

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 Telephone Conferencing was available for this meeting  
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9  
10 MINUTES

11 Thursday, August 18, 2016  
12 6:02 p.m.  
13  
14

15 BUDGET AND FINANCE COMMITTEE

16 (Byron Blasco, DMD (Chair); Timothy Pinther, DDS; Stephanie Tyler, Public Member; and Theresa Guillen, RDH)  
17

18 Meeting Agenda  
19

20 Please Note: The Nevada State Board of Dental Examiners may 1) address agenda items out of sequence to  
21 accommodate persons appearing before the Board or to aid the efficiency or effectiveness of the meeting; 2)  
22 combine items for consideration by the public body; 3) pull or remove items from the agenda at any time. The  
23 Board may convene in closed session to consider the character, alleged misconduct, professional competence or  
24 physical or mental health of a person. See NRS 241.030. Prior to the commencement and conclusion of a contested  
25 case or a quasi-judicial proceeding that may affect the due process rights of an individual the board may refuse to  
26 consider public comment. See NRS 233B.126.  
27

28 At the discretion of the Chair, public comment is welcomed by the Board, but will be heard only when that item is  
29 reached and will be limited to five minutes per person. A public comment time will also be available as the last  
30 item on the agenda. The Chair may allow additional time to be given a speaker as time allows and in his/her sole  
31 discretion. Once all items on the agenda are completed the meeting will adjourn.  
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33 *Asterisks (\*) denote items on which the Board may take action.*  
34 *Action by the Board on an item may be to approve, deny, amend, or table.*  
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37 I. Call to Order, roll call, and establish quorum  
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39 Dr. Byron Blasco ----- PRESENT  
40 Dr. Timothy Pinther ----- PRESENT  
41 Ms. Stephanie Tyler ----- PRESENT  
42 Ms. Theresa Guillen ----- EXCUSED  
43

44 Others Present: John A. Hunt, Board Legal Counsel; Debra Shaffer-Kugel, Executive Director; Stacie Hummel,  
45 Board Accountant.  
46

47 Public Attendees: Adrian Ruiz, DDS, Las Vegas Dental Association (LVDA); Erika Smith, DDS, LVDA; Albert  
48 Ruezga, DDS, LVDA; Charles Green; Daniel Royal\*\* (stated his name as "Daniel Fuller" for the record, but signed  
49 in as "Daniel Royal").  
50

51 2. Public Comment: (Public Comment is limited to three (3) minutes for each individual)  
52

53 Dr. Ruiz read a statement into the record (provided as post-meeting public documents).  
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55 Dr. Ruezga read a statement into the record (provided as post-meeting public documents).  
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57 Mr. Hunt entered Dr. Ruezga's stipulation agreement with the Board into the record (provided as post-meeting  
58 public documents).

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Mr. Hunt entered Dr. Ruiz's multiple stipulation agreements with the Board into the record (provided as post-meeting public documents).

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)

\*3. Review, Discussion and make Recommendations to the Board regarding the recommendations from the Legislative Audit Report--NRS 631.190 (For Possible Action)

- (i) Consideration for Board to create a policy for reimbursed investigation and legal costs relative to cases referenced in the Notice for Informal Hearings, which may result in a remand, and whether to assess the costs to licensees (For Possible Action)

Mrs. Shaffer-Kugel went over the remand process and the changes that have now been implemented. After some discussion, the committee recommended that any investigation costs and attorney fees for complaints that result in a remand, to include, but is not limited to, those considered at an Informal Hearing, costs will not be passed onto the licensee, and the Board will incur said costs.

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

Mrs. Shaffer-Kugel went over the recommendations to set travel limits. After some discussion and much consideration, the Committee recommended that travel expenses, whenever possible, should follow the State Administrative Manual (rates established by the US General Services Administration). However, they also recommended that a maximum hotel expense amount not exceed \$275.00 per night. Should a hotel expense exceed the \$275.00 maximum set, the expense will need Board approval.

- (iii) Board to review the merits of employing in-house counsel vs. contracting with independent counsel and costs associated with both (For Possible Action)

Mrs. Shaffer-Kugel provided a brief description of the costs that would be incurred if the Board elected to have in-house counsel versus independent counsel. She noted that the information furnished by the LCB auditors and the information she researched did not include the costs that would most likely be incurred by the Board and the great possibility of the Board having to relocate the office due to lack of office space and the fees that would have to be incurred to buy out the rental contract. After much discussion, the Committee recommended that the Board continue utilizing outside legal counsel through the contracted expiration date of June 30, 2017. At which time, the Board will consider and review the merits of in-house counsel versus outside counsel; to include any/all costs that may be associated should they pursue in-house counsel.

- (iv) Review, Discuss and make recommendations whether to reimburse investigations/monitoring costs to licensees identified from the Legislative Audit report and if so the amount (For Possible Action)

Mrs. Shaffer-Kugel briefly went over the recommendations for reimbursement as recommended by the LCB auditors. She went over the review that she and Mr. Rigo Morales did in-office and gave explanations for their difference in amounts in comparison with the amounts provided by the LCB auditors. After some discussion the Committee recommended that the Board reimburse any licensees identified with an overcharge in Appendix B (pages 23-24) of the Legislative Auditors report with the amounts set forth in Appendix B; however, with the exception of the following licensees who are still under the probationary period:

- (1) Craig Morris, DDS
- (2) Marianne Cohan, DDS
- (3) Georgene Chase, DDS
- (4) Travis Sorensen, DDS
- (5) Vincent Colosimo, DMD

Furthermore, the Committee recommend that upon completion of the probationary period, said licensees listed

118 above should have the accounts audited by Board staff, and should the audit find an overcharge, the Board directed  
119 that the Board Executive Director reimburse any overcharges. Additionally, that should the Legislative Auditors  
120 not agree with the recommendations of the Board regarding the five licensees identified, the Committee directed  
121 that the Executive Director issue a refund without any further action by the Committee.  
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123 4. Review, Discussion and Recommendations to the Board regarding FY2017 Draft/Proposed Budget-NRS  
124 631.190 (For Possible Action)  
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126 Mrs. Hummel went over some of the changes made to the proposed budget. She indicated the reasons for some of  
127 the changes. Mrs. Shaffer-Kugel went over the benefits of possibly transitioning to a new licensing system.  
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129 MOTION: Dr. Pinther made the motion to forward the recommendations for the proposed FY2017 Draft Budget to  
130 the Board. Motion was seconded by Ms. Tyler. All were in favor of the motion.  
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132 5. Public Comment: (Public Comment is limited to three (3) minutes for each individual)  
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134 Dr. Ruiz commented that it would be irresponsible for the Board to not move forward with the recommendations  
135 for reimbursements. He stated that if the Board would view the video and comments made at the Sunset  
136 committee, they would see the opposition and negative comments many had to say regarding the Board.  
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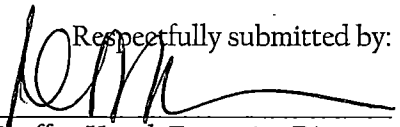
139 Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been  
140 specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

141 6. Announcements: No announcements.  
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144 \*7. Adjournment (For Possible Action)  
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146 MOTION: Ms. Tyler made the motion to adjourn. Motion seconded by Dr. Pinther. All were in favor of the  
147 motion.  
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Meeting Adjourned at 7:57 pm.

Respectfully submitted by:  


Debra Shaffer-Kugel, Executive Director