

NEVADA STATE BOARD of DENTAL EXAMINERS



Post Meeting Documents
Public Comment & Records

May 12, 2017
Board Meeting

STATEMENT TO NV STATE BOARD OF DENTAL EXAMINERS

(May 12, 2017)

My name is Gloria Lan. I am a Medicare recipient and a member of the public amongst thousands of others in Nevada. The protection of the rights of the public is a mandate of this board. To each and every board member I ask, **"Have you any knowledge of what instructions your Board has given to your lobbyist, William Horne?"** Horne seems to be opposing changes to the NRS 631 that will leave the board out of compliance with what the board agreed to make with the Legislative Committee. Personally, I do not believe Dental Board Members know what directives its lobbyist Horne has been given. This is because the Board has outsourced its responsibility to non-Board Members such as Debra Shaffer, John Hunt, and DSOs for the past 26 years. **Have any of you Board Members held even one discussion or workshop or vote on what the mandate for your lobbyist?**

When we as members of the public file a complaint with the Board we expect the complaint to be handled by Dental Board Members, not non-Dental Board Members, the same as they are with other the boards in the State of Nevada. In other words, the Dental Board needs a proper complaints committee composed of Board Members only. If Board Members do not want to put in the work required to handle our complaints directly, but instead want to outsource its responsibility to non-Board Members, then please resign from the Board and request the Governor to appoint someone in your place who will do so. This is because the rights of the public must supersede rights of individual Board Members who have self-serving interests.

I would like this submitted for the public record and posted with the minutes.

Thank you.

STATEMENT TO NV STATE BOARD OF DENTAL EXAMINERS

(May 12, 2017)

My name is Adrian Ruiz. I am a licensed dentist in the State of Nevada and President of the Las Vegas Dental Association.

During the Dental Board's meeting today, there is an Agenda item on which I would like to make a comment. Agenda item 4, Section A, Subsection 1, refers to "District Court case(s) update."

In a recent District Court case, the Board's former attorney, John Hunt, is seeking to have his "fees and costs" paid. However, as everyone knows, Hunt has been in violation of his "not to exceed" maximum in his contract for legal services with the Dental Board for quite some time now. On page 14 of the Legislative Counsel Bureau's May 2016 Performance Audit it states:

"[T]he contract approved in October 2013 stated payments will not exceed \$175,000 per year. However, payments exceeded \$300,000 in both calendar years 2014 and 2015, the first two full years under the new contract terms. Additionally, the overall contract maximum of \$700,000 has almost been reached with over a year left in the 4-year contract....Contract maximums should reflect total payments expected to be made under the contract,...."

Thus, Hunt was not only exceeding the annual "not to exceed" maximum in his contract with the Board he had exceed his 4-year "overall contract maximum" as well last summer.

Further, as I'm sure this Board knows, Hunt's "Amended Contract" for 2016 was never approved by the Board of Examiners. This may have had something to do with the fact that when Hunt, along with Debra Shaffer, appeared before the Board of Examiners they unilaterally requested an additional \$275,000 beyond what the Board had approved. On April 5th, Hunt withdrew his application for General Counsel, the Board terminated Hunt's contract, and John Kelleher became the Board's General Counsel.

Moreover, the Board appears to have authorized Hunt to continue investigating cases with full knowledge that Hunt was already in breach of his "not to exceed" maximums. Thus, the Board should be on notice that either: (1) The Board (not licensees or defendants) will be held responsible for paying Hunt's legal fees and costs; OR (2) The public must assume that Hunt has been willingly working pro bono for the Board in that all Hunt's fees and costs charged to any and all parties in violation of Hunt's contract with the Board are null and void.

Therefore, at a minimum, the Board needs to immediately move to have Hunt removed from all further investigations and cases by filing a Substitution of Counsel replacing Hunt with Kelleher.

STATEMENT TO NV STATE BOARD OF DENTAL EXAMINERS

(May 12, 2017)

My name is Alain Lan. I am a Medicare recipient and a member of the public amongst thousands of others in Nevada. The protection of the rights of the public is a mandate of this board.

We, the public, would like the Board Members to vote on directing your lobbyist to comply with the Legislative Counsel Bureau's recommendation to have Board Members more directly involved with the complaint process. This simple step would then address Problems #1-4, #6-7, and #11-14 or 10 out of the 14 problems identified in the LCB Audit. Please remember that it was Governor Brian Sandoval who has already told the Board a few months ago to "fix it," referring to the Board's complaint process. **Who from the Board has been communicating directly with Horne and is responsible for telling Horne to work against what the LCB's recommendations for improving the Board's investigative and complaints processes? Does Horne have something in writing from the Board regarding his directives?** If so, we request that you please provide us, the public, with a copy of it

When Board Members are not directly involved with the investigations and complaints process then the public rights are also not being promoted or protected. It's that simple. I am certain there are thousands of Medicare patients just like me who do not trust the way the Dental Board is currently operating its investigative and complaints processes. If complaints against dentists or dental hygienists are not being dealt with by actual Board Members, but instead being dealt with by non-Board Members such as Shaffer, Hunt, DSOs, etc., we will continue complaining to the Governor of the State of Nevada that your Board has not "fixed it" and thus, has failed in its duty to protect the public. If you need guidance then please look to how other healthcare boards handle complaints such as the State Medical Board of Examiners where complaints must be dealt with by a complaints committee composed only of board members. It is time this Board takes its mandate to protect the public more seriously by taking action, not lip service, and ceases to be an aberration in its complaint process that has been run by non-Board Members for the past 26 years!

I would like this submitted for the public record and posted with the minutes.

Thank you.

STATEMENT TO NV STATE BOARD OF DENTAL EXAMINERS

(May 12, 2017)

My name is Gloria Lan. I am a Medicare recipient and a member of the public amongst thousands of others in Nevada. The protection of the rights of the public is a mandate of this board. To each and every board member I ask, **"Have you any knowledge of what instructions your Board has given to your lobbyist, William Horne?"** Horne seems to be opposing changes to the NRS 631 that will leave the board out of compliance with what the board agreed to make with the Legislative Committee. Personally, I do not believe Dental Board Members know what directives its lobbyist Horne has been given. This is because the Board has outsourced its responsibility to non-Board Members such as Debra Shaffer, John Hunt, and DSOs for the past 26 years. **Have any of you Board Members held even one discussion or workshop or vote on what the mandate for your lobbyist?**

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STATEMENT TO NV STATE BOARD OF DENTAL EXAMINERS

(May 12, 2017)

My name is Tina Tsou. I am the Secretary for the Las Vegas Dental Association.

During the Dental Board's last meeting on April 5th, 2017, we requested that certain issues be put on the Agenda for today's meeting as follows:

1. A vote demanding that the Board's former attorney, John Hunt, return the amount of monies he overbilled the Board in excess of \$250,000 during the years of 2014 and 2015 AND further investigate Hunt's excessive legal fees in violation of the "not to exceed" maximum in his contract agreement with the Board for his past 26-year tenure with the Board; and
2. A vote for the Board to file a formal Bar complaint against Hunt for his fraudulent overbillings to the Board, which Hunt did intentionally knowing that he was doing so in violation of the "not to exceed" maximum clause in his contract agreement.

We also asked for the Board to include in the minutes for its April 5th meeting the following attachment as part of the public record:

- A copy of the May 2016 Legislative Performance Audit conducted by the Audit Division of Legislative Counsel Bureau.

Please be advised that both requests were made in compliance with the Open Meeting Law where it states in NRS 241.035, Section 1, Subsections D and E. However, we note that our requests have been ignored by the board. When we inquired further, Debra Shaffer sent an email wherein she stated:

"The Board contacted the Office of the Attorney General's regarding the request of certain members of the LVDA and whether boards and commissions are required to act on such requests. **The Board** was advised by the Brett Kandt, Chief Deputy AG that **the Board** sets its own agenda not the licensees or the public. Therefore, **the Board** is not required to consider this request."

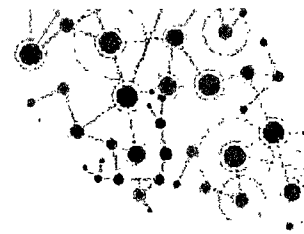
First, who is "The Board" to whom Ms. Shaffer refers? Is Ms. Shaffer "The Board"? If not, which Board Member communicated with the AG's Office? Second, there is usually a cost involved for "The Board" communicating with the AG's Office. Who authorized Ms. Shaffer to contact the AG's Office when the Open Meeting Law Manual is available to the public and provides the same information on page 65. Third, Does Ms. Shaffer speak for all 14 Members of "The Board"? If not, then it is only reasonable that "The Board" review our requests, not Shaffer.

Therefore, we hereby renew our requests to have "The Board" place the aforementioned issues on the Agenda for "The Board's" next meeting.

Thank you!



211 N. 15th Street, Suite 111
Columbus, NY 12507-0011
BO 441.8973
www.dentalexchange.com



Dear Debra Shaffer-Kugel and The Nevada State Board of Dental Examiners,

My name is John Stamper, CEO of The Dental Exchange, a comprehensive online platform designed to simplify the tasks that are time consuming for the dental professional and the administrative staff performing continuing education audits. We understand that audits are a critical piece of compliance, but many organizations struggle with the time and cost associated with handling the process manually. Our platform will save your organization both time and money by providing an intelligent CE tracking tool that allows easy, secure management and tracking of your licensee's continuing education progress and generation of audits and supporting reports.

My CE Tool was designed and built not only to serve as an easier way for licensed Dental Professionals to track their CE hours in accordance with their specific state requirements but to also assist the boards in managing the licensee CE compliance database.

As of February 17th 2015 all of the licensees in Kentucky began tracking their CE hours on our website. We worked with David Beyer, the previous Executive Director and his team on customizing the CE tool for their state, making sure we were capturing all of the information imperative for them to perform an accurate audit, rich with information and statistics that would help the board not only save administrative time but also provide an insight into the trends of their licensees. We currently have active members in 49 of the 50 states.

Thus far you have been speaking with Stephanie Amey, one of the talented hygienists on our team and I want to thank you and the dental board for taking time to discuss our platform.

Here is a quick overview of some of the key features that our platform provides:

How it works:

- The Dental Board would be given their own access to the site
- Licensees upload their certificates
- The board can click through a detailed spread sheet to verify CE hours
- Save and export data
- Store as PDF or Excel file
- Print and store in easy to read, concise, single page reports

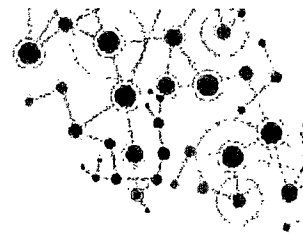
Benefits to the State:

- It is a free service
- Saves time, money and paper
- No long-term contracts
- Increase percentage of audits performed with less time

Our team believes that professional development and life-long learning is essential to the growth and success of the dental industry and by implementing the use of My CE Tool your licensees will be able to easily enter their CE course information and upload their accompanying CE certificates to a single secure location. Each licensee will receive a monthly CE update email which provides them a snapshot of where they stand with their CE progress during their current renewal cycle. We've found that it also prompts those that are normally waiting until the last



771 N. FORTY-SIXTH AVE
SUITE 171-111
LEWISBURG, KY 40301-4103
800-443-8373
CEO@DENTALXCHANGE.COM



minute to take all of their courses to be more proactive in completing them ahead of time. The Dental Exchange team members provide support to your licensees 7 days per week to help with any issues that they may experience; and we can also provide an on-demand webinar that will give them a quick overview of how to use the CE tracking tool and how to enter their licensing information in their profile. I've found that many older dental professionals are still a little nervous about using certain technology and we make sure that everyone is comfortable with the process and hold their hand a bit until they are confident.

Through the use of the My CETool reporting system and administrative tool, your team will have the ability to generate a comprehensive audit of all licensees, check the status and progress of a single licensee, perform a random audit, and generate a printable spreadsheet so you can keep a paper copy on hand. The My CETool administrative tool will also provide you with additional statistics such as which licensees are entering their information, how many people have activated their accounts, the average number of courses taken to date, and which categories most of the professionals are interested in, etc. This last piece is very valuable because it gives you direct insight into what CE course content your licensees are interested in taking.

There isn't a charge for the dental board nor is there a charge for the licensees to use the CE tracking and management service. We make our money from other areas throughout our website as well as the CE course advertising spots on the CE tool page. The advertising on that page is always CE driven and it actually ends up serving as a quick link to courses your licensees may need to fill their renewal requirements.

I have been in the Dental Industry for 14 years and I started this website as a resource for the profession that I love and have much passion for. The platform offers many additional features and benefits that I would love to share with you and your Board as well as informing you of the different ways it has benefited the state of Kentucky.

We look forward your feedback and are happy to answer any questions or concerns about how this could work into your current process. We do understand that each state may have slightly different requirements and processes altogether but the good news is that we have the ability to customize the tracker to meet your needs and requirements. Not only are we into providing a service, but we are driven by building relationships. We will work closely with your board to customize this platform in any way to meet your specific needs.

Kind Regards,
John R Stamper CEO/Co-Founder

The Dental Exchange



WHO WE ARE

The Dental Exchange is a comprehensive platform designed to simplify the tasks that are time consuming for the dental professional.



WHAT WE DO

Audits are a critical piece of compliance, but many organizations struggle with the time and cost associated with the manual process. We save you both time and money by providing an intelligent tool that allows easy management, and tracking of audit reports.



WHY IT MATTERS

We believe that professional development and life-long learning is essential to the growth and success of the dental industry.

CONTACT US TO REQUEST A DEMO

The Dental Exchange
1302 Clear Springs Trace
Suite 100
Louisville, KY 40223

+1-800-441-8973

info@thedentalexchange.com

www.TheDentalExchange.com



WWW.THEDENTALEXCHANGE.COM



Complete CE Compliance and Auditing Solution

Intelligent Data Reporting

Manage a comprehensive record database within the system for all licensees. Administrators have the ability to export data for further analysis.

Increase Efficiency

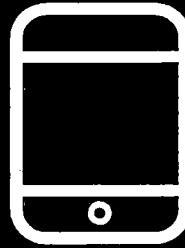
Eliminate the need to manually keep track of massive amounts of paper. Our easy to use interface improves your auditing process by limiting the amount of time spent performing full, partial, or individual audits.

Reduce Administrative Work

Our automated system reduces the time spent creating lengthy spreadsheets and cluttered, paperwork-ridden investigations pertaining to audits certification requirements. Automation saves a significant amount of time since it allows employees and HR to focus on what is important.

Contact Us, Today!

+1-800-441-8973



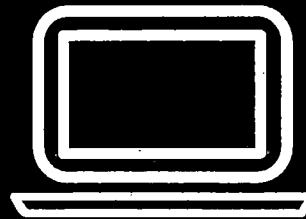
Mobile App

Licensees can easily upload course certificates through their mobile device



No hidden costs

Our CE auditing software is completely Free for State Organizations & Licensees, setting us apart from our competitors



Request a demo

We invite you to request a customized CE Tracking demo and see for yourself how The Dental Exchange can help

Customized to Your Needs

Customize certification categories and types under each category based on your state needs. Set optional and mandatory learning requirements or certification options per license and specialty.

Empower Licensees

We make managing continuing education simple with the first-of-its-kind My CE Tool - making it easy for licensees to view state requirements, customize their information and receive updates about upcoming courses in their area.

eLicensing Connectivity

Ready-to-go API technology designed to connect with a state's eLicensing renewal system.

Automated CE Alert

Automatic email notifications are sent monthly to your licensee's keeping them up to date on their CE progress for the current renewal cycle.



www.TheDentalExchange.com