

1 NEVADA STATE BOARD OF DENTAL EXAMINERS
2 NOTICE OF PUBLIC MEETING

3
4 MINUTES
5 **Board Meeting Agenda**
6 **Friday, August 17, 2012 at 1:30 pm**
7

8 **Videoconferencing is only available at the Legislative Counsel Bureau, 555 E. Washington Avenue, Room**
9 **4412E, Las Vegas, Nevada 89101 and the Legislative Counsel Bureau, 401 South Carson Street, Room 4100,**
10 **Carson City, Nevada 89701. There will be no videoconference at NSBDE Boardroom.**

11
12 **Please Note:** The Nevada State Board of Dental Examiners may 1) address agenda items out of sequence to accommodate
13 persons appearing before the Board or to aid the efficiency or effectiveness of the meeting; 2) combine items for consideration
14 by the public body; 3) pull or remove items from the agenda at any time. The Board may convene in closed session to consider
15 the character, alleged misconduct, professional competence or physical or mental health of a person. *See* NRS 241.030. Prior to
16 the commencement and conclusion of a contested case or a quasi judicial proceeding that may affect the due process rights of an
17 individual the board may refuse to consider public comment. *See* NRS 233B.126.

18
19 Public comment is welcomed by the Board, but at the discretion of the Chair, may be limited to five minutes per person. A public
20 comment time will be available before any action items are heard by the public body and then once again prior to adjournment of
21 the meeting. The Chair may allow additional time to be given a speaker as time allows and in his/her sole discretion. Once all
22 items on the agenda are completed the meeting will adjourn. Prior to the commencement and conclusions of a contested case or
23 a quasi judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public
24 comment.

25
26
27 **Call to Order**

28
29 **1. Roll call and Establish a Quorum:**

30
31 Dr. Miller called the meeting to order and Ms. Kelly conducted the following roll call:

32
33 Dr. Jade Miller-----PRESENT
34 Dr. M Masih Soltani-----PRESENT
35 Dr. Byron Blasco-----PRESENT
36 Dr. J Gordon Kinard-----PRESENT
37 Dr. Timothy Pinther-----PRESENT
38 Dr. Jason Champagne-----PRESENT
39 Dr. J. Stephen Sill-----PRESENT
40 Mrs. Theresa Guillen-----PRESENT
41 Mrs. Leslea Villigan-----PRESENT
42 Mr. James "Tuko" McKernan-----PRESENT
43 Mrs. Lisa Wark-----PRESENT
44

45 Others Present: John Hunt, Board Legal Counsel; Kathleen Kelly, Executive Director, Debra Shaffer,
46 Deputy Executive Director.

47
48 Public Attendees: Annette Lincicome, RDH, SNDHA; Mary Bobbett, RDH; Carrie Taylor, with Lauria
49 Tokunaga Gates & Linn; Ray Gates, with Lauria Tokunaga Gates & Linn; Sheryl Armstrong, NDHA
50 Secretary; Heather Rogers, NDHA President; Kevin C Leik, Palt & Syro; Laura Lord, SNDHA; Peggy
51 Shesser, Innovative Perioscopy; Shari Peterson, CSN & NDHA; Alex Tanchek, for Neena Laxalt (NDHA);
52 Tony Guillen, DDS.

53
54 **2. Public Comment:** Peggy Chesser stepped forward and commented on her offering perioscopy services to
55 dental offices. Mr. Hunt noted to her that because her topic is not an agenda item the Board will have to

56 deliberate if she may comment on her topic. Dr. Miller indicated that she may briefly describe her use of
57 perioscopy, however the Board will have to discuss and post topic as an agenda item at the September meeting.

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

60 ***3. Executive Director's Report: (For Possible Action)**
61

62 ***a. Approval for Board Member Hotel Lodging for Board Meeting/Administration Session**
63 **August 17-19, 2012 (For Possible Action)**

- 64 (1) Timothy T Pinther, DDS
65 (2) Theresa C Guillen, RDH
66 (3) James J McKernan, RDH
67

68 MOTION: Dr. Pinther made the motion to approve. Second by Mrs. Villigan. No public comment. All in
69 favor.

70
71 ***b. Approval of Consultant for Board Review and Assessment (For Possible Action)**
72

- 73 (1) Douglas D Aiton – Professional Business Management, Inc.
74

75 MOTION: Mr. McKernan made the motion to approve. Second by Dr. Soltani. All in favor.
76

77 ***c. Approval of Contract Amendment for John A Hunt, Esq, Board Counsel for payment**
78 **Term limit increase: (For Possible Action)**
79

80 Dr. Miller indicated that his contract information in their Board books.
81

82 MOTION: Dr. Blasco made the motion to approve. Second by Dr. Soltani. All in favor.
83

84 ***3. Executive Director's Report: (For Possible Action)**
85

86 ***d. Authorized Investigative Complaints (For Possible Action)**
87

- 88 (1) Dr. T – NAC 631.178
89 (2) Dr. U - NRS 631.3475(1); NAC 631.230(1)(c)
90 (3) Dr. V – NRS 631.3475(1); NAC 631.230(1)(c)
91 (4) Dr. W – NRS 631.346(1); NRS 631.395(11); NAC 631.230(1)(r)
92 (5) Dr. X – NRS 631.346(1); NRS 631.395(11); NAC 631.230(1) (r)
93 (6) Dr. Y – NRS 631.348(6); NRS 631.3475(8)
94 (7) RDH Z – NRS 631.349
95

96 For the record Dr. Y is to be removed.
97

98 ***d. Authorized Investigative Complaints (For Possible Action)**
99

100 ****Dr. Miller recused himself from this agenda item****
101

- 102 (1) Dr. T – NAC 631.178
103

104 Ms. Kelly went over the alleged violation.
105

106 MOTION: Mr. McKernan made the motion to authorize. Second by Dr. Sill. All in favor.
107

- 108 (2) Dr. U - NRS 631.3475(1); NAC 631.230(1)(c)
109

110 Ms. Kelly went over the alleged violations.
111
112 MOTION: Dr. Soltani made the motion to authorize. Second by Mrs. Villigan. All in favor.

113
114 (3) Dr. V – NRS 631.3475(1); NAC 631.230(1)(c)
115

116 Ms. Kelly went over the alleged violations.
117
118 MOTION: Mr. McKernan made the motion to authorize. Second by Dr. Pinther. All in favor.

119
120
121 (4) Dr. W – NRS 631.346(1);NRS 631.395(11); NAC 631.230(1)(r)
122

123 Ms. Kelly went over the alleged violations.
124
125 MOTION: Mr. McKernan made the motion to authorize. Second by Mrs. Guillen. All in favor.

126 (5) Dr. X – NRS 631.346(1); NRS 631.395(11); NAC 631.230(1) (r)
127

128 Ms. Kelly went over the alleged violations.
129
130 MOTION: Dr. Pinther made the motion to authorize. Second by Mr. McKernan. All in favor.

131
132 (6) Dr. Y – NRS 631.348(6); NRS 631.3475(8)-----TABLE
133

134 MOTOIN Dr. Pinther made the motion to table (6). Second by Dr. Soltani. All in favor.

135
136 (7) RDH Z – NRS 631.349
137

138 Ms. Kelly went over the alleged violations.
139
140 MOTION: Mrs. Villigan made the motion to authorize. Second by Mr. McKernan. All in favor.

141
142 ***4. Board Counsel's Report (For Possible Action)**

143
144 ***a. Legal Actions/Lawsuit(s) Update (For Possible Action)**
145

146 Mr. Hunt indicated to the Board that he is aware that a lawsuit was filed on that Wednesday regarding one of the
147 Board's DSO's and whether or not they should be a DSO on a specific case. As of that day, the Board office had yet
148 to be served.

149
150 ***(1) Consideration of Stipulation Agreements (For Possible Action)**

151 (a) Sergio L Garcia, RDH
152
153

154 Mr. Hunt indicated that Mr. Garcia was arrested and, therefore, the stipulation agreement is to restrict his practice to
155 certain areas of treatment. Mr. Hunt went over the provisions of the stipulation agreement and recommended
156 approval. Mr. Leik, counsel for Mr. Garcia, indicated that his client and he had no issues with entering into the
157 stipulation agreement.

158
159 MOTION: Dr. Blasco made the motion to adopt the stipulation agreement. Second by Dr. Kinard. MR. McKernan
160 asked that the approve the stipulation as is until Mr. Garcia goes to court, and depending on the outcome of the
161 stipulation agreement, the Board may later decide to, perhaps, if the Board should impose more disciplinary action.
162 All in favor; Dr. Miller abstained.

163
164 (b) Maurice Vargas, DDS

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Mr. Hunt went over the reasons for the stipulation agreement and discussed the provisions of the stipulation agreement.

MOTION: Dr. Pinther made the motion to adopt the stipulation agreement. Second by Dr. Kinard, All in favor; Dr. Miller abstained.

(c) Georgene Chase, DDS

Mr. Hunt went over the provisions of the stipulation agreement and recommended approval. He noted for the record that the probation provision makes the stipulation agreement reportable to the National Practitioners Data Bank.

MOTION: Dr. Sill made the motion to adopt the stipulation agreement. Second by Dr. Blasco. Discussion: Mr. McKernan noted that a correction needed to be made on page 7 where it states 'dental hygienist' should say 'dentist.' Mr. Hunt indicated that he would have them correct the typographical error. All in favor; Mrs. Villigan abstained.

MOTION: Dr. Pinther made the motion to return to agenda item (3)(d). Second by Mr. McKernan. All in favor.

***5. New Business (For Possible Action)**

***a. Approval for Dental Licensure by ADEX – NRS 631.240(1)(b)(1) (For Possible Action)**

(1) Bibiana C Ezeanolue, DMD

Dr. Sill indicated that the application was reviewed, met the criteria for licensure, and recommended approval.

MOTION: Dr. Pinther made the motion to approve. Second by Dr. Pinther. All in favor; Dr. Sill abstained.

***b. Approval for Dental Licensure by WREB-NRS 631.240(1)(b)(2) (For Possible Action)**

- (1) Daniel L Barrett, DMD
- (2) Maryse Gellad, DDS
- (3) Pablo L Gonzalez, DMD
- (4) Levi M Hansen, DMD
- (5) Sascha Hudson, DMD
- (6) George B Miller, DMD
- (7) Joseph M Olson, DMD
- (8) Chi Y Rha, DDS
- (9) Tirza P Valenzuela, DDS

Dr. Sill indicated that he reviewed the applications; all met the criteria for licensure, and recommended approval.

MOTION: Dr. Pinther made the motion to approve. Second by Mrs. Wark. All in favor; Dr. Sill abstained.

***c. Approval for Specialty License by Application – NRS 631.250 (For Possible Action)**

(1) Blake K Wilde, DDS – Pediatric Dentistry

Dr. Sill indicated that the application was reviewed, met the criteria for licensure, and recommended approval.

MOTION: Mr. McKernan made the motion to approve. Second by Mrs. Wark. All in favor; Dr. Sill abstained.

***d. Approval for Specialty License by Credential – NRS 631.255(1)(a) (For Possible Action)**

(1) Daniel F Muff, DDS MD – Oral and Maxillofacial Surgery

Dr. Sill indicated that the application was reviewed, met the criteria for licensure, and recommended approval.

220 MOTION: Dr. Pinther made the motion to approve. Second by Mrs. Wark. Discussion: Dr. Miller inquired if Dr.
221 Muff was currently practicing under his medical license; to which Ms. Kelly replied affirmatively. All in favor; Dr.
222 Sill abstained.

223
224 ***e. Approval for Limited Dental/Dental Hygiene License – NRS 631.271 (For Possible Action)**

- 225 (1) Stanko Bjelajac, DDS
- 226 (2) Christina S Hsieh, DDS
- 227 (3) Pit Keung P Lai, DDS
- 228 (4) Faheem Nasar, DMD
- 229 (5) Shanar Nasserifar, DDS
- 230 (6) Christopher P Rodriguez, DDS

231
232 Dr. Sill indicated that the applications were reviewed, met criteria for licensure, and recommended approval.

233
234 MOTION: Dr. Mr. McKernan made the motion to approved. Second by Mrs. Wark. All in favor; Dr. Sill abstained.

235
236 ***f. Approval for Dental Hygiene Licensure by WREB- NRS 631.300(1)(b)(3) (For Possible Action)**

- 237 (1) Patricia M Blythe, RDH
- 238 (2) Meghan A McKinnon, RDH
- 239 (3) Bruna T Rodrigues Lannes, RDH
- 240 (4) Carmen C Skelton, RDH
- 241 (5) Rafael B Vidal Jr., RDH

242
243 Dr. Sill indicated that the applications were reviewed, met the criteria for licensure, and recommended approval.

244
245 MOTION: Mrs. Wark made the motion to approve. Second by Mrs. Guillen. All in favor; Dr. Sill abstained.

246
247 ***g. Approval of Reactivation of Inactive License – NAC 631.170(4) (For Possible Action)**

- 248 (1) Jan H Wakefield, RDH

249
250 Ms. Kelly went over the reactivation application. Mr. McKernan inquired on how Ms. Wakefield's CPR certification
251 did not state 'healthcare professional.' Ms. Kelly indicated that the regulation only requires BLS or the equivalent
252 live course be completed.

253
254 MOTION: Mrs. Villigan made the motion to approve. Second by Mr. McKernan. All in favor.

255
256 ***h. Approval for Anesthesia-Permanent Permit – NAC 631.2233 (For Possible Action)**

257
258 ***(1) Conscious Sedation (For Possible Action)**

- 259 a. Joshua M Branco, DMD

260
261 Dr. Miller indicated that all was in order and recommended approval.

262
263 MOTION: Dr. Pinther made the motion to approve. Second by Mrs. Villigan. All in favor; Dr. Miller abstained.

264
265 ***i. Approval for Anesthesia-Temporary Permit – NAC 631.2254 (For Possible Action)**

266
267 ***(1) General Anesthesia (For Possible Action)**

- 268 a. Daniel F Muff, DDS, MD

269
270 Dr. Miller indicated that all was in order and recommended approval.

271
272 MOTION: Mr. McKernan made the motion to approve, second by Dr. Pinther. All in favor; Dr. Miller abstained.

275
276 *j. **Approval for Site Permit – NAC 631.2236 (For Possible Action)**
277

278 (1) **Conscious Sedation**

- 279 a. William O Dahlke, Jr., DMD
280 (1) 6169 S Rainbow Blvd, Suite 100, Las Vegas, NV 89118
281 b. Vernon D Barruga, DDS
282 (1) 7398 Smoke Ranch Rd., Suite 290, Las Vegas, NV 89128
283

284 Dr. Miller indicated that that all was in order and recommended approve, as each office passed inspection.
285

286 MOTION: Mrs. Wark made the motion to approve. Second by Dr. Pinther. All in favor; Dr. Miller abstained.
287

288 *k. **Request for Advisory Opinion Pursuant to NAC 631.279 (For Possible Action)**

- 289 (1) R. Michael Sanders, DMD – UNLV School of Dental Medicine Advanced Pain Control
290 Protocol Compliance with Nevada State Law.
291

292 See Board order regarding advisory opinion.
293

294 *l. **Request for Advisory Opinion Pursuant to NAC 631.279 (For Possible Action)**

- 295 (1) Thomas P Myatt, DDS – Travels by Oral and Maxillofacial Surgeons That
296 Practice other than in the Office Where the Licensee is Known to be Regularly
297 Engaged in Practice and the Lack of Post-Operative Care that can Result from such
298 Travels.
299

300 This item tabled.
301

302 *m. **Request By Kathy Nelson-Burns, RDH to Amend Her Stipulation Agreement Adopted**
303 **April 6, 2012 for Continuing Education to take Ethics Course at TMCC Online (For**
304 **Possible Action)**
305

306 Ms. Kelly indicated that Ms. Nelson-Burns is attempting to find a live ethics course to no avail. She added
307 that Ms. Nelson-Burns did find an online course through Truckee Meadows Community College were
308 some parts of the class are interactive with the instructor, however, the course itself is a semester long
309 course.
310

311 MOTION: Dr. Sill made the motion to approve Ms. Nelson-Burns request to allow her to take an ethics
312 course, as required in her stipulation agreement, as an online course. Second by Dr. Soltani. All in favor;
313 Mrs. Villigan abstained.
314

315 **6. Resource Group Reports**
316

317 *a. **Legislative and Dental Practice (For Possible Action)**

318 (Chair: Dr. Pinther; Dr. Champagne; Dr. Blasco; Dr. Kinard; Mrs. Guillen, Mr. McKernan; Mrs. Wark)
319

320 No report.
321

322 *b. **Legal and Disciplinary Action (For Possible Action)**

323 (Chair: Dr. Kinard; Dr. Soltani; Dr. Sill; Dr. Blasco; Mrs. Villigan; Mr. McKernan; Mrs. Wark)
324
325

326 Dr. Kinard indicated that he would like to table his comments regarding the committee's June 28th meeting.
327

328 Dr. Kinard read a memo into the record regarding the legal and disciplinary report from January 1, 2012 through

329 August 15, 2012. (Memo attached for the record). Dr. Sill inquired on the number of cases that were remanded. Ms.
330 Shaffer indicated that she will check on the exact number and notify him.

331
332 *(1) Dr. Michael Day to Update the Board on the Wellness Committee and its Activities
333 Related to Impaired Practitioners. (For Possible Action)

334 Dr. Miller indicated that Dr. Day was unable to attend this meeting and would like to table this item.

335 MOTION: Mr. McKernan made the motion to table this item. Second by Mrs. Guillen. All in favor.

336
337
338
339 *c. **Examinations**

340
341 (1) **Dental** (For Possible Action)
342 (Dr. Miller; Dr. Kinard and Mrs. Guillen)

343
344 Ms. Kelly indicated that there 18 candidates for the September exam.

345
346 (2) **Dental Hygiene** (For Possible Action)
347 (Chair: Mr. McKernan; Mrs. Guillen; Mrs. Villigan; Dr. Pinther)

348
349 No report.

350
351 *d. **Continuing Education** (For Possible Action)
352 (Chair: Dr. Sill; Dr. Blasco; Dr. Soltani; Mrs. Villigan)

353
354 Dr. Sill indicated that his committee was asked to investigate the number of online courses versus live, and to discuss
355 proposed rule changes, therefore, would like to request to schedule a workshop. Ms. Kelly advised Dr. Sill that any
356 rule making would be temporary and would have to be re-addressed. Workshop to be scheduled in September.

357
358 *e. **Dental Hygiene** (For Possible Action)
359 (Chair: Mr. McKernan; Mrs. Guillen; Mrs. Villigan; and Dr. Sill)

360
361 Mr. McKernan indicated that the NDHA presented them with a report, and also gave some information that Board
362 staff will provide them with answers and information, and other information to be addressed at the September
363 meeting.

364
365 *f. **Specialty** (For Possible Action)
366 (Chair: Dr. Soltani; Dr. Miller; Dr. Pinther)

367
368 No report.

369
370 *g. **Anesthesia** (For Possible Action)
371 (Chair: Dr. Miller; Dr. Pinther; Dr. Champagne, Dr. Kinard)

372
373
374 *(1) Consideration of Adoption of Anesthesia Committee Group's Recommendations
375 approved on August 17, 2012 Regarding NAC 631.2211 – 631.2256. (For Possible Action)

376
377 Dr. Miller indicated that the committee met earlier today and will be scheduling a workshop at the September Board
378 meeting. He indicated that there are a variety of rule changes, regulation changes, and discussion on some
379 educational information.

380
381 *h. **Infection Control** (For Possible Action)
382 (Chair: Mrs. Villigan; Dr. Blasco; Dr. Champagne; Dr. Soltani; Mr. McKernan; Mrs. Wark)

383
384 *(1) Consideration of Adoption of Infection Control Committee Group's Recommendations

385 approved on August 7, 2012 Regarding Survey Form Revision. (For Possible Action)
386

387 Mrs. Villigan indicated that the committee met early this morning, and that the basis of the meeting to discuss the
388 revision of the infection control form. She indicated that the committee approved the changes to the form, which
389 basically were changes to the arrangement of the questions on the form. She indicated that they also discussed
390 providing a copy of the form to the offices that are inspected.
391

392 MOTION: Dr. Blasco made the motion to approve the form approved unanimously by the committee. Second by Dr.
393 Kinard. Discussion: Mr. McKernan asked if they could bold the words "pose immediate threat." There is further
394 discussion regarding cease and desist orders. It is agreed that a form will be drafted that is to be signed by all
395 licensee's whose office is being inspected that they understand that they agree to cease practice should there be any
396 deficiencies, therefore, eliminating the need for the Executive Director to have to issue a cease and desist notice or a
397 summary suspension, which is to be added to the current form approved. Dr. Blasco withdrew his motion, and Mr.
398 McKernan withdrew his second to the motion.
399

400 MOTION: Dr. Blasco made the motion to approve the form that was unanimously approved by the committee this
401 morning along with the provisions provided by Mr. Hunt offered at the earlier committee meeting. Second by Dr.
402 Kinard.
403

404 7. **Public Comment:** No comments made.
405

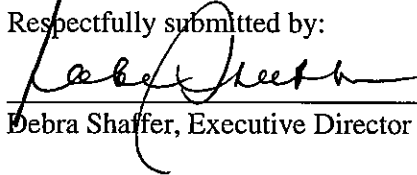
406 **Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has**
407 **been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)**

408
409 8. **Announcements:** No announcements.
410
411

412 *9. **Adjournment (For Possible Action)** Dr. Pinther made the motion to adjourn. Second by Mr. McKernan. All in
413 favor.
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422 Meeting Adjourned at 3:15 pm.
423

424 Respectfully submitted by:
425

426 
427 Debra Shaffer, Executive Director
428

8/17/12 BOARD
Meeting

Nevada State Board of Dental Examiners

Jade A. Miller, D.D.S.
President



J. Stephen Sill, D.M.D.
Secretary-Treasurer

6010 S. Rainbow Blvd., Bldg. A, Ste. 1 • Las Vegas, NV 89118 • (702) 486-7044 • (800) DDS-EXAM • Fax (702) 486-7046

MEMORANDUM

DATE: August 16, 2012

TO: James Kinard, DDS/John Hunt, Esquire/ Rick Thiriot, DDS, DSO Coordinator

FROM: Debra Shaffer, Deputy Executive Director
Nevada State Board of Dental Examiners

Re: Legal & Disciplinary Report for period January 1, 2012 through August 15, 2012

119 Notice of Complaints issued

111 Verified complaint

8 Authorized Investigations

2 Full Board Hearings:

1 resulted in Revocation

1 resulted In Amended Findings and Recommendations

9 Informal Hearings:

2 cancelled – 1 remanded

1 resulted in Stipulation

3 re-convened

4 resulted in Board Action

2 Drafted Stipulations (Proposed)

7 Board Actions have been approved by the Board for period January 2012 through August 15, 2012

3 Investigations for the unlicensed practice of dentistry (since June 2012-Current)

2 Cases to be filed in District Court

Page 2

- 2 Deceased practices monitored
- 2 Cases pending in District Court against the Board
- 71 Investigations pending (12 investigations are pending from 2010-2011)
- 13 Board Actions being monitored

BEFORE THE NEVADA STATE BOARD OF DENTAL EXAMINERS

IN REGARDS TO THE MATTER OF:

Request for the Advisory Opinion
regarding UNLV School of Dental
Medicine Advanced Pain Control
Protocol Compliance with Nevada
State Law

AO-12-0817

On August 17, 2012, pursuant to agenda item 5k at a properly noticed meeting held at the Legislative Counsel Bureau building located at 401 South Carson Street, Room 4100, Carson City, Nevada 89701 the Nevada State Board of Dental Examiners (the "Board") issued the following advisory opinion.

Dr. Jade A Miller	Present
Dr. M. Masih Soltani	Present
Dr. Jason Champagne	Present
Dr. Timothy Pinther	Present
Dr. James G Kinard	Present
Dr. J. Stephen Sill	Present
Dr. Byron Blasco	Present
Mr. James McKernan	Present
Mrs. Leslea Villigan	Present
Mrs. Theresa Guillen	Present
Mrs. Lisa Wark	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.

2. Nevada licensee, Robert Michael Sanders, DMD, requested on behalf of the UNLV School of Dental Medicine, pursuant to NAC 631.279, the Board issue an advisory opinion that the UNLV School of Dental Medicine Advanced Pain Control Protocol is in compliance with Nevada State Law.
3. Public notice of the above-referenced request for an advisory opinion was provided in accordance with state law.

II.
DISCUSSION

Ms. Kelly explained that Dr Sanders request for an advisory opinion regarding their new protocol for teaching advance pain control to the students at UNLV School of Dental Medicine. Dr. Sanders is asking for the opinion whether the protocol is in compliance with the Board's regulations and expectations.

Dr Miller previously discussed with Dr. Sanders about the teachers instructing at the School of Dental Medicine being permit holders for Conscious Sedation and General Anesthesia issued by our Board.

Ms. Kelly shared comments from Dr Thomas Myatt who recommends the instructors have a General Anesthesia permit in case there is an emergency where the student sedates a patient to a higher degree of sedation there would be an instructor permitted present to assist the student or provide immediate care if needed.

Mr. Hunt explained to the Board Members NAC 631.279 with regards to an advisory opinion, the process to proceed, and how to bring the motion forward.

Dr. Miller added a suggestion that one of the permit holders have a permit one level higher than Conscious Sedation and suggests the students obtain certification in ACLS and/or PALS.

Ms. Kelly states Dr Thomas Myatt also suggested the students have training in the intubation.

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 Dr. Sill to approve the request for the opinion that Dr. Sanders guidelines are acceptable to the Board and meet the qualifications. The motion was seconded by Dr. Blasco.

Discussion was had wherein Dr. Sill explains his position on the motion that the guidelines indicate dentist qualified in accordance with NRS 631 or physicians with unrestricted anesthesia privileges in or at a Nevada State accredited facility must be present and along with two individuals who have certification and completed a basic life saving course. Dr Sill believes the guidelines meet these requirements. Dr Sill does not believe the Board needs to make the additional requirement because it is stated in the request and guidelines.

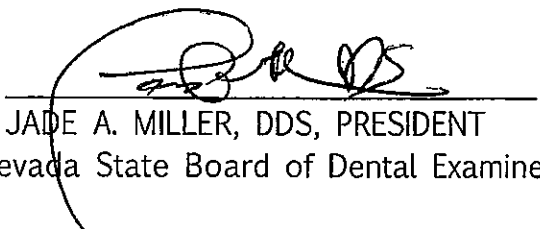
Dr. Miller reiterates that he along with and Dr. Myatt's concerns have been addressed favorably and are in the protocol submitted.

Ms. Kelly states for clarification that Dr. Myatt's comments are related to the ADA and that there will be proper instructor to student ratio. Ms. Kelly advised the Board of the ADA definitions and that they may or may not be consistent with NRS 631 and NAC 631. Ms. Kelly brings to the Board Members attention that statute NRS 631.025 which defines conscious sedation as minimal depression of the conscious state as opposed to what the ADA defines as minimal and moderate. The definitions of the ADA and the statues and regulations are slightly different.

Dr Miller advised the Board Members the Anesthesia Committee is going to revisit this issue with regards to the ADA and perhaps look to adopt the ADA current definitions and guidelines. Dr. Miller called for the motion:

Dr. Jade A Miller	yes
Dr. M. Masih Soltani	yes
Dr. Jason Champagne	yes
Dr. Timothy Pinther	yes
Dr. James G Kinard	yes
Dr. J. Stephen Sill	yes
Dr. Byron Blasco	yes
Mr. James McKernan	yes
Mrs. Leslea Villigan	yes
Mrs. Theresa Guillen	yes
Mrs. Lisa Wark	yes

The motion was passed unanimously the UNLV School of Dental Medicine's Advance Pain Control Protocol is in compliance with NRS and NAC Chapter 631.



JADE A. MILLER, DDS, PRESIDENT
Nevada State Board of Dental Examiners