Bobbett, BA, RDH for clarification

as to whether CPR on-line training complies with NAC 631.173(3) and refer this matter to the Continuing Education Resource Group for consideration.

The motion was seconded by Board Member Johnson. No discussion:

III

Dr. Kinard called for the motion:

Dr. Brendan Johnson	yes
Dr. Gregory Pisani	yes
Dr. Jason Champagne	yes
Dr. Timothy Pinther	yes
Dr. James G Kinard	excused
Dr. Ali Shahrestani	excused
Dr. Byron Blasco	yes
Ms. Maria Sharon Gabriel	yes
Mrs. Leslea Villigan	excused
Mrs. Theresa Guillen	yes
Mrs. Stephanie Tyler	yes

The motion was passed unanimously the Board exercise their discretion and do not issue an advisory opinion and refer this matter to the Continuing Education Resource Group.



TIMOTHY PINTHER, DDS, PRESIDENT
Nevada State Board of Dental Examiners