



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



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

NOTICE OF PUBLIC MEETING

Friday, July 15, 2016
10:00 a.m.

Formal Hearing and Board Meeting Agenda

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

Pledge of Allegiance

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

Note: 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.

*3. Formal Hearing: Nevada State Board of Dental Examiners vs. Adam Persky, DMD
(For Possible Action)

The purpose of this hearing is to consider the allegations regarding/related to the the verified complaint/complaint by the Nevada State Board of Dental Examiners for the violations of NRS 631 and NAC 631 and take such action the Board deems appropriate, pursuant to NRS 631.350. (Pursuant to NRS 241.030(1)(a), the board may, by motion, enter into closed session)

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

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

- (1) Anesthesia Subcommittee Meeting-05/17/2016
- (2) Notice of Intent to Act on Proposed Regulations/Board Meeting-05/20/2016

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 May 31, 2016 (For Possible Action)

***c. Board Policies:** NRS 631.190 (For Possible Action)

(1) Review, Discussion and Recommendations of Legislative Audit Report & Response

- (i) Consideration for Board to create a policy for reimbursed investigation and legal costs relative to remand cases referenced in the Notice for Informal Hearings (For Possible Action)
- (ii) Consideration for the Board to set maximum travel limits (i.e. hotel costs) for Board Members, Administrative Staff and Other Agents of the Board (For Possible Action)
- (iii) Board to /review consider employing in-house counsel vs. contracting with independent counsel and costs associated with both (For Possible Action)

***d. Authorized Investigative Complaint-**NRS 631.363 (For Possible Action)

- (1) Dr V-NRS 631.3474(8) (For Possible Action)
- (2) Dr W-NRS 631.3475(3) (For Possible Action)
- (3) Dr X-NAC 631.2213 and NAC 631.224 (For Possible Action)
- (4) Dr Y-NRS 629.051; NRS 629.061 and NRS 631.3485 (For Possible Action)
- (5) Dr Z-NRS 631.215; NRS 631.395(11) (For Possible Action)

***e. Contracts:** NRS 631.190 (For Possible Action)

- (1) Review, Approve/Reject of Amendment to Current Contract for Legal Services-NRS 631.190 (For Possible Action)
 - (a) John Hunt, Esquire
- (2) Consideration/Approval by the Board for Lobbyist Services –NRS 631.190 (For Possible Action)
 - (a) Neal Tomlinson
 - (b) William Horne
 - (c) Rocky Finseth
 - (d) Lisa Foster

***f. Correspondence-**NRS 631.190:

- (1) Review correspondence from ADEX dated June 5, 2016 (For Possible Action)
- (2) Letter from Joint Commission on National Dental Examination (For Possible Action)

***g. Compensation-**NRS 631.190(For Possible Action)

- (1) Request Approval for 2% COLA increase for Staff Members retro-active July 1, 2016 (For Possible Action)

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

a. Legal Actions/Lawsuit(s) Update

- (1) District Court Case(s) Update

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

- (1) Suzan Fu, DDS
- (2) Raymond Kim, DDS

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

***a. Consideration of Anesthesia Evaluators/Inspectors Recommendations of Failure of Five Year Evaluation for the administration of conscious sedation pursuant to NAC 631.2233 (1 and 2)** (For Possible Action)

- (1) Dr X
- (2) Dr Y

- *b. Consideration to Grant re-evaluation upon satisfying the recommendations by the Evaluator/Inspectors for the Conscious Sedation Permit Holder pursuant to NAC 631.2235 (2 and 3) (For Possible Action)
 - (1) Dr X
- *c. Consideration to Grant re-evaluation for the Oral Examination Portion only for the Conscious Sedation Permit Holder pursuant to NAC 631.2235 (2 and 3) (For Possible Action)
 - (1) Dr Y
- *d. Request to the Board for a review the investigation process and investigation costs-NRS 631.190(For Possible Action)
 - (1) Adrian Ruiz, DDS
- *e. Review of Memorandum of Understanding between Volunteers in Medicine of Southern Nevada and CSN, Dental Hygiene Program, UNLV School of Dental Medicine and Roseman University to offer dental services by students (NRS 631.215, NRS 631.310 and NRS 631.3452) (For Possible Action)
 - (1) Lydia Wyatt, DDS
- *f. Approval/Rejection for Dental Hygiene Public Health Endorsement Program with Volunteers of Medicine Southern Nevada non-profit clinic (For Possible Action)
 - (1) Lydia Wyatt, DDS
- *g. Approval of Voluntary Surrender of License – NAC 631.160 (For Possible Action)
 - (1) Gabrielle Burtenshaw, RDH
 - (2) Cynthia Christensen, RDH
 - (3) Vickie Connell, RDH
 - (4) James K. Olpin, DMD
- *h. Approval for Anesthesia-Permanent Permit – NAC 631.2233 (For Possible Action)
 - (1) Conscious Sedation (For Possible Action)
 - a. Drew D. Richards, DDS
- *i. Approval for Anesthesia-Temporary Permit – NAC 631.2254 (For Possible Action)
 - (1) General Anesthesia (For Possible Action)
 - a. Blair A. Isom, DDS
- *j. Approval for a 90-Day Extension of Anesthesia Permit – NAC 631.2254(2) (For Possible Action)
 - *(1) Conscious Sedation (For Possible Action)
 - a. Amy M.K. French, DMD
- *k. Approval for Anesthesia Evaluators-NRS 631.190 (For Possible Action)
 - (1) Joshua Branco, DMD – Conscious Sedation
 - (2) Steven A. Saxe, DMD – General Anesthesia
 - (3) Gregory J. Hunter, DMD, MD – General Anesthesia

***7. Resource Group Reports**

- *a. Legislative and Dental Practice (For Possible Action)
(Chair: Dr. Pinther; Dr. Champagne; Dr. Blasco; Dr. Kinard; Ms. Guillen)
- *b. Legal and Disciplinary Action (For Possible Action)
(Chair: Dr. Kinard; Dr. Pisani; Dr. Blasco; Dr. Shahrestani, Mrs. Villigan)

- *c. Examinations Liaisons (For Possible Action)
 - * (1) WREB/HERB Representatives (For Possible Action)
(Dr. Blasco; Ms. Gabriel)
 - * (2) ADEX Representatives (For Possible Action)
(Dr. Kinard)
- *d. Continuing Education (For Possible Action)
(Dr. Blasco, Chair; Dr. Shahrestani, Dr. Pisani; Mrs. Villigan; Ms. Gabriel)
- *e. Committee of Dental Hygiene (For Possible Action)
(Chair: Ms. Guillen; Mrs. Villigan; Ms. Gabriel, Dr. Shahrestani)
- *f. Specialty (For Possible Action)
(Chair: Dr. Pisani; Dr. Johnson; Dr. Pinther)
- *g. Anesthesia (For Possible Action)
(Chair: Dr. Johnson; Dr. Pinther; Dr. Champagne; Dr. Kinard)
(For Possible Action)
- *h. Infection Control (For Possible Action)
(Chair: Mrs. Villigan; Dr. Blasco; Dr. Champagne; Dr. Pisani; Ms. Gabriel)
- *i. Budget and Finance Committee (For Possible Action)
(Chair: Dr. Blasco, Dr. Pinther, Ms. Tyler, Ms. Guillen)

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

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)

9. Announcements

*10. Adjournment (For Possible Action)

* For Possible Action: Indicates items which may be acted upon by the Board.

Agenda Items may be taken out of order by motion of the Board. The Board may remove an agenda item or delay discussion relating to any item on the agenda at any time. (See NRS 241)

Pursuant to NRS 241.030(a), the board may, by motion, enter into closed session to consider the character, alleged misconduct, professional competence, or physical or mental health of a person.

AGENDA POSTING LOCATIONS

- Clark County Government Center, 500 Grand Central Parkway, Las Vegas, Nevada
- Elko County Courthouse, Room 106, Elko, Nevada
- Washoe County Courthouse, 75 Court Street; Reno, Nevada
- Office of the N.S.B.D.E., 6010 S Rainbow Boulevard, #A-1, Las Vegas, Nevada
- On the Internet at the Nevada State Board of Dental Examiners website: dental.nv.gov
- Nevada Public Posting Website: notice.nv.gov
- Carson City Library, 900 N. Roop St., Carson City, Nevada
- Churchill County Library, 553 S. Main St., Fallon, Nevada
- Clark County Public Library, 1401 E Flamingo Rd., Las Vegas, Nevada
- Douglas County Library, P.O. Box 337, Minden, Nevada
- Elko County Library, 720 Court St., Elko, Nevada
- Esmeralda County -Goldfield Public Library, P.O. Box 430, Goldfield, Nevada
- Eureka Branch Library, 10190 Monroe St., Eureka, Nevada
- Humboldt County Library, 85 East 5th St., Winnemucca, Nevada
- Lander County Library, 625 S. Broad St., Battle Mountain, Nevada
- Lincoln County Library, P.O. Box 330, 93 Main Street, Pioche, Nevada
- Lyon County Library, 20 Nevin Way, Yerington, Nevada
- Mineral County Library, P.O. Box 337, Hawthorne, Nevada
- Nye County: Tonopah Public Library, P.O. Box 449, 171 Central St., Tonopah, Nevada
- Pershing County Library, P.O. Box 781, 1125 S. R St., Lovelock, Nevada

Storey County Library, Virginia City, Nevada - via email
Washoe County Downtown Reno Library, 301 S. Center St., Reno, Nevada
Washoe County Sparks Branch Library; 1125 12th Street, Sparks, NV
White Pine County Library, 950 Campton St., Ely, Nevada
Las Vegas Office of the State Attorney General, 555 E. Washington Ave, Las Vegas, Nevada
Carson City Office of the State Attorney General, 100 N. Carson St., Carson City, Nevada
Las Vegas Child Support Enforcement; 1900 E Flamingo Rd, Ste #100; Las Vegas, NV
Southern Nevada Health District; 330 S. Valley View; Las Vegas, NV

Persons/facilities who want to be on the mailing list must submit a written request every six (6) months to the Nevada State Board of Dental Examiners at the address listed in the previous paragraph. With regard to any board meeting or telephone conference, it is possible that an amended agenda will be published adding new items to the original agenda. Amended Nevada notices will be posted in compliance with the Open Meeting Law.

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Angelica Bejar, at (702) 486-7044 ext 65847 no later than 48 hours prior to the meeting. Requests for special arrangements made after this time frame cannot be guaranteed.

Pursuant to NRS 241.020(2) you may contact Angelica Bejar at (702) 486-7044 ext 65847 to request supporting materials for the public body or you may download the supporting materials for the public body from the Board's website at dental.nv.gov. In addition, the supporting materials for the public body are available at the Board's office located at 6010 S Rainbow Blvd, Ste A-1, Las Vegas, Nevada.