



NEVADA STATE BOARD OF DENTAL EXAMINERS
 6010 S Rainbow Boulevard, Suite A-1
 Las Vegas, Nevada 89118
 (702) 486-7044



Video Conferencing was available for this meeting at the Nevada State Board of Medical Examiners located at 1105 Terminal Way, Suite 301, Reno, NV 89502

Friday, March 20, 2015
 10:00 a.m.

Board Meeting

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.

At the discretion of the Chair, public comment is welcomed by the Board, but will be heard only when that item is reached and will be limited to five minutes per person. A public comment time will also be available as the last item on the agenda. 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.

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. Pinther called the meeting to order and Mrs. Shaffer-Kugel conducted the following roll call:

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

Others Present: John Hunt, Board Legal Counsel; Debra Shaffer-Kugel, Executive Director.

Public Attendees: Annette Linciome, NDHA; Vincent Colosimo, Self; Kathleen Y****, Self; Gail Lorenzo, Self; Robert Talley, DDS, NDA; Shari Peterson, CSN/NDHA; Terri Chandler, Future Smiles; Donna Hellwinkel, DDS, self;

2. Public Comment: (Public Comment is limited to five (5) minutes for each individual) No comments made.

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).

Pledge of Allegiance.

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

***a. Minutes-NRS 631.190** (For Possible Action)

- (1) 01/30/2015-Board Meeting
- (2) 01/30/2015-Formal Hearing

MOTION: A motion was made to approve the 01/30/2015 Board meeting minutes. A second was made to the motion. All were in favor.

MOTION: Dr. Pisani made the motion to approve the minutes from the 01/30/2015 Formal Hearing. Motion was seconded by Mrs. Solie. All were in favor.

***b. Financials-NRS 631.180** (For Possible Action)

- (1) Review Balance Sheet and Statement of Revenues, Expenses and Balances for fiscal period July 1, 2014 through January 2015 (For Possible Action)

Mrs. Shaffer-Kugel indicated that Mrs. Hummel was present to answer any questions. Mrs. Solie inquired about the miscellaneous expense would be ongoing. Mrs. Hummel reminded the Board of the expense the Board incurred to replace the door of an investigator, which was approved by the Board at a prior meeting. Ms. Hummel stated that it was not an anticipated expense, but noted that they will continue to see the miscellaneous expense through the end of the current fiscal year. Mrs. Hummel indicated the Board's revenue is significant than what was budgeted for income. She added that some expenses would level out the revenue with the exception, however, of items such as GL Suites that cost the Board funds in unanticipated expenses. She commented to the Board that a semi-annual review and planning meeting for this year is not anticipated. Mrs. Hummel stated that they will be going into their new budget period year and asked that a meeting be scheduled in May with the Budget and Finance committee to review and discuss the budget and especially personnel. Mrs. Solie inquired if the verification services would be reflective now that they are provided in-house. Mrs. Hummel answered affirmatively. Ms. Shaffer-Kugel advised the Board they were now using Lexis Nexis to conduct the background checks, which incurs a fee of three thousand three hundred dollars (\$3300) a year for two users. Mrs. Wark inquired if expenses over revenue budget would balance itself by the end of the year. Mrs. Hummel responded that it would, though there is a little bit of a timing difference, but would ultimately balance out.

MOTION: A motion of approval was made. Motion was seconded by Mrs. Solie. All were in favor.

***c. Authorized Investigative Complaint - NRS 631.360**: (For Possible Action)

- (1) Dr X-NRS 631.3475(3) and NAC 631.155

Mrs. Shaffer-Kugel went over the alleged violations.

MOTION: Dr. Blasco made the motion to authorize. Motion seconded by Mrs. Wark. All were in favor.

- (2) Dr Y-NRS 631.3475(5 and 7)

Mrs. Shaffer-Kugel went over the alleged violations.

MOTION: Dr. Blasco made the motion to authorize. Motion seconded by Mrs. Wark. All were in favor.

- (3) Dr Z-NRS 631.348 (6), NRS 631.3475(4), and NRS 631.349

114 Mrs. Shaffer-Kugel went over the alleged violations.

115
116 MOTION: Mrs. Solie made the motion to authorize. Motion seconded by Mrs. Guillen. All were in favor.

117
118 *d. Contracts NRS - 631.190: (For Possible Action)

- 119
120 (1) Approval for Lease regarding office located at 6010 S Rainbow Blvd., Suite A-1, Las Vegas, Nevada
121 NRS 631.190 (For Possible Action)

122
123 Mrs. Shaffer-Kugel indicated that as of May their lease will terminate, but have since negotiated a new lease that is
124 a five-year lease. She noted that they had previously sub-leased to the Medical Board next door, however, that the
125 Medical Board was able to negotiate their own lease, and therefore, the lease presented was for the Dental Board
126 office space only. She commented to the Board that under paragraph three it advised them that the Board of
127 Examiners would negotiate leases for all state agencies, but after further review it was determined that the Board
128 was actually exempt from this requirement and would like to have paragraph three removed since it is no longer
129 applicable. She added that they currently do not pay any cams and that they currently pay \$1.62 a square-foot. She
130 also noted that they have not had an increase in their rent in two years. Dr. Kinard inquired about paragraph 24,
131 regarding improvements and asked if they should strike 'Exhibit A' as it was left blank. Mrs. Shaffer-Kugel
132 indicated to Dr. Kinard that there is an Exhibit for improvements that will eventually be submitted, and thus
133 suggested if, perhaps, they should change the language to read 'pending 'Exhibit A'. Mrs. Wark inquired about the
134 rent price and if that was the going rate for spaces in the surrounding area. Mrs. Hummel indicated that there is an
135 8% increase and that it was the normal percentage increase. She added that the cam charges were already included
136 in the rental price and that the cam charges were fixed and not variable.

137
138 MOTION: Dr. Blasco made the motion to approve the lease with the removal of item 3 and Exhibit A. Motion was
139 seconded by Mrs. Wark. Discussion: Mr. Hunt commented that the final approval must come from the Board of
140 Examiners. All were in favor.

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142
143 *e. Travel - NRS 631.190: (For Possible Action)

- 144
145 (1) Approval to Amend/Remove previously approved attendees for the AADB Mid-Year
146 Meeting April 26-27, 2015 in Chicago, Illinois
147 (For Possible Action)

- 148
149 (a) Timothy Pinther, DDS
150 (b) Gregory Pisani, DDS (to Replace Dr. Miller)
151 (c) Jade Miller, DDS (For Removal)

152
153 MOTION: Mrs. Guillen made the motion to approve. Motion seconded by Mrs. Solie. All were in favor.

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155
156 *4. Board Counsel's Report (For Possible Action)

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158 *a. Legal Actions/Lawsuit(s) Update (For Possible Action)

- 159
160 (1) District Court Case(s) Update

161
162 Mr. Hunt indicated he sent out copies to the Board members of the US Supreme court ruling with North Carolina.
163 He noted that the decision does not affect the State of Nevada because the board members are selected by the
164 Nevada Association. Mr. Hunt went over the ruling and reasoning behind it.

165
166 Mr. Hunt noted to the Board that there were no existing lawsuits.

167
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169
170 *b. Consideration of Stipulation Agreements (For Possible Action)

172 (1) Walter Robison DDS

173
174 Mr. Hunt went over the provisions of the proposed stipulation agreement. Dr. Kinard noted the stipulation
175 agreement listed his name at the end of the stipulation agreement, and that it should now state the name of the
176 current Board president.

177
178 MOTION: Mrs. Wark made the motion to adopt the amended stipulation agreement. Motion was seconded by Dr.
179 Pisani. All were in favor.

180
181 (2) Jesse Cardenas DDS

182
183 Mr. Hunt went over the provisions of the proposed stipulation agreement. Mrs. Solie inquired if there were any
184 remuneration to patients, to which Mr. Hunt indicated there was.

185
186 MOTION: Dr. Pisani made the motion to adopt the stipulation agreement. Motion was seconded by Dr. Kinard. All
187 were in favor.

188
189 (3) Loveline Reyes, DDS

190
191 Mr. Hunt went over the provisions of the proposed stipulation agreement.

192
193 MOTION: Mrs. Wark made the motion to adopt the stipulation agreement. Motion was seconded by Mrs. Solie.
194 All were in favor.

195
196
197 *c. Petition to Request approval to apply for licensure pursuant to the Stipulation and Voluntary
198 Surrender Agreement dated February 11, 2011. (For Possible Action)

199
200 (1) Vincent Colosimo, DMD

201
202 Mr. Hunt indicated that Dr. Colosimo was present and that they should have received a copy of his former
203 stipulation agreement. Dr. Colosimo stepped forward. Mr. Hunt noted to the Board that Dr. Colosimo completed
204 and complied with all the provisions of his stipulation agreement. He commented to the Board that they were to
205 decide whether or not to allow Dr. Colosimo to apply for a dental license. He added that the State of Arizona
206 reinstated his license upon him completing and complying with all their disciplinary requirements. Mr. Hunt
207 asked Dr. Colosimo if he would like to exercise his right to enter into a closed session. Dr. Colosimo chose to
208 remain in an open session. Mrs. Wark inquired of Dr. Colosimo if he was wanting to practice in Las Vegas or
209 Arizona. Dr. Colosimo indicated that currently he practiced in Arizona, but that he would like to practice in Las
210 Vegas to be near his family.

211
212 MOTION: Dr. Sill made the motion to allow Dr. Colosimo to submit an application for dental licensure. Motion
213 was seconded by Mrs. Wark. All were in favor.

214
215
216 *5. Old Business-(For Possible Action)

217
218 *a. Approval for Dental Licensure by WREB – NRS 631.240(1)(b)(2) (For Possible Action)

219
220 (1) Jocelynn V Sustaita DMD

221
222 Dr. Pinter indicated that this item was tabled at the last board meeting, but has since then reviewed the
223 application and recommended approval.

224
225 MOTION: Mrs. Wark made the motion to approve the application. Motion was seconded by Mrs. Guillen. All
226 were in favor; Dr. Pinter abstained

227
228 *6. New Business (For Possible Action)

230 *a. Endorsement to the Western Regional Examining Board (WREB) for a Dental Hygiene Examiner
231 -NRS 631.190 (For Possible Action)
232

233 (1) Sharon Peterson, RDH
234

235 MOTION: Dr. Blasco made the motion to approve. Motion was seconded by Mrs. Wark. All were in favor.
236

237 *b. Request for Advisory Opinion regarding dental assistants placing sealants is permissible
238 under the supervision of a dental hygienist with a Public Health Endorsement pursuant
239 to NAC 631.220 - NAC 631.279 (For Possible Action)
240

241 (1) Mary T Chandler, RDH-Future Smiles
242

243 Mrs. Chandler stepped forward. Mrs. Solie noted to the Board that she is a Board of Directors member and that
244 she will be refraining from any decision regarding this agenda item. Mrs. Chandler went over the details of her
245 request for an advisory opinion. Mr. Hunt noted to the Board that under the current regulation it is not permitted.
246 Mrs. Chandler inquired where, then, would the supervision fall for those with a PHE. She added that if a Dental
247 Assistant would be permitted to place sealants PHE holders would be able to serve more children. Mr. Hunt
248 stated that currently there was not a regulation that would allow a dental hygienist to supervise a dental assistant
249 in a public health setting, and that ultimately the liability would lie with the dentist. He added further, that a PHE
250 only allows a dental hygienist to practice independently in a public health setting. He noted that any change for
251 this would have to be a statute change. Furthermore, that it was his legal opinion that the proper venue would be
252 the legislature. He noted to the Board they could not render a decision because NAC 631.220(3) states that a
253 dental hygienist may authorize a dental hygienist to assist them, but that it does not include sealants. Further, that
254 if a change were made to allow this it could be added to section NAC 631.220(2) (a)-(f). Mrs. Shaffer-Kugel noted
255 that in order to operate a public health setting it is required that they have a dental director and further, lists that
256 the dental director must supervise and are the only one that can supervise and authorize a dental assistant to place
257 a sealant. Therefore, the dental hygienist does not have the authority to supervise or authorize a dental assistant to
258 place sealants. Mr. Hunt noted that if a change were to be made it would require a statute change. Therefore, the
259 advisory opinion may be that they a dental hygienist cannot supervise a dental assistant to place dental sealants.
260

261 MOTION: Dr. Pisani issued the opinion that dental hygienists are not allowed to supervise dental assistants place
262 sealants in a public health setting. Motion seconded by Dr. Kinard. All were in favor.
263

264 *c. Approval for Dental Licensure by WREB – NRS.631.240(1)(b)(2) (For Possible Action)
265

266 (1) Spencer D Armuth, DMD (5) Hyo J Mun, DDS
267 (2) Junie Dave L Baldonado, DDS (6) Woodstock Tom, DMD
268 (3) Mitchell D Duckworth, DDS (7) Mason T Tran, DDS
269 (4) Joshua R Melton, DDS (8) Colin G Young, DMD
270

271 Dr. Blasco indicated that he reviewed the applications and recommended approval.
272

273 MOTION: Mrs. Wark made the motion to approve. Motion seconded by Ms. Guillen. All were in favor; Dr. Blasco
274 abstained.
275

276 *d. Approval for Specialty License by Credential (Board Recognized)–NRS 631.255 (1)(b)
277 (For Possible Action)
278

279 (1) Timothy C Adams, DMD – Endodontics
280

281 Dr. Blasco indicated that this item was to be tabled.
282
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285

286 *e. Approval for Specialty License by Credential (Board Certified) – NRS 631.255(1)(a)
287 (For Possible Action)

288
289 (1) Ryan D Reyes, DDS – Periodontics
290

291 Dr. Blasco indicated that he reviewed the application and recommended approval.
292

293 MOTION: Mrs. Wark made the motion to approve. Motion seconded by Mrs. Solie. All were in favor; Dr. Blasco
294 abstained.
295

296 *f. Approval for Dental Hygiene Licensure by ADEX – NRS 631.300(1)(b)(1) (For Possible Action)
297

298 (1) Laura L Disano
299 (2) Cecilia G Tourne
300

301 Dr. Blasco indicated that he reviewed the applications and recommended approval.
302

303 MOTION: Ms. Guillen made the motion to approve. Motion seconded by Mrs. Solie. All were in favor; Dr. Blasco
304 abstained.
305

306 *g. Approval for Dental Hygiene Licensure by WREB – NRS 631.300(1)(b)(3) (For Possible Action)
307

308 (1) Laurel K Foerster (4) Kylee A M Shanks
309 (2) Simone B Gennuso (5) Danielle R Tait
310 (3) Kristen L McCray
311

312 Dr. Blasco indicated that he reviewed the applications and recommended approval.
313

314 MOTION: Mrs. Wark made the motion to approve. Motion seconded by Mrs. Solie. All were in favor; Dr. Blasco
315 abstained.
316

317 *h. Approval of Public Health Endorsement – NRS 631.287 (For Possible Action)
318

319 (1) Nicole L Brewster, RDH – Huntridge Teen Clinic/Teen Scene Saturday Program
320

321 Dr. Blasco indicated that he reviewed the application and recommended approval.
322

323 MOTION: Mrs. Wark made the motion to approve. Motion seconded by Mrs. Solie. All were in favor; Dr. Blasco
324 abstained.
325

326 *i. Approval of Voluntary Surrender of License – NAC 631.160 (For Possible Action)
327

328 (1) Robert A Engler DDS
329 (2) Kyle L Gawrys DDS
330 (3) Ryan C Wait DDS
331

332 Mrs. Shaffer-Kugel indicated that there were no pending matters for any of the licensees listed.
333

334 MOTION: Dr. Pisani made the motion to approve. Motion seconded by Ms. Guillen. All were in favor.
335

336 *j. Approval of reactivation of license – NAC 631.170(4) (For Possible Action)
337

338 (1) Gail J Lorenzo RDH
339

340 Mrs. Shaffer-Kugel went over the application and indicated that Ms. Lorenzo had not actively practiced since 2010.
341 Mrs. Lorenzo was present and stepped forward. She noted to the Board that historically, they would require a
342 skills assessment or give the option to retake a clinical exam via WREB or ADEX.
343

344 MOTION: Ms. Solie made the motion to approve the reactivation upon successful completion of a skills
345 assessment or clinical examination. She further motioned to approve to reinstate the license without having to
346 come before the Board again. Motion seconded by Mrs. Villigan. All were in favor.
347

348 *k. Approval for Disciplinary Screening Officers-NRS 631.190 (For Possible Action)

- 349 (1) Sharon Peterson RDH
350

351 MOTION: Dr. Blasco made the motion to approve. Motion seconded by Mrs. Wark. All were in favor.
352

353 *l. Approval for Anesthesia-Temporary Permit – NAC 631.2254 (For Possible Action)

- 354 (1) Conscious Sedation (For Possible Action)
355 a. Jeffrey W Higbee, DMD
356

357 Dr. Blasco indicated that Dr. Miller and he reviewed the application and recommended approval.
358

359 MOTION: Ms. Guillen made the motion to approve. Motion seconded by Mrs. Wark. All were in favor; Mrs. Blasco
360 abstained.
361

- 362 (2) General Anesthesia (For Possible Action)
363 a. Lisa M Gortari, DDS
364

365 Dr. Blasco recommended approval.
366

367 MOTION: Dr. Pisani made the motion to approve. Motion seconded by Ms. Guillen. All were in favor; Dr. Blasco
368 abstained.
369

370 *m. Approval for Anesthesia-Permanent Permit – NAC 631.2233 (For Possible Action)

- 371 (1) Conscious Sedation (For Possible Action)
372 (a) Afshin Arian, DMD
373 (b) Patrick N Andres, DDS
374

375 Dr. Blasco recommended approval.
376

377 MOTION: Mrs. Wark made the motion to approve. Motion seconded by Mrs. Solie. All were in favor; Dr. Blasco
378 abstained.
379

380 *n. Approval for a 90-Day Extension of Anesthesia Permit – NAC 631.2254(2)
381 (For Possible Action)

- 382 *(1) Conscious Sedation (For Possible Action)
383 (a) Charles R Cordova Jr., DDS
384

- 385 *(2) General Anesthesia (For Possible Action)
386 (a) Shaheen M Moezzi, DDS
387

388 Dr. Blasco recommended approval.
389

390 MOTION: Ms. Guillen made the motion to approve. Motion seconded by Dr. Kinard. All were in favor; Dr. Blasco
391 abstained.
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402 ***7. Resource Group Reports**

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

404 (Chair: Dr. Pinther; Dr. Champagne; Dr. Blasco; Dr. Kinard; Mrs. Guillen, Mrs. Wark)

405 Report: Dr. Pinther gave a brief review of the bills that they have going before the legislature for potential changes.
406 He spoke about AB 89 which was regarding reciprocity for veterans. Mrs. Shaffer-Kugel elaborated that the bill
407 would allow credentialing for active/inactive military. She added that there was a bill requesting for changes to be
408 made to conscious sedation regarding different levels of sedation and their definitions. She noted to them that
409 there was a proposed change submitted to allow for the Secretary/Treasurer to review and approve application
410 without having to go before a board meeting for approval of licensure. Another change being considered is to allow
411 the Board to charge a fee for initial infection control requests. Dr. Talley indicated that an assemblywoman had
412 inquired if AB 89 would allow licensure by credential for everyone or if it was strictly for veterans. Mrs. Shaffer-
413 Kugel responded that it would only allow credentialing for active/inactive military and veterans. Mrs. Shaffer
414 noted to the Board that there is a provision that would remove the ADEX exam minimum date requirement and the
415 WREB five (5) year requirement.
416
417

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

419 (Chair: Dr. Kinard; Dr. Pisani; Dr. Sill; Dr. Blasco; Mrs. Villigan; Mrs. Wark)

420 Mr. Hunt indicated that they held a DSO calibration on February 6th where they gave the DSO's updates and
421 reminders of the procedures when conducting an investigation. Mrs. Shaffer-Kugel stated to the Board that there
422 are close to 30 DSO's working for the Board.
423
424

425 ***c. Examinations Liaisons (For Possible Action)**

426 ***(1) WREB Representatives (For Possible Action)**

427 (Dr. Blasco and Mrs. Solie)

428 Dr. Blasco indicated that they are revamping CT exam. Mrs. Solie indicated that she attended the HERB meeting
429 and added that WREB fees have decreased to \$650. She further noted that should a candidate fail the exam they
430 are now able to do a retake the same day at the same location for an additional fee.
431
432

433 ***(2) ADEX Representatives (For Possible Action)**

434 (Dr. Kinard)

435 No report

436 ***d. Continuing Education (For Possible Action)**

437 (Chair: Dr. Sill; Dr. Blasco; Dr. Pisani; Mrs. Villigan; Ms. Solie)

438 No report

439 ***e. Committee of Dental Hygiene (For Possible Action)**

440 (Chair: Mrs. Guillen; Mrs. Villigan, Ms. Solie; Dr. Sill)

441 No report – Meeting later today.

442 ***f. Specialty (For Possible Action)**

443 (Chair: Dr. Pisani; Dr. Miller; Dr. Pinther)

444 No report

445 ***g. Anesthesia (For Possible Action)**

446 (Chair: Dr. Miller; Dr. Pinther; Dr. Champagne, Dr. Kinard)

447 No report

460 *h. Infection Control (For Possible Action)
461 (Chair: Mrs. Villigan; Dr. Blasco; Dr. Champagne; Dr. Pisani; Ms. Solie; Mrs. Wark)
462

463 No report
464

465 *i. Budget and Finance Committee (For Possible Action)
466 (Chair: Dr. Sill, Dr. Pinther, Mrs. Wark, Mrs. Guillen)
467

468 No report
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472 8. Public Comment: (Public Comment is limited to Five (5) minutes for each individual) No comments.
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| Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been 475 specifically included on an agenda as an item upon which action may be taken. (NRS 241.020) |
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476 9. Announcements: Mrs. Shaffer-Kugel indicated that the Newsletter was going to be mailed out at the end of
477 the month. She noted to the Board that the paper renewal was now available on the Board website. She noted
478 further that the renewal portal was being finalized as there were new requirements being added.
479

480 Dr. Talley indicated that the NDA ran reminders of the new prescription requirement in their journal.
481

482 Mrs. Shaffer-Kugel noted that in the newsletter they ran a reminder that dental assistants were now required to
483 maintain valid CPR certification, complete four hours of continuing education in Infection Control, and that the
484 dentist must attest that they provided their dental assistants with a copy of NAC 631.210.
485

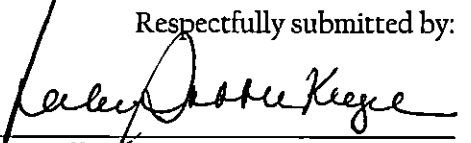
486 Mrs. Shaffer-Kugel reminded the Board that the May 22nd meeting will be a 2-day meeting; they will hold a Board
487 meeting on Friday, May 22nd, followed by a, tentative, full board hearing which may reconvene Saturday, May 23rd.
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490 *10. Adjournment (For Possible Action)
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492 MOTION: Mrs. Wark made the motion to adjourn. Motion seconded by Ms. Guillen. All were in favor.
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Meeting Adjourned at 11:31 am.

Respectfully submitted by:


Debra Shaffer-Kugel, Executive Director