

BEFORE THE NEVADA STATE BOARD OF DENTAL EXAMINERS

IN REGARDS TO THE MATTER OF:)
)
Request for an Advisory Opinion)
regarding whether buccal pad)
removal in oral surgery to graft)
for oral antral fistula and for)
cosmetics is within the scope of)
practice as set forth in NRS 631.215).

NO OPINION ISSUED

On November 3, 2017, pursuant to agenda item 6(b) 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	Excused
Dr. Timothy Pinther	Present
Dr. R. Michael Sanders	Present
Dr. Ali Shahrestani	Present
Dr. Byron Blasco	Present
Ms. Maria "Sharon" Gabriel	Present
Mrs. Theresa Guillen	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.
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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, Harvey Chin, DDS requested an advisory opinion regarding whether buccal pad removal in oral surgery to graft for oral antral fistula and for cosmetics is within the scope of practice as set forth in NRS 631.215
- C. Public notice of the above-referenced request for an advisory opinion was provided in accordance with state law.

II.

DISCUSSION

- D. Board Member Johnson who is an Oral & Maxillofacial Surgeon believes that buccal pad removal in oral surgery to graft for oral antral fistula does fall within the scope as set forth in NRS 631.215(1)(c). However, Dr Johnson stated the dentist should have adequate training to safely perform this procedure. Moreover, should a licensee who performs buccal pad removal in oral surgery to graft for oral antral fistula receive a complaint the Board will request the documentation of the education the licensee received. During discussions, the buccal pad removal was discussed for cosmetic purposes and the Board determined this procedure for cosmetic purposes would be outside the scope as set forth in NRS 631.215 and is not permissible.
- 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 Pisani that the Board not issue an opinion to Harvey Chin, DDS and determined that the authority under NRS 631.215 already exists for buccal pad removal in oral surgery to graft for oral antral fistula and is not authorized for cosmetic purposes.

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

III

Dr. Blasco called for the motion.

Dr. Brendan Johnson	yes
Dr. Gregory Pisani	yes
Dr. Jason Champagne	excused
Dr. Timothy Pinther	yes
Dr. R Michael Sanders	yes
Dr. Ali Shahrestani	yes
Dr. Byron Blasco	yes
Ms. Maria Sharon Gabriel	yes
Mrs. Theresa Guillen	yes

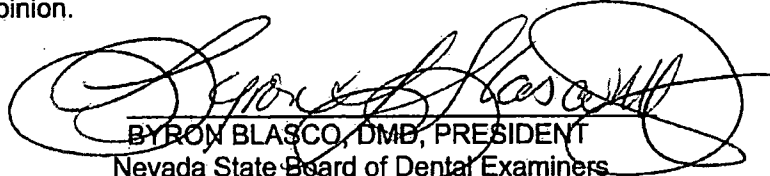
The motion was passed unanimously the Board exercise their discretion and will not issue an advisory opinion.

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BYRON BLASCO, DMD, PRESIDENT
Nevada State Board of Dental Examiners

Mrs. Theresa Guillen yes

The motion was passed unanimously the Board exercise their discretion and will not issue an advisory opinion.



BYRON BLASCO, DMD, PRESIDENT
Nevada State Board of Dental Examiners