

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

PUBLIC MEETING NOTICE & BOARD MEETING AMENDED AGENDA

Meeting Date & Time

Tuesday, September 15, 2020
6:00 p.m.

**This meeting will be held exclusively through teleconference means,
in accordance with **Emergency Directives issued by Governor Sisolak****

Teleconference Number: (669) 900 6833
Teleconference ID#: 972 5344 3067
Teleconference Passcode: 814762

PUBLIC NOTICE:

***** This meeting will be held via TELECONFERENCE ONLY, pursuant to Section 1 of the DECLARATION OF EMERGENCY DIRECTIVE 006 ("DIRECTIVE 006") issued by the State of Nevada Executive Department and as extended by Directives 016, 018, 021, 026, and 029. There will be no physical location for this meeting*****

Public Comment by pre-submitted email/written form, only, is available after roll call (beginning of meeting); **Live Public Comment by teleconference** is available prior to adjournment (end of meeting). Live Public Comment is limited to three (3) minutes for each individual.

Pursuant to Section 2 of Directive 006, members of the public may participate in the meeting by submitting public comment in written form to: **Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd, A-1, Las Vegas, Nevada 89118; FAX number (702) 486-7046; e-mail address nsbde@nsbde.nv.gov**. Written submissions received by the Board on or before **Monday, September 14, 2020 by 4:00 p.m.** may be entered into the record during the meeting. Any other written public comment submissions received prior to the adjournment of the meeting will be included in the permanent record.

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.

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 the Board, at (702) 486-7044, 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 at (702) 486-7044, 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.

Note: Asterisks (*) "**For Possible Action**" denotes items on which the Board may take action.

Note: Action by the Board on an item may be to approve, deny, amend, or tabled.

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1. **Call to Order**

- Roll call/Quorum

2. **Public Comment (By pre-submitted email/written form):** The public comment period is limited to matters specifically noticed on the agenda. No action may be taken upon the matter raised during public comment unless the matter itself has been specifically included on the agenda as an action item. Comments by the public may be limited to three minutes as a reasonable time, place and manner restriction, but may not be limited based upon viewpoint. The Chairperson may allow additional time at his/her discretion.

Pursuant to Section 2 of Directive 006, and extended by Directives 016, 018, 021, 026, and 029, members of the public may participate in the meeting without being physically present by submitting public comment via email to nsbde@nsbde.nv.gov, or by mailing/faxing messages to the Board office. Written submissions received by the Board on or before **Monday, September 14, 2020 by 4:00 p.m.** may be entered into the record during the meeting. Any other written public comment submissions received prior to the adjournment of the meeting will be included in the permanent record.

In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual, the Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the authority of, the Nevada State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.

*3. **President's Report:** (For Possible Action)

- (a) **Request to remove agenda item(s)** (For Possible Action)
- (b) **Approve Agenda** (For Possible Action)

*4. **Secretary-Treasurer's Report:** (For Possible Action)

*a. **Minutes** (For Possible Action)

- (1) Board Meeting – 07/14/2020
- (2) Employment Committee Meeting – 7/21/2020
- (3) Board Meeting – 7/21/2020
- (4) Employment Committee Meeting – 7/28/2020
- (5) Board Meeting – 7/28/2020
- (6) Anesthesia Committee & Anesthesia Sub-Committee Meeting – 7/29/2020
- (7) Employment Committee Meeting – 8/4/2020
- (8) Board Meeting – 08/04/2020
- (9) Disciplinary Committee Meeting – 8/11/2020
- (10) Legislative, Legal, and Dental Practice Committee Meeting – 8/13/2020

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

*a. **Discussion and consideration of Disciplinary Committee's recommendation to approve Stipulation Agreements, and possible approval/rejection of said stipulation agreements**

– NRS 622 (For Possible Action)

- (1) Kerry Davis, DDS
- (2) Phillip Devore, DDS

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

*a. **Request for reimbursement to Kevin Moore, DDS, for amounts paid to FabianVanCott, attorneys at law, for legal services rendered from December 12,2019 through January 13, 2020 (Board Policy regarding Payment of Fees of Personal Counsel – 2/22/19)** (For Possible Action)

*b. **Discussion and consideration of possible Board members appointments to perform the duties of Preliminary Screening Consultant on an interim basis and the rate of pay for the performance of such duties – NRS 631.180 and 631.190** (For Possible Action)

- *c. **Discussion, consideration, and possible approval of the Board's delegation of authority to the Executive Director to appoint Board members to perform duties of the Preliminary Screening Consultant on an interim basis – NRS 631.190** (For Possible Action)

- *d. **Contracts** – NRS 631.190 (For Possible Action)
 - ***(1) Discussion, consideration, and possible approval/rejection of Legislative, Legal, and Dental Practice Committee's recommendation of Legislative Representative** (For Possible Action)
 - (a) Lewis Roca – Alfred Alonso

- *e. **Discussion, consideration, and possible approval of Legislative, Legal, and Dental Practice Committee's recommendation to approve granting authority to the Board's Secretary/Treasurer to execute and approve contract for legislative services** (For Possible Action)

- *f. **Approval/Rejection of Anesthesia-Temporary Permit** – NAC 631.2254 (For Possible Action)
 - (1) General Anesthesia** (For Possible Action)
 - (a) Jordan M Swarbrick, DDS
 - (b) Kevin M Nowins, DMD
 - (c) Christopher Chan, DDS, MD
 - (2) Moderate Sedation (pediatric specialty)** (For Possible Action)
 - (a) Audrey H Nghiem, DDS
 - (b) Weston J. Milne, DMD
 - (c) Jacqueline A. Alford, DMD

- *g. **Approval/Rejection of Anesthesia – Permanent Permit** – NAC 631.2235(2) (For Possible Action)
 - (1) General Anesthesia** (For Possible Action)
 - (a) Gary H Wilcox Jr., DMD
 - (2) Moderate Sedation (patients 13years of age & older)** (For Possible Action)
 - (a) Jong M Um, DDS
 - (b) Kostika Polena, DMD

- *h. **Discussion, consideration, and possible approval/rejection, of the Continuing Education Committee's recommendation to deny the retroactive approval requested by the Pacific Training Institute for Facial Aesthetics for their Level 1, 2, & 4 (total 72-unit program) approved by the Board on April 30, 2020** (For Possible Action)

- *i. **Discussion and consideration of the Continuing Education Committee's recommendation for approval of the temporary approval and acceptance of the use of manikins by American Board of Dental Examiners' (ADEX) for the Dental Periodontal Scaling Exercise portion of the ADEX dental exam for dental licensure and for the ADEX dental hygiene clinical examination for dental hygiene licensure if completed during the period of May 1, 2020 through December 31, 2020, and possible approval/rejection of temporary approval and acceptance of such – NRS 631.240 and NRS 631.300** (For Possible Action)

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***j. Discussion and consideration of the Continuing Education Committee's recommendation for approval of the temporary approval and acceptance of the restorative procedures in the American Board of Dental Examiners' (ADEX) exam for dental licensure to be completed on either a live patient or the CompeDont tooth during the period of May 1, 2020 through December 31, 2020, and possible approval/rejection of temporary approval and acceptance of such – NRS 631.240** (For Possible Action)

***k Review, discussion, and consideration of updates to CDC Guidance for Dental Settings, and possible approval/rejection of the same – NAC 631.178** (For Possible Action)

- (1) August 4, 2020 CDC Update
- (2) August 28, 2020 CDC Update

7. Public Comment (live public comment by teleconference): This public comment period is for any matter that is within the jurisdiction of the public body. No action may be taken upon the matter raised during public comment unless the matter itself has been specifically included on the agenda as an action item. Comments by the public may be limited to three minutes as a reasonable time, place and manner restriction, but may not be limited based upon viewpoint. The Chairperson may allow additional time at his/her discretion.

Pursuant to Section 2 of Directive 006, and extended by Directives 016, 018, 021, 026, and 029, members of the public may participate in the meeting without being physically present by submitting public comment via email to nsbde@nsbde.nv.gov, or by mailing/faxing written messages to the Board office. Written submissions should be received by the Board on or before **Monday, September 14, 2020 by 4:00 p.m.** in order to make copies available to members and the public.

In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual, the Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the authority of, the Nevada State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.

8. Announcements

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

PUBLIC NOTICE POSTING LOCATIONS

Clark Cnty Government Center, 500 Grand Central Pkwy; 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. Rook St., Carson City, Nevada
Churchill County Library, 553 S. Main St., Fallon, Nevada
Clark County Public Library, 1401 E Flamingo Rd., Las Vegas, NV
Douglas County Library, P.O. Box 337, Minden, Nevada
Elko County Library, 720 Court St., Elko, Nevada
Esmeralda Cnty - 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, NV
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 Cnty Library, 625 S. Broad St., Battle Mtn, NV
Pershing County Library, P.O. Box 781, 1125 S. R St., Lovelock, NV
Storey County Library, Virginia City, Nevada - via email
Washoe Cnty 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 - State Attorney General, 555 E. Washington Ave, LV, NV
CC Office -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, N