

1 NEVADA STATE BOARD OF DENTAL EXAMINERS
2 6010 S Rainbow Boulevard, Suite A-1
3 Las Vegas, Nevada 89118
4 (702) 486-7044
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7 Video Conferencing was available for this meeting at the Nevada State Board of Medical Examiners located at
8 1105 Terminal Way, Suite 301, Reno, NV 89502
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10 NOTICE OF INTENT TO ACT ON PROPOSED PERMANENT REGULATIONS (R086-16)
11 & NOTICE OF PUBLIC MEETING
12

13 Minutes
14

15 Friday, September 23, 2016
16 9:09 a.m.

17 Board Meeting Agenda
18

19 Please Note: The Nevada State Board of Dental Examiners may 1) address agenda items out of sequence to accommodate
20 persons appearing before the Board or to aid the efficiency or effectiveness of the meeting; 2) combine items for consideration by
21 the public body; 3) pull or remove items from the agenda at any time. The Board may convene in closed session to consider the
22 character, alleged misconduct, professional competence or physical or mental health of a person. See NRS 241.030. Prior to the
23 commencement and conclusion of a contested case or a quasi judicial proceeding that may affect the due process rights of an
24 individual the board may refuse to consider public comment. See NRS 233B.126.
25

26 At the discretion of the Chair, public comment is welcomed by the Board, but will be heard only when that item is reached and
27 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
28 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
29 completed the meeting will adjourn.

30
31 *Asterisks (*) denote items on which the Board may take action.*
32 *Action by the Board on an item may be to approve, deny, amend, or table.*
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34
35 1. Call to Order, roll call, and establish quorum
36

37 Pledge of Allegiance
38

39 Dr. Pinther called the meeting to order and Mrs. Shaffer-Kugel conducted the following roll call:
40

41 Dr. Timothy Pinther ("Dr. Pinther") -----PRESENT	Dr. Ali Shahrestani ("Dr. Shahrestani") -----EXCUSED
42 Dr. Byron Blasco ("Dr. Blasco") -----PRESENT	Mrs. Leslea Villigan ("Mrs. Villigan") -----PRESENT
43 Dr. J Gordon Kinard ("Dr. Kinard") -----PRESENT	Ms. Theresa Guillen ("Ms. Guillen") -----PRESENT
44 Dr. Brendan Johnson ("Dr. Johnson") -----PRESENT	Ms. M Sharon Gabriel ("Ms. Gabriel") -----PRESENT
45 Dr. Gregory Pisani ("Dr. Pisani") -----PRESENT	Ms. Stephanie Tyler ("Ms. Tyler") -----PRESENT
46 Dr. Jason Champagne ("Dr. Champagne") ---PRESENT	

47
48 Others Present: John Hunt, Board Legal Counsel; Debra Shaffer-Kugel, Executive Director; Stacie Hummel, Board
49 Accountant.
50

51 Public Attendees: Robert Talley, DDS, NDA; Tina Tsou, Las Vegas Dental Association; Jason Sadow, Nutile Law;
52 Jody Beck, Self; Elizabeth Gibson, Self; Sara Mercier, Self; Tina Brandon-Abbatangelo, DDS, SNDS; Bill Pappas, DDS -
53 ADEX; Pashtana Usutzy, Self; Rick Thiriot, DDS - UNLV SDM; Richard Dragon, NDA; Alex Tanchek, NDHA;
54 Georgene Chase, DDS - Smile Restore; Sally-Ann Nash, Counsel for Dr. Georgene Chase; Caryn Solie, RDH - NDHA;
55 Catherine O'Mara, NSMA; Joanna Jacob, Ferrari Public Affairs & NDA; Luke Hermann, inLumon; Lyn Beggs, Esquire,
56 Smile Restore; Kelly Euse, Advanced Dentistry by Design.
57
58

59 2. Public Comment: (Public Comment is limited to three (3) minutes for each individual)
60

61 Tina Tsou with the Las Vegas Dental Association disseminated copies of her public comment to the Board members
62 before reading her comments into the record.

63 Mr. Hunt commented that the complaint referenced in Ms. Tsou's statement, was regarding the Board policy for
64 public comment at the beginning and end of meetings pursuant to the open meeting law. He noted that the
65 complainants attempted to interject Board discussion of an agenda item with public comment, which public
66 comment is permitted on our agenda for before and after the meeting, therefore the Board did not violate said policy.
67 Mr. Hunt noted that the Board was recognized for their work with the community and the dental school.
68

69 Joanna Jacob commented that on the draft minutes of July 15, while she does affirm her attendance, she noted that she
70 is with the NDA not NDHA, and therefore, asked that the correction be made.
71

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

74
75 ***3. Notice of Intent to Act Upon Proposed Permanent Regulations (R086-16), Request for Comments**
76 **relative to the proposed permanent regulation changes and/or amendments pertaining to Nevada**
77 **Administrative Code Chapter 631; the general topics include the following: Use of laser radiation in practice**
78 **(NAC 631.033); Continuing Education (NAC 631.175); Dental hygienists, authorization to perform certain**
79 **services (NAC 631.210) (For Possible Action)**
80

81 Mrs. Shaffer-Kugel noted that the Board previously held public workshops for the regulations being addressed. She
82 stated that at the July 15th meeting, the Nevada Medical Association came forward and strongly opposed the board
83 moving forward with the regulation changes that would permit for dental hygienist' and dentist' to administer
84 Botulinum toxins. Mrs. Shaffer-Kugel stated that she spoke with LCB regarding the comments and concerns from
85 the NMA, and inquired of other options to move forward with one of the three proposed regulations. She was
86 advised that the Board could reassign some of the regulations to their own R-document, which she explained the
87 option briefly.
88

89 Mr. Hunt noted at the time the Board gave their Advisory Opinion in November 2015, the Medical Board submitted a
90 letter to the Board indicating that there was no conflict with the Board moving forward with the opinion that
91 administering botulinum toxins would, also, fall under the scope of dentistry. He noted further that pursuant to the
92 Medical Board's statutes, a medical assistant - whom they have no jurisdiction over, and without any defined
93 training - can administer the toxin. Mr. Hunt argued, inversely, that the Dental Board would be permitting licensees
94 to administer the toxin - licensees whom the Board has jurisdiction over, should there be any complaints or violations
95 he added that the Board would, also, be establishing parameters for minimum training requirements. Mr. Hunt
96 stated that since the issuance of the Advisory Opinion some concerns were raised, particularly, to whom a dentist
97 may administer to. He clarified (in assumption that the regulation changes were approved) that any licensee
98 administering botulinum toxins, dermal fillers and/or other facial injectables only may do so on patients of record, in
99 office, and must comply with CDC infection control requirements.
100

101 Mr. Hunt advised the Board of their option to either adopt the regulations as they are, amend them, or table them.
102 Dr. Blasco stated that multiple states and provinces allow dentist' to administer botox and dermal fillers. He noted
103 that the Continuing Education committee created a parameter for a minimum requirement of training, however, that
104 it did not exclude a licensee's ability to obtain training that would go beyond the minimal training requirements. He
105 stated that there was a segment of the public administering the injectables in question that are far less trained to
106 administer them than dentists'. He noted that the Board is at the very least setting parameters that must be met and
107 that they have jurisdiction over the licensees that would be administering said injectables. Nevertheless, he noted
108 that it was never the Board's intent to allow for dentists to be able to administer on patients that are not patients of
109 record, and stated further that licensees would be limited to the oral and maxillofacial region. Mrs. Shaffer-Kugel
110 noted that she spoke with Pamela, the chief examiner for the Medical Board, who informed her that they have a
111 regulation that states that Medical Assistants are allowed, under the supervision of medical doctor, to administer
112 botulinum toxins. She noted further, that the Medical Board was pursuing regulations to address the regulation
113 regarding medical assistants as there currently was an issue with Medical assistants improperly administering the
114 toxin in question. Dr. Johnson stated that it was ironic that the Medical Association was critiquing dentists' and
115 dental hygienists' as being insufficiently trained to administer, though the Board drafted language for the
116 establishment of training for the administration of the injections in question; yet the Medical board had no set
117 parameters for the unlicensed medical assistants, not even for training.
118

119 Mrs. Shaffer-Kugel recommended that the Board extract, on page two (2) the proposed regulations, NAC 631.033,
120 regarding the administration of botulinum toxin, dermal fillers, and other facial injectables by dentists' and dental

hygienists', as well as the language proposed under NAC 631.210, and reassign it to have its own R-number and be posted for a notice of public workshop.

****No public attendees stepped forward with public comment****

MOTION: Dr. Pisani to move forward with the language as presented. Motion was seconded by Dr. Kinard.

Roll Call Vote:

Dr. Timothy Pinther-----no	Dr. Gregory Pisani -----yes	Ms. Theresa Guillen -----yes
Dr. Byron Blasco-----yes	Dr. Jason Champagne-----no	Ms. M Sharon Gabriel----yes
Dr. J Gordon Kinard-----yes	Dr. Ali Shahrestani-----excused	Ms. Stephanie Tyler-----no
Dr. Brendan Johnson-----yes	Mrs. Leslea Villigan -----yes	

Motion was agreed to; motion passed.

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

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

- (1) Board Meeting-July 15, 2016
- (2) Budget & Finance Committee Meeting-08/18/2016
- (3) Board Meeting-08/24/2016
- (4) Anesthesia Subcommittee Meeting-09/08/2016

Mrs. Shaffer-Kugel noted the correction to be made to the July 15th minutes.

MOTION: Dr. Blasco made the motion to approve the minutes with the public comment correction. Motion was seconded by Ms. Guillen. All were in favor of the motion.

b. Financials -NRS 631.180/NRS 631.190

- (1) Review Balance Sheet and Statement of Revenues, Expenses and Balances for fiscal period July 1, 2015 through June 30, 2016 (For Possible Action)

Mrs. Hummel went over the balance sheet and statement of revenues, expenses and balances for fiscal period July 2015 through June 2016. She stated that the statements provided were unaudited statements. She explained that they do not have the current pension liability and that she could not add it to statement provided until the information is provided to them from the state, and that they, therefore, cannot begin the audit until the information is received and added to the statement.

- (2) Consider the Recommendations from the Budget & Finance Committee to approve the FY 17 Proposed Budget (For Possible Action)

Mrs. Shaffer-Kugel indicated that the budget was reviewed and approved by the Budget and Finance committee. Mrs. Hummel pointed out that she added one item to the budget, which was \$40,000 for the possibility of the Board choosing to transition over to the new licensing system. She went on to discuss the increases and items added in anticipation of the changes to anesthesia permits. She noted that should the board opt to stay with GL Suites, she budget for a project to be done. Mrs. Shaffer-Kugel stated that regarding the public comment regarding legal expenses, and stated that the public may be confused in assuming that the \$270,000 is an increase to Mr. Hunt's contract, which was invalid. Ms. Hummel clarified for the record that the \$270,000 was a total for all legal fees and expenses, that it was a combination of all legal services and not exclusive to Mr. Hunt's services.

MOTION: Dr. Pisani made the motion to approve. Motion was seconded by Dr. Kinard. All were in favor of the motion.

- (3) Consideration of proposal for new Licensing Software System (For Possible Action)

(a) inLumon

Mrs. Shaffer-Kugel stated that the Board had been with GL Suites since 2005, and that while it was a good licensing system, the issues were projects and tasks were taking months to complete, and was always running behind on making the system more efficient, even with the fact that the Board has the largest system currently available by GL Suites. She noted that the new system with inLumon would give the board more control and that

183 it would streamline the system, which would grant more access options to licensees and applicants. Mr. Herman
184 with inLumon stepped forward to give a little more insight on to what they offer and some of the benefits they
185 would have should they choose to move over the licensing system. Dr. Kinard inquired on the length of the
186 transition period. Mr. Herman responded that it would take approximately three (3) months to do the transition.
187 Mrs. Shaffer-Kugel stated that the more prudent option would be to choose option 1, and pay the \$40,000 upfront,
188 which would create a 6-month lag before the monthly fees were to commence. Mr. Herman noted that in the
189 proposal there was a possibility of a 3% increase in fees annually. Dr. Pisani inquired if they budget to pay the
190 monthly GL Suite fees and upfront fees to begin the transition process. Ms. Hummel answered affirmatively that
191 they were both budgeted for. Mrs. Villigan inquired on the potential security issues that the State could have with
192 the Board potentially accessing meeting information using their personal electronic devices. Dr. Pisani noted that
193 inLumon was an approved State vendor, and therefore, strongly assumed that security concerns would not be an
194 issue with the State. Mr. Herman spoke of the different boards and the work they're doing with them.

195
196 MOTION: Dr. Kinard made the motion to move forward with inLumon proposal. Motion was seconded by Dr.
197 Blasco. All were in favor of the motion. Mrs. Shaffer-Kugel asked that they clarify with contract option they were
198 voting for. Dr. Kinard and Dr. Blasco rescinded their motion and second to the motion.

199
200 MOTION: Dr. Kinard made the motion to move forward with inLumon with the initial investment of \$40,000 and
201 monthly maintenance costs of \$2,100. Motion was seconded by Dr. Blasco. All were in favor of the motion.

202
203 *c. Authorized Investigative Complaint-NRS 631.363 (For Possible Action)

204
205 (1) Dr. V - NRS 631.3475(1) (For Possible Action)

206
207 Mr. Hunt gave a brief description of the process for doing authorized investigations anonymously. Mrs. Shaffer-
208 Kugel went over the alleged violations.

209
210 MOTION: Dr. Kinard made the motion to authorize the investigation. Motion was seconded by Dr. Blasco. All
211 were in favor of the motion.

212
213 (2) Dr. W - NRS 631.3475(5) and NAC 631.230(1)(b) (For Possible Action)

214
215 Mrs. Shaffer-Kugel went over the alleged violations.

216
217 MOTION: Dr. Pisani made the motion to authorize the investigation. Motion was seconded by Ms. Guillen. All
218 were in favor of the motion.

219
220 (3) Dr. X - NRS 631.395(10) (For Possible Action)

221
222 Mrs. Shaffer-Kugel went over the alleged violations.

223
224 MOTION: Ms. Gabriel made the motion to authorize the investigation. Motion was seconded by Ms. Guillen. All
225 were in favor of the motion.

226
227 (4) Dr. Y - NRS 631.3475(4) and NAC 631.230(1)(c) (For Possible Action)

228
229 Mrs. Shaffer-Kugel went over the alleged violations.

230
231 MOTION: Dr. Pisani made the motion to authorize the investigation. Motion was seconded by Ms. Guillen. All
232 were in favor of the motion.

233
234 (5) Dr. Z - NRS 631.348(1) and NRS 631.395(6) (For Possible Action)

235
236 Mrs. Shaffer-Kugel went over the alleged violations.

237
238 MOTION: Dr. Kinard made the motion to authorize the investigation. Motion was seconded by Dr. Blasco. All
239 were in favor of the motion.

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d. Correspondence-NRS 631.240 and NRS 631.300:

- (1) Review correspondence from ADEX and update on the ADEX Annual Meeting
- (a) Timothy Pinther, DDS

Dr. Pinther gave a report on his recent meeting with ADEX and some of the minor changes made to the language for both the dental and dental hygiene exams. He went over some of the ASDA desires for exam requirements and the changes they want made to exams. Dr. Pappas went over in some detail, the noted structure changes.

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

- (1) Approval for So. Nevada Board Members and Executive Director to travel to Reno, Nevada for the January 2017 Election of Officers and Board Meeting (For Possible Action)

MOTION: Ms. Gabriel made the motion to approve travel. Motion was seconded by Ms. Guillen. All were in favor of the motion.

*f. Calendar - NRS 631.190 (For Possible Action)

- (1) Approval of Calendar of Events for 2017

Mrs. Shaffer-Kugel stated that the following dates were tentative dates with confirmed conference room availability with the Medical Board.

MOTION: Dr. Blasco made the motion to approve. Motion was seconded by Dr. Johnson. All were in favor of the motion.

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

a. Legal Actions/Lawsuit(s) Update

- (1) District Court Case(s) Update

Mr. Hunt indicated that there are no pending lawsuits against the Board.

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

- (1) William Maricondia, DDS

Mr. Hunt went over the provisions of the stipulation agreement and stated that the disciplinary screening office ("DSO") recommended approval.

MOTION: Dr. Pisani made the motion adopt the stipulation agreement. Motion was seconded by Dr. Champagne. All were in favor of the motion.

- (2) Gregg Hendrickson, DDS

Mr. Hunt went over the provisions of the stipulation agreement and stated that the DSO recommended approval.

MOTION: Dr. Blasco made the motion adopt the stipulation agreement. Motion was seconded by Dr. Johnson. All were in favor of the motion; Dr. Kinard abstained.

*6. New Business (For Possible Action)

- *a. Board to determine whether Smile Restore (non-profit organization) is providing dental services by volunteer dentists at no charge or at a substantially reduced charge to populations with limited access to dental care pursuant to NRS 631.215(2)(f)(3) (For Possible Action)

Dr. Chase and counsel were present. Mrs. Shaffer-Kugel stated that they inquired about Smile Restore, which is based out of Washoe County, to obtain additional information regarding the services offered and their fees. Mrs. Shaffer-Kugel stated that non-profit organizations are required to provide the Board with the name of the dental director of the organization. Dr. Pisani inquired if the Dental Director listed is the custodian of the patient records.

317 Mrs. Shaffer-Kugel read the statute addressing dental directors and their scope of that position. Counsel for Dr.
318 Chase stated that Smile Restore was opening a new location in MoundHouse, but in the interim were in Reno as
319 they attempt to open up in MoundHouse. She stated further that Dr. Chase was the volunteer dentist in Reno, and
320 that Dr. Dodson was the dental director of Smile Restore. Dr. Blasco stated that while non-profit did not mean
321 not-profitable, however, that based on the fees provided it appeared to be fairly similar to insurance company
322 reimbursement fees. Counsel for Dr. Chase stated that a great deal of services are done at no charge to the patients,
323 and noted that the fee schedules were greatly reduced fees. Dr. Blasco commented that the fees on the list provided
324 appeared to be rather similar fees used for standard reimbursement rates of insurance companies. Mr. Hunt stated
325 that the intent of the statute was to ensure that a non-profit organization would not perform services in
326 competition with other dental practices. Dr. Pisani stated that the fees listed in the fee schedule were substantial
327 and comparable to fees charged at regular dental offices. He noted that Board members were not provided a list of
328 other volunteer dentists, aside from Dr. Chase, providing services. Dr. Chase stated that they bill Access
329 Healthcare, which is the entity that sends their patients to her facility. She noted that the fee schedule provided
330 pertained to Access to Healthcare, and was not a fee schedule produced or established by Smile Restore. Dr. Pisani
331 suggested that Dr. Chase refine the list to reflect a more accurate fee schedule. Dr. Chase stated to the Board that
332 Smile Restore does not have a fee schedule established based on the reason that they only charge what patients are
333 able to pay for services rendered, which at time patients are not able to afford any payment. Ms. Tyler stated that
334 Dr. Chase should submit a fee schedule that reflects a more accurate list of fees and what is actually collected from
335 grants. Mr. Hunt noted that the Board did have the option to request additional information and revisit the agenda
336 item at a future Board meeting.

337
338 MOTION: Dr. Pisani made the motion to declare that Smile Restore was a non-profit organization until the board
339 is provided with additional information. Motion was seconded by Ms. Guillen. All were in favor of the motion.

- 340
341 *b. Request to Amend the Advisory Opinion issued by the Board on November 20, 2015/January 22,
342 2016 for the administration of botulinum toxins, dermal fillers and other facial injectables - NAC
343 631.279 (For Possible Action)

344
345 (1) Byron Blasco, DMD

346
347 Dr. Blasco read his recommendations to amend the Advisory Opinion to read as read in the proposed changes in
348 language. Mr. Hunt noted that Dr. Blasco's statement would supplement the advisory opinion previously given by
349 the Board. He stated further, that the Board can draft another regulation to better clarify the administration of
350 injectables to the oral and maxillofacial region.

351
352 MOTION: Ms. Guillen made the motion to approve the revisions as read by Dr. Blasco. Motion was seconded by
353 Dr. Pisani. All were in favor of the motion.

- 354
355
356 *c. Request for Advisory Opinion for clarification whether webinar continuing education courses
357 are recognized as on-line courses pursuant to NAC 631.175(5)(c)-NRS 631.279 (For Possible Action)

358
359 (1) ~~Sarah~~ Sara Mercier, RDH

360
361 Ms. Mercier stated that her name was "Sara" not "Sarah". She noted that at a previous meeting, Mrs. Shaffer-Kugel
362 stated that webinars were considered live lecture based. Mrs. Shaffer-Kugel indicated that webinars that are live
363 are considered live instruction/lecture. However, that webinars that are previously recorded and non-interactive
364 are considered home study and not live instruction. There was discussion on how the Board could define
365 'interactive'.

366
367 ADVISORY OPINION: Mrs. Villigan stated that it was the Board's opinion that a live webinar continuing
368 education course would qualify as live instruction if the ability to have immediate interaction with the lecturer is
369 available. The advisory opinion was seconded by Ms. Guillen. All were in favor of the advisory opinion.

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371
372 *d. Board to approve/reject the recommendations from the Budget & Finance Committee Meeting
373 held on August 18, 2016 regarding the Legislative Auditors recommendations-NRS 631.190
374 (For Possible Action)

375
376 Mrs. Shaffer-Kugel stated that there were some recommendations from the Legislative auditor's report and went
377 over the recommendations. She read over the recommendations from the Budget and Finance Committee. The
378 MOTION's were as follows:

- Recommendation 1) to not assess the costs of investigations to licensees for complaints that are remanded: MOTION: Dr. Pisani made the motion to approve the recommendation that the Board not charge for remands. Motion was seconded by Dr. Blasco. All were in favor of the motion.
- Recommendation 2) Set a limit for travel: MOTION: Dr. Blasco made the motion to approve the recommendation for set travel limits as presented. Motion was seconded by Ms. Guillen. All were in favor of the motion.
- Recommendation 3) Merits of in-house counsel: MOTION: Dr. Pisani made the motion to accept the recommendations to continue with current counsel and review the merits of both in-house and outside Counsel at the end of counsel's contract in June 2017. Motion was seconded by Mrs. Villigan. All were in favor of the motion.
- Recommendation 4) Reimbursement of investigation costs declared overcharged by LCB auditors: MOTION: Ms. Tyler made the motion to amend the recommend reimbursement to include the five (5) individuals who are currently under monitoring by the Board (reimburse all licensees listed in LCB audit owed a reimbursement). Motion was seconded by Dr. Pisani. All were in favor of the motion.

***e. Approval of Reactivation of Dental License – NAC 631.170(4) (For Possible Action)**

(1) Joseph Beck, DDS

Dr. Beck was present and stepped forward. Dr. Beck commented that he last actively practiced in Indiana in 2011. Mrs. Shaffer-Kugel noted to the Board that Dr. Beck successfully passed the CDCA exam in 2015. Mr. Hunt stated that historically the board has required that licensees who have not practiced in over two (2) years to complete either a skills assessment or successfully take and pass a clinical exam. Mr. Hunt noted that Dr. Beck successfully completed the CDCA exam in May 2015 but has not practiced since taking the exam. There was discussion regarding Dr. Beck's disciplinary issues in Indiana, which the Board spoke with Dr. Beck in length and detail.

MOTION: Ms. Tyler made the motion to deny the application until Dr. Beck's Indiana license is reinstated. Motion was seconded by Dr. Pisani. Dr. Blasco stated for edification that should Dr. Beck's Indiana license be reinstated, which would potentially occur in December 2018, he will have surpassed two years since taking the CDCA exam; therefore noted that the Board may require him to retake a clinical exam at that time, should be apply to reactivate. All were in favor of the motion.

Recess: 12:13 p.m.

Return from Recess: 12:25 p.m.

***f. Approval of Voluntary Surrender of License – NAC 631.160 (For Possible Action)**

- (1) Margaret MacMinn, DMD
- (2) Aymee Jaramillo Rivas, DDS
- (3) Lindsay Pfeffer, DMD
- (4) Russell Penner, RDH
- (5) Irene Durand, RDH

Mrs. Shaffer-Kugel stated that there were no pending matters for the licensees listed.

MOTION: Dr. Pisani made the motion to approve. Motion was seconded by Ms. Gabriel. All were in favor of the motion.

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

(1) General Anesthesia (For Possible Action)

(a) Blair Alexander Isom, DDS

Dr. Johnson stated that the licensees passed the inspections and recommended approval.

MOTION: Ms. Guillen made the motion to approve. Motion was seconded by Dr. Pisani. All were in favor of the motion; Dr. Johnson abstained.

445 (2) Conscious Sedation (For Possible Action)

446 (a) Amy M.K. French, DMD

447 Dr. Johnson stated that the licensees passed the inspections and recommended approval.

448
449 MOTION: Dr. Pisani made the motion to approve. Motion was seconded by Ms. Guillen. All were in favor of the
450 motion; Dr. Johnson abstained.

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

452 (3) General Anesthesia (For Possible Action)

453 (a) Christina J. Baek, DDS

454 Dr. Johnson stated that he reviewed the applications, that all was in order, and recommended approval.

455 MOTION: Dr. Pisani made the motion to approve. Motion was seconded by Ms. Guillen. All were in favor of the
456 motion; Dr. Johnson abstained.

457 (4) Conscious Sedation (For Possible Action)

- 458 (a) Shahriar H. Agahi, DMD
459 (b) Brittany N. Rich, DMD
460 (c) Keaton M. Tomlin, DMD
461 (d) Arshid Torkaman, DDS
462 (e) Doribeth Ruiz, DMD

463 Dr. Johnson stated that he reviewed the applications, that all was in order, and recommended approval.

464 MOTION: Ms. Guillen made the motion to approve. Motion was seconded by Dr. Pisani. All were in favor of the
465 motion; Dr. Johnson abstained.

466 *i. Approval for Anesthesia Evaluator(s)-NRS 631.190 (For Possible Action)

467 (1) Troy D. Savant, DDS – General Anesthesia

468 Mrs. Shaffer-Kugel stated that Dr. Savant met the requirements.

469 MOTION: Ms. Guillen made the motion to approve Dr. Savant's application to be an evaluator. Motion was
470 seconded by Dr. Pisani. All were in favor of the motion.

471 *7. Resource Group Reports

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

473 (Chair: Dr. Pinther; Dr. Champagne; Dr. Blasco; Dr. Kinard; Ms. Guillen)

474 No report.

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

476 (Chair: Dr. Kinard; Dr. Pisani; Dr. Blasco; Dr. Shahrestani; Mrs. Villigan)

477 No report.

478 *c. Examinations Liaisons (For Possible Action)

479 *(1) WREB/HERB Representatives (For Possible Action)

480 (Dr. Blasco; Ms. Gabriel)

481 (a) Report from Dr. Blasco regarding DERB Meeting 06/24/2016

482 Dr. Blasco gave his report from the DERB meeting in June 2016.

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

484 (Dr. Kinard)

485 Dr. Kinard stated that Dr. Pinther gave a report earlier in the meeting.

516 *d. Continuing Education (For Possible Action)
517 (Chair: Dr. Blasco; Dr. Shahrestani, Dr. Pisani; Mrs. Villigan; Ms. Gabriel)
518

519 No Report.
520

521 *e. Committee of Dental Hygiene (For Possible Action)
522 (Chair: Ms. Guillen; Mrs. Villigan; Ms. Gabriel; Dr. Shahrestani)

523 No report.
524

525 *f. Specialty (For Possible Action)
526 (Chair: Dr. Pisani; Dr. Johnson; Dr. Pinther)
527

528 No report.
529

530 *g. Anesthesia (For Possible Action)
531 (Chair: Dr. Johnson; Dr. Pinther; Dr. Champagne; Dr. Kinard) (For Possible Action)
532

533 (1) Approve or Reject Recommendations from the Anesthesia Committee regarding proposed
534 draft language changes to NAC 631.2211-NAC 631.2254 (For Possible Action)
535

536 Dr. Johnson briefly went over the recommendations from the Anesthesia Committee and recommended approval.
537

538 MOTION: Dr. Kinard made the motion to approve the proposed language. Motion was seconded by Dr. Blasco.
539 All were in favor of the motion.
540

541 *h. Infection Control (For Possible Action)
542 (Chair: Mrs. Villigan; Dr. Blasco; Dr. Champagne; Dr. Pisani; Ms. Gabriel)
543

544 (1) Recommendations from Leslea Villigan, RDH (Committee Chair), to make certain changes
545 to the Infection Control Form (For Possible Action)
546

547 Mrs. Villigan briefly went over some of the recommended changes for the IC inspection form. She noted that the
548 question numbers were from a previous form. She added that the current form needed updating so that it would
549 be current with the CDC guidelines.
550

551 MOTION: Dr. Blasco made the motion to approve the recommended changes. Motion was seconded by Dr.
552 Johnson. All were in favor of the changes.
553

554 *i. Budget and Finance Committee (For Possible Action)
555 (Chair: Dr. Blasco, Dr. Pinther, Ms. Tyler, Ms. Guillen)
556

557 No report.
558

559 8. Public Comment: (Public Comment is limited to three (3) minutes for each individual)

560 Kathryn O'Mara with Nevada Medical Association commented for the record that she studied law, and that she
561 wanted the Board to become aware that there were serious concerns with pushing forward with R118-15. She
562 stated that the public was not given the opportunity to state their comments, and that public comment should be
563 taken into consideration. She noted further that the NMA was strongly against with the Board pushing the
564 language forward. She gave her interpretation of the fact that the LCB put botulinum toxins administration under
565 NRS Chapter 630.
566

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

569 9. Announcements: Mrs. Shaffer-Kugel announced that she will be arranging a date to hold a Public Workshop
570 for the Anesthesia Regulations.
571

572 Mr. Hunt stated that he did not comprehend how the public was not given an opportunity to comment on the
573 regulations in R118-15, when that there was a workshop.
574

575 MOTION: Dr. Champagne made the motion to return to agenda item (3) Public Comment. Motion was seconded
576 by Ms. Gabriel. All were in favor of the motion.
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580 *3. Public Comment: Kathryn O'Mara stated that her comments were a question of public health and safety. She
581 stated that botulinium toxin should be administered by only those properly trained to do so. She argued that the
582 Legislature's intent was for the toxin in question to be governed solely by the Medical board and thus placed the
583 toxin regulation under Nevada Chapter 630, not Dentistry (Chapter 631). She boldly stated that if a dentist were
584 to utilize 'botox' it would be the improper use of dentistry. She continued on that the Medical Board had the sole
585 discretion to regulate the use of Botulinium Toxins. She noted that the Medical Association would have supported
586 reassigning the two sections for their own R-number so that they could be readdressed at a future workshop, and
587 that they were willing to work with the Board. She asked that the Board reopen the original motion and reassign
588 the sections regarding Botulinium toxins.
589

590 Mrs. Shaffer-Kugel commented as a member of the public and clarified that through conversations with the
591 Medical Board, her understanding was that they are given the ability to license medical doctors, Physician
592 Assistant's, etc. She stated that it seemed inaccurate for one to state that the Legislature gave exclusive control
593 over the use of botulinium toxin to the Medical Board when it was not noted in the statute. She commented that
594 the Statute referenced by the Medical Association, was developed to give the Medical Board the ability to have
595 Medical Doctors authorize and supervise medical assistants to have in their possession, and in their administration
596 of botulinium toxins. She added that in 2006 the Medical Board's position, when approached regarding dentists'
597 ability to administer the toxin, was deemed the practice of Medicine; however, that in 2011, the Medical Board
598 changed their statutes to allow for Medical Assistants, whom are not registered and therefore, the Medical Board
599 has no legal jurisdiction over, to administer botulinium toxin. Mrs. Shaffer-Kugel then argued that unlike Medical
600 Assistants, Dental Hygienists' and Dentists are licensed and are trained in anatomy and human biology. She stated
601 that in all fairness, the Medical Board changing their regulations to allow for a medical assistant to administer the
602 toxin under the authorization and supervision of a medical doctor, created a new avenue for argument. As a
603 member of the public, she stated that she would feel more comfortable with a dentist, who has a four year degree
604 and has education in the anatomy and the nerves of the oral and maxillofacial region, to administer botulinium
605 toxin to than with a medical assistant who has no proper training or educational background; especially to know
606 that if something were to go amiss, she would have no proper recourse because the medical assistant is not a
607 registered or licensed individual. She stated that she believed that the Board should re-open the topic for further
608 discussion. She went on to state that the Medical entities were reaching in their comments and statements. She
609 stated that twenty-one other states allow the profession of dentistry to administer the toxin, and noted that that
610 the administration of botulinium toxin is taught in specialty programs for dentists, which goes against the
611 argument that it is a toxin solely governed by the Medical board and Medical profession.
612

613 There was no motion to reconsider.
614

615 MOTION: Dr. Pisani made the motion to return to agenda order. Motion was seconded by Ms. Gabriel. All were in
616 favor of the motion.
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618 *10. Adjournment (For Possible Action)

620 MOTION: Dr. Kinard made the motion to adjourn. Motion was seconded by Dr. Johnson. All were in favor of the
621 motion.
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Meeting Adjourned at 1:03 pm.

Respectfully submitted by:


Debra Shaffer-Kugel, Executive Director