

BEFORE THE NEVADA STATE BOARD OF DENTAL EXAMINERS

IN REGARDS TO THE MATTER OF:)
)
)
Licensee Sara Mercier, RDH is requesting)
clarification whether webinar continuing)
education courses are recognized as online)
courses pursuant to NAC 631.175(5)(c))

ADVISORY OPINION
AO-09232016

On September 23, 2016, pursuant to agenda item 6(c) 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” issued the following advisory opinion.

BOARD MEMBER PARTICIPATION:

Dr. Brendan Johnson	Present
Dr. Gregory Pisani	Present
Dr. Jason Champagne	Present
Dr. Timothy Pinther	Present
Dr. James G Kinard	Present
Dr. Ali Shahrestani	Excused
Dr. Byron Blasco	Present
Maria Gabriel, RDH	Present
Leslea Villigan, RDH	Present
Theresa Guillen, RDH	Present
Stephanie Tyler, Public Member	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. Public notice of the above-referenced request for an advisory opinion was provided in accordance with state law.
- C. Licensee Sara Mercier, RDH has submitted a request for an advisory opinion for clarification whether webinar continuing education courses are recognized as online courses pursuant to NAC 631.175(5)(c).

II. DISCUSSION

Licensee Sara Mercier, RDH appeared before the Board to discuss and receive clarification as to whether webinar continuing education courses are recognized as online courses pursuant to NAC 631.175(5)(c). Discussion was held to include, webinar courses that are interactive in real time compared to courses that are pre-recorded and do not provide real time interaction.

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 Villigan that the Board issue the following Advisory Opinion:

A webinar continuing education course would qualify as a live lecture course as long as the course is in real time and the licensees are able to interact with the instructor and/or other participants.

The motion was seconded by Board Member Guillen:

Dr. Pinther called for the motion:

Dr. Brendan Johnson	Yes
Dr. Gregory Pisani	Yes
Dr. Jason Champagne	Yes
Dr. Timothy Pinther	Yes
Dr. James G Kinard	Yes
Dr. Ali Shahrestani	Excused
Dr. Byron Blasco	Yes
Maria Gabriel, RDH	Yes
Leslea Villigan, RDH	Yes
Theresa Guillen, RDH	Yes
Stephanie Tyler, Public Member	Yes

The motion passed unanimously that the Board issue the following Advisory Opinion:

A webinar continuing education course would qualify as a live lecture course as long as the course is in real time and you are able to interact with the instructor and/or other participants.



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