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NEVADA STATE BOARD OF DENTAL EXAMINERS
6010 S. Rainbow Boulevard, Suite A1
Las Vegas, NV 89118

Video Conferencing was available for this meeting at the Nevada State Board of Dental Examiners office and at the Nevada State Board of Medical Examiners office - Conference Room located at: 1105 Terminal Way, Suite #301; Reno, NV 89502

PUBLIC MEETING

Friday, January 20, 2017
10:37 a.m.

Minutes

Board Meeting

Please Note: The Nevada State Board of Dental Examiners may hold board meetings via video conference or telephone conference call. The public is welcomed to attend the meeting at the Board office located at 6010 S. Rainbow Blvd, Suite A1; Las Vegas, Nevada 89118; or in the Conference room of the Nevada State Board of Medical Examiners office located at 1105 Terminal Way, Suite #301; Reno, NV 89502 (when applicable).

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.

Public Comment time is available after roll call (beginning of meeting) and prior to adjournment (end of meeting). Public Comment is limited to three (3) minutes for each individual. You may provide the Board with written comment to be added to the record.

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 ("Dr. Pinther") -----PRESENT	Dr. R. Michael Sanders ("Dr. Sanders") ---PRESENT
Dr. Byron Blasco ("Dr. Blasco") -----PRESENT	Mrs. Leslea Villigan ("Mrs. Villigan") ----PRESENT
Dr. Jason Champagne ("Dr. Champagne") --PRESENT	Ms. Theresa Guillen ("Ms. Guillen") -----EXCUSED
Dr. Gregory Pisani ("Dr. Pisani") -----PRESENT	Ms. M Sharon Gabriel ("Ms. Gabriel") ---PRESENT
Dr. Brendan Johnson ("Dr. Johnson") -----PRESENT	Ms. Stephanie Tyler ("Ms. Tyler") -----PRESENT
Dr. Ali Shahrestani ("Dr. Shahrestani") -----PRESENT	

Others Present: John Hunt, Board Legal Counsel; Debra Shaffer-Kugel, Executive Director; Brett Kandt, Deputy Attorney General, Board Co-Counsel.

Public Attendees: Michael McKellab; Radha Chanderraj, Chanderraj Law Offices; Andy Moore; Gustavo Leon; Erika Smith; Bradley Strong; MaryAnne P. (MD, Anes); Robert Talley, NDA; Marke Funke, NDA; Paul Cardinale; (Some public attendees did not wish to sign-in, one attendee present with a video camera on behalf of the LVDA)

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

Gus Leon, a Nevada resident, read a letter on behalf of William Gussow, DDS.

63 Tina Tsou read a statement (posted for the record). Upon Ms. Tsou's reaching her time limit, Ms. Smith, at the
64 direction of Mr. Ruiz, stated that she wanted to forfeit her 3 minutes so that Ms. Tsou could finish reading her
65 statement; Mr. Brandt stated that it was not acceptable. Ms. Smith proceeded to finish reading Ms. Tsou's
66 statement.
67

68 Dr. Adrian Ruiz stated that at the request of two assemblymen, Mr. Hunt's application not be considered.
69

70 Mrs. Shaffer-Kugel read a statement into the record on behalf of the Hansen Family.
71

72 Dr. Blasco stated that a letter was received from Dr. Tina Brandon-Abbatangelo addressed to Governor Sandoval,
73 which he read into the record.
74

75 Dr. Pisani read a letter submitted by Dr. Gregory Greenwood regarding his experience with the Board's
76 disciplinary process.
77

78 Ms. Gabriel read a letter from Mr. Walter Cannon, Esquire regarding the disciplinary process.
79

80 Dr. Bradley Strong read a statement into the record.
81

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

84 ***3. Election of Officers-NRS 631.160 (For Possible Action)**
85

86 (a) President (For Possible Action)
87

88 Dr. Pisani nominated Dr. Blasco for president.
89

90 MOTION: Dr. Pisani made the motion to nominate Dr. Blasco as President. The motion was seconded. All were in
91 favor of the motion.
92

93 (b) Secretary-Treasurer (For Possible Action)
94

95 MOTION: Dr. Johnson made the motion to nominate for Dr. Champagne as Secretary-Treasurer. Motion was
96 seconded by Dr. Pisani. All were in favor of the motion.
97
98

99 ***4. Discussion/Consideration of Recommendations from the Employment Committee. The Board may**
100 **appoint one of the named individuals to the position of general counsel. -NRS 631.190 (For Possible Action)**
101 **(Pursuant to NRS 241.030, the board may, by motion, enter into closed session to consider the character,**
102 **alleged misconduct, professional competence, or physical or mental health of a person.)**
103

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|---|-------------------------------|----------------------------|
| 104 1. Melanie Bernstein Chapman, Esquire | 11. Keith E. Kizer, Esquire | 20. Kevin S Smith, Esquire |
| 105 2. Radha Chanderraj, Esquire | 12. Leland E. Lufty, Esquire | 21. Jesse H Smith, Esquire |
| 106 3. Boone L. Cragun, Esquire | 13. Gary J Mathews, Esquire | 22. Marla Zlotek, Esquire |
| 107 4. Matthew Forstadt, Esquire | 14. Michael McKellab, Esquire | 23. Bert Wuerster, Esquire |
| 108 5. Christy Lyn M. Galiher, Esquire | 15. Andy Moore, Esquire | |
| 109 6. David M. Gardner, Esquire | 16. Karissa D Neff, Esquire | |
| 110 7. Jacob Hafter, Esquire | 17. Erven Nelson, Esquire | |
| 111 8. Brigid Higgins, Esquire | 18. Michael Royal, Esquire | |
| 112 9. John Hunt, Esquire | 19. Lawrence Semenza, Esquire | |
| 113 10. John Kelleher, Esquire | | |

114
115 Dr. Pisani, Chair of the Employment Committee, indicated that at their meeting held prior to the Board meeting,
116 the committee members and the Committee selected six (6) applicants to hold interviews with, which would take
117 placed in the next 30 days. He asked that the Board table any further discussion of this agenda item.
118

119 MOTION: Dr. Pisani made the motion to table this agenda item. Motion was seconded by Dr. Champagne. All
120 were in favor of the motion.
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***5. Executive Director's Report (For Possible Action)**

a. Minutes - NRS 631.190 (For Possible Action)

- (1) Board Meeting -11/04/2016
- (2) Board Meeting-12/01/2016

Mr. Kandt asked that the draft minutes be amended to the 11/04/2016 meeting to indicate that the Attorney General's office will assist the Board to ensure the due process. Dr. Pisani correction to 12/01 meeting he was excused and that Mrs. Villigan was present.

MOTION: Dr. Pisani made the motion to approve the draft minutes with the noted changes. Motion was seconded by Dr. Johnson. All were in favor of the motion.

b. Financials - NRS 631.180/NRS 631.190

- (1) Review Balance Sheet and Statement of Revenues, Expenses and Balances for period July 1, 2016 through November 30, 2016

Mrs. Hummel stated to the Board that the amended report was simply a formatting change. She noted to the Board that they formerly had an Administrative Assistant part-time and that they are under budget since the position had not been replaced. She added that there were no notable changes.

***c. Correspondence - NRS 631.190 (For Possible Action)**

- (1) Letter from the American Board of Orthodontics requesting the Board require Board Certification prior to issuance a specialty license in Orthodontia. This request may require a statute change to NRS 631.250/NRS 631.255 (For Possible Action)

Mrs. Shaffer-Kugel stated that the letter was asking that the Board consider requiring board certification before issuance of a specialty license. She explained how they can be licensed by being board eligible. She explained further, that they are required to become certified within 6 years of being granted their specialty license via based on being board eligible. It was noted that while licensees may apply for a general dental license, although they may not advertise themselves as specialist, nor may they bill as a specialist unless they hold a specialty license. Dr. Pinther asked that Mrs. Shaffer-Kugel draft a letter stating the Board's position and how the process is define in the statutes and regulations that govern the Board. Mrs. Shaffer-Kugel stated that the ABO could also seek a legislative change to the statue should they wish to pursue this request further.

MOTION: Dr. Pisani made the motion to have the Executive Director draft a letter as suggested by Dr. Pinther. Motion was seconded by Dr. Blasco. All were in favor of the motion.

- (2) Letter from CE Zoom requesting the board to consider contracting with them to conduct the Board's CE audits. If applicable in NAC 631.177(4), the Board may request a presentation from CE Zoom (For Possible Action)

Mrs. Shaffer-Kugel stated that the Board received a letter from this CE Zoom and that from her understanding the website allows boards' to go online to conduct an audit through the company website and allows licensees to access and save their CE's through the website. Dr. Pisani commented that the Board was just fine the way it currently runs their CE audits. Mrs. Shaffer-Kugel noted that they do have those that don't complete the required CE's. Dr. Blasco commented that as someone who has done the audits, the review process can be time consuming but not arduous. Dr. Sanders stated that if the audit was not an onerous task then he didn't believe that this proposal would be a benefit to the Board.

MOTION: Dr. Pisani made the motion to authorize the Executive Director to send a letter to CE Zoom stating that they would not be using their services. Motion was seconded by Dr. Champagne. All were in favor of the motion.

188 *d. Authorized Investigative Complaints-NRS 631.360 (For Possible Action)
189

- 190 (1) Dr. V-NRS 631.3475(5) and NAC 631.230(1)(b)
191 (2) Dr. W-631.3475(5) and NAC 631.230(1)(b)
192 (3) Dr. X-631.3475(5) and NAC 631.230(1)(b)
193

194 Mrs. Shaffer-Kugel went over the alleged violations of Drs. V, W, and X.
195

196 MOTION: Dr. Blasco made the motion to authorize the investigations on Drs. V, W, and X. Motion was seconded
197 by Dr. Champagne. All were in favor of the motion.
198

- 199 (4) Dr. Y-NRS 631.3475 (1) and NAC 631.2241 (For Possible Action)
200

201 Mrs. Shaffer-Kugel went over the alleged violations of Dr. Y.
202

203 MOTION: Dr. Pisani made the motion to authorize the investigation on Dr. Y. Motion was seconded by Dr.
204 Champagne. All were in favor of the motion.
205

- 206 (5) Dr. Z-NRS 631.3475(5) and NAC 631.230 (1)(b)(For Possible Action)
207

208 Mrs. Shaffer-Kugel went over the alleged violations of Dr. Z.
209

210 MOTION: Dr. Blasco made the motion to authorize the investigation on Dr. Z. Motion was seconded by Dr.
211 Pisani. All were in favor of the motion.
212

213 Mr. Hunt noted that the Board lists licensees anonymously so that it protects the due process of the licensee.
214

215 *6. Board Counsel's Report (For Possible Action)
216

217 Mr. Hunt stated that the Attorney General has reviewed the complaint process and the open meeting law
218 complaints, and found no violations in any of the complaints received.
219

220 a. Legal Actions/Lawsuit(s) Update
221

- 222 (1) District Court Case(s) Update
223

224 Mr. Hunt stated that there were no pending matters, with the exception that there was a pending permanent
225 injunction on someone who was previously found guilty years ago for the illegal practice of dentistry. He stated
226 that they have since violated that injunction, and that they were working with the Attorney General office on this
227 matter.
228

229 *b. Consideration to Approve or Reject the following Stipulation Agreements (For Possible Action)
230

231 Mr. Hunt noted briefly how the complaint process works.
232

233 Old Business: (For Possible Action)
234

- 235 (1) Leslie Kotler, DDS (For Possible Action)
236

237 Mr. Hunt went over the provisions of the stipulation agreement.
238

239 MOTION: Dr. Blasco made the motion to adopt the stipulation agreement. Motion was seconded by Dr.
240 Champagne. All were in favor of the motion.
241

242 New Business: (For Possible Action)
243

- 244 (1) Bobby Soleiman, DDS (For Possible Action)
245

246 Mr. Hunt went over the provisions of the stipulation agreement.
247

248 MOTION: Dr. Pisani made the motion to adopt the stipulation agreement. Motion was seconded by Dr.
249 Champagne. All were in favor of the motion; Dr. Shahrestani abstained.
250

251 (2) Timothy Wilson, DDS (For Possible Action)
252

253 Mr. Hunt went over the provisions of the stipulation agreement. Paul Cardinale, counsel for Dr. Wilson, was
254 present. Mr. Cardinale stated his firm worked heavily with the Board and disagreed with the negative comments
255 being made and found that there was always fairness and openness by the Board and counsel.
256

257 MOTION: Dr. Sanders made the motion to adopt the stipulation agreement. Motion was seconded by Dr. Pisani.
258 Discussion: Dr. Blasco inquired of Mr. Cardinale if there were any violations of their process pursuant to the
259 statues, and whether he had any knowledge of any violations during the process. Mr. Cardinale stated that he had
260 never witnessed any violations, that all was fair. All were in favor of the motion.
261

262 (3) Frank D Nguyen, DDS (For Possible Action)
263

264 Mr. Hunt went over the provisions of the stipulation agreement.
265

266 MOTION: Dr. Pisani made the motion to adopt the stipulation agreement. Motion was seconded by Dr.
267 Champagne. All were in favor of the motion.
268

269 (4) Kenneth Duffie, DDS (For Possible Action)
270

271 Mr. Hunt went over the provisions of the stipulation agreement. Dr. Sanders recused himself from discussion of
272 this item. Counsel for Dr. Duffie, Mr. Paul Cardinale, was present.
273

274 MOTION: Dr. Shahrestani made the motion to adopt the stipulation agreement. Motion was seconded by Dr.
275 Champagne. All were in favor of the motion; Dr. Sanders abstained.
276
277

278 *7. New Business (For Possible Action)
279

280 *a. Approval for Anesthesia-Permanent Permit – NAC 631.2233 (For Possible Action)
281

282 (1) Conscious Sedation (For Possible Action)

- 283 (a) Shahriar H Agahi, DMD
- 284 (b) Keaton M Tomlin, DMD
- 285 (c) Arshid Torkaman, DDS
286

287 Dr. Johnson recommended approval.
288

289 MOTION: Dr. Sanders made the motion to approve. Motion was seconded by Pisani. All were in favor of the
290 motion; Dr. Johnson and Dr. Blasco abstained.
291

292 (2) General Anesthesia (For Possible Action)

- 293 (a) Kenneth L. Reed, DMD
294

295 Dr. Johnson stated that he recommended approval.
296

297 MOTION: Ms. Tyler made the motion to approve. Motion was seconded by Dr. Champagne. All were in favor of
298 the motion; Dr. Johnson and Dr. Blasco abstained.
299

300 *b. Approval of Public Health Endorsement – NRS 631.287 (For Possible Action)
301

- 302 (1) Judy Ann White, RDH – State of Nevada Oral Health Program
303

304 Dr. Blasco indicated that he review the application and recommended approval.
305

306 MOTION: Dr. Pisani made the motion to approve. Motion was seconded by Dr. Champagne. All were in favor of
307 the motion.
308

309 *c. Approval of Voluntary Surrender of License – NAC 631.160 (For Possible Action)
310

- 311 (1) Joel A. Casar, DMD
312

313 Mrs. Shaffer-Kugel indicated that Dr. Casar had no pending matters, and recommended approval.
314

315 MOTION: Dr. Blasco made the motion to approve. Motion was seconded by Dr. Pisani. All were in favor of the
316 motion.
317
318

319 *d. Approval of Board Member as Editor of Newsletter-NRS 631.190 (For Possible Action)
320

321 Mrs. Shaffer-Kugel indicated that Mrs. Wark was the previous editor. She stated that a new editor was needed to
322 review news article for the Board's newsletters that are sent out twice a year. Dr. Sanders volunteered to be the
323 newsletter editor.
324

325 MOTION: Dr. Pisani made the motion to appoint Dr. Sanders as the new editor. Motion was seconded by Ms.
326 Tyler. All were in favor of the motion.
327

328 *e. Re-Appointment of Disciplinary Screening Officers-NRS 631.190 (For Possible Action)
329

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| 330 (1) Rick B Thiriot, DDS | (13) Richard Dragon, DDS |
| 331 (2) Donna Hellwinkel, DDS | (14) Thomas Myatt, DDS |
| 332 (3) Tina Brandon Abbatangelo, DDS | (15) Kenneth Lang, DDS |
| 333 (4) Bradley Roberts, DDS | (16) David Welmerink, DDS |
| 334 (5) Bradley Strong, DDS | (17) Dawn McClellan, DDS |
| 335 (6) Jason Ferguson, DDS | (18) Michael Squitieri, DDS |
| 336 (7) Michael Webberson, DDS | (19) Gary Braun, DMD |
| 337 (8) Dennis Arch, DDS | (20) Edward Gray, DDS |
| 338 (9) Edward Hershaft, DDS | (21) Mark Degen, DDS, MD |
| 339 (10) Larry Frugoli, DMD | (22) Gary Gerraci, DDS |
| 340 (11) A. Ted Twesme, DDS | (23) Joyce Herceg, RDH |
| 341 (12) James Jones, DDS | (24) Sharon Peterson, RDH |
| 342 | (25) James G Kinard, DDS |
| 343 | |

344 Mrs. Shaffer-Kugel stated that every year the Board reappoints DSO's as a formality. Mr. Hunt inquired if the Board
345 needed to be listed as they can be used as DSO's for complaint investigations. Mr. Kandt stated that from an open
346 meeting law standpoint, it did not require an action. He noted that board members are always permitted to fill in
347 as a board DSO.
348

349 MOTION: Ms. Tyler made the motion to re-appoint the DSO's listed. Motion was seconded by Dr. Pisani.
350 Discussion: In response to an inquiry made by Ms. Tyler, Mr. Kandt stated that if any DSO is assigned a matter that
351 they have a potential conflict with they are to notify the Board immediately so that the case may be reassigned. Mr.
352 Hunt noted that anyone that applies to be a DSO are vetted and calibrated as part of the process to becoming an
353 investigator. He added that annually all DSO's are calibrated to ensure that all current policies are being
354 implemented, which includes reminding them to notify the Board if there are any potential conflicts when assigned
355 a case. All were in favor of the motion.
356

357 *f. Re-appointment of Anesthesia Evaluators/Inspectors-NRS 631.190 (For Possible Action)
358

- | General Anesthesia Evaluators | Conscious Sedation Evaluators |
|-------------------------------|-------------------------------|
| (1) Lowell K. Anderson, DMD | (1) Michael G Almaraz, DDS |
| (2) Michel J Daccache, DDS | (2) Jon P Galea, DDS |
| (3) Steven E DeLisle, DDS | (3) Ryan S Gifford, DDS |
| (4) Edward J Gray, DMD, MD | (4) Dawn L McClellan, DDS |
| (5) Brendan G Johnson, DDS | (5) Jade A Miller, DDS |
| (6) Thomas P Myatt, DDS | (6) D. Kevin Moore, DDS |
| (7) Patrick A O'Connor, DDS | (7) Joshua L Saxe, DDS |
| (8) Amanda Jo Okundaye, DDS | (8) Paul D Schwarz, DMD |
| (9) Gregory Hunter, DMD | (9) Perry T. Francis, DDS |
| (10) Albert T Twesme, DDS | (10) Gilbert A Trujillo, DDS |
| (11) Gary Geracci, DDS | (11) David J Trylovich, DDS |
| (12) Blaine D. Austin, DDS | (12) Jason E Ferguson, DDS |
| (13) Steven Saxe, MD, DMD | (13) Josh Branco, DMD |
| (14) Troy D. Savant, DDS | |

359 MOTION: Dr. Pisani made the motion to appoint the evaluators listed for both general anesthesia and conscious
360 sedation. Motion was seconded by Dr. Blasco. All were in favor of the motion.
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*g. Re-appointment of Infection Control Inspectors-NRS 631.190 (For Possible Action)

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| (1) John L Aramini, DDS | (10) Joshua M Ignatowicz, DMD | (19) Gail M Corthell, RDH |
| (2) James McKernan, RDH | (11) Nelson D Lasiter, DMD | (20) Linda L Fairley, RDH |
| (3) John C DiGrazia, DDS | (12) Gordon J Murray, DDS | (21) Elvera L Kajans, RDH |
| (4) Bradley A Ditsworth, DMD | (13) Brett A Noorda, DMD | (22) Betty L McGuire, RDH |
| (5) Stephen N Fleming, DDS | (14) William P O'Gara, DDS | (23) George F Rosenbaum, DDS |
| (6) Rickey L Grant, DMD | (15) Pamela J Patten, DDS | (24) Brad A Wilbur, DDS |
| (7) Steven W Hall, DDS | (16) Mary M Bosnos, RDH | (25) Joyce Herceg, RDH |
| (8) Christine L Haskin, DDS | (17) Kathryn M Spargo, RDH | |
| (9) Donna Jo Hellwinkel, DDS | (18) Catherine B Buckley, RDH | |

MOTION: Dr. Sanders made the motion to appoint the inspectors listed. Motion was seconded by Ms. Tyler. All were in favor of the motion.

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

No public comment was made.

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

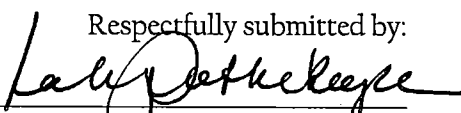
9. Announcements: Dr. Blasco thanked Dr. Pinther for his work as president. Dr. Pinther commented that he was happy to have served as the Board's president.

*10. Adjournment (For Possible Action)

MOTION: Dr. Sanders made the motion to adjourn. Motion was seconded by Dr. Blasco. All were in favor of the motion.

Meeting Adjourned at 12:12 p.m.

Respectfully submitted by:


Debra Shaffer-Kugel, Executive Director