



NEVADA STATE BOARD OF DENTAL EXAMINERS

Meeting Location:

Nevada State Board of Dental Examiners
6010 S Rainbow Blvd, Suite A1
Las Vegas, Nevada 89118



Video Conferencing available for this meeting at the Nevada State Board of Medical Examiners Office located at: 9600 Gateway Drive, Reno, Nevada 89521

PUBLIC MEETING

**Friday, February 22, 2019
9:00 a.m.**

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).

Persons wishing to comment may appear at the scheduled workshop/hearing or may address their comments, data, views, arguments or small business impact 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 **February 20, 2019** in order to make copies available to members and the public.

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

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

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

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

- (a) President (For Possible Action)
- (b) Secretary Treasurer (For Possible Action)
- (c) Approve duties for the President, Secretary-Treasurer and Executive Director (For Possible Action)

***4. Committee Appointments:** NRS 631.190 (For Possible Action)

(a) Appoint board members and agents to the following committees:

- (1) Legislative and Dental Practice
- (2) Legal and Disciplinary
- (3) Examination Liaisons (Dental and Dental Hygiene)
 - (a) ADEX
 - (b) WREB
- (4) Continuing Education
- (5) Committee on Dental Hygiene
- (6) Infection Control

- (7) Anesthesia – Brendan Johnson, DDS GA Admin Permit Holder (agent)
- (8) Budget and Finance

(b) Appointment of Board Member to serve as the ADEX Dental Exam Member (For Possible Action)

***5. Executive Director's Report** (For Possible Action)

***a. Minutes** - NRS 631.190 (For Possible Action)

- (1) Board Meeting – 11/09/2018
- (2) Board Meeting – 11/29/2018

***b. Financials** - NRS 631.180/NRS 631.190 (For Possible Action)

- (1) Review Balance Sheet and Statement of Revenues, Expenses and Balances for period July 1, 2018 to December 31, 2018 (Informational Purposes only)

***c. Authorized Investigative Complaints** - NRS 631.360 (For Possible Action)

- (1) Dr. X – Received correspondence from the State Board of Pharmacy that Dr X has not obtained patient utilization reports prior to prescribing controlled substances to his/her patient(s) as required by NRS 454 and AB 474 (For Possible Action)
- (2) Dr. Y – Received notification forwarded to the Board by the OAG alleging Dr. Y may have billed Medicaid for services not rendered which would constitute a violation of NRS 631.348(6) (For Possible Action)
- (3) Dr. Z – Received information from a patient's family member that Dr. Z may have violated NAC 631.2213, NAC 631.2213 when he allegedly sedated a patient without a proper permit (For Possible Action)

***d. Policies:** (For Possible Action)

- (1) Reapprove policy that the Board does not investigate complaints where the dental treatment in question was rendered 5 years ago or longer from the date of the complaint due to the patient record retention statute NRS 629.051 (For Possible Action)
- (2) Approve language pertaining to the Board's policy adopted on November 9, 2018 for reimbursement to Board Members, Staff, Investigators and Agents upon request for independent legal counsel to represent him/her in their designated capacity as an agent of the Board due to actual or potential conflict regarding litigation naming him/her as a defendant (For Possible Action)

***6. General Counsel's Report** (For Possible Action)

***a. Legal Actions/Lawsuit(s) Update**

- (1) Approval/Rejection of the stipulation for dismissal – Adrian Ruiz, DDS (For Possible Action)

***b. Consideration of Stipulation Agreement** (For Possible Action)

- (1) Young Dill, DMD
- (2) Minyong Pak, DDS

***c. Contracts – Old Business** – Tabled at 11/29/2018 Board Meeting (For Possible Action)

- (1) Robert Eisenberg, Esq. with Lemon Grundy & Eisenberg

- *d. **Request to consider the stipulation agreement entered into with Board on January 19, 2018 Fulfilled/complete due to Order issued by United States District Court** (For Possible Action)

(1) Leslie Kotler, DDS

- *e. **Discuss policy to use an affidavit versus court reporter transcription upon the execution of a stipulation agreement in certain circumstances** (For Possible Action)

***7. Old Business** (For Possible Action)

- *a. **Approval/Rejection of Moderate Sedation Training Program (patients 13 years of age or older)** – NAC 631.2213 (For Possible Action)

(1) DOCS Education – in Collaboration with Oregon Health University School of Dentistry – IV Sedation Course for Dentistry Training Program

(a) John Bitting, Esquire

***8. New Business** (For Possible Action)

- *a. **Approval for Travel of Board Members & Staff to the AADA & AADB Mid-Year Meeting in Chicago, IL March 9-10, 2019** (For Possible Action)

(1) Timothy Pinther, DDS
(2) Gregory Pisani, DDS
(3) R. Michael Sanders, DMD
(4) Debra Shaffer-Kugel, ED
(5) Melanie Bernstein Chapman, Esquire
(6) Betty Pate, RDH

- *b. **Approval of Alternate Review Panel Member (Non-Board Member)** (For Possible Action)

(1) Brendan Johnson, DDS

- *c. **Approve Request for Reevaluation of Dr. Y's temporary Moderate Sedation Administrator Permit to administer moderate sedation to patients 13 years of age or older pursuant to NAC 631.2235** (For Possible Action)

(1) Upon approval, a request to reinstate the temporary moderate sedation permit for the reevaluation **only** (For Possible Action)

- *d. **Consideration for Approval of Laser Certification Course** – NAC 631.035 (For Possible Action)

(1) PDS University – Lasers in Dentistry Course

- *e. **Approval/Rejection of Continuing Education Provider Course Application** (For Possible Action)

(1) National Provider Compliance Corporation – New Local Dental Insurance Coverage, Changes, and Updates Course

- *f. **Approval of Public Health Endorsement** – NRS 631.287 (For Possible Action)

(1) Alicia M. DiGiacomo, RDH – Nevada Health Centers
(2) Samantha A. Sturges, RDH – Volunteers in Medicine of Southern Nevada

- *g. **Approval for Public Health Dental Hygiene Program** – NAC 631.210

(1) Healthy Smile Healthy Child – Sealant Program

- *h. **Approval of Voluntary Surrender of License** – NAC 631.160 (For Possible Action)

(1) Elena Maddern, RDH
(2) Joseph Danesh, DDS

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

(1) General Anesthesia (For Possible Action)

- (a) Christopher J. Galea, DDS
- (b) Matthew T. Popp, DDS

(2) Moderate Sedation – 13 years of age or older (For Possible Action)

- (a) Shane L. Ellsworth, DMD

(3) Moderate Sedation (Pediatric Specialty) 21 years of age or younger (For Possible Action)

- (a) Ruth Alvarez, DDS
- (b) Wesley T. Archer, DMD
- (c) Kellie J. McGinley, DDS
- (d) Travis A. Neu, DMD

***j. Approval for Anesthesia-Temporary Permit – NAC 631.2254 (For Possible Action)**

(1) General Anesthesia (For Possible Action)

- (a) Paul Bohman, DDS
- (b) Thomas P. Myatt, DDS
- (c) Tate L. Viehweg, DMD

(2) Moderate Sedation – 13 years of age or older (For Possible Action)

- (a) Jordan C. Richert, DMD

(3) Moderate Sedation (Pediatric Specialty) 21 years of age or younger (For Possible Action)

- (a) Samira Farokh, DMD
- (b) Sena E. Hiradate, DDS
- (c) Alice H. Trieu, DDS

***k. Approval for a 90-Day Extension of Anesthesia Permit – NAC 631.2254(2) (For Possible Action)**

(1) Moderate Sedation (Pediatric Specialty) 21 years of age or younger (For Possible Action)

- (a) Larry S. Hon, DMD

***l. Appointment of Infection Control Inspectors -NRS 631.190 (For Possible Action)**

- | | | | |
|------------------------------|------------------------------|-------------------------------|------------------------------|
| (1) Mary M Bosnos, RDH | (7) Linda L Fairley, RDH | (13) John C DiGrazia, DDS | (19) Donna J Hellwinkel, DDS |
| (2) Kathryn M Spargo, RDH | (8) Joyce A Herceg, RDH | (14) Bradley A Ditsworth, DMD | (20) Nelson D Lasiter, DMD |
| (3) Catherine B Buckley, RDH | (9) Betty L McGuire, RDH | (15) Rickey L Grant, DMD | (21) Gordon J Murray, DDS |
| (4) Karen K Clark, RDH | (10) Samantha A Sturges, RDH | (16) Steven W Hall, DDS | (22) Brett A Noorda, DMD |
| (5) Dena M Copeland, RDH | (11) Elvera L Kajans, RDH | (17) Christine L Haskin, DDS | |
| (6) George F Rosenbaum, DDS | (12) Bradley A Wilbur, DDS | (18) Pamela J Patten, DDS | |

***m. Appointment of Disciplinary Screening Officers -NRS 631.190 (For Possible Action)**

- | | | | |
|-----------------------------------|-----------------------------|----------------------------|-------------------------|
| (1) Rick Thriot, DDS Coordinator | (8) Jason Ferguson, DDS | (15) Kenneth Lang, DDS | (22) Thomas Myatt, DDS |
| (2) Michael Squitieri, DDS | (9) J Gordon Kinard, DDS | (16) Allison Andresen, DDS | (23) Edward Gray, DMD |
| (3) James E Jones, DDS | (10) J Stephen Sill, DMD | (17) Dawn McClellan, DDS | (24) Mark Degen, DDS,MD |
| (4) Bradley Roberts, DDS | (11) Edward Herschaft, DDS | (18) Sharon Peterson, RDH | (25) Gary Geracci, DDS |
| (5) Bradley Strong, DDS | (12) Michael Webberson, DDS | (19) Joyce Herceg, RDH | |
| (6) Tina Brandon-Abbatangelo, DDS | (13) Larry Frugoli, DMD | (20) Melissa Hartner, RDH | |
| (7) Joshua Saxe, DDS | (14) John DiGrazia, DDS | (21) A Ted Twesme, DDS | |

***n. Appointment of Anesthesia Evaluators/Inspectors-NRS 631.190** (For Possible Action)

GENERAL ANESTHESIA ADVISORS

- | | |
|-------------------------------|-----------------------------|
| (1) Blaine D Austin, DDS | (7) Brendan G Johnson, DDS |
| (2) Michel J Daccache, DDS | (8) Patrick O'Connor, DDS |
| (3) Barry H Frank, DDS | (9) Amanda Jo Okundaye, DDS |
| (4) Gary J Geracci, DDS | (10) Troy D Savant, DDS |
| (5) Edward J Gray, DMD | (11) Steven A Saxe, DMD |
| (6) Gregory J Hunter, DMD, MD | (12) Albert T Twesme, DDS |

MODERATE SEDATION ADVISORS

- | | |
|----------------------------|------------------------------|
| (1) Michael G Almaraz, DDS | (9) Brian P Mantor, DMD |
| (2) Joshua M Branco, DMD | (10) Jade A Miller, DDS |
| (3) Jason E Ferguson, DDS | (11) Daniel K Moore, DDS |
| (4) Perry T Francis, DDS | (12) Joshua L Saxe, DDS |
| (5) Jon P Galea, DDS | (13) Gilbert A Trujillo, DDS |
| (6) Ryan S Gifford, DDS | (14) David J Trylovich, DDS |
| (7) Tony Guillen, DDS | (15) Dawn McClellan |
| (8) Tomas D Kutansky, DDS | |

o. Discussion and review of the public comment(s) submitted by the attorney on behalf of members of the LVDA (Information only)

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

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)

10. Announcements

***11. Adjournment** (For Possible Action)

* For Possible Action: Indicates items which may be acted upon by the Board.

Board may remove an agenda item or delay discussion relating to any item on the agenda at any time. (See NRS 241)

Agenda items, other than those items posted with a specific time, may be taken out of sequence or may be combined for consideration by the board to accommodate persons appearing before the Board and/or to aid in effectiveness of the meeting

Pursuant to NRS 241.030, the board may, by motion, enter into closed session to consider the character, alleged misconduct, professional competence, or physical or mental health of a person.

AGENDA POSTING LOCATIONS

Clark County Government Center, 500 Grand Central Parkway; LV, NV
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, LV, Nevada
Nevada State Board of Dental Examiners website: www.dental.nv.gov
Nevada Public Posting Website: www.notice.nv.gov
Carson City Library, 900 N. Roop St., Carson City, Nevada
Churchill County Library, 553 S. Main St., Fallon, Nevada
Clark County Public Library, 1401 E Flamingo Rd., Las Vegas, Nevada
Douglas County Library, P.O. Box 337, Minden, Nevada
Elko County Library, 720 Court St., Elko, Nevada
Esmeralda County -Goldfield Public Library, P.O. Box 430, Goldfield, NV
Eureka Branch Library, 10190 Monroe St., Eureka, Nevada
Humboldt County Library, 85 East 5th St., Winnemucca, Nevada

Lander County Library, 625 S. Broad St., Battle Mountain, Nevada
Lincoln County Library, P.O. Box 330, 93 Main Street, Pioche, Nevada
Lyon County Library, 20 Nevin Way, Yerington, Nevada
Mineral County Library, P.O. Box 337, Hawthorne, Nevada
Nye Cnty: Tonopah Public Library, P.O. Box 449, 171 Central St., Tonopah, NV
Pershing County Library, P.O. Box 781, 1125 S. R St., Lovelock, Nevada
Storey County Library, Virginia City, Nevada - via email
Washoe County Downtown Reno Library, 301 S. Center St., Reno, NV
Washoe County Sparks Branch Library; 1125 12th Street, Sparks, NV
White Pine County Library, 950 Campton St., Ely, Nevada
LV Office of the State Attorney General, 555 E. Washington Ave, LV, NV
CC Office of the State Attorney General, 100 N. Carson St., Carson City, NV
LV Child Support Enforcement; 1900 E Flamingo Rd, Ste. #100; LV, NV
Southern Nevada Health District; 330 S. Valley View; Las Vegas, NV

Persons/facilities who want to be on the mailing list must submit a written request every six (6) months to the Nevada State Board of Dental Examiners at the address listed in the previous paragraph. With regard to any board meeting or telephone conference, it is possible that an amended agenda will be published adding new items to the original agenda. Amended Nevada notices will be posted in compliance with the Open Meeting Law.

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Angelica Bejar, at (702) 486-7044 ext. 65847 no later than 48 hours prior to the meeting. Requests for special arrangements made after this time frame cannot be guaranteed.

Pursuant to NRS 241.020(2) you may contact Angelica Bejar at (702) 486-7044 ext. 65847 to request supporting materials for the public body or you may download the supporting materials for the public body from the Board's website at <http://dental.nv.gov> In addition, the supporting materials for the public body are available at the Board's office located at 6010 S Rainbow Blvd, Ste. A-1, Las Vegas, Nevada.