

NEVADA STATE BOARD
of
DENTAL EXAMINERS



ANESTHESIA SUBCOMMITTEE
TELECONFERENCE

SEPTEMBER 8, 2016

6:00 P.M.

PUBLIC BOOK

** DO NOT REMOVE BOOK FROM OFFICE **

Assembly Bill 89
Definitions of Minimal & Moderate Sedation

Definitions of Minimal and Moderate Sedation-AB89

Sec. 20. Chapter 631 of NRS is hereby amended by adding thereto a new section to read as follows:

“Minimal sedation” means a minimally depressed level of consciousness, produced by a pharmacologic or nonpharmacologic method, that retains the patient’s ability to independently and continuously maintain an airway and respond normally to tactile stimulation and verbal command, and during which cognitive function and coordination may be modestly impaired, but ventilatory and cardiovascular functions are unaffected

Sec. 21. NRS 631.005 is hereby amended to read as follows:

631.005 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 631.015 to 631.105, inclusive, *and section 20 of this act* have the meanings ascribed to them in those sections.

Sec. 22. NRS 631.025 is hereby amended to read as follows:

631.025 [~~Conscious~~] *“Moderate sedation”* means a [~~minimally~~] *drug-induced* depressed level of consciousness, produced by a pharmacologic or nonpharmacologic method or a combination thereof, [~~in~~] *during* which [~~the~~] :

1. *The patient retains the ability* [~~independently and continuously to maintain an airway and~~] *to respond* [~~appropriately~~] *purposefully* to [~~physical stimulation and~~] *verbal commands* [~~]~~, *either alone or accompanied by light tactile stimulation;*

2. *Spontaneous ventilation is adequate and no interventions are required to maintain a patent airway; and*

3. *Cardiovascular function is usually maintained*

Comment from Dr. Kevin Moore
- Single Dose Suggestions -

Angelica L. Bejar

From: Kevin Moore [REDACTED]
Sent: Wednesday, May 18, 2016 9:20 AM
To: Angelica L. Bejar
Subject: Single drug suggestion

In order to satisfy the public comments last night and for general clarification please consider using this wording for NAC 631.2211 number 3.

Single drug Oral medication that is administered to relieve anxiety in the patient and shall not be combined with any other pharmacological or non pharmacological method. The dosage of a **single** sedative agent given must be appropriate for anxiolysis. **The appropriate dosing of enteral drugs is no more than the maximum recommended dosage of a single drug that can be prescribed for unmonitored home use.**

This wording allows us to remove the "if the medication is not given in a dosage...pediatric moderate sedation" because the manufacture's recommended dosing (MRD) is not at a dose that would induce a deeper level of sedation that would require monitoring. The safety net is built into the wording by the MRD. This would allow the practitioner to use drugs that are labeled for anxiolysis like Valium whose MRD can be daily and more than once a day. This would allow practitioners to prescribe the use of the medication at night before the next day appointment, **and** allow them to take the drug again in the morning before the appointment - a regimen that is frequently used. Please note however that triazolam (Halcion) is a drug for insomnia, not anxiolysis and it's MRD is "once at bed time". This wording should solve the problem with our Oral sedation docs that are doing sedation with multiple drugs/agents without a permit/training. By writing the above it appropriately describes what we want our doctors to be able to do without a permit which is "Use a **single drug as it is prescribed**".

It also gives the board specific avenues to use when considering someone practicing any type of sedation. As it reads now, there's no way to monitor off use drug sedations like the DOC'S courses.

Could you please distribute this to all committee members for feedback?

Thanks so much.

Kevin Moore

Proposed Anesthesia Regulations
(revised per 05/17/2016 Meeting)

NAC 631.003 ~~“Conscious–Minimal and Moderate sedation–”~~ defined. (NRS 631.190) ~~“Conscious minimal or moderate sedation”~~ has the meaning ascribed to it in NRS 631.025.

NAC 631.004 ~~“Conscious Moderate Sedation; Pediatric Moderate sedation permits”~~ defined. (NRS 631.190) ~~“Conscious–Moderate sedation permit”~~ means a permit that:

1. Is issued by the Board pursuant to NAC 631.2213; and
2. Authorizes the holder to administer ~~conscious moderate~~ sedation to a patient **13 years of age or older**.
3. **Authorizes the holder to administer pediatric moderate sedation to a patient 12 years of age or under.**

NAC 631.2211 **Minimal Sedation Scope.** (NRS 631.190, 631.265) NAC 631.2213 to 631.2256, inclusive, do not apply to the administration of:

1. Local anesthesia;
2. Nitrous oxide-oxygen analgesia, if the delivery system for the nitrous oxide-oxygen contains a mechanism which guarantees that an oxygen concentration of at least 25 percent will be administered to the patient at all times during the administration of the nitrous oxide; **and**
3. **Single drug** Oral medication that is administered to a patient ~~as a~~ to relieve anxiety ~~in the patient and shall not be combined with any other pharmacological or non pharmacological method. The dosage of a single sedative agent given must be appropriate for anxiolysis. The appropriate dosing of enteral drugs is no more than the maximum recommended dosage of a single drug that can be prescribed for unmonitored home use,~~ if the medication is not given in a dosage that is sufficient to induce in a patient a controlled state of depressed consciousness or unconsciousness similar to the state produced pursuant to the administration of general anesthesia, deep sedation ~~or conscious sedation~~, **moderate sedation, or pediatric moderate sedation.**

NAC 631.2212 **Board to determine degree of sedation.** (NRS 631.190, 631.265) In a proceeding of the Board at which the Board must determine the degree of sedation or level of consciousness of a patient, the Board will base its findings on:

1. The type and dosage of medication that was administered or is proposed for administration to the patient; and
2. The degree of sedation or level of consciousness that should reasonably be expected to result from that type and dosage of medication.

NAC 631.2213 **Permit required; qualifications of applicants.** (NRS 631.190, 631.265)

1. Except as otherwise set forth in NAC 631.2211 to 631.2256, inclusive, no dentist may:
 - (a) Use general anesthesia or deep sedation for dental patients, except in a facility ~~accredited by The Joint Commission permitted pursuant to NRS 449~~, unless he or she first obtains a general anesthesia permit, **deep sedation permit**; or
 - (b) Use ~~conscious sedation moderate sedation or pediatric moderate sedation~~ for dental patients, except in a facility ~~accredited by The Joint Commission permitted pursuant to NRS~~

~~449-~~, unless he or she first obtains a general anesthesia permit ~~or conscious sedation, deep sedation, moderate sedation, or pediatric moderate sedation~~ permit.

↪ A separate ~~general anesthesia certificate of site~~ permit ~~or conscious sedation permit~~, as appropriate, is required for each location at which a dentist administers general anesthesia, deep sedation ~~or conscious sedation, moderate sedation, or pediatric moderate sedation to patients~~.

2. To obtain a general anesthesia ~~permit or conscious sedation, deep sedation, moderate sedation, or pediatric moderate sedation~~ permit, a dentist must apply to the Board for such a permit on a form prescribed by the Board, submit any fees that are set by the Board pursuant to NRS 631.345 and produce evidence showing that he or she is a dentist who is licensed in this State, and:

(a) For a ~~conscious sedation~~ permit to administer *moderate sedation to patients 13 years of age or older*, the applicant must show evidence of:

(1) The completion of a course of study, subject to the approval of the Board, of not less than 60 hours dedicated exclusively to the administration of ~~conscious sedation moderate sedation-~~, and the successful management of the administration of conscious sedation to not less than 20 patients; or

(2) The completion of a program for specialty training which is approved by the Commission on Dental Accreditation of the American Dental Association and which includes education and training in the administration of ~~conscious sedation moderate sedation~~ that is equivalent to the education and training described in subparagraph (1) and ~~completion of an Advanced Cardiac Life Support course given by the American Heart Association or, if licensed as a specialist in pediatric dentistry, completion of a Pediatric Advanced Life Support course given by the American Heart Association.~~ *holds current certification in Advanced Cardiac Life Support, which the permit holder may not allow to expire, or successfully complete a course approved by the Board that provides instruction on medical emergencies and airway management;*

(b) For a *permit to administer pediatric moderate sedation to patients 12 years of age or under*, the applicant must show evidence of:

(1) *The completion of a course of study, subject to the approval of the Board, of not less than ___ hours dedicated exclusively to the administration of pediatric-moderate sedation, and the successful management of the administration of pediatric moderate sedation to not less than 25 pediatric patients;* or

(2) The completion of a program for *pediatric* specialty training which is approved by the Commission on Dental Accreditation of the American Dental Association and which includes education and training in the administration of ~~conscious sedation~~ *pediatric moderate sedation* that is equivalent to the education and training described in subparagraph (1) and ~~completion of an Advanced Cardiac Life Support course given by the American Heart Association or, if licensed as a specialist in pediatric dentistry, completion of a Pediatric Advanced Life Support course given by the American Heart Association;~~ *or holds current certification in Pediatric Advanced Life Support, which the permit holder may not allow to expire, or successfully complete a course approved by the Board that provides instruction on medical emergencies and airway management*

(c) . For a general anesthesia permit, the applicant must show evidence of the completion of an Advanced Cardiac Life Support course given by the American Heart Association *or a course approved by the Board* and:

(1) The completion of a program, subject to the approval of the Board, of advanced training in anesthesiology and related academic subjects beyond the level of undergraduate dental school in a training program as described in the *Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students*, published by the American Dental Association, 211 East Chicago Avenue, Chicago, Illinois 60611, and available, free of charge, at the Internet address http://www.ada.org/prof/resources/positions/statements/anxiety_guidelines.pdf; or

(2) The completion of a graduate program in oral and maxillofacial surgery which has been approved by the Commission on Dental Accreditation of the American Dental Association.

NAC 631.2217 Review of holder of permit; renewal of permit. ([NRS 631.190](#), [631.265](#))

1. The holder of a general anesthesia ~~permit or conscious sedation~~, *deep sedation, moderate sedation, or pediatric moderate sedation* permit is subject to review by the Board at any time.

2. Each general anesthesia, ~~permit and conscious sedation~~ *deep sedation, moderate sedation, or pediatric moderate sedation* permit must be renewed annually or biennially, as applicable, based on the renewal period set forth in [NRS 631.330](#) for the type of license held by the holder of the permit.

NAC 631.2219 Inspection and evaluation; reevaluation. ([NRS 631.190](#), [631.265](#))

1. The Board will require an inspection and evaluation of the facility, equipment, personnel, records of patients and the procedures used by every dentist who seeks or holds a general anesthesia, ~~permit or conscious sedation~~ *deep sedation, moderate sedation or pediatric moderate sedation* permit, and of the dentist himself or herself, before issuing such an original permit to the dentist, and at least once in every 5-year period thereafter.

2. The Board will renew general anesthesia permits, ~~and conscious sedation~~ *deep sedation, moderate sedation, pediatric moderate sedation, or certificates of site* permits annually or biennially, as applicable, based on the renewal period set forth in [NRS 631.330](#) for the type of license held by the holder of the permit, unless the holder is informed in writing, 60 days before the date for renewal, that a reevaluation of his or her credentials is required. In determining whether reevaluation is necessary, the Board will consider, among other factors, complaints by patients and reports of adverse occurrences. A reevaluation will, if appropriate, include an inspection of the facility, equipment, personnel, records of patients and the procedures used by the holder, and an examination of his or her qualifications.

NAC 631.2221 Inspectors and evaluators; participation of members of Board. ([NRS 631.190](#), [631.265](#))

1. When an inspection or evaluation is required to issue or renew a general anesthesia, ~~permit or conscious sedation permit~~, *deep sedation, moderate sedation, or pediatric moderate sedation permit*, the Board ~~will~~ *may* designate two or more persons, each of whom holds a general anesthesia, ~~permit, or conscious sedation~~ *deep sedation, moderate sedation, or pediatric moderate sedation* permit and has practiced general anesthesia, deep sedation ~~or conscious sedation~~, *moderate sedation, or pediatric moderate sedation*, as applicable, for a minimum of 3 years preceding his or her appointment, exclusive of his or her training in the administration of anesthesia or sedation. At least one of the inspectors or evaluators must have had experience in the evaluation of dentists using general anesthesia, deep sedation ~~or conscious sedation~~ *moderate sedation, or pediatric moderate sedation*, as applicable. At least one member of the inspection or

evaluation team must have had substantial experience in the administration of the type of anesthesia contemplated for use by the dentist being evaluated and must hold the type of permit for which the dentist is applying.

2. Any member of the Board who is a dentist may observe or consult in any inspection or evaluation. A member of the Board who is not a dentist may be present at an observation but may not participate in any grading or evaluation resulting from the inspection or evaluation.

NAC 631.2223 Inspections and evaluations: General requirements. (NRS 631.190, 631.265) An inspection or evaluation ordered by the Board must be conducted in all offices where general anesthesia, deep sedation ~~or conscious sedation,~~ ***moderate sedation or pediatric moderate sedation*** is to be administered and, except as otherwise required in NAC 631.2236, must consist of:

1. An evaluation of the office's facilities and equipment, records and emergency medications; and

2. A demonstration of:

(a) The administration to a patient who is receiving dental treatment of the type of anesthesia or sedation for which the dentist is applying for a permit;

(b) Simulated emergencies in the surgical area of the dental office with participation by the members of the staff who are trained to handle emergencies;

(c) A dental procedure utilizing the type of anesthesia or sedation for which the dentist is applying for a permit;

(d) Any anesthesia or sedation technique that is routinely employed during the administration of anesthesia or sedation;

(e) The appropriate monitoring of a patient during anesthesia or sedation; and

(f) The observation of a patient during recovery and the time allowed for recovery.

NAC 631.2225 Inspections and evaluations: Simulated emergencies. (NRS 631.190, 631.265) A dentist's office inspected or evaluated for the issuance or renewal of a general anesthesia, ~~permit or conscious sedation~~ ***deep sedation, moderate sedation or pediatric moderate permit***, must meet the following minimum standards with regard to simulated emergencies. The dentist and his or her staff must demonstrate a knowledge of and a method of treatment for the following types of emergencies:

1. Airway obstruction laryngospasm;
2. Bronchospasm;
3. Emesis and aspiration of foreign material under anesthesia;
4. Angina pectoris;
5. Myocardial infarction;
6. Hypotension;
7. Hypertension;
8. Cardiac arrest;
9. Allergic reaction;
10. Convulsions;
11. Hypoglycemia;
12. Asthma;
13. Respiratory depression;
14. ~~Allergy to or~~ Overdose from local anesthesia;

15. Hyperventilation syndrome; and
16. Syncope.

NAC 631.2227 Inspections and evaluations *general anesthesia; deep sedation*: Physical facilities and equipment. (NRS 631.190, 631.265) A dentist's office inspected or evaluated for the issuance or renewal of a general anesthesia permit ~~conscious sedation permit~~ or *deep sedation* or certificate of site for the administration of general anesthesia permit, *deep sedation* approval must meet the following minimum standards with regard to physical facilities and equipment:

1. The operating theater must be large enough to accommodate the patient adequately on a table or in a dental chair and to allow an operating team consisting of at least three persons to move freely about the patient.

2. The operating table or dental chair must:

(a) Allow the patient to be placed in a position such that the operating team can maintain the airway;

(b) Allow the operating team to alter the patient's position quickly in an emergency; and

(c) Provide a firm platform for the management of cardiopulmonary resuscitation.

3. The lighting system must be adequate to allow an evaluation of the patient's skin and mucosal color. An alternate lighting system must derive its power from batteries and must be sufficiently intense to allow completion of any procedure underway at the time of a general power failure.

4. Suction equipment must be available that allows aspiration of the oral and pharyngeal cavities. An alternate suction device that will function effectively during a general power failure must be available.

5. A system for delivering oxygen must have adequate full-face masks and appropriate connectors, and be capable of delivering oxygen to the patient under positive pressure. An adequate alternate system for delivering oxygen is also required.

6. A recovery area must be provided that has available oxygen, adequate lighting, suction and electrical outlets. The recovery area may be the operating theater. A member of the staff must be able to observe the patient at all times during the recovery.

7. Except as otherwise provided in this subsection, ancillary equipment must include:

(a) A laryngoscope complete with an adequate selection of blades and spare batteries and bulbs;

(b) Endotracheal tubes and appropriate connectors;

(c) Oral airways;

(d) A tonsillar or pharyngeal suction tip adaptable to all office suction outlets;

(e) An endotracheal tube type forcep;

(f) A sphygmomanometer and stethoscope;

(g) An electrocardioscope and defibrillator;

(h) Adequate equipment for the establishment of an intravenous infusion; and

(i) A pulse oximeter.

(j) *capnography monitor*

8. *When administering general anesthesia or deep sedation to pediatric patients as set forth in NAC 631.004, the dentist's office must meet the following minimum standards with regard to physical facilities and equipment:*

(a) *Pediatric size ambu bag and masks*

(b) *Pediatric blood pressure cuffs*

- (c) *Laryngoscope with appropriate size blades*
- (d) *Intubation tubes multiple sizes*
- (e) *An electrocardioscope and defibrillator with Peds pads*
- (f) *Small oral air ways or nasal airways*

NEW SECTION:

Inspections and evaluations; moderate sedation; pediatric moderate sedation: Physical facilities and equipment. (NRS 631.190, 631.265) A dentist's office inspected or evaluated for the issuance or renewal of a moderate sedation, pediatric moderate sedation permit or certificate of site for the administration of moderate sedation or pediatric moderate sedation approval must meet the following minimum standards with regard to physical facilities and equipment:

1. The operating theater must be large enough to accommodate the patient adequately on a table or in a dental chair and to allow an operating team consisting of at least three persons to move freely about the patient.

2. The operating table or dental chair must:

(a) Allow the patient to be placed in a position such that the operating team can maintain the airway;

(b) Allow the operating team to alter the patient's position quickly in an emergency; and

(c) Provide a firm platform for the management of cardiopulmonary resuscitation.

3. The lighting system must be adequate to allow an evaluation of the patient's skin and mucosal color. An alternate lighting system must derive its power from batteries and must be sufficiently intense to allow completion of any procedure underway at the time of a general power failure.

4. Suction equipment must be available that allows aspiration of the oral and pharyngeal cavities. An alternate suction device that will function effectively during a general power failure must be available.

5. A system for delivering oxygen must have adequate full-face masks and appropriate connectors, and be capable of delivering oxygen to the patient under positive pressure. An adequate alternate system for delivering oxygen is also required.

6. A recovery area must be provided that has available oxygen, adequate lighting, suction and electrical outlets. The recovery area may be the operating theater. A member of the staff must be able to observe the patient at all times during the recovery.

7. Except as otherwise provided in this subsection, ancillary equipment must include:

(a) A laryngoscope complete with an adequate selection of blades and spare batteries and bulbs;

(b) Endotracheal tubes and appropriate connectors;

(c) Oral airways;

(d) A tonsillar or pharyngeal suction tip adaptable to all office suction outlets;

(e) An endotracheal tube type forcep;

(f) A sphygmomanometer and stethoscope;

(g) An electrocardioscope and defibrillator;

(h) Adequate equipment for the establishment of an intravenous infusion; and

(i) A pulse oximeter.

8. *When administering moderate sedation to pediatric patients as set forth in NAC 631.004, the dentist's office must meet the following minimum standards with regard to physical facilities and equipment:*

- (g) *Pediatric size ambu bag and masks*
- (h) *Pediatric blood pressure cuffs*
- (i) *Laryngoscope with appropriate size blades*
- (j) *Intubation tubes multiple sizes*
- (k) *An electrocardioscope and defibrillator with Peds pads*
- (l) *Small oral air ways or nasal airways*

NAC 631.2229 Inspections and evaluations: Records of patients. (NRS 631.190, 631.265)

A dentist's office inspected or evaluated for the issuance or renewal of a general anesthesia permit, ~~conscious sedation permit~~ *deep sedation, moderate sedation or pediatric moderate sedation* or certificate of site approval for *deep sedation, moderate sedation or pediatric moderate sedation* must meet the following minimum standards with regard to the records of patients:

1. Adequate medical history ~~and~~, records of physical evaluation *and AS classification*.
2. Records of the administration of anesthesia must include:
 - (a) The patient's ~~blood pressure and pulse vital signs~~;
 - (b) The names of the drugs ~~and~~, the amounts administered *and time administered*;
 - (c) The length of the procedure; and
 - (d) Any complications of anesthesia.

NAC 631.2231 Inspections and evaluations; general anesthesia and deep sedation: Emergency drugs. (NRS 631.190, 631.265) Except as otherwise provided in this section, a dentist's office inspected or evaluated for the issuance or renewal of a general anesthesia permit, ~~conscious sedation permit~~, *deep sedation*, or certificate of site approval for *general anesthesia or deep sedation permit* must maintain emergency drugs of the following categories which must be immediately available for use on the patient:

1. Vasopressor;
2. Corticosteroid;
3. Bronchodilator;
4. Muscle relaxant;
5. Intravenous medication for the treatment of cardiopulmonary arrest;
6. Appropriate drug antagonist;
7. Antihistaminic;
8. Anticholinergic;
9. Antiarrhythmic;
10. Coronary artery vasodilator;
11. Anti-hypertensive; and
12. Anti-convulsive.

2. *When administering anesthesia or deep sedation to pediatric patients as set forth in NAC 631.004, the dentist's office must meet the following minimum standards with regard to pediatric emergency drugs:*

- (a) *Epi Pen Jr*

- (b) Adenosine
- (c) Aminodarone
- (d) Magnesium Sulfate
- (e) Procainamide

NEW SECTION

Inspections and evaluations: moderate sedation or pediatric moderate; Emergency drugs. (NRS 631.190, 631.265) Except as otherwise provided in this section, a dentist's office inspected or evaluated for the issuance or renewal of a moderate sedation permit, ~~conscious sedation permit~~ or pediatric moderate sedation, or certificate of site approval for moderate sedation permit or pediatric moderate sedation must maintain emergency drugs of the following categories which must be immediately available for use on the patient:

1. Vasopressor;
2. Corticosteroid;
3. Bronchodilator;
4. Appropriate drug antagonist;
5. Antihistaminic;
6. Anticholinergic;
7. Coronary artery vasodilator;
8. Anti-convulsive.

2. When administering moderate sedation to pediatric patients as set forth in NAC 631.004, the dentist's office must meet the following minimum standards with regard to pediatric emergency drugs:

- (a) Epi Pen Jr
- (b) Adenosine
- (c) Aminodarone
- (d) Magnesium Sulfate
- (e) Procainamide

NAC 631.2233 Inspections ~~and evaluations:~~ Recommendations of inspectors ~~or evaluators;~~ ~~decision of Board.~~ (NRS 631.190, 631.265)

1. The persons performing an inspection ~~or evaluation~~ of a dentist's office for the issuance or renewal of a ~~general anesthesia certificate of site~~ permit *for the administration of general anesthesia* ~~or conscious sedation deep sedation, moderate sedation, pediatric moderate sedation~~ permit shall grade the office as passing or failing. *No later than 72 hours* ~~Within 10 days~~ after completing the inspection ~~or evaluation~~, each inspector or evaluator shall report his or her recommendation for passing or failing to the ~~Board Executive Director~~, setting forth the details supporting his or her conclusion. ~~The Board is not bound by these recommendations.~~

2. *If the site is in compliance with the requirements set forth in NAC 631.2227, 631.2229 and 631.2231, the Executive Director shall, without any further action by the Board, issue a written notice of the agents' findings to the licensed dentist.*

~~The Board will make the final determination whether the office has passed or failed the inspection or evaluation and will notify the dentist whose office is the subject of the inspection or~~

~~evaluation, in writing, of its findings within 30 days after the Board receives a recommendation from each inspector or evaluator who inspected or evaluated the office.~~

3. *If the site is not in compliance with the requirements set forth in NAC 631.2227, 631.2229 and 631.2231, the Executive Director shall, without any further action by the Board, issue a written notice which identifies the deficiencies and failure to the licensed dentist.*

4. *A dentist who has received a notice of failure from the Executive Director may, within 15 days after receiving the notice and upon rectifying the deficiencies, request in writing for a reinspection.*

5. *If the reinspection is granted by the Executive Director, it may be conducted by different persons in the manner set forth by NAC 631.2219 to 631.2233, inclusive, for an original inspection.*

6. *Pursuant to subsection 3 of NRS 233B.127, if a site inspection of an office or facility conducted pursuant to this section indicates that the public health, safety or welfare imperatively requires emergency action, the President of the Board may, without any further action by the Board, issue an order of summary suspension of the license of the licensed dentist pending proceedings for revocation or other action. An order for summary suspension issued by the President of the Board must contain findings of the exigent circumstances which warrant the issuance of the order for summary suspension. The President of the Board shall not participate in any further proceedings relating to the order.*

NAC 631.2235 ~~Inspections and~~ Evaluations: Failure to pass; requests for reevaluations.
(NRS 631.190, 631.265)

1. The persons performing an evaluation of a dentist for the issuance or renewal of a permit *for the administration of general anesthesia, deep sedation, moderate sedation or pediatric moderate sedation* shall grade the dentist as passing or failing. *No later than 72 hours* after completing the *evaluation*, each *evaluator* shall report his or her recommendation for passing or failing to the *Executive Director*, setting forth the details supporting his or her conclusion.

~~1. A dentist whose office the Board determines has failed the inspection or evaluation is not entitled to have a general anesthesia permit or conscious sedation permit issued or renewed~~

2. *If the dentist is in compliance with the requirements set forth in NAC 631.2219 to 631.2233, the Board shall issue the permit for the administration of general anesthesia, deep sedation, moderate sedation or pediatric moderate sedation.*

3. *If the dentist is not in compliance with the requirements set forth in NAC 631.2227, 631.2229 and 631.2231, the Executive Director shall, without any further action by the Board, issue a written notice which identifies the deficiencies and/ failure to the licensed dentist.*

~~2.~~ 4. *A dentist who has received a notice of failure from the ~~Board~~ Executive Director may, within 15 days after receiving the notice, request the Board in writing for a reevaluation. The request for a reevaluation must state specific grounds supporting it.*

~~3.~~ 5. *If the reevaluation is granted by the Board, it will be conducted by different persons in the manner set forth by NAC 631.2219 to 631.2233, inclusive, for an original evaluation.*

~~4.~~ 6. *No dentist who has received a notice of failing an inspection or evaluation from the Board may request more than one reevaluation within any period of 12 months.*

7. Pursuant to subsection 3 of NRS 233B.127, if an evaluation of a dentist for the administration of general anesthesia, deep sedation, moderate sedation or pediatric moderate sedation is conducted pursuant to this section indicates that the public health, safety or welfare imperatively requires emergency action, the President of the Board may, without any further action by the Board, issue an order of summary suspension of the license of the licensed dentist pending proceedings for revocation or other action. An order for summary suspension issued by the President of the Board must contain findings of the exigent circumstances which warrant the issuance of the order for summary suspension. The President of the Board shall not participate in any further proceedings relating to the order.

NAC 631.2236 Certificate of site approval: General requirements. (NRS 631.190, 631.265)

1. A dentist who is licensed in this State may employ:
~~—(a) An anesthesiologist who is licensed as such by the State of Nevada; or~~
(b) A dentist who is licensed in this State and who holds a general anesthesia permit, ~~or conscious sedation-deep sedation, moderate sedation or pediatric moderate sedation~~ permit,
→ to administer general anesthesia, deep sedation or ~~conscious sedation-moderate sedation or pediatric moderate sedation~~, as appropriate, to his or her patients at his or her office if he or she holds a certificate of site approval issued pursuant to this section.

2. A dentist who is licensed in this State and who desires to receive or renew a certificate of site approval must submit to the Board:

(a) An application for a certificate or for the renewal of a certificate, in a form approved by the Board;

(b) The fee for the inspection of a facility which is established by the Board pursuant to NRS 631.345; and

(c) Written documentation which demonstrates that the ~~anesthesiologist or~~ dentist who is to be employed to administer the general anesthesia, deep sedation or ~~conscious sedation moderate sedation or pediatric moderate sedation~~ holds an appropriate ~~license or~~ permit issued by the ~~appropriate~~ board in this State to administer such anesthesia or sedation ~~and, if the person to be employed is an anesthesiologist, that the anesthesiologist maintains unrestricted active staff privileges within the department of anesthesiology at a hospital or surgical center approved by The Joint Commission.~~

3. Upon receipt of an application pursuant to this section, the Board will appoint one of its members or a representative of the Board to inspect the office of the applicant to determine whether the office complies with the requirements set forth in NAC 631.2227, 631.2229 and 631.2231. The person conducting the inspection shall report his or her determination to the Board.

4. If the person conducting the inspection determines that the office of the applicant complies with the requirements of NAC 631.2227, 631.2229 and 631.2231 and the applicant has otherwise met the requirements of this section, the Executive Director shall issue a certificate of site approval to the applicant.

5. *If the person conducting the inspection determines that the office of the applicant fails to comply with the requirements of NAC 631.2227, 631.2229 and 631.2231, the person conducting the inspection shall within 72 hours report his or her recommendations of failing to the Executive Director of the Board as set forth in NAC 631.2233 to NAC 631.2235*

5. A holder of a certificate of site approval shall maintain the information described in paragraph (c) of subsection 2 at his or her office at all times.

6. Each certificate of site approval issued by the Board must be renewed annually or biennially, as applicable, based on the renewal period set forth in [NRS 631.330](#) for the type of license held by the holder of the certificate.

7. The Board may reinspect the office of the holder of a certificate of site approval at any time.

NAC 631.2237 Procedures required before administration of anesthetic or sedation. ([NRS 631.190, 631.265](#))

1. Written consent of the patient must be obtained before the administration of a general anesthetic, deep sedation or ~~conscious sedation~~ ***moderate sedation or pediatric moderate sedation***, unless the dentist determines that an emergency situation exists in which delaying the procedure to obtain the consent would likely cause permanent injury to the patient. If the patient is a minor, the consent must be obtained from his or her parent or legal guardian.

2. A medical history must be taken before the administration of a general anesthetic, deep sedation or ~~conscious sedation~~ ***moderate sedation or pediatric moderate sedation***. A patient should be asked to describe any current medical conditions or treatments, including, without limitation, medications, drug allergies, impending or past operations and pregnancy, and to give other information that may be helpful to the person administering the anesthetic or sedation. The dentist is not required to make a complete medical examination of the patient and draw medical diagnostic conclusions. If a dentist suspects a medical problem and calls in a physician for an examination and evaluation, he or she may then rely upon that conclusion and diagnosis. Questions asked of and answers received from the patient must be permanently recorded and signed by the patient before the administration of any general anesthetic, deep sedation or ~~conscious sedation~~ ***moderate sedation or pediatric moderate sedation***, and this record must be a permanent part of the patient's record of treatment.

NAC 631.2239 Properly equipped facility required; qualifications of auxiliary personnel. ([NRS 631.190, 631.265](#))

1. A dentist using general anesthesia, deep sedation, ~~or conscious sedation~~ ***moderate sedation or pediatric moderate sedation*** shall maintain a properly equipped facility for the administration of the anesthesia or sedation which is staffed with supervised auxiliary personnel who are capable of reasonably handling procedures, problems and emergencies incident thereto.

2. A dentist using general anesthesia, deep sedation, ~~or conscious sedation~~ ***moderate sedation or pediatric moderate sedation*** shall ensure that his or her auxiliary personnel are certified in basic cardiopulmonary resuscitation by the American Heart Association.

NAC 631.224 Employment of certified registered nurse anesthetist. ([NRS 631.190, 631.265](#))

1. Any dentist who holds a general anesthesia permit pursuant to the provisions of [NAC 631.2211](#) to [631.2256](#), inclusive, may employ a certified registered nurse anesthetist to administer the ~~general anesthesia, deep sedation, or conscious sedation~~ to a patient if the dentist is physically present and directly supervises the administration of the general anesthesia, ~~deep sedation~~, the patient. The holder of the permit must maintain at his or her office evidence in writing that the certified registered nurse anesthetist is licensed to practice in the State of Nevada and maintains unrestricted active staff privileges within the department of anesthesiology at a hospital or surgical center which is ~~certified by The Joint Commission~~ ***permitted pursuant to NRS 449.***

2. Except as otherwise provided in [NAC 631.2236](#), a dentist who does not hold a general anesthesia permit may not allow any person to administer general anesthesia, ~~deep sedation, or conscious sedation~~ to his or her patients unless the treatment is rendered within a facility ~~approved by The Joint Commission~~ *permitted pursuant to NRS 449*.

NAC 631.2241 Report of injuries to patients. ([NRS 631.190](#), [631.265](#)) Each holder of a general anesthesia permit, deep sedation, ~~conscious sedation~~, *moderate sedation or pediatric moderate sedation* permit or certificate of site approval shall submit to the Board a complete report regarding any mortality or unusual incident which occurs outside a facility ~~accredited by The Joint Commission~~ *permitted pursuant to NRS 449*, and produces permanent injury to a patient or requires the hospitalization of a patient, as a direct result of the administration of general anesthesia, deep sedation ~~or conscious sedation~~, *moderate sedation or pediatric moderate sedation*. The report must be submitted within 30 days after the date of the incident. If a dentist fails to report any incident as required by this section, his or her permit may be revoked.

NAC 631.2254 Temporary permits. ([NRS 631.190](#), [631.265](#))

1. The Board may grant a temporary permit to administer general anesthesia ~~and~~, deep sedation or a temporary permit to administer ~~conscious sedation~~ *moderate sedation or pediatric moderate sedation* to an applicant who meets the qualifications for a permit to administer that type of anesthesia or sedation pursuant to [NAC 631.2213](#).

2. A temporary permit is valid for not more than 90 days, but the Board may, in any case it deems appropriate, grant a 90-day extension of the permit.

3. The Board may require the holder of a temporary permit to pass an on-site inspection as a condition of retaining the permit. If the holder fails the inspection, his or her permit will be revoked. In case of revocation, the holder of a temporary permit may apply to be reinspected in accordance with the procedures set forth in [NAC 631.2235](#).

NAC 631.2256 Continuing education required. ([NRS 631.190](#), [631.265](#), [631.342](#)) Every 2 years, the holder of a general anesthesia permit, ~~or conscious sedation~~ *deep sedation, moderate sedation or pediatric moderate sedation* permit must complete at least ~~3~~ **6** hours in courses of study that specifically relate to anesthesia or sedation, as applicable, before the permit may be renewed. This training will be credited toward any continuing education required by [NAC 631.173](#).