



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, March 22, 2019
10:00 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 **March 19, 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. Old Business:**

***a. Discussion and review of public comment(s) submitted by the attorney(s) on behalf of members of the LVDA-At the request of Dr Lee at the November 29, 2018 Board Meeting** (For Possible Action)

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

(1) Brendan Johnson, DDS

***c. Approval of GA Permit Holder as Agent to the Anesthesia Committee** – NRS 631.190
(For Possible Action)

(1) Brendan Johnson, DDS

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

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

(1) Board Meeting – 02/22/2019

***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 January 31, 2019 (Informational Purposes only)

(2) Request to Amend approved budget for the increase in the contract amount for Lee Drizin, Esquire who is representing the Board, Members, Staff and Agents with litigation (For Possible Action)

(3) Request to Amend approved budget for the contract amount for Robert Eisenberg, Esquire of \$150,000.00 who may represent the Board, Members, Staff and Agents in appellate matters (For Possible Action)

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

(1) Dr. X – Received information from the Board's Licensing Specialist that Dr. X has failed to file current board re-certification for his/her designated specialty in accordance with NRS 631.255 (For Possible Action)

(2) Dr. Z - Received information from the State Board of Pharmacy regarding allegations of non-compliance with AB 474, failing to conduct patient-queries and self-queries to the PMP possible violations of NRS 631.3485(2) and NRS 631.395(7) and NAC 631.045(4) (For Possible Action)

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

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

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

(1) Luiz dos Santos, DMD

***c. Board to determine if Smile Restore (a non-profit clinic) is operating in accordance with NRS 631.215(2)(f)(3) and NRS 631.3452** (For Possible Action)

(1) Board of Director Members & Dental Director

***d. Overview of the Board's investigative and adjunctive process in accordance with NRS and NAC Chapter 631** (Information only)

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

***a. Discussion request made by Board Member Lee regarding inclusion of verified/authorized complaint and investigatory materials to be included as part of the stipulation agreement** (For Possible Action)

***b. Board to consider establishing a process for issuance of subpoenas for investigations** (For Possible Action)

- *c. **Consideration for Approval of Laser Certification Course** – NAC 631.035 (For Possible Action)
 - (1) Institute for Advanced Laser Dentistry – IALD Standard Proficiency Course for Dental Hygienists, Dentists, and Dental Office Staff on the PerioLase MVP-7
 - (2) Dedicated Dental Hygiene – Introduction to Lasers
 - (3) Advanced Dental Hygiene – Diode Laser Training & Certification
- *d. **Consideration of Application for Licensure by Endorsement** – NRS 622.530(2) (For Possible Action)
 - (1) Keith West, DDS
- *e. **Approval of Voluntary Surrender of License** – NAC 631.160 (For Possible Action)
 - (1) Marvin Conley, DDS
- *f. **Approval for Anesthesia-Permanent Permit** – NAC 631.2233 (For Possible Action)
 - (1) Moderate Sedation (Pediatric Specialty) 21 years of age or younger** (For Possible Action)
 - (a) Larry S Hon, DMD
- *g. **Approval for Anesthesia-Temporary Permit** – NAC 631.2254 (For Possible Action)
 - (1) General Anesthesia** (For Possible Action)
 - (a) Mitchell D Duckworth, DDS
- *h. **Appointment of Anesthesia Evaluator(s)/Inspector(s)** – NRS 631.190 (For Possible Action)
 - (1) Manny Rapp, DDS – Moderate Sedation (Pediatric Specialty)
- i. **Report from Michael McDonald regarding Senate and Assembly bills and the 2019 Legislative Session** (Information only)

7. Committees:

- a. **Legislative and Dental Practice** (For Possible Action)
(Chair: Dr. Pinther; Dr. Lee; Dr. Moore; RDH Shadler & Ms. Cioffi)
- *b. **Legal and Disciplinary Action** (For Possible Action)
(Chair: Dr. Blasco; Dr. Pisani; Dr. Lee; RDH Pate & Ms. Cioffi)
- *c. **Examinations Liaisons** (For Possible Action)
 - ***(1) WREB/HERB Representatives** (For Possible Action)
(Dr. Blasco; RDH Pate)
 - ***(2) ADEX Representatives** (For Possible Action)
(R. Michael Sanders, DMD)
- *d. **Continuing Education** (For Possible Action)
(Chair: Dr. Champagne; Dr. Lee; Dr. Moore; RDH Shadler)
- *e. **Committee of Dental Hygiene** (For Possible Action)
(Chair: RDH Pate; RDH Bethea; RDH Shadler; Dr. Pisani)
- *f. **Anesthesia** (For Possible Action)
(Chair: Dr. Moore; Dr. Champagne; Dr. Sanders)

***g. Infection Control** (For Possible Action)
(Chair: RDH Bethea; Dr. Sanders; Dr. Champagne; RDH Shadler)

***h. Budget and Finance Committee** (For Possible Action)
(Chair: Dr. Sanders; Dr. Moore; MRDH Bethea; Ms. Cioffi)

8. 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)

9. Announcements

***10. 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

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
Lander County Library, 625 S. Broad St., Battle Mountain, Nevada
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.