

1 NEVADA STATE BOARD OF DENTAL EXAMINERS
2 1105 Terminal Way, Suite 301, Reno, NV 89502
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5 Video Conferencing for this meeting is available at the Nevada State Board of Dental Examiners located at
6 6010 S Rainbow Blvd, Suite A-1, Las Vegas, Nevada 89118
7

8 Minutes
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10 Friday September 18, 2015
11 9:02 a.m.
12

13 Public Workshops and Board Meeting
14

15 Please Note: The Nevada State Board of Dental Examiners may 1) address agenda items out of sequence to accommodate persons appearing
16 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
17 remove items from the agenda at any time. The Board may convene in closed session to consider the character, alleged misconduct,
18 professional competence or physical or mental health of a person. See NRS 241.030. Prior to the commencement and conclusion of a
19 contested case or a quasi judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public
20 comment. See NRS 233B.126.
21

22 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
23 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
24 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
25 will adjourn.

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27 *Asterisks (*) denote items on which the Board may take action.*
28 *Action by the Board on an item may be to approve, deny, amend, or table.*
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31 1. Call to Order, roll call, and establish quorum
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33 Dr. Pinther called the meeting to order and Mrs. Shaffer-Kugel conducted the following roll call:
34

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

1 Others Present: John Hunt, Board Legal Counsel; Debra Shaffer-Kugel, Executive Director.
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4 Public Attendees: Stacie Hummel, Board Accountant; Stephanie Redwine, Future Smiles; Jennifer Henderson,
5 Future Smiles; Terri Chandler, Future Smiles; Annette Lincicome, NDHA; Robert Talley, DDS, NDA; Johanna
6 Montes; Laurie Skultety, RDH; Sara Mercier, RDH; Lydia Wyatt, DDS, SNDS; JB White, DDS, SNDS; Debbie
7 Bethers; Mary Bobbett, RDH; Valessa O'Brien, RDH, SNDHA; Boone Cragun, for Travis Sorensen; Amanda Cragun,
8 for Travis Sorensen; Bart Stears, for Travis Sorensen; James Fausett, for Travis Sorensen; Paul Schwarz, Desert
9 Dental; Erin Wilson, RDH, NDHA; Nancy Dockery, RDH; Jessica Riley, RDH; Kevin Moore, DDS; Ted Twesme,
10 DDS; Cathy Carreiro, RDH; Elizabeth Bruins, RDH; Chris Garvey, Oral Health NV; Marianne Cohan, DDS; Annette
11 Lincicome, NDHA; Paulo Patam; Nicole Mackie; Kelly Taylor; Karen Feldman, DDS; Mark Hardelin, Self; Joanna
12 Jacob, Ferrari Public Affairs for NDA; Joyce Herceg, RDH; Nancy Stokes, for Travis Sorensen; Nichole Sorensen,
13 Support for Travis Sorensen; Travis Sorensen, DDS, Petitioner; Ross Stokes, Support for Travis Sorensen; Jane
14 Sorensen, Support for Travis Sorensen; Jennifer Taylor, Support for Travis Sorensen; Robert Sorensen, Support for
15 Travis Sorensen; Dragon Richard, NDA; Syd McKenzie, Oral Health Nevada; Xuan-Thu Failing, NDHA; Neena
16 Laxalt, NDHA; Alex Tanchek, with Neena Laxalt - NDHA; Lindsay Brock, NDHA.
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20 2. Public Comment: (Public Comment is limited to five (5) minutes for each individual)
21 [All Public comment attached for the record]

22
23 Annette Lincicome read her comment into the record.

24 Dr. Talley: indicated that he provided a chart on behalf of the NDA and emphasized that patient safety is their main
25 concern and are opposed to the new sections. He proceeded to read his comment for the NDA into the record.

26 Ms. Bobbett stated that her comments was submitted for the record.
27

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

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31 Public Workshops:

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34 *3. Notice of Public Workshop, Request for Comments and review of Nevada Administrative Code Chapter
35 631 related to the practice of dentistry and dental hygiene and proposed regulation changes and/or
36 Amendments to the following regulations: Schedule of Fees (NAC 631.029); Address Notification (NAC
37 631.150) Duties delegable to Dental Hygienists (NAC 631.210) and Duties delegable to Dental Assistants
38 (NAC 631.220) (For Possible Action)
39

40 Board Counsel stated to the Board members that their duties as the Board in reviewing the regulations was
41 paramount to see how the public will be impacted by any and all changes made regarding public safety. Board
42 Counsel added that it was necessary to protect the public in every decision made. Board Counsel advised that they,
43 during deliberations, must consider who will be impacted and whether or not the patient will be protected. He also
44 reminded them to take into consideration the desires of the public.
45

46 ● Schedule of Fees for the Initial Infection Control (IC) inspection:

47 Mrs. Shaffer-Kugel stated that the maximum fee that the Board may charge is \$500 pursuant to the Legislative
48 change AB89, however that they had previously decided on setting the fee at \$250 in the interim upon review of the
49 costs associated with conducted these types of infection control inspections. There was no public comment.
50

51 MOTION: Dr. Sill motion to approve that the fee be set to \$250. Motion seconded by Ms. Guillen. All were in favor
52 of the motion.
53

54 ● Address Notifications:

55 Mrs. Shaffer-Kugel reminded them that this would require that licensees provide the Board with an email address.
56

57 MOTION: Mrs. Villigan made the motion to approve that the regulation requires licensees to provide an email
58 address to the Board. Motion seconded by Dr. Miller. All were in favor of the motion.
59

60 ● Initial IC Inspections – Summary Suspension:

61 Mrs. Shaffer-Kugel stated that when a licensee opens a new office, or there is a transfer of ownership, the
62 owners must request that an initial infection control inspection be done. She added that there are instances when a
63 complaint is received regarding IC concerns and that when the Board receives a verified complaint, they can conduct
64 an automatic office audit to ensure that the public is protected from potential harm resulting from improper IC
65 procedures at an office. Mr. Hunt explained that there are scenarios where IC guidelines and procedures are not
66 being followed and/or practiced properly and there is not a mechanism to require that an office close unless
67 voluntarily done. By adding the option to summary suspend an office from rendering treatment, the Board will be
68 protecting the public. Therefore, this change would grant the board the ability to summary suspend an office from
69 practicing should something arise. Mrs. Shaffer-Kugel stated that she would correct the numeration of the
70 regulation.
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72 MOTION: Dr. Miller made the motion to approve the option of summary suspension. Motion was seconded by Ms.
73 Solie. Public Comment: Ms. Xuan-Thu Failing inquired if the initial inspection was to help facilitate if there is a
74 gross error in IC procedures. Mr. Hunt indicated that when there is a critical error, the dentist is immediately
75 contacted and they can voluntarily stop practice until the errors have been rectified, if not the board will now have
76 the ability to summary suspend their practice. All were in favor of the motion.

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● RDH – Duties Delegable:

Mrs. Shaffer-Kugel noted for the record that Ms. Chris Garvey submitted written public comment.

Public Comment: Mrs. Chandler spoke on the record in support of the proposed changes.

Ms. Failing commented that she was in support of the proposed changes, as it would help facilitate the day-to-day duties at the dental office.

Opposing Comments:

Dr. Twesme commented that he was in opposition of the proposed changes. He gave the example of the removal of sutures and the potential complications that could arise if removed improperly or too soon by an inexperienced person. He continued to state several reasons and examples for his opposition. He opposed further in allowing a dental hygienist to administer local anesthesia and nitrous oxide without a dentist present. He stated that the public could be harmed should such changes be made.

Dr. Handelin spoke in opposition of (1)(b & c), as it specifically relates to orthodontics. He stated that irreparable damage is greatly possible for any work that is not done by a dentist; further that it can cause harm to the public. Lastly, that the ultimate liability falls on the dentist and not the dental hygienist.

Mr. Hunt stated that the Board had three (3) options: Option (1) – a motion can be made for no changes to be made; Option (2) – a motion can be made to approve some changes, or; Option (3) – a motion could be made to vote to adopt all changes. He stated that the Board now needed to delegate. Mrs. Shaffer-Kugel noted to the Board that on new section, currently a dental hygienist can only perform these duties on a patient that is a patient of record and has been seen by the dentist within the last 18 months. Therefore, that it would not be allowed on new patients. Ms. Solie indicated that regarding the authorization in proposed changes to sections (a – r), she inquired if staff could provide the number of complaints regarding any type of anesthetic involved and the risks. Mr. Hunt indicated that they do receive multiple complaints that dental hygienists and dental assistants have been treated by the dental assistant and/or dental hygienist prior to being seen by the dentist. Ms. Solie inquired further on the level of risk involved to the public when a dentist is not present in the office Mr. Hunt stated that the risk level would have to be determined by the Board. He stated that the Board does receive complaints regarding dental hygienists and dental assistants outside their scope of practice. Further, that the number of complaints was increasing regarding the treatment rendered.

Mrs. Villigan stated that and clarified that the regulations proposed were supported by the Dental Hygiene Committee; and further, that the language reads that a dentist 'may authorize', keyword being 'may' and therefore, a dentist may choose to not allow or to allow a dental hygienist to perform the duties being proposed for change. She stated that, ultimately, the dentist is responsible and determines whether or not to allow their dental hygienist to perform certain duties without their presence.

Dr. Sill indicated that under the proposed section (5) dental hygienists would be allowed to perform those duties without supervision, and stated that he did not see it to be in the best interest of dentist or the public. He further stated that he concurred with the examples provided by Dr. Twesme. He opposed the changes.

Ms. Guillen commented in regards to the new section, (1)(b & c), and how dental hygienists wants to work in conjunction with the dentist as far as healthy tissue for the patient, and as for removing sutures, she noted that dental hygienists spends two years in tissue assessment. She stated that there can always be infections, or other issues, but that it does not make them incapable of properly performing such a task. She indicated that she believed that dental hygienists can tell if something is not right which would let them know to notify the dentist. She stated that Cytological testing and bleaching is being done by a lot of dental assistants, though legally they cannot. She noted that nitrous oxide can be complex, but that every individual has their own comfort level.

Mr. Hunt stated that they were all valid points, but that ultimately the Board must decide what would be in the best interest of the public.

Mrs. Wark stated that as the public member, she was not in favor of these changes.

MOTION: Mrs. Wark made the motion to oppose the proposed changes. Motion failed to pass.

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MOTION: Ms. Solie made the motion to approve all proposed changes. Motion seconded by Ms. Guillen.
Dr. Miller: expressed his concern, that while honest practitioners will do right these changes, the issues would come from those who will abuse the rule change. Mrs. Villigan noted to him that the changes would only apply to those that are established patients of record. Mrs. Shaffer-Kugel clarified that section (2) (a -r) is regarding patients that have been seen in the past 18 months by a dentist, and that the first section would be for any patient regardless if they have been seen by the dentist, or if they are a new patient. She further explained that the language will be moved from the section under 'supervision' to 'authorization.' Roll call vote:

Dr. Kinard -----No	Dr. Champagne -----No
Dr. Sill -----No	Mrs. Villigan -----Yes
Dr. Pinther -----No	Ms. Guillen -----Yes
Dr. Miller -----No	Ms. Solie -----Yes
Dr. Pisani -----Excused	Mrs. Wark -----No
Dr. Blasco -----No	

Motion did not pass.

MOTION: Dr. Sill made the motion to approve changes to (1) (a, b, c, d). Motion seconded by Dr. Blasco.
Discussion: Per Dr. Champagnes, inquiry, Dr. Blasco indicated that implementation of these changes would not occur until the patient has been seen by the dentist. Roll call vote:

Dr. Pinther-----Yes	Dr. Pisani-----Excused
Dr. Blasco-----Yes	Mrs. Villigan-----Yes
Dr. Kinard-----Yes	Ms. Guillen-----Yes
Dr. Miller-----No	Ms. Solie-----Yes
Dr. Sill-----Yes	Mrs. Wark-----No
Dr. Champagne-----Yes	

Motion passes; approval of changes.

● Section (2):

◆ (2n) MOTION: Ms. Guillen made the motion to approve the change. Motion seconded by Ms. Solie.
Roll call Vote:

Dr. Pinther-----Yes	Dr. Pisani-----Excused
Dr. Blasco-----Yes	Mrs. Villigan-----Yes
Dr. Kinard-----Yes	Ms. Guillen-----Yes
Dr. Miller-----No	Ms. Solie-----Yes
Dr. Sill-----No	Mrs. Wark-----No
Dr. Champagne-----No	

Motion passes; approval for change of (2)(n) removal of sutures.

◆ (2o) MOTION: Ms. Solie made the motion to approve the change. Motion seconded by Mrs. Villigan.
Roll call vote:

Dr. Pinther-----No	Dr. Pisani-----Excused
Dr. Blasco-----No	Mrs. Villigan-----Yes
Dr. Kinard-----No	Ms. Guillen-----Yes
Dr. Miller-----No	Ms. Solie-----Yes
Dr. Sill-----No	Mrs. Wark-----No
Dr. Champagne-----No	

Motion did not pass.

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♦ (2p) MOTION: Dr. Blasco made the motion to approve the change. Motion seconded by Ms. Guillen.

Roll call vote:

Dr. Pinther-----No	Dr. Pisani-----Excused
Dr. Blasco-----Yes	Mrs. Villigan-----Yes
Dr. Kinard-----No	Ms. Guillen-----Yes
Dr. Miller-----No	Ms. Solie-----Yes
Dr. Sill-----No	Mrs. Wark-----No
Dr. Champagne----Yes	

Motion tied; fails to pass.

♦ (2q) MOTION: Ms. Solie made the motion to approve the change. Motion seconded by Ms. Guillen.

Roll call vote:

Dr. Pinther-----No	Dr. Pisani-----Excused
Dr. Blasco-----No	Mrs. Villigan-----Yes
Dr. Kinard-----Yes	Ms. Guillen-----Yes
Dr. Miller-----No	Ms. Solie-----Yes
Dr. Sill-----No	Mrs. Wark-----No
Dr. Champagne----No	

Motion did not pass.

♦ (2r) MOTION: Mrs. Villigan made the motion to approve the changes. Motion seconded by Ms. Solie.

Roll call vote:

Dr. Pinther-----No	Dr. Pisani-----Excused
Dr. Blasco-----No	Mrs. Villigan-----Yes
Dr. Kinard-----No	Ms. Guillen-----Yes
Dr. Miller-----No	Ms. Solie-----Yes
Dr. Sill-----No	Mrs. Wark-----No
Dr. Champagne----No	

Motion did not pass.

♦ (3) {Local anesthesia and nitrous oxide}

MOTION: Dr. Blasco made the motion to approve (3)(a) & (b). Motion seconded by Ms. Solie.

Roll call vote:

Dr. Pinther-----No	Dr. Pisani-----Excused
Dr. Blasco-----Yes	Mrs. Villigan-----Yes
Dr. Kinard-----No	Ms. Guillen-----Yes
Dr. Miller-----No	Ms. Solie-----Yes
Dr. Sill-----No	Mrs. Wark-----No
Dr. Champagne----No	

Motion did not pass.

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248 ♦ (4) Ms. Solie clarified that (4)(a)(b) was already in language, and therefore, the only change would be
249 the last paragraph. Mrs. Shaffer-Kugel suggested that they could move the new section € after
250 section (3) and before section (4).
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252 MOTION: Dr. Miller made the motion to accept paragraph (e). Motion seconded by Dr. Blasco.
253 Roll call vote:

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255 Dr. Pinther-----Yes Dr. Pisani-----Excused
256 Dr. Blasco-----Yes Mrs. Villigan-----Yes
257 Dr. Kinard-----Yes Ms. Guillen-----Yes
258 Dr. Miller-----Yes Ms. Solie-----Yes
259 Dr. Sill-----Yes Mrs. Wark-----Yes
260 Dr. Champagne----Yes

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262 Motion passed; approval of change.
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266 ♦ (6a) Dr. Kinard noted that the regulation did not change, therefore that this item was moot. No
267 changes were being made, no vote needed.
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270 ● DENTAL ASSISTANTS DUTIES:
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272 Mrs. Shaffer-Kugel explained that these were the exposure of radiographs, that this change would allow dental
273 assistants to expose radiographs prior to a patient being seen by the dentist, which currently they are only
274 authorized to expose radiographs after an exam.
275

276 MOTION: Ms. Solie made the motion to accept new section (1) (a) & (b). Motion seconded by Dr. Blasco.
277 Roll call vote:

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279 Dr. Pinther-----Yes Dr. Pisani-----Excused
280 Dr. Blasco-----Yes Mrs. Villigan-----Yes
281 Dr. Kinard-----Yes Ms. Guillen-----Yes
282 Dr. Miller-----Yes Ms. Solie-----Yes
283 Dr. Sill-----Yes Mrs. Wark-----Yes
284 Dr. Champagne----Yes

285
286 Motion passes; approval of change.

- 287 ♦ (2) MOTION: Dr. Blasco made the motion to accept the proposed change. Motion seconded by Ms. Guillen.
288 Roll call vote:

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290 Dr. Pinther-----Yes Dr. Pisani-----Excused
291 Dr. Blasco-----Yes Mrs. Villigan-----Yes
292 Dr. Kinard-----Yes Ms. Guillen-----Yes
293 Dr. Miller-----Yes Ms. Solie-----Yes
294 Dr. Sill-----Yes Mrs. Wark-----Yes
295 Dr. Champagne----Yes
296

297 Motion passes; approval of change.
298

299 Mrs. Shaffer-Kugel indicated that she would redraft the new language and will send the language over to the
300 Legislative Counsel Bureau.
301
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303 MOTION: Dr. Blasco made the motion to go out of order to agenda item (6c) and (6d). Motion seconded by Ms.
304 Guillen. All were in favor of the motion.
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306 *6. Board Counsel's Report (For Possible Action)
307

- 308 *c. Request to Amend Disciplinary Stipulation approved by the Board on October 3, 2014 regarding
309 probation (For Possible Action)
310

311 (1) Marianne Cohan, DDS
312

313 Board Counsel went over the provisions of the proposed stipulation agreement. He advised that it would not be
314 appropriate to change the stipulation agreement that had already been approved at a previous board meeting. He
315 added that the only exception has been to add time for licensee to make the payments. Board Counsel commented
316 that the Board must act in a manner that protects the interest of the public.
317

318 MOTION: Dr. Kinard made the motion to reject the request to amend the previously approved stipulation
319 agreement. Motion seconded by Dr. Sill. All were in favor of the motion.
320

- 321 *d. Request to Amend Disciplinary Stipulation approved by the Board on July 31, 2015 regarding
322 Probation & Inactive practice (For Possible Action)
323

324 (1) Travis M Sorensen, DDS
325

326 Board Counsel went over the provisions of the proposed stipulation agreement. He stated that Dr. Sorensen was
327 present, which he then approached the Board. Mr. Hunt went onto note that Dr. Sorensen has recently entered into
328 a stipulation agreement, and further noted that at the time had an attorney when he entered into said stipulation
329 agreement. Mr. Hunt recapped for the Board that Dr. Sorensen had admitted to being under the influence while
330 practicing. He added that, historically, such acts have resulted in a revocation of licensure. He commented that the
331 Board has been very understanding. Mr. Hunt noted to the Board that Dr. Sorensen did not report to the patch
332 program the day before the meeting, which the stipulation agreement requires that he report to the patch program;
333 and therefore, Dr. Sorensen was technically in violation of said stipulation agreement. He noted further, however,
334 that Dr. Sorensen reported to a testing facility upon arriving in Reno and tested negative. He reminded the Board
335 that it was their duty to protect the public. Dr. Sorensen commented to the Board that he was in route to Reno from
336 Las Vegas. He indicated that the Options program notified Mrs. Shaffer-Kugel that they were unable to reach him
337 and that upon him speaking with Mrs. Shaffer-Kugel he asked her if she wanted to try and get a lab analysis done in
338 Reno upon his arrival. He added that Options Program advised him to obtain a time stamped receipt showing his
339 whereabouts at the time they spoke. Furthermore, that she contacted a lab in Reno at 6:49 p.m. and requested a lab
340 with an extended panel, and asked that they email the results to her and Mr. Hunt. There was discussion regarding
341 the death of a former patient, Mr. Sorensen stated that through the course of an investigation he was cleared of any
342 wrongdoing or mistreatment. (Documents and information were disseminated for the record.) The Board took a
343 few minutes to read the information provided. Dr. Sorensen indicated that he was requesting that the probation
344 time be time-served, and be terminated tomorrow, 9/19/2015. Further, Dr Sorensen added that he provided Option
345 (1) and Option (2) [provided for the record]. Mr. Hunt stated that regardless of what the board decides, it is still
346 reported to the National Practitioners Data Bank (NPDB). Mr. Hunt advised the Board that it was his legal opinion
347 that should the Board agree to change the terms to be time served would be a terrible decision, and advised that the
348 Board should reject the petition, as the actions that led to the stipulation agreement were gross actions. Dr.
349 Sorensen stated that his actions while, indeed, are of public concern and that patients should be aware, he did not
350 feel that the board rejecting his petition would create a safe haven for other dentists with similar issues to feel
351 comfortable to come forward and make the appropriate changes to seek help. Dr. Twesme, as the original
352 investigating officer for the case, stepped forward and commented on behalf of his investigation. He stated that he
353 felt that Dr. Sorensen was rehabilitated and has complied with all the provisions in his stipulation agreement. He
354 stated that because of the report provided to the NPDB, Dr. Sorensen is essentially unemployable, because the
355 insurance companies will not contract with him and that any dentist that hires him run the risk of losing their
356 contracts with insurance companies. He stated that as the former investigative officer, he asked that the Board
357 remove the term "probation" from the stipulation agreement. Dr. Kinard inquired of Dr. Twesme if he would hire Dr.
358 Sorensen. Dr. Twesme replied that he would, however, that in doing so he would be hired as in independent
359 contractor but would not be able to get paid because insurance companies will not contract him, and reiterated that
360 because of the probation provision in Dr. Sorensen's stipulation agreement, any dentist that hires Dr. Sorensen will

361 run the risk of losing their contract with insurance companies. Essentially, Dr. Sorensen would have to be paid on a
 362 fee-for-service basis.
 363 Mr. Hunt stated that the Board has been remedial, and that they have also been consistent in their decision making.
 364 He commented that the severity of the scenario could have been fatal, and this so-called minor change would be
 365 irreparable. He stated that the Board had the duty to enforce the stipulation agreement as approved. He added that
 366 at the time the stipulation agreement was approved, Dr. Sorensen had an attorney present at the Board meeting that
 367 the stipulation agreement was approved. Dr. Blasco inquired if Dr. Sorensen checked with insurance companies to
 368 see if they would consider him eligible to become a provider if they were to remove the term 'probation' from the
 369 stipulation agreement. Dr. Sorensen stated that they have verbally indicated that they would contract with him.
 370 Mrs. Shaffer-Kugel commented that she works closely with insurance companies, and they terminate contracts with
 371 providers at their discretion and pursuant to the terms of the contract, and noted that insurance companies have
 372 been known to terminate contracts with licensees that have a corrective action non-disciplinary action. Therefore,
 373 removing the term 'probation' would still not guarantee that the insurance companies will make Dr. Sorensen a
 374 provider, that they have only stated they he may apply to become a contracted provider. Dr. Blasco inquired if Dr.
 375 Sorensen was eligible to apply for licensure in another state. Dr. Sorensen stated that he was upon agreeing to
 376 certain terms made confidentially with him and the other board. Mr. Hunt explained to Dr. Sorensen that he did
 377 have the option to voluntarily surrender his license at any time, which would not keep him from ever being able to
 378 return to Nevada and applying. Mr. Hunt commented to Dr. Sorensen, whom stated that the environment he was in
 379 was not an environment that would make other practitioners feel comfortable to come forward and self-report, that
 380 the issue was not the self-reporting, but rather that Dr. Sorensen's issues with abuse posed an imminent threat to
 381 himself and patients.

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 383 MOTION: Dr. Kinard made the motion to reject the request to amend the previously approved stipulation
 384 agreement and deny options 1 and 2. Motion seconded by Mrs. Villigan. Discussion: Dr. Sill was not in favor of the
 385 motion. Mrs. Villigan clarified that there were licensees with substance abuse problems in the past who were on
 386 probation and employed. Dr. Miller inquired that if Arizona granted Dr. Sorensen a license to practice there, could
 387 he not then surrender his license in Nevada. Mrs. Shaffer-Kugel stated that if Dr. Sorensen chose to voluntarily
 388 surrender his license she could revise her original report to state that he voluntarily surrendered his license.

389 Mrs. Shaffer-Kugel stated that Dr. Vincent Colosimo was an example for the Board to consider. She stated
 390 how Dr. Colosimo had a substance abuse issue and was actually incarcerated, yet was licensed in different states,
 391 Pennsylvania and Arizona, and that he complied with the requirements, and eventually got his Nevada license back.
 392 Dr. Sorensen stated that even if he had the money to start his own practice he would sit in an empty office and that
 393 the probation provision in his stipulation agreement affected his livelihood. Roll call vote:

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395	Dr. Pinther-----Yes	Dr. Pisani-----Excused
396	Dr. Blasco-----No	Mrs. Villigan-----Yes
397	Dr. Kinard-----Yes	Ms. Guillen-----No
398	Dr. Miller-----No	Ms. Solie-----Yes
399	Dr. Sill-----No	Mrs. Wark-----No
400	Dr. Champagne-----Yes	

401
 402 Motion tied; motion does not pass.

403 MOTION: Dr. Sill made the motion to accept the petition to amend the stipulation agreement and approve option 1
 404 provided by Dr. Sorensen to shorten term of probation as fulfilled after 8 months from the original provision of 3
 405 years. Mrs. Shaffer-Kugel inquired of what would happen should this probation term be changed and insurance
 406 companies still deny his application. She inquired if Dr. Sorensen would then return before the Board to ask to
 407 voluntary surrender? Mrs. Solie commented that the Board and counsel have not been able to review this
 408 information until today. Mrs. Shaffer-Kugel stated that they may have to table this agenda item. Motion seconded
 409 by Ms. Solie. Roll call vote:

410		
411	Dr. Pinther-----No	Dr. Pisani-----Excused
412	Dr. Blasco-----No	Mrs. Villigan-----No
413	Dr. Kinard-----No	Ms. Guillen-----No
414	Dr. Miller-----No	Ms. Solie-----No
415	Dr. Sill-----Yes	Mrs. Wark-----Yes
416	Dr. Champagne-----No	
417		

418 Motion did not pass.

419

420 MOTION: Dr. Kinard made the motion to table this item. Motion seconded by Dr. Blasco. Roll call vote:

421

422 Dr. Pinther-----Yes Dr. Pisani-----Excused

423 Dr. Blasco-----Yes Mrs. Villigan-----Yes

424 Dr. Kinard-----Yes Ms. Guillen-----Yes

425 Dr. Miller-----Yes Ms. Solie-----Yes

426 Dr. Sill-----Yes Mrs. Wark-----Yes

427 Dr. Champagne-----Yes

428

429 Motion passes; agenda tabled until next Board meeting.

430

431 MOTION: Ms. Guillen made the motion to take recess. Motion seconded by Mrs. Wark. All were in favor of the
432 motion. Recess at: 12:00 p.m. Return from Recess at: 12:28 p.m.

433

434 MOTION: A motion was made to go out of order to Financials. All were in favor of the motion.

435

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

437

438 (1) Review Draft Balance Sheet and Statement of Revenues, Expenses and Balances for fiscal
439 period ending June 30, 2015 (For Possible Action)

440

441 Mrs. Shaffer indicated that Mrs. Hummel was available for any questions. Mrs. Hummel stated that the report was
442 reflective of where the board landed and added that said financials were being audited. She indicated that she would
443 be moving funds over to the reserves account. Mrs. Shaffer-Kugel added that she signed the paperwork to have the
444 funds moved over. Mrs. Hummel requested that the Board approve for her to move \$51,000 to the reserves account.

445

446 MOTION: Dr. Blasco made the motion to approve to move \$51,000 to the reserves account. Motion was seconded by
447 Ms. Guillen. All were in favor of the motion.

448

449 Mrs. Hummel noted that the Board has a new savings account for operations only, which would hold about
450 \$530,000, added that it would be appropriate to move it from their current checking account.

451

452 Mrs. Hummel commented to the Board that she had to adjust totals in some areas of the budget. She added that had
453 to budget new revenue of \$16,000, which derived from site renewals of conscious sedation and general anesthesia
454 permits, for a total adjustments increase of \$43,000.

455

456 MOTION: Dr. Miller made the motion to approve the budget. Motion seconded by Ms. Solie. All were in favor of
457 the motion.

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474

(2) Review Balance Sheet and Statement of Revenues, Expenses and Balances for period July 1, 2015
through July 31, 2015 (For Possible Action)

Mrs. Hummel stated that the review was only available for the month of July. No questions were asked.

(3) Request approval to upgrade telephone system to State of Nevada (For Possible Action)

Mrs. Shaffer indicated that the Medical Board has two office locations and that they looked into methods to save on
operational costs for their telephone system because they were paying long distance fees. She added that they have
become part of the state system, and added that the data line used is in the Dental Board office. Therefore, the
Medical and Dental Board would split costs for the data line and to upgrade the phone system, which would make
the dental board part of the state phone system. She stated that though this was not a budgeted item, it was still
affordable for the Board.

475 MOTION: Dr. Miller made the motion to approve the phone system. Motion seconded by Mrs. Wark. All were in
476 favor of the motion.

477
478 MOTION: Dr. Champagne made the motion to return to agenda order. Motion seconded by Ms. Solie. All were in
479 favor of the motion.

480
481 *4. Notice of Public Workshop, Request for Comments and review of Nevada Administrative Code
482 Chapter 631 related to the practice of dentistry and dental hygiene and proposed regulation changes
483 and/or amendments pertaining to anesthesia topics to include NAC 631.004 and under heading
484 Administration of General Anesthesia, Conscious Sedation and Deep Sedation-NAC 631.2211 through
485 NAC 631.2256 (For Possible Action)
486

487 Mrs. Shaffer-Kugel indicated that in AB 89, the Legislature changed the definitions of Minimal and Moderate
488 sedation. She stated that said definitions could be found in their board books, and that they must now make
489 changes and incorporate into the language into the regulations. Dr. Miller stated that in reviewing the proposed
490 regulations it was apparent that they were becoming more contemporary with minimal and moderate sedation, and
491 suggested that the Board create a committee with a moderate sedation holder, a minimal sedation holder, a general
492 anesthesia holder, and include one to two board members to draft language to propose to the board.

493
494 MOTION: Dr. Miller made the motion to request that the Board convene a committee to draft proposed language.
495 Motion seconded by Dr. Blasco. Mrs. Shaffer-Kugel stated that at the November board meeting the Board could
496 approve a sub-committee and hold a meeting to draft language to present in a workshop. All were in favor of the
497 motion.

498
499 *5. Executive Director's Report (For Possible Action)

500
501 *a. Minutes-NRS 631.190 (For Possible Action)

502
503 (1) Board Meeting-07/31/2015

504
505 Mrs. Shaffer-Kugel inquired if there were any changes or corrections needed.

506
507 MOTION: Mrs. Wark made the motion to approve. Motion seconded by Ms. Guillen. All were in favor of the
508 motion.

509
510 * c. Correspondence: (For Possible Action)

511
512 (1) Appointment for ADEX House Representative for 2016 (For Possible Action)

513
514 (a) Timothy Pinther, DDS

515
516 Dr. Pinther accepted the appointment.

517
518 MOTION: Dr. Blasco made the motion to approve. Motion seconded by Mrs. Wark. All were in favor of the motion.

519
520 *d. Licenses Granted-NRS 631.190

521
522 (1) August 1, 2015 through August 31, 2015 licenses granted for dental and dental hygiene

523
524 Mrs. Shaffer-Kugel stated who the new licensees were for the month of August.

525
526
527 *e. Calendar of Events-NRS 631.190 (For Possible Action)

528
529 (1) Approve Board Meetings Dates for January 2016 through December 2016

530
531 Mrs. Shaffer stated that the calendar dates were the proposed meeting dates for the year 2016.

532

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

534

535

536 *f. Authorized Investigative Complaint-NRS 631.360 (For Possible Action)

537

538 (1) Dr X-NRS 631.395(11); NRS 631.346 and NAC 631.230

539

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

541

542 MOTION: Dr. Blasco made the motion to authorize the investigation. Motion seconded by Dr. Sill. All were in
543 favor of the motion.

544

545 (2) Dr Y-NRS 631.342

546

547 (3) Dr Z-NRS 631.342

548

549 Mrs. Shaffer-Kugel went over the alleged violations (2) and (3). She explained how many times they are notified
550 before they are placed on the agenda for an authorized investigation.

550

551 MOTION: Dr. Blasco made the motion to authorize the investigation. Motion seconded by Dr. Sill. All were in favor
552 of the motion.

553

554 (4) RDH W-NRS 631.342

555

556 (5) RDH V-NRS 631.342

557

558 Mrs. Shaffer went over the alleged violations for (4) – (6).

559

560 MOTION: Dr. Sill made the motion to authorize the investigation. Motion seconded by Dr. Blasco. All were in favor
561 of the motion.

562

563

564 *6. Board Counsel's Report (For Possible Action)

565

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

567

568 (1) District Court Case(s) Update

569

570 Mr. Hunt advised and reminded the Board member to not partake in any discussions regarding any legal action, to
571 not engage in any pending actions, and to please refer to inquiries to Mrs. Shaffer-Kugel and him. Mr. Hunt stated
572 that there was no pending litigation. He commented that they have been working diligently to try and stop the
573 illegal practice of dentistry and dental hygiene. He added that they recently went to court and got a permanent
574 injunction against a non-licensed person acting as a dental hygienist. As a result of injunction, now the Board has
575 certain option to authorize an investigation. Board is entitled to collect all the costs from the illegal offender.

576

577

578 *b. Consideration of Stipulation Agreements (For Possible Action)

579

580 (1) Erika Smith, DDS

581

582 Mr. Hunt stated that Dr. Smith did have a prior corrective action, and did comply with the provisions of the original
583 corrective action. Mr. Hunt went over the provisions of the proposed stipulation agreement.

584

585 MOTION: Dr. Miller made the motion to adopt the stipulation agreement. Motion seconded by Ms. Guillen. All
586 were in favor of the motion.

587

588 (2) Min Kim, DDS

589

590 Mr. Hunt went over the provisions of the proposed stipulation agreement.

591
592 MOTION: Dr. Blasco made the motion to adopt the stipulation agreement. Motion seconded by Mrs. Wark. All
593 were in favor of the motion.

594
595 (3) Albert G Ruezga, DDS
596

597 Mr. Hunt went over the provisions of the proposed stipulation agreement.

598
599 MOTION: Ms. Solie made the motion to adopt the stipulation agreement. Motion seconded by Dr. Miller. All were
600 in favor of the motion.

601
602
603 *7. Old Business:

- 604
605 (1) Request from CDCA to forego the certification of success pass via US Mail to obtaining information
606 through CDCA's on-line portal (For possible action)
607

608 Mrs. Shaffer-Kugel stated to the Board that staff tested the exam sites, and noted that upon checking on a licensee
609 whom was licensed, that individual could not be found, yet they had the documented certification on file. At this
610 time Executive Director recommends leaving the requirement as is.

611
612 *8. New Business (For Possible Action)
613

- 614 *a. Request for Advisory Opinion regarding whether NRS 631.215 and/or NRS 631.255 allows a
615 person who has a valid specialty license in the area of Prosthodontics can administer Botox,
616 dermal fillers or other injectables in clinical practice (For Possible Action)
617

618 (1) Nicole Mackie, DDS, MS, FACP
619

620 Mrs. Shaffer went over the advisory opinion request. Dr. Mackie was present and approached by the Board. Dr.
621 Mackie noted that she was aware that the Board issued an opinion that general dentist may only administer botox
622 for TMJ purposes. Furthermore, that a Oral Maxillofacial Surgeon (OMS) advisory opinion determined that an OMS
623 may only administer if they can furnish proof that they have had the proper training. Dr. Mackie gave a description
624 of her educational background. She added that her request was to ask that the Board allow a prosthodontist
625 administer Botox, dermal fillers, and other injectable for both therapeutic and aesthetic purposes. She read her
626 request into the record. Mr. Hunt noted that for the Boards' edification, that the original advisory opinion was based
627 in part of the Medical boards' position that Botox was considered to be practicing medicine. And therefore, was
628 unsure if the Medical Board would accept the Dental Boards opinion. Mrs. Shaffer-Kugel commented that the Board
629 must be sure to be clear that inquiry and advisory opinion would only apply to board certified prosthodontists. It
630 was advised that Dr. Mackie seek a medical doctor to request an advisory opinion of the Medical Board to see if they
631 would deem a Prosthodontist use to be practicing medicine.

632
633 MOTION: Dr. Miller made the motion to table this agenda item until the Medical Board can give insight on their
634 opinion and to have Dr. Mackie give a similar presentation to the Medical Board. Motion was seconded by Dr.
635 Blasco. All were in favor of the motion.

- 636 *b. Consideration of Application for Dental Hygiene Licensure by WREB -NRS 631.300, NAC
637 631.030 and NAC 631.050 (For Possible Action)
638

639 (1) Paulo U Patam, RDH
640

641 Dr. Blasco indicated that he recently reviewed the application, and because it did not meet the criteria, he rejected
642 the application pursuant to NRS and NAC 631. Mr. Patam was present and approached the Board. Mrs. Shaffer-
643 Kugel indicated that the application was reviewed by the Secretary/Treasurer and that the applicant was informed
644 of the rejection due to non-practice for more than 2 years. She added that the regulation stated that the Board must
645 reject an application if the applicant has not practiced for more than two years. Mr. Hunt inquired if Mr. Patam
646 wanted to add anything for the Board to consider. Mr. Patam stated that he was not able to become licensed due to
647 some issues he was experiencing and has only been to work as a dental hygiene assistant. Mrs. Shaffer-Kugel noted
648 that during the two years, Mr. Patam had not been able to pass national boards, and that after his third attempt, he

649 had to wait one year before he could make another attempt; after the fourth attempt he was successful. Mrs. Villigan
650 noted that Mr. Patam stated that he would be willing to take a clinical exam. Mrs. Shaffer-Kugel suggested that the
651 Board could approve the application for licensure contingent upon Mr. Patam furnishing proof that he successfully
652 passed an accepted dental hygiene exam. She added that a skills assessment was not an option, as skills assessments
653 are typical made available to only individuals whom are licensed.

654
655 MOTION: Ms. Solie made the motion to approve the application for licensure contingent upon Mr. Patam
656 successfully passing the clinical portion of a dental hygiene exam through WREB or ADEX. Motion seconded by
657 Ms. Guillen. Dr. Kinard advised that Mr. Patam may want to redo the anesthesia exam.

658 AMENDED MOTION: Ms. Solie amended her motion that they Board approve the application for licensure
659 contingent upon Mr. Patam successfully completing the WREB or ADEX exam, and assuming that three are no
660 other reasons for rejection. Ms. Guillen agreed to amend her second in favor of the amended motion. All were in favor
661 of the motion; Dr. Blasco abstained.

662
663 *c. Approval of Public Health Endorsement – NRS 631.287 (For Possible Action)
664

665 (1) Elizabeth A Bruins, RDH – Future Smiles Program
666

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

668
669 MOTION: Mrs. Wark made the motion to approve. Motion seconded by Ms. Solie. All were in favor of the motion;
670 Dr. Blasco abstained.

671
672 *d. Approval of Voluntary Surrender of License – NAC 631.160 (For Possible Action)
673

- | | |
|--------------------------|--------------------------|
| (a) Barbara Bell, DDS | (e) Robert H Talley, DDS |
| (b) Shelton L Chow, DDS | (f) A Ross Wetsel, DDS |
| (c) Mathew L Jones, DMD | (g) Alan D Willis, DDS |
| (d) Swathi R Kuppam, DMD | |

1 Mrs. Shaffer-Kugel indicated that there were no pending issues.

2
3 MOTION: Ms. Guillen made the motion to approve the voluntary surrender of licenses. Motion seconded by Ms.
4 Solie. All were in favor of the motion.

5
6 *e. Approval for Anesthesia-Temporary Permit – NAC 631.2254 (For Possible Action)
7

8 (1) Conscious Sedation (For Possible Action)
9

- | |
|---------------------------------|
| (a) Timothy C Adams, DMD |
| (b) Frederick J John, DMD |
| (c) Christopher T Spillers, DMD |
| (d) Yonatan M Moskowitz, DDS |

1 Dr. Miller indicated that he reviewed the applications and that he recommended approval.

2
3 MOTION: Mrs. Wark made the motion to approve. Motion was seconded by Ms. Guillen. All were in favor of the
4 motion; Dr. Miller abstained.

5
6 (2) General Anesthesia (For Possible Action)
7

- | |
|----------------------------|
| (a) James Kim, DDS |
| (b) Matthew M Kikuchi, DMD |

8
9
10
11 Dr. Miller indicated that he reviewed the applications and that he recommended approval.

12
13 MOTION: Mrs. Wark made the motion to approve. Motion was seconded by Ms. Guillen. All were in favor of the
14 motion; Dr. Miller abstained.

15

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

17
18 (1) Conscious Sedation (For Possible Action)

- 19
20 (a) Afshin Azimi, DDS
21 (b) Gregg C Hendrickson, DDS
22 (c) Tyler R Klein, DDS
23

24 Dr. Miller indicated that he reviewed the applications and that he recommended approval.

25
26 MOTION: Mrs. Wark made the motion to approve. Motion was seconded by Ms. Guillen. All were in favor of the
27 motion; Dr. Miller abstained.

28
29 (2) General Anesthesia (For Possible Action)

- 30
31 (a) Clay Van Leeuwen, DMD
32

33 Dr. Miller indicated that he reviewed the application and that he recommended approval.

34
35 MOTION: Dr. Blasco made the motion to approve. Motion was seconded by Mrs. Wark. All were in favor of the
36 motion; Dr. Miller abstained.

37
38 *g. Approval for a 90-Day Extension of Anesthesia Permit – NAC 631.2254(2) (For Possible Action)

39
40 (1) Conscious Sedation (For Possible Action)

- 41
42 (a) Nam M Phan, DMD
43 (b) Peter S Nguyen, DDS
44

45 Dr. Miller indicated that he reviewed the applications and that he recommended approval.

46
47 MOTION: Mrs. Wark made the motion to approve. Motion was seconded by Ms. Guillen. All were in favor of the
48 motion; Dr. Miller abstained.

49
50 (2) General Anesthesia (For Possible Action)

- 51
52 (a) Aaron U Adamson, DMD
53 (b) Jesse J J Falk, DMD
54 (c) Ryna R Falke, DDS
55 (d) Matthew J Krieger
56

57 Dr. Miller indicated that he reviewed the applications and that he recommended approval.

58
59 MOTION: Mrs. Wark made the motion to approve. Motion was seconded by Ms. Guillen. All were in favor of the
60 motion; Dr. Miller abstained.

61
62
63 9. Public Comment: (Public Comment is limited to Five (5) minutes for each individual)

64
65 Ms. Failing asked that when the Board considers any harm to the public or preserving the public from any harm
66 that they must think about a medical team, and how that team consists of doctors and nurses, other personnel.
67 She stated that a medical team works together to have the best work and services provided to patients they are
68 treating. She stated that in surgeries and dental procedures, sometimes complications do occur and noted that
69 they do not have a profession for an error free field; with that being said they are all held to a higher standard
70 because of it. She commented that the ultimate goal was to work together as a dental team. She added that she
71 saw that the Boards' main topics of concern were supervision over general supervision, responsibility, liability, and
72 protection for the public. Ms. Failing urged the Board to consider the requiring that the dental hygienists and
73 dental assistants carry malpractice insurance. Furthermore, she urged the Board to have all parties involved to
74 work together to see how they can make the practice better and less risky. She thanked the board for having the
75 courage and the foresight to be collaborative.

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Mrs. Lincicome commended the dental hygiene committee for their hard work and diligence in pushing for the changes discussed at the workshop.

Elizabeth Bruins thanked the board for approving her PHE application.

Ms. Mackenzie stated that she was representing the public. She noted that the board is charged with protecting the public. She pleaded that they consider the public that is left unserved. She stated that approximately 169,000 people in Nevada did not have health insurance, and therefore asked that they take the underserved into consideration when they consider expanding functions. She asked that the Board help dental hygienists in being able to provide the public in need to not be left unserved.

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)

10. **Announcements:** Mrs. Shaffer-Kugel announced that the newsletter was being finalized and would be mailed by October 1st. She added that the query regarding email addresses for dentists was complete and GL Suites is working on the email addresses for dental hygienists. She noted that licensees can add an email address using the change of address portal on the Boards' website. She commented that by next March, they hope to be able to electronically send the newsletter to licensees. She noted to the Board the video conference equipment was installed. That new computers were being installed and that the additional scanner has been ordered.

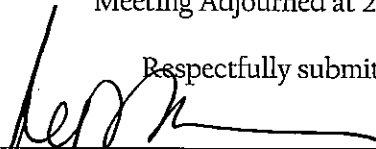
Dr. Miller stated that this was, potentially, the last meeting for Mrs. Wark, Dr. Sill and himself. He thanked staff and counsel for all their support.

*II. **Adjournment** (For Possible Action)

Motion: Mrs. Wark made the motion to adjourn. Motion seconded by Ms. Guillen. All were in favor of the motion.

Meeting Adjourned at 2:03 pm.

Respectfully submitted by:



Debra Shaffer-Kugel, Executive Director