



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



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

Minutes

Friday, July 15, 2016
 10:09 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

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

Dr. Timothy Pinther-----PRESENT	Dr. Ali Shahrestani-----PRESENT
Dr. Byron Blasco-----PRESENT	Mrs. Leslea Villigan -----PRESENT (via telephone)
Dr. J Gordon Kinard-----PRESENT	Ms. Theresa Guillen -----PRESENT
Dr. Brendan Johnson-----PRESENT	Ms. M Sharon Gabriel-----PRESENT
Dr. Gregory Pisani -----PRESENT	Ms. Stephanie Tyler -----EXCUSED
Dr. Jason Champagne-----PRESENT	

Others Present: John Hunt, Board Legal Counsel; Burt Wuester, Co-Legal Counsel; Debra Shaffer-Kugel, Executive Director; Stacie Hummel, Board Accountant.

Public Attendees: Catherine O'Mara, Nevada State Medical Association; Caryn Solie, RDH, NDHA; Alex Tanchek, for Neena Laxalt on behalf of NDHA; Syd McKenzie, TMCC/NDHA/CUSP/ and Oral Health Nevada; Joanna Jacob, NDA; Lisa Foster, Foster Consulting; Kelly Taylor, RDH; Robert Talley, NDA; William Horne, Horne-Duarte Government and Public Affairs; Edith Duarte, Horne-Duarte Government and Public Affairs; Brett Kandt, Attorney General-Board Special Counsel; Lydia Wyatt, Volunteers of Medicine Southern Nevada (VMSN); Florence Jameson, VMSN; Rebecca Edgeworth, VMSN; Amy S. Schmidt, VMSN; Laura Lucero, Counsel with Daehnke Stevens; Shari Peterson, CSN/NDHA; Ray Gates, LTGL; Sara Mercier, RDH; Neal Tomlinson, Hyperion Advisors.

Public Attendees Present but did not sign in: Adrian Ruiz, DDS; Erika Smith, DDS, Las Vegas Dental Association; Tina Tsou, Secretary for Las Vegas Dental Association.

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

62
63 Catherine O'Mara with and on the behalf of the Nevada State Medical Association, which she stated that they are
64 in strong opposition of the recent proposed rule changes regarding the Board allowing dentists' and dental
65 hygienists' to administer facial injectables. She added that they did not believe that dentists' and dental hygienists'
66 are permitted to administer facial injectables per NRS 630.138. She noted that in order for the Board to allow a
67 dentist to administer facial injectables it would require a statutory change, which has not occurred.
68

69 Dr. Erika Smith approached the Board and read a written statement into the record (provided and posted for
70 public viewing).
71

72 Dr. Adrian Ruiz approached the Board and read a written statement into the record (provided and posted for
73 public viewing).
74

75 Ms. Tina Tso stood and read a statement. She stated that as the Secretary for the Las Vegas Dental Association, she
76 spoke with twenty (20) dentists and they all concurred that both the Executive Director and Legal Counsel for the
77 Board should be replaced.
78

79 **Note:** Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may
80 affect the due process rights of an individual the board may refuse to consider public comment. See NRS
81 233B.126.

82
83 MOTION: Dr. Kinard made the motion to go out of agenda order to item (6)(e) and (f). Motion was seconded by
84 Dr. Pisani. All were in favor of the motion.
85

86 *6. New Business (For Possible Action)

87
88 *e. Review of Memorandum of Understanding between Volunteers in Medicine of Southern Nevada
89 and CSN, Dental Hygiene Program, UNLV School of Dental Medicine and Roseman University
90 to offer dental services by students (NRS 631.215, NRS 631.310 and NRS 631.3452) (For Possible Action)
91

92 (1) Lydia Wyatt, DDS
93

94 Dr. Lydia Wyatt and Florence Jameson approached the board and stated that they had a presentation regarding
95 their program. Ms. Jameson gave a brief story of what inspired her to start a free and charitable clinic that would
96 offer both medical and dental services. Her story was followed by a video showing what their clinic has been able
97 to offer to those in need in the community. Mrs. Shaffer-Kugel clarified that that VMSN wants to partner up with
98 the dental students at UNLV, Roseman University and at the dental hygiene and dental assistant students at CSN
99 to offer services and that all students will be supervised. With the exception of those dental hygienists that hold a
100 special health endorsement to allow them to treat patients without requiring the supervision of a dentist.
101

102 MOTION: Dr. Pisani made the motion to approve this item, the memorandum of Understanding between VMSN,
103 CSN Dental Hygiene Program, UNLV School of Dental Medicine, and Roseman University. Motion was seconded
104 by Dr. Kinard. All were in favor of the motion.
105

106 *f. Approval/Rejection for Dental Hygiene Public Health Endorsement Program with Volunteers of
107 Medicine Southern Nevada non-profit clinic (For Possible Action)

108 (1) Lydia Wyatt, DDS
109
110

111 Mrs. Shaffer-Kugel commented that this would be to approve or reject this program as an acceptable program for
112 dental hygienists with a public health endorsement to practice at.
113

114 MOTION: Ms. Guillen made the motion to approve the public health endorsement program with VMSN. Motion
115 was seconded by Dr. Johnson. All were in favor of the motion.
116
117
118
119

120 *3. Formal Hearing: Nevada State Board of Dental Examiners vs. Adam Persky, DMD
121 (For Possible Action)
122

123 The purpose of this hearing is to consider the allegations regarding/related to the
124 the verified complaint/complaint by the Nevada State Board of Dental Examiners for the
125 violations of NRS 631 and NAC 631 and take such action the Board deems appropriate,
126 pursuant to NRS 631.350. (Pursuant to NRS 241.030(1)(a), the board may, by motion, enter into closed session)
127

128 There was court reporter present for the hearing. Dr. Adam Persky was not present.
129

130 MOTION: Dr. Pisani made the motion to find Dr. Adam Persky guilty of the allegations of violating NRS
131 631.350(4)(n) and 631.349. Motion was seconded by Dr. Blasco. All were in favor of the motion.
132

133 MOTION: Dr. Pisani made the motion to find Dr. Adam Persky of violating NRS 631.075 NRS 631.095, NRS
134 631.3475(1), NRS 631.3475(2), and NRS 631.3475(4), as alleged by patient Stefanie Cook. Motion was seconded by
135 Dr. Blasco. All were in favor of the motion.
136

137 MOTION: Dr. Blasco made the motion to find Dr. Adam Persky guilty of the allegations of violating NRS
138 631.150(2) for failing to notify the board of a change of address. Motion was seconded by Dr. Pisani. All were in
139 favor of the motion.
140

141 MOTION: Dr. Blasco made the motion to find Dr. Adam Persky guilty of failure to renew his license pursuant to
142 NRS 631.330 and NRS 631.3485(2). Motion was seconded by Dr. Johnson. All were in favor.
143

144 There was some further discussion regarding reimbursement fees.
145

146 MOTION: Dr. Pisani made the motion that the Board accept by the recommendations of the DSO as listed on
147 exhibit 11, page 60220. (He read the recommendations into the record). Motion was seconded by Dr. Kinard. All
148 were in favor.
149

150 ****Refer to transcripts for this hearing for more information and details. ****
151

152 Hearing adjourned at 12:49 p.m. Mrs. Villigan excused herself for the remainder of the meeting.
153

154 *4. Executive Director's Report (For Possible Action)
155

156 *e. Contracts: NRS 631.190 (For Possible Action)
157

158 (2) Consideration/Approval by the Board for Lobbyist Services –NRS 631.190 (For Possible Action)
159

- 160 (a) Neal Tomlinson
- 161 (b) William Horne
- 162 (c) Rocky Finseth
- 163 (d) Lisa Foster
164

165 Mrs. Shaffer-Kugel commented that one of the lobbyists was out of the country, Mr. Rocky Finseth, and therefore
166 could not be present. Mr. Tomlinson stepped forward and introduced himself to the Board and gave a brief
167 history of his education and his professional background. Dr. Kinard inquired if there was a retainer fee. Mr.
168 Tomlinson replied that there was a retainer fee that varied per client, their needs, and added that he was open to
169 any financial arrangement. He noted that he did offer reduced fees to state boards and commissions. Dr. Kinard
170 inquired if he was familiar with the Board's needs based on the last legislative session. Mr. Tomlinson he was
171 familiar with both the Boards' and Legislatures' processes. The board thanked him for his time.
172

173 Mr. Horne stepped forward and introduced himself. He gave a synopsis of his educational and professional
174 background as a lobbyist. His partner, Ms. Duarte, gave her educational background, and her background as a
175 lobbyist. Dr. Pisani inquired if they were the two principals in their group. Mr. Horne answered affirmatively and
176 noted that they started their firm in 2015.
177

178 Ms. Foster introduced herself and gave her educational and professional background. She stated that as a lobbyist
179 she liked to try and provide flexibility for her clients. She discussed some background history that was relevant to
180 the work and experience that the Board would seek in a lobbyist. The board thanked her for her time.
181

182 Mrs. Shaffer-Kugel read a statement on behalf of Ms. Stephanie Tyler regarding the candidates interested in
183 becoming the lobbyist for the board. She spoke in favor of accepting the offer from Mr. Horne and his firm. In Ms.
184 Tyler's statement, she stated that she believed that Mr. Horne's background would greatly suit and appease the
185 board's needs.
186

187 MOTION: Dr. Pisani made the motion for approval to move forward to discuss a contract with lobbyist firm
188 Horne and Duarte, which approval would be contingent upon a final contract being signed. Motion was seconded
189 by Ms. Guillen. All were in favor of the motion. Dr. Pinther thanked everyone for their time and information.
190

191 The Board agreed to review agenda item (4)(b).
192

193 *4. Executive Director's Report (For Possible Action)
194

195 b. Financials-NRS 631.180/NRS 631.190
196

- 197 (1) Review Balance Sheet and Statement of Revenues, Expenses and Balances for fiscal period
198 July 1, 2015 through May 31, 2016 (For Possible Action)
199

200 Ms. Hummel briefly gave a review of the stated that there were some areas where they were over and
201 under budget. She went over some of the changes made to it involved employee wages and benefits and
202 explained that when employees reach ten (10) years with the agency they begin accruing additional sick
203 and vacation time and benefits. She went on to discuss the areas that were over budget and under
204 budget. Per Dr. Pisani's inquiry, Ms. Hummel confirmed that any fees collected for fines are sent to the
205 State. Dr. Kinard inquired if there were any fees due for the audit that was recently conducted and
206 whether if there were any invoices. Mrs. Shaffer-Kugel stated that upon asking what fees would be
207 potentially owed for the audit conducted, she was informed that the Board would not be assessed any
208 fees.
209

210 *c. Board Policies: NRS 631.190 (For Possible Action)
211

212 (1) Review, Discussion and Recommendations of Legislative Audit Report & Response
213

214 Mrs. Shaffer-Kugel went over the audit report and their 14 recommendations. She stated some of the changes had
215 now been implemented in accordance with the recommendations. She went into some detail as to how the
216 administrative staff has now implemented some of the changes. She stated that there were 3 changes that they did
217 not approve. The first rejection was due to the fact that she disagreed with the amounts provided by the auditors
218 as overcharges, and she stated the reasons for her belief that the amounts were incorrect. The second rejection was
219 on the recommendation to create a panel, however, she noted that the statute as currently written did not allow for
220 the Board to use or create a panel for the review of complaints. It was noted that the panel would similar to the IC
221 committee used in the Medical Board's complaint process. Mrs. Shaffer-Kugel went over establishing a policy for
222 travel, as recommended by the auditors.
223

- 224 (i) Consideration for Board to create a policy for reimbursed investigation and legal costs relative
225 to remand cases referenced in the Notice for Informal Hearings (For Possible Action)
226
227

228 Mrs. Shaffer-Kugel stated that when a case is remanded costs are not passed on to the licensees. However, that the
229 new policy could be that if a case is remanded, regardless if there are other cases that are similar in an informal
230 hearing, the Board would assess the costs to the licensees though that specific case is remanded. Mr. Hunt
231 suggested that the Board create a policy that would indicate that in an informal hearing the licensee "may" be
232 accessed the costs which may include remanded cases when there are multiple cases being discussed.
233

234 MOTION: Dr. Pisani made the motion to table this item (c)(1)(i). Motion was seconded by Dr. Johnson. All were
235 in favor of the motion.
236

237 (ii) Consideration for the Board to set maximum travel limits (i.e. hotel costs) for Board Members,
238 Administrative Staff and Other Agents of the Board (For Possible Action)
239

240 (iii) Board to /review consider employing in-house counsel vs. contracting with independent
241 counsel and costs associated with both (For Possible Action)
242

243 Mrs. Shaffer-Kugel stated that though the Board has the discretion to determine the amount they will pay for
244 travel on. There was discussion regarding hotel prices, and how they vary not only state-to-state, but also vary
245 amongst cities in Nevada, especially in Las Vegas when there are certain events taking place. Mrs. Shaffer-Kugel
246 noted that currently they use all the state vendors as if the Board were part of the general fund, though the Board is
247 a self-funded agency. The Deputy Attorney General commented that as a state employee, they abide by the state
248 rates, and should any hotel cost more than the state rate, the individual traveling has to incur the difference in
249 costs out-of-pocket. There was discussion among the board members of possibly tabling this agenda item. Mrs.
250 Shaffer-Kugel suggested, perhaps, referring this item to the Budget and Finance committee for review and
251 discussion.
252

253 MOTION: Dr. Pisani made the motion to table all items under agenda item (4)(c)(1), and refer all discussion to the
254 Budget and Finance committee. Motion was seconded by Dr. Johnson. All were in favor of the motion.
255

256 The Board took a short recess from 1:56 p.m. to 2:21 p.m.
257

258
259 ***4. Executive Director's Report** (For Possible Action)
260

261 ***a. Minutes-NRS 631.190** (For Possible Action)
262

263 (1) Anesthesia Subcommittee Meeting-05/17/2016
264

265 MOTION: Dr. Johnson made the motion to approve the Anesthesia Subcommittee meeting on 05/17/2016. Motion
266 was seconded by Dr. Blasco. All were in favor of the motion.
267

268 (2) Notice of Intent to Act on Proposed Regulations/Board Meeting-05/20/2016
269

270 MOTION: Dr. Pisani made the motion to approve the minutes from the workshop and board meeting on
271 05/20/2016. Motion was seconded by Ms. Guillen. All were in favor of the motion.
272

273
274 ***d. Authorized Investigative Complaint**-NRS 631.363 (For Possible Action)
275

276 (1) Dr V-NRS 631.3474(8) (For Possible Action)
277

278 Mrs. Shaffer-Kugel went over the alleged violations.
279

280 MOTION: Dr. Blasco made the motion to authorize an investigation. Motion was seconded by Ms. Guillen. All
281 were in favor of the motion.
282

283 (2) Dr W-NRS 631.3475(3) (For Possible Action)
284

285 Mrs. Shaffer-Kugel went over the alleged violations.
286

287 MOTION: Dr. Pisani made the motion to authorize an investigation. Motion was seconded by Dr. Blasco. All were
288 in favor of the motion.
289

290 (3) Dr X-NAC 631.2213 and NAC 631.224 (For Possible Action)
291

292 Mrs. Shaffer-Kugel went over the alleged violations.
293

294 MOTION: Dr. Pisani made the motion to authorize an investigation. Motion was seconded by Ms. Guillen. All
295 were in favor of the motion.
296

297 (4) Dr Y-NRS 629.051; NRS 629.061 and NRS 631.3485 (For Possible Action)

298
299 Mrs. Shaffer-Kugel went over the alleged violations.
300

301 MOTION: Dr. Blasco made the motion to authorize an investigation. Motion was seconded by Ms. Guillen. All
302 were in favor of the motion.
303

304 (5) Dr Z-NRS 631.215; NRS 631.395(11) (For Possible Action)

305
306 Mrs. Shaffer-Kugel went over the alleged violations.
307

308 MOTION: Ms. Guillen made the motion to authorize an investigation. Motion was seconded by Ms. Gabriel. All
309 were in favor of the motion.
310

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

312
313 (3) Review, Approve/Reject of Amendment to Current Contract for Legal Services-NRS 631.190
314 (For Possible Action)

315 (a) John Hunt, Esquire
316
317

318 Mrs. Shaffer-Kugel stated that in May the amended contract stated an amount of \$925,000, however, that the
319 contract did expire until June 2017, which they failed to take into consideration when amended the contract;
320 therefore, she asked that they re-amend the contract and raise the contract amount to \$1.2 Million. Mr. Hunt
321 stated that in the nearly 30 years that he has served the board, he understands that the board may discontinue his
322 services at any time.
323

324 MOTION: Dr. Blasco made the motion to approve the amendment to Mr. Hunt's current contract. Motion was
325 seconded by Ms. Gabriel. All were in favor of the motion.
326

327 *f. Correspondence-NRS 631.190:

328 (1) Review correspondence from ADEX dated June 5, 2016 (For Possible Action)
329
330

331 Mrs. Shaffer-Kugel indicated that if they desired, they could direct her to send correspondence regarding the letter
332 provided from ADEX. She noted that last November, Dr. Pappas agreed to come before the board to discuss any
333 changes in the month of September. It was decided to invite Dr. Pappas to discuss any changes.
334

335 (2) Letter from Joint Commission on National Dental Examination (For Possible Action)
336

337 Dr. Kinard stated that he spoke with Dr. Sill in regards to the letter provided. He noted that Dr. Sill indicated that
338 they will be eliminating part I and Part II, and instead will be administering one exam sometime in the third year of
339 dental school. Furthermore, that the Joint Commission wanted their exam to be more correlated to the sciences
340 actually used in dental/dental hygiene school.
341

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

343 (1) Request Approval for 2% COLA increase for Staff Members retro-active July 1, 2016
344 (For Possible Action)
345
346

347 Mrs. Shaffer-Kugel stated that she sent the staff evaluations to Dr. Pinther and Dr. Blasco for review. She added
348 that she requesting approval to grant staff members a cost-of-living increase, but noted that FY17 had technically
349 already commenced.
350

351 MOTION: Dr. Pinther made the motion to approve the request. Motion was seconded by Dr. Blasco. All were in
352 favor of the motion.
353

354 It was agreed upon to go out of order to agenda item (7)(c).
355
356

357 *7. Resource Group Reports

358 *c. Examinations Liaisons (For Possible Action)

359 * (1) WREB/HERB Representatives (For Possible Action)
360 (Dr. Blasco; Ms. Gabriel)

361 Dr. Blasco gave a report on the most recent meeting he attended. He stated that at the DEBR meeting he noted that
362 the ADA is driven by the American Student Dental Association (ASDA), and that it was made quite clear the ASA
363 believes that if things are made easier for students, that the ADA memberships will go up. He added that the ASDA
364 has offices inside the building of the ADA. He noted that there was a strong push from the ASDA to do away with
365 dental exams and replace them with national portability, where they can practice in any state without having to go
366 through the lengthy exam and application processes. He noted further, that the ADA sided with the ASDA in not
367 wanting patient based exams, but favor adopting the Buffalo Model. Dr. Blasco discussed some of the
368 discrepancies reported at the meeting regarding research that was allegedly done, but furnished no documents or
369 reports of its validity. He revisited the desires being pushed by the ADSA and their threats to the ADA that should
370 the boards not want to comply with their changes they will hire lobbyists to go to each state legislature to have the
371 statutes changed to meet their desires.

372 Dr. Kinard stated that he did not have a report regarding the ADEX exam. It was noted that Dr. Pinther would be
373 attending their meeting in August. Dr. Kinard noted that he submitted letter of resignation.

374 Dr. Blasco excused himself for the remainder of the meeting.

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

381 a. Legal Actions/Lawsuit(s) Update

382 (1) District Court Case(s) Update

383 Mr. Hunt stated that there was no pending litigation. He reminded the Board members that if they are ever
384 contacted, to please refer them to the Board office or himself.

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

386 (1) Suzan Fu, DDS

387 Mr. Hunt went over the provisions of the stipulation agreement. Dr. Kinard inquired on how costs are assessed in
388 an informal hearing. Mr. Hunt stated that the costs are broken down in detail and are calculated by the hour.

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

391 (2) Raymond Kim, DDS

392 Mr. Hunt went over the provisions of the stipulation agreement.

393 MOTION: Dr. Pisani made the motion to adopt the stipulation agreement. Motion was seconded by Ms. Guillen.
394 All were in favor of the motion.

395 *6. New Business (For Possible Action)

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

399 (1) Dr. X

400 Mrs. Shaffer-Kugel stated that the evaluators, upon conducting the 5 year re-evaluation, recommended that Dr. X
401 cease administering to pediatric patients until they complete 60 hours of didactic training.

402 MOTION: Dr. Pisani made the motion to affirm the recommendation. Motion was seconded by Ms. Guillen. All
403 were in favor of the motion.

421 (2) Dr. Y
422

423 Mrs. Shaffer-Kugel commented that during the 5 year re-evaluation, Dr. Y failed the oral evaluation questions,
424 therefore, the evaluators recommended failing the evaluation until Dr. Y reviews the oral emergency scenarios.
425

426 MOTION: Ms. Guillen made the motion to affirm the failure. Motion was seconded by Ms. Gabriel. All were in
427 favor of the motion.
428

429 *b. Consideration to Grant re-evaluation upon satisfying the recommendations by the
430 Evaluator/Inspectors for the Conscious Sedation Permit Holder pursuant to
431 NAC 631.2235 (2 and 3) (For Possible Action)
432

433 (1) Dr. X
434

435 Mrs. Shaffer-Kugel asked that should Dr. Y successfully complete the recommendation, and upon Dr. Y's request,
436 that they grant approval for a reevaluation.
437

438 MOTION: Dr. Pisani made the motion to approve. Motion was seconded by Ms. Guillen. All were in favor of the
439 motion.
440

441 *c. Consideration to Grant re-evaluation for the Oral Examination Portion only for the Conscious
442 Sedation Permit Holder pursuant to NAC 631.2235 (2 and 3) (For Possible Action)
443

444 (1) Dr. Y
445

446 Mrs. Shaffer-Kugel requested that should Dr. Y request to have a re-evaluation that they grant her permission to
447 authorize the re-evaluation.
448

449 MOTION: Ms. Guillen made the motion to approve. Motion was seconded by Dr. Pisani. All were in favor of the
450 motion.
451

452 *d. Request to the Board for a review the investigation process and investigation costs-NRS
453 631.190(For Possible Action)
454

455 (1) Adrian Ruiz, DDS
456

457 Mrs. Shaffer-Kugel stated that Dr. Ruiz submitted suggestions for changes. She added that she forwarded the
458 information to the chair of the Legislative and Disciplinary Action Committee. She noted that because of the audit,
459 a notice was sent to Dr. Ruiz that she would have to delay fulfilling his request until the audit was concluded,
460 which had, and was now being brought before the Board for review. Dr. Kinard stated that the he had spoken with
461 Dr. Ruiz on several occasions, and commented that Dr. Ruiz in his previous stipulation agreements, had had signed
462 and agreed to reimbursing the board. Mr. Hunt noted for the record that in the formal hearing of Dr. Ruiz, there
463 was evidence that Dr. Ruiz submitted a false document and that in light of that fact, the attorney advising Dr. Ruiz
464 asked for a stipulation agreement deal. Mrs. Shaffer-Kugel noted that the breakdown of the fees could not be made
465 available, as she was not the Executive Director at the time of the stipulation agreements, and that the financials
466 for that period were not available. She noted that since the audit, many of the suggestions had begun to be
467 implemented and/or or were in the process of creating a policy.
468

469 MOTION: Dr. Pisani made the motion to have the Executive Director send a response to Dr. Ruiz regarding how
470 they have remedied the issues and/or concerns. Motion was seconded by Ms. Guillen. All were in favor of the
471 motion.
472

473 *g. Approval of Voluntary Surrender of License – NAC 631.160 (For Possible Action)
474

475 (1) Gabrielle Burtenshaw, RDH

476 (2) Cynthia Christensen, RDH

477 (3) Vickie Connell, RDH

478 (4) James K. Olpin, DMD
479

480 Mrs. Shaffer-Kugel stated that there was no pending action for any of the licensees.
481

482 MOTION: Dr. Kinard made the motion to approve. Motion was seconded by Ms. Guillen. All were in favor of the
483 motion.
484

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

486 (1) Conscious Sedation (For Possible Action)

488 a. Drew D. Richards, DDS

489 Mrs. Shaffer-Kugel stated that Dr. Richards passed the inspection and that Dr. Blasco recommended approval.

491 MOTION: Ms. Guillen made the motion to approve. Motion was seconded by Ms. Gabriel. All were in favor of the
492 motion; Dr. Blasco was excused from the vote and Dr. Johnson abstained.

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

495 (1) General Anesthesia (For Possible Action)

496 a. Blair A. Isom, DDS

497 Mrs. Shaffer-Kugel stated that Dr. Blasco reviewed the application and recommended approval.

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

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

503 *(1) Conscious Sedation (For Possible Action)

504 a. Amy M.K. French, DMD

505 Mrs. Shaffer-Kugel stated that more time was needed to conduct the evaluation.

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

508 *k. Approval for Anesthesia Evaluators-NRS 631.190 (For Possible Action)

509 (1) Joshua Branco, DMD – Conscious Sedation

510 (2) Steven A. Saxe, DMD – General Anesthesia

511 (3) Gregory J. Hunter, DMD, MD – General Anesthesia

512 Dr. Johnson stated that he reviewed the applications and recommended approval.

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

515 *7. Resource Group Reports

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

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

518 Dr. Pinther indicated that he did not have a report.

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

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

521 Dr. Kinard indicated that he did not have a report.

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

523 (Dr. Kinard)

524 Dr. Kinard indicated that he did not have a report.

525 *d. Continuing Education (For Possible Action)

526 (Dr. Blasco, Chair; Dr. Shahrestani, Dr. Pisani; Mrs. Villigan; Ms. Gabriel)

527 Dr. Shahrestani indicated that he did not have a report.

- 551 *e. Committee of Dental Hygiene (For Possible Action)
552 (Chair: Ms. Guillen; Mrs. Villigan; Ms. Gabriel, Dr. Shahrestani)
553

554 Ms. Guillen indicated that she did not have a report.
555

- 556 *f. Specialty (For Possible Action)
557 (Chair: Dr. Pisani; Dr. Johnson; Dr. Pinther)
558

559 Dr. Pinther indicated that he did not have a report.
560

- 561 *g. Anesthesia (For Possible Action)
562 (Chair: Dr. Johnson; Dr. Pinther; Dr. Champagne; Dr. Kinard)
563

564 Dr. Pinther indicated that he did not have a report.
565

- 566 *h. Infection Control (For Possible Action)
567 (Chair: Mrs. Villigan; Dr. Blasco; Dr. Champagne; Dr. Pisani; Ms. Gabriel)
568

569 Mrs. Shaffer-Kugel stated that the only thing to report was that they streamlined the inspection form, which had
570 been uploaded to the Board website for viewing.
571

- 572 *i. Budget and Finance Committee (For Possible Action)
573 (Chair: Dr. Blasco, Dr. Pinther, Ms. Tyler, Ms. Guillen)
574

575 Dr. Pinther indicated that they will be scheduling a committee soon.
576

577 8. Public Comment: (Public Comment is limited to three (3) minutes for each individual)
578

579 There was no public comment from attendees in Reno.
580

581 Dr. Talley indicated that the NDA will be sending out a notice regarding the dental hygiene regulation changes so
582 that their members become aware of the new changes so they stay in compliance. Mrs. Shaffer-Kugel added that
583 she could place a bulletin in the October newsletter.
584

585 Mr. Hunt stated that it would behoove the Board to make the regulations unambiguous and clarify how, when, and
586 where licensee can administer facial injectables. He added that he spoke with the Medical Association and was
587 told that they would be going to the LCB to address the regulations and botox. He added further, that there is a
588 statute that states that botulinum toxin is only administrable only by those in the field of medicine. He stated that
589 Advisory Opinions are not binding. Dr. Talley commented that if dentists felt strongly enough about their ability
590 to administer facial injectables, such as the botulinum toxin, then they would need to push for a statutory change.
591

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

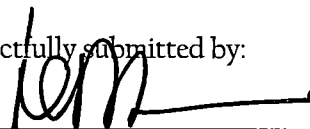
594 9. Announcements: Mrs. Shaffer-Kugel stated that there were no announcements.
595

596 *10. Adjournment (For Possible Action)
597

598 MOTION: Dr. Pisani made the motion to adjourn. Motion was seconded by Ms. Guillen. All were in favor of the
599 motion.
600

601 Meeting Adjourned at 3:31 p.m.
602

603 Respectfully submitted by:
604

605 
606 _____
607 Debra Shaffer-Kugel, Executive Director
608