Nevada State Board of Dental Examiners

6010 S. Rainbow Blvd., Bldg. A, Ste.1 • Las Vegas, NV 89118 • (702) 486-7044 • (800) DDS-EXAM • Fax (702) 486-7046

NOTICE OF INTENT TO ACT UPON REGULATIONS
LCB File No: R119-15

Notice of Hearing for the Adoption of Proposed Permanent Regulations of the Nevada State Board of Dental Examiners

The Nevada State Board of Dental Examiners will hold a Hearing on **Friday January 22, 2016 at 10:00 a.m.** during a regularly scheduled meeting of the Board at the offices of the Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd, Suite A-1, Las Vegas, Nevada 89118. Videoconferencing will also be available at the offices of the Nevada State Board of Medical Examiners, 1105 Terminal Way, Suite 301, Reno, NV 89502.

The purpose of the Hearing is to receive comments from all interested persons regarding the adoption of the following proposed regulations that pertain to Chapter 631 of the Nevada Administrative Code. The revisions are regarding the following:

Pursuant to the requirements of NRS 233B.0603, the following information is provided:

1. Purpose and Need of the Proposed Regulation:

The proposed regulations are necessary to establish Board of Dental Examiners policy and to clarify existing Board of Dental Examiners policy.

2. How to obtain the Revised Text of the Proposed Regulations:

A copy of this notice will be on file at the State Library, 100 Stewart Street, Carson City, Nevada for inspection by members of the public during business hours. Additional copies of the notice and the regulations to be adopted and repealed will be available at the office of the **Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd. A-1, Las Vegas, Nevada 89118**; and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice is also available on the Board's website at: **dental.nv.gov.** This notice and the text of the proposed regulations are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0633, and on the Internet at www.leg.state.nv.us. Copies of this notice and the proposed regulations will also be mailed to members of the public upon request.

3. Estimated Economic effect of the Proposed Permanent Regulations on the Business, which it is to regulate and the Public:

NAC 631.029 Schedule of Fees:

a). Adverse and Beneficial Effect:

This proposed regulation change would establish a certain fees regarding initial infection control inspection (NAC 631.1785) to offset the cost associated with conducting these types of infection control inspections. The beneficial effect would be to ensure the Board has the monetary resources to continue to conduct the required inspections needed to ensure the public's safety, health and welfare.

b). Immediate and Long Tem Effect:

The immediate effect would be the fee to cover the costs associated with the inspection to a dentist who either purchases an existing dental practice or opens a new dental practice. The Board does not foresee any long term effects.

c). Method utilized to Determine Economic Effect:

Upon holding a Public Workshop (09/18/2015) where licensees, members of local associations and societies and public persons attended, the attendees did not object to establishing a fee in order to implement the policies of the Board. This included, a review of the Board's budget showing the amount of money it is costing the Board to conduct the inspections The Board determined establishing a fee as set forth in NRS 631.345 was needed to continue the inspections for infection control to ensure the public's health, safety and welfare.

d). The estimated cost to the agency for enforcement of the proposed regulation.

There should be a minimal cost for enforcement of the proposed regulation to the agency to conduct the inspections. The immediate cost would include informing the licensed professionals of the State of Nevada of the change in regulation.

NAC 631.150-Filing of addresses of licensee; notice of change; display of license-

a). Adverse and Beneficial Effect:

This proposed regulation change would include without limitation any electronic mailing address for that practice. The beneficial effect would provide the Board the ability to notify licensees of immediate information that may have an effect on their practice.

licensees of immediate information that may have an effect on their practice.

b). Immediate and Long Tem Effect:

There should be no adverse effect of the change in the regulation on the dental or dental hygiene profession.

c). Method utilized to Determine Economic Effect:

There should be no economic effect of the change in the regulations on the dental or dental hygiene profession.

d). The estimated cost to the agency for enforcement of the proposed regulation.

There should be no additional cost for enforcement of the proposed regulation to the agency. The immediate cost would include developing the e-mail group query to inform the licensed professionals of the State of Nevada by electronic mailing.

NAC 631.1785-Initial inspection of office or facility:

a). Adverse and Beneficial Effect:

This proposed regulation change would provide consistent due process to the licensees and ensure consistency when conducting inspections for infection control compliance pursuant to NAC 631.1785 and NAC 631.179.

b). Immediate and Long Tem Effect:

There should be no adverse effect of the change in the regulations on the dental or dental hygiene profession.

c). Method utilized to Determine Economic Effect:

There should be no economic effect of the change in the regulations on the dental or dental hygiene profession.

d). The estimated cost to the agency for enforcement of the proposed regulation.

There should be no additional cost for enforcement of the proposed regulation to the agency. The immediate cost would include informing the licensed professionals of the State of Nevada of the change in regulation.

NAC 631.210-Dental hygienists: Authorization to perform certain services; referral of patient to

authorizing dentist for certain purposes:

a). Adverse and Beneficial Effect:

This proposed regulation change would allow for dental hygienists to performing certain acts prior to the patient being examined by the authorizing dentist. The change also includes amending certain acts a dental hygienist may perform under the authorization and employment of the dentist. The beneficial effect would provide the dentist with valuable data prior to his examination of the patient.

b). Immediate and Long Tem Effect:

There should be no adverse effect of the changes in the regulations on the dental or dental hygiene profession.

c). Method utilized to Determine Economic Effect:

There should be no economic effect of the changes in the regulations on the dental or dental hygiene profession.

d). The estimated cost to the agency for enforcement of the proposed regulation.

There should be no additional cost for enforcement of the proposed regulation to the agency. The immediate cost would include informing the licensed professionals of the State of Nevada of the change in regulation.

NAC 631.220-Dental assistants: Authorization to perform certain services; supervision by dental hygienist for certain purposes.

a). Adverse and Beneficial Effect:

This proposed regulation change provides the dentist the ability to authorize a dental assistant in his or her employ and under his supervision to perform certain acts before the patient is examined by the dentist.

b). Immediate and Long Tem Effect:

There should be no adverse effect of the changes in the regulations on the dental or dental hygiene profession.

c). Method utilized to Determine Economic Effect:

There should be no economic effect of the changes in the regulations on the dental or dental hygiene profession.

d). The estimated cost to the agency for enforcement of the proposed regulation.

There should be no additional cost for enforcement of the proposed regulation to the agency. The immediate cost would include informing the licensed professionals of the State of Nevada of the change in regulation.

4. A description of any duplication or overlapping of other local, state, or federal agencies.

   To our knowledge, there are no other government entities regulating the licensure of dentists and/or dental hygienists in the State of Nevada. Therefore, there is no duplication or overlap of regulation of another agency.

5. If the regulation is required pursuant to federal law, a citation and description of the federal law.

   This regulation is not required pursuant to federal law.

6. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

   There are no federal regulations addressing state dental and/or dental hygiene.

Persons wishing to comment may appear at the scheduled hearing or may address their comments, data, views or arguments, in written form to: **Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd, A-1, Las Vegas, Nevada 89118, Attn: Debra Shaffer-Kugel, Executive Director; FAX number (702) 486-7046; e-mail address nsbde@nsbde.nv.gov.** Written submissions must be received by the **NEVADA STATE BOARD OF DENTAL EXAMINERS** on or before **January 15, 2016** in order to make copies available to members and the public.

Pursuant to NRS 233B.064(2), "*upon adoption of any regulation, the Board, if requested to do so by an interested person, either before adoption or within thirty (30) days thereafter, shall issue a concise statement of the principal reason for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.*"

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
Legislative Counsel Bureau, 401 S Carson Street, Carson City, Nevada 89701

Carson City Library, 900 N. Roop St., Carson City, Nevada.
Churchill County Library, 553 S. Main St., Fallon, Nevada.
Las Vegas Library, 833 Las Vegas Blvd, North, Las Vegas, Nevada.
Douglas County Library, 1625 Library Lane, Minden, Nevada.
Elko County Library, 720 Court St., Elko, Nevada.
Goldfield Public Library, Fourth & Crook St., Goldfield, Nevada.
Eureka Branch Library, 10190 Monroe St., Eureka, Nevada.
Humboldt County Library, 85 East 5th St., Winnemucca, Nevada.
Battle Mountain Branch Library, 625 Broad St., Battle Mountain, Nevada.
Lincoln County Library, 93 Main Street, Pioche, Nevada .
Lyon County Library, 20 Nevin Way, Yerington, Nevada .
Mineral County Library, First & A Street, Hawthorne, Nevada.
Tonopah Public Library, 171 Central St., Tonopah, Nevada.
Pershing County Library, 1125 Central Ave., Lovelock, Nevada.
Storey County Library, 95 South R. St., Virginia City, Nevada.
Washoe County Library, 301 S. Center St., Reno, Nevada.
White Pine County Library, 950 Campton St., Ely, Nevada.
Las Vegas Office of the Nevada Attorney General, 555 E. Washington Ave, Las Vegas, Nevada
Carson City Office of the Nevada Attorney General, 100 N. Carson St., Carson City, Nevada