

Nevada State Board of Dental Examiners
6010 S Rainbow Blvd, Suite A-1
Las Vegas, Nevada 89118
December 13, 2012 at 6:00 pm
(No Video Conference Available for this Meeting)

Board Meeting
MINUTES

Teleconference was available at the Board office, 6010 S Rainbow Boulevard, Suite A-1, in Las Vegas, Nevada.

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

Dr. Sill called the meeting to order and Ms. Shaffer conducted the following roll call:

| | |
|---------------------------|---------|
| Dr. Jade Miller----- | EXCUSED |
| Dr. M Masih Soltani----- | PRESENT |
| Dr. Byron Blasco----- | PRESENT |
| Dr. J Gordon Kinard----- | PRESENT |
| Dr. Timothy Pinther----- | PRESENT |
| Dr. Jason Champagne----- | PRESENT |
| Dr. J. Stephen Sill----- | PRESENT |
| Mrs. Theresa Guillen----- | PRESENT |
| Mrs. Leslea Villigan----- | PRESENT |
| Ms. Caryn Solie ----- | PRESENT |
| Mrs. Lisa Wark----- | PRESENT |

Pledge of Allegiance

Others Present: Debra Shaffer, Interim Executive Director, John Hunt, Esq., Board Legal Counsel,

Public Attendees: Eduardo Tucker, LVI Global, Kelly Taylor, RDH, Heather Rogers, RDH, Past President of NDHA, Steven Saxe, DDS, Oral & Maxillofacial Surgeon, Rigoberto Morales.

Public Comment:

None

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)

3. Consideration of Recommendations of Report From Board Appointed Anesthesia Evaluators Pursuant To NAC 631.2233(2) To Determine Pass or Fail of Anesthesia Evaluation. (For Possible Action)

*a. Conscious Sedation (For Possible Action)

(1) Dr. X

Ms. Shaffer confirmed with Board Members the receipt of the documents with regards to the November 30, 2012 five year evaluation of Dr X. Ms Shaffer stated there was a need for clarification of pass or fail of this licensee's evaluation, e-mails were exchanged for clarification purposes, the Boards' Inspectors determined the licensee had failed the five year evaluation. Dr Sill asked for discussion: No discussion.

Motion: Ms. Solie made a motion to accept the recommendations of the Evaluators of the failure of the five year evaluation of Dr X. Seconded by Dr Champagne. Dr Sill asked if there was any discussion: Hearing None. All those in favor. Motion Passes.

*b. Based on Board Consideration and Action From (1), Further Consideration of NAC 631.2235 and Granting Re-Evaluation Should Licensee Submit Request Pursuant to NAC 631.2235(2)(3). (For Possible Action)

Ms Shaffer advised the Board of the regulation pertaining to granting a re-evaluation should the licensee request one in writing within fifteen days of receipt of the notice of failure. Pursuant to NAC 631.2235 only the Board has the authority to grant such request. Mr Hunt explained to the Board this matter has been raised in the past due to timing issues. The Board can grant approval preemptively should Dr X make a request based upon this meeting the Board would approve the re-evaluation. Dr Sill asked if Dr X should fail the re-evaluation would he /she not be able to be re-evaluated for a year. Mr Hunt stated that is correct. Mr. Hunt advised the Board the licensee is noticed of this in their letter of failure. Ms Solie asked if Dr X is made

aware of the reason for the failure. Ms. Shaffer stated Dr X will receive a copy of the Evaluators form and the failure items to include any suggestions or recommendations.

Motion: Ms. Villigan made a Motion the Board grant a re-inspection if requested per regulation, and in the notification make reference to Dr X to brush up on the simulated emergencies Seconded Mrs. Guillen. Discussion: No discussion All those in Favor. Motion Passes

***4. Consideration and Approval of Contract for Appointment of Special Investigator to Review and Assess Cases Related to Anesthesia Administration and Report Recommendations to the Board (For Possible Action)**

(a) Guy Shampaine, DDS

Discussion: Dr Sill advised the Board there is a contract submitted to all members. Dr Sill asked if there were any questions. Ms. Wark asked if there were any other candidates submitted for consideration. Dr Sill stated this contract does not require the request for other candidates. Dr Sill feels Dr Shampaine is very well qualified to provide this work for the Board. His compensation is very low for the experience the Board is receiving. Dr Sill request to move quickly on this matter.

Motion: Ms. Villigan made a Motion to approve the contract of Dr Guy Shampaine to be a Special Investigator. Seconded Pinther. Dr Kinard request a copy of Dr Shampaine's report be provided to all Board Members especially the ones on the Anesthesia Committee. Dr Kinard asked to Amend the Motion. Mr Hunt advised the Second (Dr Pinther) has to accept the amendment to include the report from Dr Shampaine. All in Favor. Motion Passes

***5. Consideration of Settlement with Regards to LVI Litigation (For Possible Action)**

Discussion: Mr Hunt addressed the Board with regard to the Stipulation and Order of Dismissal and stated he has spoken with the Board Members based upon the litigation through attorney /client privilege. This matter is regarding LVI. Mr. Hunt asked if any of the Board Members had any questions or wished to entertain a Motion.

Motion: Dr Pinther Seconded by Dr Kinard. All in Favor. Motion Carries

***6. Consideration of Settlement of Purported Reno Lease-Hold (For Possible Action)**

Discussion: Mr Hunt stated prior to the beginning of this meeting and based upon attorney/client privilege which is not required by NRS 241 discussed the proposed settlement agreement with regards to the Purported Lease in Reno. Motion: Dr Pinther Seconded Dr Kinard All in Favor Motion Passes. Mr Hunt addressed a housekeeping matter with regards to furniture purchased by the Board which was delivered to the Reno office. The furniture was purchased for about \$1000.00. The Board needs direction in what to do with the furniture. Ms. Shaffer advised the Board the power and gas will be shut off on Friday December 14th. They can give the furniture back to the State however the Board would have to transport it to. Ms Villigan asked if any of the furniture can be used in the Las Vegas office. Ms. Shaffer commented the issue is getting the furniture to Las Vegas and storing. Ms., Solie asked what

the items are: a few desks, a hutch and filing cabinets. The Board directed staff to contact various charities and to donate to the first charity that expresses interest.

Motion: Dr Pinther Seconded Dr Blasco. All in Favor Motion Carries

- *7. Approval for Dental Licensure by WREB – NRS 631.240 (For Possible Action)**
(a) Saman N Hashtroudi, DMD

Discussion: Dr Sill is seeking approval for licensure for Dr Hashtroudi and the application has been reviewed.

Motion: Dr Kinard Seconded Dr Blasco All in Favor Motion Carries (Dr Sill abstain)

- *8. Approval for Limited Dental License – NRS 631.271 (For Possible Action)**
(a) Michael D Scherer, DMD

Discussion: Dr Sill is seeking approval for licensure and the application has been reviewed for Dr Scherer. Dr Scherer's has reported his National Board Scores as "passed" but the Board has not received the document and requests Dr Sill seeks approval contingent upon receipt of the National Board Scores document, Dr Scherer is instructing at the dental school.

Motion: Dr Kinard contingent approval Seconded by Dr Blasco. All in Favor Motion Carries (Dr Sill abstain)

- *9. Approval for Dental Hygiene Licensure by WREB – NRS 631.300 (For Possible Action)**
(a) Kristin A Pristavec, RDH
(b) Brooke A Wilson, RDH

Discussion: Dr Sill is seeking approval for dental hygiene licensure by WREB for Ms. Pristavec and Ms. Wilson applications are in order.

Motion: Dr Pinther Seconded by Ms. Villigan All in Favor Motion Carries (Dr Sill abstain)

6. Public Comment:

None

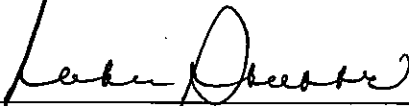
7. Announcements:

Mr. Hunt has an announcement Merry Christmas, Happy Holidays. Everyone have a great New Year

***8. Adjournment:**

Motion: Dr Pinther Seconded Dr Champagne. All in Favor. Motion Carries.

Respectfully Submitted



Debra Shaffer, Interim Executive Director