NEVADA STATE BOARD of DENTAL EXAMINERS



BOARD MEETING

JULY 21, 2020 6:00 p.m.

PUBLIC BOOK

Draft Minutes

Draft Minutes

Infection Control Committee Meeting

February 28, 2020



NEVADA STATE BOARD OF DENTAL EXAMINERS



Meeting Location:

NSBDE Conference Room 6010 S Rainbow Blvd., Ste. A-1 Las Vegas, Nevada 89118

Video Conferencing Available at

Nevada State Board of Medical Examiners Conference Room 9600 Gateway Drive Reno, NV 89521

Meeting Date & Time

Friday, February 28, 2020 12:04 p.m.

DRAFT Minutes

NOTICE OF AGENDA & PUBLIC MEETING OF THE INFECTION CONTROL COMMITTEE

(Chair: Elizabeth Park, DDS; J. Brian Allman, DDS; Ronald Lemon, DMD; Betty Pate, RDH)

Note: Asterisks (*) denote items on which the Board may take action.

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

Call to Order

-Roll call/ Quorum

Dr. Park (Chair) Present
Dr. Allman Present
Dr. Lemon Present
Ms. Pate Present

Others Present: Brad Slighting; Candice Stratton, Interim Executive Director; Sandra Spilsbury, Site Inspection-CE Coordinator.

Public Attendees: Joan Shadler, RDH, Board Member; D. Kevin Moore, DDS, NSBDE President; Kim Kemmerly, DMD; Terri Chandler, RDH.

2. <u>Public Comment</u>: The public comment period is limited to matters <u>specifically</u> 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.

Dr. Kemmerly gave comment to the committee regarding his license, and would like his comments shared with the whole board. He asked that the Board hold a Board meeting soon to address his license.

- *3. Chairwoman's Report: Elizabeth Park, DDS (For Possible Action)
 - (a) Request to remove agenda item(s) (For Possible Action)

-Elizabeth Park, DDS, Chair

No items were requested to be removed.

(b) Approve Agenda (For Possible Action)

- Elizabeth Park, DDS, Chair

MOTION: Committee Member Allman motioned to approve the agenda. Motion seconded by Committee Member Pate. All were in favor, motion passed.

*4. New Business: (For Possible Action)

(a) <u>Discuss and make recommendations to the full Board regarding Infection Control Inspector options for conducting Infection Control Inspections</u> (For Possible Action)

- Elizabeth Park, DDS, Chair

Dr. Park referred the committee members to the application for the IC inspector position. There was discussion regarding moving forward with having inspectors go out to inspect offices as soon as feasible. There was additional discussion with the possibility of using staff to conduct inspections, and concerns with using licensees to conduct inspections. Chairwoman Park stated that she was open to different options. Continued discussion ensued regarding who the Board should consider using to conduct the IC inspections.

MOTION: Committee Member Pate motioned to recommend that the language under question 1 of the application be changed to say that anyone with 5 years of IC experience. Discussion: There was discussion regarding potentially changing the language on the application. Committee Member Allman stated that he believed there to be an advantage to using a dentist or dental hygienist to conduct the inspections, since they would be most knowledgable in a dental practice environment. Further, that he believed licensees would be more comfortable with having someone with a dental background conduct the inspections. Chairwoman Park stated that she hires a company to help hold her team accountable to the abiding by the CDC guidelines, and perhaps, that would be an option to consider. There was discussion regarding the possibility of using third-party entities. Motion was withdrawn.

MOTION: Committee Member Allman move to recommend to the board to hire an inspector or perhaps multiple inspectors, or consider hiring a company and use the application as is. Discussion: Chairwoman Park asked that the board hire an IC officer to conduct the inspections as they cannot be held off any longer. Motion seconded by Committee Member Pate. There was discussion regarding the urgency on moving this issue so that the Board can ultimately decide what kind of inspector, inspectors, or Inspection Company so that they can get the IC inspections done. There was discussion of hiring more than one inspector. Roll call vote:

Dr. Park (Chair) Yes
Dr. Allman Yes
Dr. Lemon Yes
Ms. Pate Yes

All were in favor of the motion, motion passed.

(b) <u>Discuss and make recommendations to the full Board to require submission of current sterilization logs as part of the initial Infection Control Inspection Requests for offices pending their IC inspection (For Possible Action)</u>

- Elizabeth Park, DDS, Chair

Chairwoman Park stated she added a proposed letter in the event that they did not agree with agenda item (4)(a), which she worked on the letter with Board Interim Counsel and the Board's DAG. She noted that this agenda item was now moot, and asked that this agenda item be removed.

(c) Discuss and Review Current Infection Control Inspection Form and Calibration Video

(For Possible Action)

- Elizabeth Park, DDS, Chair

Chairwoman Park stated that this was just for the committee to be informed of what the current survey form inspection and wants committee to become familiar with the form to be kept abreast of the current requirements. Ms. Spilsbury stated that the calibration videos were only provided to the inspectors that were appointed, so that they would be familiar with what to do when conducting inspections. It was noted that the video was confidential material. There was discussion of having someone come before the Board that would be willing to give them an overview on best practices as it relates to infection control.

Chairwoman Park stated she would be calling for a future committee meeting. Committee Member Pate recommended that they send the Chairperson of the IC Committee to the OSAP meeting. Chairwoman Park agreed that it would be beneficial and very informative for her to attend the OSAP meeting.

5. <u>Public Comment</u>: 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. The Chairperson of the Board will impose a time limit of three (3) minutes. The Chairperson may allow additional time at his/her discretion.

Ms. Shadler stated that when she attended the OSAP meeting the year prior there were a number of speakers that were willing to come before the board to provide educational information that would greatly benefit the board with IC information. Chairwoman Park agreed that it would be beneficial to have some speakers come before the Board.

Ms. Sturges stated that she was an IC inspector for the board and would like to be considered should the Board decide to hire licensees to conduct the IC inspections.

*6. <u>Adjournment</u> (For Possible Action)

Chairwoman Park called for adjournment.

Committee Member Allman motioned to adjourn the meeting. Motion seconded by Committee Member pate. All were in favor, motion passed.

Meeting Adjourned at 12:44 p.m
Respectfully submitted by
Frank DiMaggio, Executive Director

<u>Draft Minutes</u> Employment Committee Meeting

March 03, 2020



NEVADA STATE BOARD OF DENTAL EXAMINERS

Meeting Location:



Nevada State Board of Dental Examiners 6010 S. Rainbow Blvd, Suite A-1 Las Vegas, NV 89118

Video Conferencing was not available for this meeting

Meeting Date & Time

Tuesday, March 3, 2020 6:30 p.m.

DRAFT MINUTES

AMENDED NOTICE OF AGENDA & TELECONFERENCE MEETING FOR THE EMPLOYMENT COMMITTEE

(David Lee, DMD, (Chair); J. Brian Allman, DDS; Ronald West, DMD; D. Kevin Moore, DDS; Jana McIntyre, RDH)

PUBLIC NOTICE:

The Nevada State Board of Dental Examiners may hold board meetings via video conference or telephone conference call. The public was welcomed to attend the meeting at The Board of Dental Examiners office located at 6010 S. Rainbow Blvd, Suite A1 Las Vegas, NV 89118.

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.

Persons wishing to comment may appear at the scheduled meeting/hearing or may address their comments, data, views, arguments in written form to: Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd, A-1, Las Vegas, Nevada 89118, Attn: Angelica Bejar; FAX number (702) 486-7046; e-mail address nsbde@nsbde.nv.gov. Written submissions should be received by the Board on or before March 2, 2020 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 2338.126.

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 Angelica Bejar, at (702) 486-7044, option 4, 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.

<u>Note</u>: Asterisks (*) "<u>For Possible Action</u>" denotes items on which the Board may take action. <u>Note</u>: Action by the Board on an item may be to approve, deny, amend, or tabled.

Call to Order

- Roll call/ Quorum

Dr. Lee called the meeting to order and Ms. Stratton conducted the following roll call:

Dr. James Allman ------ Present
Dr. Ronald West ----- Present
Dr. David Lee ----- Present
Dr. D. Kevin Moore---- Present
Mrs. Jana McIntyre ----- Present

Others Present: Brad Slighting, Interim General Counsel; Candice Stratton, Interim Executive Director.

Public Attendees: Brian Scroggins; Paul Sorenson, Esquire; Sarah Sorenson; Bonnie Dopson; Britt Whalen; Suhair Sayegh; Daniel Bouer, Camerman for LVDA; (via teleconference) Thomas Wilczek; Daniel Pierrott, Argentum partners; Daniel Shalev, NDA; Lisa Wark; Georgene Chase, DMD.

 2. <u>Public Comment</u>: The public comment period is limited to matters <u>specifically</u> 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.

Ms. Joan Shadler commented that she would like the committee to inquire whether or not any of the applicants being considered had a medical or dental background, which she felt that any potential applicant should have.

- *3. Chairman's Report: David Lee, DMD (For Possible Action)
 - (a) Request to remove agenda item(s) (For Possible Action)

No items were removed.

(b) Approve Agenda (For Possible Action)

MOTION: Committee Member Moore motioned to approve the agenda as outlined. Motion seconded by Committee Member West. All were in favor, motion passed.

*4. Review and discuss applications received for the unclassified Executive Director position, with each committee member to select one applicant, after any discussion, for the committee to interview at a future date – NRS 631.190/NRS 622.220 (For Possible Action)

(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.)

1)	Ian J. Allan	8) Conrad Fredrickson	15) Leon Vinokur
2)	Kristin Baca, DMD	9) Jess Lankford	16) Donald Walsh
3)	Anthony Cummings	10) Courtney K. Lee	17) Lisa Wark
4)	Barbara Curry	11) Karri Meldrum	18) Nathaniel Waugh
5)	Frank DiMaggio	12) Sharon Moderow	19) Britt Whalen
6)	Bonnie Dopson	13) Suhair Sayegh	20) Tom Wilczek
7)	Marita Esposito	14) J. Brian Scroaains	21) Mae Worthey-Thom

Committee Member Lee stated that each committee member should have received all the applications for the applicants listed. Further that they should have had an opportunity to review them. He asked that each committee member to select an applicant they would like to move forward with requesting an interview with.

Committee Member West selected Mr. Thomas Wilczek as his choice for an interview. He stated that he was impressed with the background and experience Mr. Wilczek had and the letters of recommendation submitted with his resume.

Committee Member Allman selected Karri Meldrum for her legal background and wide variety of experience.

Committee Member McIntyre selected Frank DiMaggio for the fact that he was from out of state, and an attorney. She stated that she appreciated his legal experience in the public and private sector, and was impressed with his accomplishments.

Committee Member Moore selected Courtney K. Lee as he liked her resume.

Chairman Lee selected Ian Allan as his choice.

MOTION: Committee Member Moore motioned to approve the five (5) applicants selected to move forward with an interview. Motion seconded by Committee Member McIntyre. With no further discussion, all were in favor, and motion passed.

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*5. Review and discuss applications received for the unclassified general counsel position, with each committee member to select one applicant, after any discussion, for the committee to interview at a future date - NRS 631.190 (For Possible Action)

(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.)

> 1) Cara Brown 6) Courtney K. Lee 2) Jonathan Callister 7) Janet Merrill 3) Joseph Dragon 8) Jeffrey Pitegoff 4) Sharon Green 9) Stephen Smith 5) Adam Honey 10) R. Paul Sorenson

Committee Member Allman selected Adam Honey to move forward with an interview. Committee Member West noted that Mr. Honey was also his choice and liked that he worked with the AGs office and had a law background.

Committee Member West selected Jonathan Callister and briefly discussed what he liked about his background.

Committee Member McIntyre selected Janet Merrill for her experience and background. Committee Members Allman and West were favorable of this selection.

Committee Member Moore selected Jeffrey Pitegoff.

Committee Member Lee selected Sharon Green for her experience and background.

MOTION: Committee Member Moore motioned to approve the five (5) applicants selected to move forward with an interview. Motion seconded by Committee Member West. With no further discussion, all were in favor, and motion passed.

6. Public Comment: 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. The Chairperson of the Board will impose a time limit of three (3) minutes. The Chairperson may allow additional time at his/her discretion.

There was no public comment.

7. Announcements

Committee Member West stated that he would be calling in for the meeting being held on March 7, 2020.

Chairman Lee stated that they would be holding interviews on Saturday, March 7th and that the applicants would be notified.

*8. Adjournment (For Possible Action)

Committee Member Lee called for adjournment.

MOTION: Committee Member Moore motioned to adjourn the committee meeting. Motion seconded by Committee Member West. All were in favor, motion passed.

Respectfully submitted:
Frank DiMaggio, Executive Director

Meeting adjourned at 7:53 p.m.

<u>Draft Minutes</u> Board Meeting

March 05, 2020



NEVADA STATE BOARD OF DENTAL EXAMINERS



Meeting Location:

Nevada State Board of Dental Examiners 6010 S. Rainbow Blvd, Suite A-1 Las Vegas, NV 89118

Video Conferencing was not available for this meeting

Meeting Date & Time

Thursday, March 5, 2020 6:07 p.m.

DRAFT MINUTES

BOARD OF DENTAL EXAMINERS NOTICE OF AGENDA & TELECONFERENCE MEETING

PUBLIC NOTICE:

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<u>Note</u>: Asterisks (*) "<u>For Possible Action</u>" denotes items on which the Board may take action. <u>Note</u>: Action by the Board on an item may be to approve, deny, amend, or tabled.

1. Call to Order

Roll call/ Quorum

Board Member Moore called the meeting to order and Ms. Stratton conducted the following roll call:

Dr. D. Kevin Moore	PRESENT (President)
Dr. David Lee	PRESENT (Secretary-Treasurer)
Dr. J. Brian Allman	PRESENT
Dr. W. Todd Thompson	PRESENT
Dr. Ronald West	PRESENT
Dr. Ronald Lemon	PRESENT
Dr. Elizabeth Park	PRESENT
Ms. Betty Pate	PRESENT (late)
Ms. Joan Shadler	PRESENT
Mrs. Jana McIntyre	PRESENT
Ms. Gabrielle Cioffi ("Ms. Cioffi")	PRESENT (late)

Others Present: Rosalie Bordelove, DAG, Board Co-Counsel; Brad Slighting, Interim Board General Counsel; Candice Stratton, Interim Executive Director.

Public Attendees: Kim Kemmerly; Kelly Taylor, RDH; (via teleconference) Georgene Chase, DDS; Tom Walsh; Terri Chandler, RDH, Future Smiles; Stevia Recchia, MD.

2. <u>Public Comment</u>: The public comment period is limited to matters <u>specifically</u> 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.

Board Member Moore stated that this section for public comment was for comments related to the agenda items.

Dr. Chase commented that her comment was related to agenda item (4) and stated that her license was currently suspended and wanted the board to be sure to add her request to come before the board on the next Board meeting agenda.

Ms. Terri Chandler thanked board for their time.

Tom Walsh spoke in defense and support of Dr. Chase's suspended license being reinstated.

Dr. Steve Recchia also spoke in support of Dr. Chase and urged the board to restore Dr. Chase's suspended license.

- *3. <u>President's Report</u>: (For Possible Action)
 - (a) Request to remove agenda item(s) (For Possible Action)

No requests were made.

(b) Approve Agenda ((For Possible Action)

MOTION: Board Member Lee motioned to approve the agenda. Motion seconded by Board Member Shadler. All were in favor, motion passed.

(c) Lease Update (Informational Only)

Board Member Moore gave an update on the current lease. He stated that he was working with the same broker that the medical board has used, and hoped to have an update and options for the Board to consider at the next meeting.

- *4. New Business: (For Possible Action)
 - (a) Consideration of stipulation agreement NRS 622 (For Possible Action)

(1) Kim Kemmerly, DMD

Board Member Moore stated that everyone should have had an opportunity to read the proposed stipulation agreement that Interim General Counsel and Dr. Kemmerly discussed.

MOTION: Board Member Lee motioned to approve the stipulation agreement as proposed. Motion seconded by Board Member Lemon. With no further discussion, all were in favor, motion passed.

(b) Consideration of the recommendation from the Infection Control Committee to consider hiring an infection control inspector(s) or third-party entity to conduct infection control inspections

(For Possible Action)

Board Member Park stated the IC committee was recommending hiring an inspector, or inspectors, to conduct the IC inspections for the Board. There was discussion of alternative permanent options for conducting IC inspections. There was discussion of having the inspectors having to meet the same qualifications the previous IC inspectors used by the Board did. Board Member Moore stated that he had been in contact with the auditors and explained the Board's dilemma to them; which he inquired if hiring inspectors as employees would satisfy their recommendation, to which he stated they agreed with. He also noted that they would be required to have a job posting listed for the position(s). He suggested contacting previous IC inspectors to see if they would be interested in becoming a part-time employee. Board Member inquired if there was a time limit for how long the ad must be posted for. DAG Bordelove stated that she was not aware of a if there was a set limit that an job ad had to be posted for, but that

she would look into it. Board Member Moore and DAG Bordelove both stated that they reviewed the job posting and has no issues with it. Board Member Moore stated that he approved the ad.

MOTION: Board Member Park motioned to approve to hire Infection Control Inspectors as part-time employees. Motion seconded by Board Member Lee. With no further discussion, all were in favor, motion passed.

(c) <u>Discussion and consideration of qualifications of infection control inspector(s)/entity</u> (For Possible Action)

IC Inspectors to meet the same qualifications listed in the job ad.

- 5. <u>Public Comment</u>: 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. The Chairperson of the Board will impose a time limit of three (3) minutes. The Chairperson may allow additional time at his/her discretion.
- Dr. Chase asked that the Board schedule a board meeting soon to discuss reinstatement of her license.
- Ms. Chandler thanked the Board for their work regarding the IC inspectors.

6. Announcements

No announcements were made.

*7. Adjournment (For Possible Action)

Board Member Moore called for adjournment.

Board Member Lee motioned to adjourn the meeting. Motion seconded by Board Member Park. All were in favor, motion passed.

	Meeting Adjourned at 6:37 p.m.
	Respectfully submitted by:
F	rank DiMaggio, Executive Director

<u>Draft Minutes</u> Employment Committee Meeting

March 07, 2020

NEVADA STATE BOARD OF DENTAL EXAMINERS



Meeting Location:

Nevada State Board of Dental Examiners 6010 S. Rainbow Blvd, Suite A-1 Las Vegas, NV 89118

Video Conferencing was not available for this meeting

Meeting Date & Time

Saturday, March 7, 2020 9:06 a.m.

DRAFT MINUTES

NOTICE OF AGENDA & TELECONFERENCE MEETING FOR THE EMPLOYMENT COMMITTEE

(David Lee, DMD, (Chair); J. Brian Allman, DDS; Ronald West, DMD; D. Kevin Moore, DDS; Jana McIntyre, RDH)

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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.

1. Call to Order

Roll call/ Quorum

Dr. Lee called the meeting to order and Ms. Stratton conducted the following roll call:

Dr. J. Brian Allman ----- Present Dr. Ronald West ----- Present Dr. David Lee (Chair)----- Present Dr. D. Kevin Moore----- Present Mrs. Jana McIntyre ----- Present

Others Present: Brad Slighting, Interim General Counsel; Candice Stratton, Interim Executive Director.

Public Attendees: Terri Chandler, RDH, Future Smiles: Joan Shadler, RDH; Daniel Bouer, Cameraman for LVDA; Jonathan Callister, Esq.; Adam Honey, Esq.; Sharon Green, Esq.; Jeffrey Pitegoff, Esq.; Frank DiMaggio; Karri Meldrum; Thomas Wilczek.

2. <u>Public Comment</u>: The public comment period is limited to matters <u>specifically</u> 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.

Ms. Terri Chandler commented that if any committee member had any personal contact or affiliation with an applicant to please be sure to disclose of it on the record.

- *3. Chairman's Report: David Lee, DMD (For Possible Action)
 - (a) Request to remove agenda item(s) (For Possible Action)

No items were removed.

(b) Approve Agenda (For Possible Action)

MOTION: Committee Member Moore motioned to approve the agenda as outlined. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

*4. Committee to conduct interviews with each one of the Committee member's selection for the unclassified General Counsel Position and Discussion – NRS 631.190 (For Possible Action)

(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.)

- 1) Jonathan Callister, Esq.
- 2) Adam Honey, Esq.
- 3) Sharon Green, Esq.
- 4) Janet Merrill, Esq.
- 5) Jeffrey Pitegoff, Esq.

Mr. Jonathan Callister was available via teleconference. Mr. Callister gave a brief introduction of himself. The committee asked Mr. Callister several questions related to the Board, their purpose, complaints, priorities if hired, scenarios that may arise in the workplace, and how he would add value to the Board and help the Board regain the trust and restore the Board's reputation. Mr. Callister responded how we would work to help the transition the board to restore trust and help the Board regain a solid reputation of carrying out the Board's mission. There was extensive discussion of his background in law, what his priorities would be within the first 306 months, and his familiarity of working with Boards.

Mr. Adam Honey was present for his interview.

MOTION: Committee Member Moore motioned to go into closed session. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

MOTION: Committee Member Moore motioned to return to open session. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

The committee members thanked Mr. Honey for his time and that they would notify him of their recommendations to the Board.

Ms. Sharon Green was present for her interview. Ms. Green gave an introduction of herself. She noted that she was ready to return home to Las Vegas and was looking for a position that would be less stressful and have more reasonable hours than what she currently works now. The committee proceeded with asking the same group of questions. Ms. Green discussed her legal background and explained how she felt her experience would fit the Board's desire in an ideal candidate. She believed that she possessed the kind of judgement that would be helpful to the board. Ms. Green described the board's purpose as being similar to that of the State Bar. There was additional discussion of her understanding of the Board's mission and needs.

Mr. Jeffrey Pitegoff was present for his interview. Mr. Pitegoff gave an introduction of himself. The committee proceeded with asking Mr. Pitegoff a group of questions. Mr. Pitegoff discussed his legal background and extensive experience with handling litigation for public entities. He noted that he was counsel to the panel of the SNHD. He discussed his successful practice but that he was ready to scale back on his workload and style of law. There was discussion of what he believed would help the Board over the first 3-6 months to rebuild the reputation of the Board. There was lengthy discussion of his understanding of Chapter 631 and the role he would play as the General Counsel if selected. There was discussion regarding the complaint process and how he believed that if both parties left a hearing upset, then the board would have been successful in being fair and resolving a matter correctly. He added that the Board should show a position that they are serious about ensuring they are fair all across and set a precedence by taking an approach that shows them they stand firm on enforcing their rules. Mr. Pitegoff discussed what his priorities would be his first 3-6 months if hired. After brief discussion with the committee regarding their processes, Mr. Pitegoff noted that he understood the board had some big tasks ahead of them.

*5. Committee to vote for top candidate for recommendation to the Board to approve unclassified General Counsel applicant for hire pursuant to NRS 631.190 (For Possible Action)

Chairman Lee opened the floor for discussion for the committee members to discuss the interviews held for the General Counsel position and asked the committee to list their top candidates.

Committee Member West discussed each candidate and noted his impression of what each candidate had to offer the Board. The committee addresses concerns that related to salaries, current positions held by some applicants. There was discussion of some applicants appearing to be overqualified and/or underqualified. After additional discussion, Committee Member Allman suggested that the Committee continue to advertise for the General Counsel position in hopes in finding their ideal candidate. Committee Member West stated that he would like to revisit and reconsider Mr. Adam Honey for the position. The Committee members also noted that they would like to meet in person with Mr. Callister for a second interview.

MOTION: Committee Member Moore motioned to recommend to the Board they continue to advertise for the General Counsel position, to perhaps ask Mr. Slighting to consider applying for the position, and to request for a second interview with Mr. Callister in person. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

*6. Committee to conduct interviews with each one of the Committee member's selection for the unclassified Executive Director Position and Discussion – NRS 631.190/NRS 622.220 (For Possible Action)

(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.)

- 1) Ian J. Allan -- withdrew
- 2) Frank DiMaggio
- 3) Courtney K. Lee -- withdrew
- 4) Karri Meldrum
- 5) Tom Wilczek

Chairman Lee stated that Mr. Allan and Ms. Courtney Lee had withdrawn their applications.

Mr. DiMaggio was present for his interview.

MOTION: Committee Member Moore motioned to go into closed session. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

MOTION: Committee Member Moore motioned to return to open session. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

The Committee members thanked Mr. DiMaggio for his time and that they would notify him of their recommendations to the board.

Ms. Meldrum was present for her interview.

MOTION: Committee Member Moore motioned to go into closed session. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

MOTION: Committee Member Moore motioned to return to open session. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

The Committee members thanked Ms. Meldrum for her time and that they would notify her of their recommendations to the board.

Mr. Tom Wilczek was present for his interview.

MOTION: Committee Member Moore motioned to go into closed session. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

MOTION: Committee Member Moore motioned to return to open session. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

The Committee members thanked Mr. Wilczek for his time and that they would notify him of their recommendations to the board.

*7. Committee to vote for top candidate for recommendation to the Board to approve unclassified Executive Director Applicant for hire pursuant to NRS 631.190 (For Possible Action)

Committee Member Lee asked for a motion to go into closed session to discuss the candidates that they interviewed.

MOTION: Committee Member Moore motioned to go into closed session. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

MOTION: Committee Member Moore motioned to go return to open session. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

Committee Member Lee that after discussing the candidates interviewed for the position, he believed the committee had reached a unanimous decision on a candidate and called for a motion.

MOTION: Committee Member Allman motioned that the committee recommend to the Board Frank DiMaggio as the candidate for the Executive Director Position. Motion seconded by Committee Member West. All were in favor, motion passed.

Chairman Lee stated that he would like the committee to go back and make the closed sessions and discussions open to the public.

MOTION: Committee Member Moore made the motion to make all discussion and interviews held public. Motion seconded by Committee Member McIntyre. All were in favor of the motion, motion passed.

[This draft of the original open session does not include the details/minutes from the closed session until all parties of the closed sessions have approved the release of those discussions/interviews]

The committee took a Lunch break until the next group of scheduled interviews.

8. <u>Public Comment</u>: 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. The Chairperson of the Board will impose a time limit of three (3) minutes. The Chairperson may allow additional time at his/her discretion.

There was no public comment.

9. Announcements

Chairman Lee stated that they will be placing Mr. DiMaggio on the March 12 Board meeting agenda for approval; and furthermore, would give an update on the General Counsel position.

*10. Adjournment (For Possible Action)

Committee Member Lee called for adjournment.

MOTION: Committee Member Moore motioned to adjourn the committee meeting. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

Meeting adjourned at 2:51 p.m. Respectfully submitted:

Frank DiMaggio, Executive Director



<u>Draft Minutes</u> Anesthesia Committee Meeting

March 12, 2020



NEVADA STATE BOARD OF DENTAL EXAMINERS



Meeting Location:

Nevada State Board of Dental Examiners 6010 S. Rainbow Blvd, Suite A-1 Las Vegas, NV 89118

Video Conferencing was not available for this meeting

Meeting Date & Time

Thursday, March 12, 2020 6:46 p.m.

AMENDED DRAFT MINUTES

NOTICE OF AGENDA & TELECONFERENCE MEETING FOR THE ANESTHESIA COMMITTEE

(D. Kevin Moore, DDS, (Chair); Ronald West, DMD; W. Todd Thompson, DMD)

PUBLIC NOTICE:

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 of Dental Examiners office located at 6010 S. Rainbow Blvd, Suite A1 Las Vegas, NV 89118.

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.

Persons wishing to comment may appear at the scheduled meeting/hearing or may address their comments, data, views, arguments in written form to: Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd, A-1, Las Vegas, Nevada 89118, Attn: Angelica Bejar; FAX number (702) 486-7046; e-mail address nsbde@nsbde.nv.gov. Written submissions should be received by the Board on or before March 11, 2020 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.

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, option 4, 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, option 4, 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 \$ Rainbow Blvd, \$te. A-1, Las Vegas, Nevada.

<u>Note</u>: Asterisks (*) "<u>For Possible Action</u>" denotes items on which the Board may take action. <u>Note:</u> Action by the Board on an item may be to approve, deny, amend, or tabled.

1. Call to Order

- Roll call/ Quorum

Dr. Moore called the meeting to order and Ms Stratton conducted the following roll call:

Dr. D. Kevin Moore (Chair) ------ PRESENT
Dr. Ron West ------ PRESENT
Dr. W. Todd Thompson ----- PRESENT

Others Present: Brad Slighting, Esq., Interim General Counsel; Candice Stratton, Interim Executive Director.

Public Attendees: Samantha Sturges, RDH; Mary Bobbett, RDH.

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2. <u>Public Comment</u>: The public comment period is limited to matters <u>specifically</u> 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.

No public comment.

- *3. Chairman's Report: David Lee, DMD Dr. Moore. (For Possible Action)
 - (a) Request to remove agenda item(s) (For Possible Action)

Dr. Moore indicated that there were a few names that would need to be withdrawn from the list of evaluators, but otherwise there were no agenda items that he would be requesting to have removed.

(b) Approve Agenda (For Possible Action)

MOTION: Committee Member West motioned to approve the agenda. Motion seconded by Committee Member Thompson. All were in favor, motion passed.

- *4. <u>Discuss and make recommendations to the Full Board to make appointments to the Anesthesia</u>
 Sub-Committee NRS 631.190 (For Possible Action) Dr. Moore
 - 1) D. Kevin Moore, DDS
 - 2) Tomas D Kutansky, DDS
 - 3) Jade A Miller, DDS
 - 4) Joshua L Saxe, DDS
 - 5) Edward J Gray, DMD
 - 6) Brendan G Johnson, DDS
 - 7) Amanda Jo Okundaye, DDS
 - 8) Albert T Twesme, DDS

Committee Member Moore indicated that he would like to approve the appointments as a group for the sub-committee. He noted that these members were on the subcommittee previously and came highly recommended as they are some of the most knowledgeable. He further noted that he would work to try and gather a quorum of the Anesthesia Committee and Anesthesia Sub-Committee to hold a conjunctive meeting.

MOTION: Committee Member Thompson motioned to approve to recommend the list of sub-committee members to the full board for approval. Motion seconded by Committee Member West. All were in favor, motion passed.

*5. <u>Discuss and make recommendations to the Full Board to hire the following as part-time on-site</u>

Evaluator/Inspector Employees – NRS 631.190 (For Possible Action) - Dr. Moore

General Anesthesia

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

Moderate Sedation

- 1) Joshua M Branco, DMD
- 2) Perry T Francis, DDS
- 3) Jon P Galea, DDS
- 4) Ryan S Gifford, DDS
- 5) Tony Guillen, DDS
- 6) Tomas D Kutansky, DDS
- 7) Brian P Mantor, DMD
- 8) Jade A Miller, DDS
- 9) Joshua L Saxe, DDS
- 10) Gilbert A Trujillo, DDS
- 11) David J Trylovich, DDS

Committee Member Moore indicated that these were evaluators that have worked for the board in years past; most said they would continue on and have submitted an application now for hiring as employees, as opposed to independent contractors. He noted that the following licensees asked that their names be withdrawn from consideration: Dr. Brendan Johnson (6); Dr. Jade Miller (8); and Dr. Gilbert Trujillo (10).

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MOTION: Committee Member Thompson motioned to recommend the full board approve the hiring of the applicants listed, minus the three who withdrew. Motion seconded by Committee Member West. All were in favor, motion passed.

General Anesthesia

- 1) Blaine D Austin, DDS
- Michel J Daccache, DDS
- 3) Gary J Geracci, DDS
- 4) Edward J Gray, DMD
- 5) Gregory J Hunter, DMD, MD
- Patrick A O'Connor, DDS
- Amanda Jo Okundaye, DDS
- Troy D Savant, DDS
- Steven A Saxe, DMD
- 10) Albert T Twesme, DDS

Moderate Sedation

- 1) Joshua M Branco, DMD
- 2) Perry T Francis, DDS
- 3) Jon P Galea, DDS
- 4) Ryan S Gifford, DDS
- 5) Tony Guillen, DDS
- Tomas D Kutansky, DDS 6)
- 7) Brian P Mantor, DMD
- 8) Joshua L Saxe, DDS
- 9) David J Trylovich, DDS

Discussion: Committee Member West commented that the committee should try to recruit more individuals to conduct the evaluations. Committee Member Moore indicated that traditionally the Board has had a difficult time recruiting dentists to perform these time-consuming evaluations and inspections. The Board welcomed anyone who would be interested in applying and stated that the applications were welcomed anytime. It was noted that Dr. Miller was the pedodontist inspector for Northern Nevada, so if anyone was aware of a potential candidate, they were encouraged to apply. There was discussion held on how the evaluators were scheduled and how they were calibrated.

6. Public Comment: 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. The Chairperson of the Board will impose a time limit of three (3) minutes. The Chairperson may allow additional time at his/her discretion.

There was no public comment.

7. Announcements

There were no announcements.

*8. Adjournment (For Possible Action)

Committee Member Moore called for adjournment.

MOTION: Committee Member Thompson motioned to adjourn the committee meeting. Motion seconded by Committee Member West. All were in favor, motion passed.

Meeting adjourned at 6:58 p.m. Respectfully submitted:
Frank DiMaggio, Executive Director

<u>Draft Minutes</u> Board Meeting

March 12, 2020

Amended draft minutes to correct the names of individuals approved





NEVADA STATE BOARD OF DENTAL EXAMINERS



Meeting Location:

Nevada State Board of Dental Examiners 6010 S. Rainbow Blvd, Suite A-1 Las Vegas, NV 89118

<u>Video Conferencing was not available for this meeting</u>

Meeting Date & Time

Thursday, March 12, 2020 7:05 p.m.

DRAFT MINUTES

BOARD OF DENTAL EXAMINERS NOTICE OF AGENDA & TELECONFERENCE MEETING

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<u>Note</u>: Asterisks (*) "<u>For Possible Action</u>" denotes items on which the Board may take action. <u>Note</u>: Action by the Board on an item may be to approve, deny, amend, or tabled.

1. Call to Order

- Roll call/ Quorum

Board Member Moore called the meeting to order and Ms. Stratton conducted the following roll call:

Dr. D. Kevin Moore	PRESENT (President)
Dr. David Lee	PRESENT (Secretary-Treasurer)
Dr. J. Brian Allman	- PRESENT
Dr. W. Todd Thompson	PRESENT
Dr. Ronald West	- PRESENT
Dr. Ronald Lemon	- PRESENT
Dr. Elizabeth Park	- PRESENT
Ms. Betty Pate	PRESENT
Ms. Joan Shadler	PRESENT
Mrs. Jana McIntyre	PRESENT
Ms. Gabrielle Cioffi ("Ms. Cioffi")	PRESENT

Others Present: Brad Slighting, Interim Board General Counsel; Candice Stratton, Interim Executive Director.

2. <u>Public Comment</u>: The public comment period is limited to matters <u>specifically</u> 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.

Ms. Lancette VanGuilder, a PHE RDH in Northern NV, thanked the board for their time. She stated that she appreciated their commitment to the state and for considering not just her program, but all other programs for consideration as they are designed to bring care to the underserved.

Ms. Sheryl Scott, RDH stated that her program was being considered for approval, and was available to answer any questions.

Ms. Terri Chandler stated that she was available to answer any questions regarding TeamSmiles.

Ms. Dea Minnittee and Ms. Stephany Ramsey commented that they were also present to answer any questions regarding their programs being considered for approval.

- *3. <u>President's Report</u>: (For Possible Action)
 - *a. Request to remove agenda item(s) (For Possible Action)

Board Member Moore stated that there were some names that he would be requesting to remove from some of the lists on the agenda, upon reach that agenda item.

*b. Approve Agenda ((For Possible Action)

MOTION: Board Member West motioned to approve the agenda. Motion seconded by Board Member Shadler. All were in favor, motion passed

- *4. Secretary Treasurer's Report: (For Possible Action)
 - *a. Minutes (For Possible Action)
 - (1) Board Meeting 01/17-18/2020

Board Member Lee stated that all board members should have had the opportunity to review the January 17-18, 2020 Board Meeting draft minutes and inquired if there were any proposed amendments. If none, he called for a motion.

MOTION: Board Member Park motioned to approve the January 17-18, 2020 Board meeting Minutes. Motion seconded by Board Member Allman. All were in favor, motion passed.

(2) Employment Committee - 01/25/2020

Board Member Lee stated that all board members should have had the opportunity to review the January 25, 2020 Employment Committee draft minutes and inquired if there were any proposed amendments. If none, he called for a motion.

- MOTION: Board Member Moore motioned to approve the January 25, 2020 Employment meeting Minutes. Motion seconded by Board Member Thompson. All were in favor, motion passed.
 - (3) Board Meeting 01/29/2020
- MOTION: Board Member Park motioned to approve the January 29, 2020 Board meeting Minutes. Motion seconded by Board Member Moore. All were in favor, motion passed.

- *b. Travel: (For Possible Action)
 - *(1) Board Member Travel for Board Meeting April 10, 2020 Las Vegas (For Possible Action)
 - (a) Ron West, DMD
 - (b) J. Brian Allman, DDS
 - (c) W. Todd Thompson, DMD
 - (d) Joan Shadler, RDH
 - (e) Elizabeth Park, DDS
 - *(2) Approve Travel to AADB Semi-Annual Meeting Chicago, IL April 3 -5, 2020 (For Possible Action)
 - (a) D. Kevin Moore, DDS
 - (b) Joan Shadler, RDH
 - (c) Betty Pate, RDH
 - (d) David Lee, DMD
 - (e) Executive Director
 - (f) General Counsel

Board Member Moore recommended that the Board approve travel for the northern board members to travel to Las Vegas for the April 10th meetings. There was discussion of concerns regarding travel with the corona virus, and that arrangement would be made for the members in the north to be able to participate. There was also discussion of concerns of traveling for the AADB meetings which they were aware that the AADB was working to postpone or cancel the meeting.

MOTION: Board Member Lee moved to approve travel for the persons listed under agenda item (4)(b)(1) and agenda item (4)(b)(2). Motion seconded by Board Member Park. Discussion: Board Member Shadler inquired that if they do not wish to fly and would rather drive, could they perhaps be reimbursed for their travel costs. It was noted that they could be. All were in favor of the motion, motion passed.

Board Member McIntyre joined the meeting at 7:21

*c. CODA Accreditation Site Visit Invitation – UNLV School of Dental Medicine

(a) Approval of Board Member Representative (For Possible Action)

Board Member Moore noted that CODA requested that the board provide a board member to partake in their accreditation site visit which was held Monday – Thursday. Previously Board Members West and Park had volunteered to partake, however because of certain requirements that needed to be met, they were no longer available. He stated that he volunteered to partake in their place for the site visit the week of March 30th – April 2nd. Board Member Moore inquired if any there were any other volunteers to attend. There were none.

MOTION: Board Member Thompson moved to approve Dr. Moore to attend the site visit. Motion seconded by Board Member Park. All were in favor of the motion, motion passed.

- *5. Old Business: (For Possible Action)
 - *a. Approval for Public Health Dental Hygiene Program NAC 631.210 (For Possible Action)
 - (1) Community Dental Connections

Board Member Moore stated that they all should have had a chance to review the program.

MOTION: Board Member Park moved to approve program. Motion seconded by Board Member Pate. All were in favor of the motion, motion passed.

*6. New Business: (For Possible Action)

*a. Consideration and approval/rejection of the recommendation from the Employment Committee to hire the applicant listed for the unclassified Executive Director Position (For Possible Action) - Dr. Lee

(1) Frank DiMaggio

Board Member Lee gave a quick synopsis of the interviews held. He gave an outline of the meetings held leading up to the interviews. He noted that at the interviews, the committee unanimously voted to select Frank DiMaggio as the recommended candidate for the Executive Director position. It was noted that the salary of the Executive Director position was discussed and that Mr. DiMaggio had a desired salary of \$110,000. Board Member Lee noted that Mr. DiMaggio was an attorney, but was not licensed with the Nevada bar, but the committee appreciated that he had a legal background. There was discussion regarding Mr. DiMaggio's background, references and his previous employment. There was brief discussion regarding the desired salary sought by Mr. DiMaggio and how it compared to the previous Executive Director's salary when they did not have a law background. After some discussion regarding the enthusiasm to move forward with Mr. DiMaggio, Board Member Lee noted that the Executive Director position would be an at-will position without a contract.

MOTION: Board Member Thompson moved to approve to hire Frank DiMaggio as the Executive Director. Motion seconded by Board Member Park. Discussion: Board Member Shadler inquired if they could check Mr. DiMaggio's references for character. Board Member Lee commented that usually if someone placed someone as a reference they're going to give a review and not a bad reference. Board Member Lee added that the State of Missouri' Healing Arts division that Mr. DiMaggio worked for encompassed the Medical board, Physical Therapy Board, Pharmacy Board, and other healthcare divisions; and therefore, truly believed that they picked the better of the candidates. Board Member Shadler requested that the Board conduct a criminal background check on Mr. DiMaggio prior to hiring. Board Member Moore called for an amendment to the motion to include that they conduct a criminal background check prior to hire. Board Member West stated for clarification that if Mr. DiMaggio is hired and something is found in his background then the Board at that time can dismiss him. Board Member Moore concurred. All were in favor of the motion, motion passed. Board Member Moore noted that to Board Member Shadler that he would have Ms. Stratton run a background check and call Mr. DiMaggio's references.

*b. Consideration and approval/rejection of the following recommendations from the Employment Committee regarding the unclassified General Counsel Position: (For Possible Action) - Dr. Lee

- (1) Repost the Job Opportunity for the General Counsel Position, to include reconsideration of applicants not originally selected for an interview
- (2) Request a second in-person interview with Jonathan Callister, Esquire
- (3) Request for Interim General Counsel to consider applying for the position

Board Member Lee stated that this section was more for informational purposes. He noted that the applicants interviewed for the General Counsel position were not as favorable and therefore would like to repost the position. He added that Mr. Jonathan Callister had called in on the phone, but would like to have him come in for an in-person interview. He concluded that they would move forward with holding more interviews in search of a suitable candidate for the General Counsel position.

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*c. Consideration and approval/rejection of the recommendation from the Anesthesia Committee to hire part-time Anesthesia Evaluators employees (For Possible Action) - Dr. Moore

General Anesthesia

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

Moderate Sedation

- 1) Joshua M Branco, DMD
- 2) Perry T Francis, DDS
- 3) Jon P Galea, DDS
- 4) Ryan S Gifford, DDS
- 5) Tony Guillen, DDS
- 6) Tomas D Kutansky, DDS
- 7) Brian P Mantor, DMD
- 8) Jade A Miller, DD\$
- 9) Joshua L Saxe, DDS
- 10) Gilbert A Trujillo, DDS
- 11) David J Trylovich, DDS
- 12) Ilya Benjamin, DMD

Board Member Moore stated there was an Anesthesia Committee meeting prior to this meeting where it was noted that Dr. Brendan Johnson, Dr. Jade Miller, and Dr. Gilbert Trujillo wished to be withdrawn from the list for approval. He noted that (12) Dr. Benjamin was listed as a new evaluator for consideration and approval.

MOTION: Board Member Lee moved to approve those listed with the exception of Dr. Johnson, Dr. Miller, and Dr. Trujillo. Motion seconded by Board Member Shadler. Discussion: Board Member Shadler inquired if the evaluators had ever been calibrated and noted that one of the evaluators may have board action. It was noted that Dr. Benjamin had a previous disciplinary action stipulation with the Board. Board Member West did not believe Dr. Benjamin's previous board action would be an issue for him to be an evaluator. Motion and second to motion amended to exclude Dr. Benjamin, as well. All were in favor of the motion, motion passed.

*d. Consideration and approval/rejection to hire part-time Infection Control Employee(s)

(For Possible Action) - Dr. Park

- 1) Mary M Bosnos, RDH
- 2) Catherine B Buckley, RDH
- 3) Karen K Clark, RDH
- 4) Dena M Copeland, RDH **
- 5) Linda L Fairley, RDH
- 11) Joyce A Herceg, RDH
- 7) Elvera L Kaians, RDH
- 8) Betty L McGuire, RDH
- 9) Kathryn M Spargo, RDH
- 10) Samantha A Sturges, RDH **
- 11) John C DiGrazia, DDS
- 12) Rickey L Grant, DMD
- 13) Donna Jo Hellwinkel, DDS
- 14) Nelson D Lasiter, DMD
- 15) Brett A Noorda, DMD
- 16) George F Rosenbaum, DDS
- 17) Pamela J Patten, DDS
- 18) Brad A Wilbur, DDS

Board Member Moore noted that the following individuals had not yet submitted an application: Ms. Fairley, Mr. Kajans, Ms. McGuire, Dr. Hellwinkel, Dr. Lasiter, Dr. Noorder, Dr. Patten, and Dr. Wilbur.

MOTION: Board Member Park moved to approve all except Ms. Fairley, Mr. Kajans, Dr. Hellwinkel, Dr. Lasiter, Dr. Noorder, Dr. Patten, and Dr. Wilbur. Motion seconded by Board Member Lee. Discussion: Board Member Moore indicated that he also meant to exclude (8) Ms. McGuire. Amended Motion: Board Member Park amended her motion to exclude (8). Board Member Lee amended his second to the motion. All were in favor, motion passed.

*e. Consideration and approval/rejection of the recommendation from the Anesthesia Committee to appoint Anesthesia Sub-Committee members (For Possible Action) -Dr. Moore

- (1) D. Kevin Moore, DDS
- (2) Tomas D Kutansky, DDS
- (3) Jade A Miller, DDS
- (4) Joshua L Saxe, DDS
- (5) Edward J Gray, DMD
- (6) Brendan G Johnson, DDS
- (7) Amanda Jo Okundaye, DDS
- (8) Albert T Twesme, DDS

Board Member Moore stated that the licensees listed were previously on the subcommittee and have elected to stay on the subcommittee.

MOTION: Board Member Park moved to approve to appoint the listed individuals to the Anesthesia Sub-Committee. Motion seconded by Board Member Lee. Discussion: Board Member Shadler commented on having background checks done on the list of licensees approved to ensure they are in good standing with the Board. With no further discussion, all were in favor of the motion, motion passed.

Board Member Moore noted that he would have staff check all hires for disciplinary issues.

*f. <u>Approval of Appointments for Representative:</u> For Possible Action) - Dr. Moore

*(1) WREB/HERB Representatives (For Possible Action)

- **a.** Dr. Park (WREB)
- **b.** Mrs. McIntyre (HERB)

Board Member Moore stated that Board Members Park and McIntyre volunteered to be representatives. Board Member Shadler inquired on the requirements to be a representative. Board Member Pate noted that she was the previous HERB representative for the past 2 years and stated that they usually provided a meeting synopsis report to the board after attending a meeting.

MOTION: Board Member Lee moved to approve to appoint Dr. Park and Mrs. McIntyre as the WREB/HERB representatives. Motion seconded by Board Member West. No further discussion. All were in favor of the motion, motion passed.

*(2) ADEX Representatives (For Possible Action)

Ms. Stratton stated that she reached out to ADEX regarding the representative positions and noted that the requirements were the same as WREB. She noted that their annual meetings were upcoming and that she would send out meeting dates to the Board. Board Member Moore stated that if anyone was interested in being an ADEX representative they could contact Candice. Board Member Shadler stated that she was interested. Board Member Moore stated that if there were any other members interested to let Ms. Stratton know and they would be placed on the next board meeting agenda for approval. Ms. Stratton stated that she would forward information to the board on whether or not they have to also be an examiner to be a representative.

*g. Approval for Public Health Dental Hygiene Program - NAC 631.210 (For Possible Action) - Dr. Moore

(1) Mobile Smiles Program

Discussion: Board Member Moore stated that all board members should have had a chance to review the information provided, and called for a motion.

MOTION: Board Member Park moved to approve the PHE Program. Motion seconded by Board Member West. All were in favor of the motion, motion passed.

(2) Senior Smiles Program

Board Member Moore stated that all Board members should have had an opportunity to review the program. Board Member Lemon noted that there appeared to be a limitation on available equipment, and asked for clarification on how they expect to run. Ms. Minnitte stated that the initial start of the program would be to do just brushing, flossing, and cleaning dentures. Board Member Park inquired if the nursing home they would be providing the services at had had an IC inspection. Ms. Minnitte indicated that she would inquire at the nursing home and would report back to the Board. Board Member Moore indicated that the approval would only be for the line items that they see in the program protocol, and that they would have to seek approval for the items they are not equipped for when they do obtain the equipment.

MOTION: Board Member Park moved to approve the PHE Program approve only the brushing, flossing, and cleaning of dentures contingent upon them proof of an IC inspection clearance. Board Member Moore clarified that the motion covers what they say they

can provide and not the items they are not equipped to do yet. Board Member Park clarified that the procedures he listed be approved contingent upon the IC inspection being verified. Motion seconded by Board Member Lemon. All were in favor of the motion, motion passed.

*h. Approval of Public Health Endorsement - NRS 631.287 (For Possible Action) -Dr. Moore

- (1) Sheryl A Scott, RDH Mobile Smiles Program
- (2) Dea M Minnitte-Hamrey, RDH Senior Smiles Program
- (3) Stephanie L Ramsey, RDH Senior Smiles Program

Board Member Moore indicated that the PHE approvals were pending approval of the programs.

MOTION: Board Member Lee moved to approve the licensees for a PHE. Motion seconded by Board Member Park. No further discussion. All were in favor of the motion, motion passed.

*i. Approval for Anesthesia-Temporary Permit - NAC 631.2254 (For Possible Action) - Dr. Moore

(1) General Anesthesia (For Possible Action)

(a) Gary H Wilcox Jr, DMD

Board Member Moore stated that the application was reviewed, met criteria, and recommended approval.

MOTION: Board Member Park moved to approve the temporary general anesthesia permit. Motion seconded by Board Member West. All were in favor of the motion, motion passed.

*j. Approval to Use TeamSmiles 2019 IC Inspection results for TeamSmiles 2020 Event

(For Possible Action) - Dr. Park

Board Member Park noted that on page one of Ms. Chandler's email, second paragraph, it stated that the inspection for 2019 event done, but that they had not had one done for 2020. She added that she would like to have one of the new hires go out and conduct an IC inspection for their next event.

MOTION: Board Member Park moved to not approve the use of the 2019 inspection results for the 2020 event. Discussion: Ms. Stratton noted that TeamSmiles had a concern that because the Board did not have any Inspectors, that they would not be able to have their event, which led them to submit this request, which was now a moot point since they have now hired IC inspectors. There was not a second to the motion. Motion did not pass.

MOTION: Board Member Lee motioned to approve the use the 2019 IC inspection results. There was not a second to the motion, motion did not pass.

*k. Request for reinstatement of license that is currently suspended due to the failure to comply with Paragraph 23(C) and 23(G) of the Disciplinary Stipulation Agreement (For Possible Action) -Mr. Slighting, General Counsel

*(1) Georgene Chase, DDS

General Counsel stated that Dr. Chase made some comment at the January meeting and at the meeting the week prior. He advised the board that he's reviewed Dr. Chase's file and has been in contact with Dr. Chase's counsel, and that they were both working together to hopefully find a potential resolution that the Board would be amenable to. He stated that he would have more information at the next Board meeting. Board Member West stated that the disciplinary committee was planning on meeting soon to review the case. There was no further discussion.

MOTION: Board Member Shadler motion to reinstate Dr. Chase's suspended license since her alleged violations pertain to record keeping. Board Member Shadler disclosed that she did have a close

relationship in the past with Dr. Chase and wants to make sure it's disclosed for the sake of transparency. She clarified that she worked for Smile Restore two years prior but did not currently have a personal relationship with Dr. Chase. Board Member Moore stated that suspension of Dr. Chase's license was also for the alleged violation of paragraph 23(g) of the stipulation agreement, which is for the use of ozone therapy which is not a properly approved piece of equipment. Board Member Shadler withdrew her motion.

7. <u>Public Comment</u>: 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. The Chairperson of the Board will impose a time limit of three (3) minutes. The Chairperson may allow additional time at his/her discretion.

Dr. Chase commented that she has complied with everything from her stipulation agreement and expressed her concerns about her license situation. After some discussion regarding her license and her dissatisfaction with the process, Board Member Park commented to Dr. Park that they appreciated her patience and that she hoped she understood that the new board has a lot of tasks at hand. The Board asked for Dr. Chase's continued patience while the interim board counsel conducted a review of her. Public participant Christopher Swanson interrupted the Interim Board counsel and demanded that the board reinstate Dr. Chase's license.

Doug Jones, a patient of Dr. Chase, commented on the suspension of Dr. Chase's license and noted that it was the former manager of Smile Restore that did not handle patients paperwork correctly and felt that Dr. Chase should not be punished for it.

Board Member Moore stated that Dr. Chase had multiple stipulation agreement and violations and while they understood her concerns.

Angie Daniel commented that she was a clinical director for Smile Restore but had left because the previous office manager, Nicole, mismanaged patients and improperly billed patients, and therefore was responsible for Dr. Chase's record billing issues.

Christopher Swanson commented that for the issue regarding the ozone kit, it was his kit that he retrieved from the internet and asked Dr. Chase to use on him, which she did. Mr. Swanson was upset and stated that he did not appreciate the Board telling Dr. Chase what she can and cannot use in his mouth, because only he could decide that.

Ms. Chandler commented that she appreciated the board's time and approval of the agenda items. She thanked board and staff for all their help.

8. Announcements

No announcements were made.

*9. Adjournment (For Possible Action)

Board Member Moore called for adjournment.

Board Member Thompson motioned to adjourn the meeting. Motion seconded by Board Member Lemon. All were in favor, motion passed.

Meeting Adjourned at 9:11 p.m
Respectfully submitted by
 Frank DiMaggio, Executive Director

<u>Draft Minutes</u> Emergency Board Meeting

March 16, 2020



NEVADA STATE BOARD OF DENTAL EXAMINERS



Meeting Location:

Nevada State Board of Dental Examiners 6010 S. Rainbow Blvd, Suite A-1 Las Vegas, NV 89118

Teleconference Information:

Meeting Call-In: (669) 900-6833 Meeting ID: 766 853 176

Meeting Date & Time

Monday, March 16, 2020 6:04 p.m.

DRAFT MINUTES BOARD OF DENTAL EXAMINERS NOTICE OF AGENDA & TELECONFERENCE EMERGENCY MEETING

PUBLIC NOTICE:

The Nevada State Board of Dental Examiners may hold board meetings via video conference or felephone conference call. The public is welcomed to attend the meeting at The Board of Dental Examiners office located at 6010 S. Rainbow Blvd, Suite A1 Las Vegas, NV 89118.

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.

Persons wishing to comment may appear at the scheduled meeting/hearing or may address their comments, data, views, arguments in written form to: Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd, A-1, Las Vegas, Nevada 89118, Attn: Angelica Bejar; FAX number (702) 486-7046; e-mail address nsbde@nsbde.nv.gov. Written submissions should be received by the Board as soon as possible 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.

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, option 4, no later than 48 hours prior to the meeting. Requests for special arrangements made after this time frame cannot be guaranteed.

Pursuant to NR\$ 241.020(2) you may contact Angelica Bejar at (702) 486-7044, option 4, 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.

<u>Note</u>: Asterisks (*) "<u>For Possible Action</u>" denotes items on which the Board may take action. <u>Note</u>: Action by the Board on an item may be to approve, deny, amend, or tabled.

1. Call to Order

- Roll call/ Quorum

Board Member Moore called the meeting to order and Ms. Stratton conducted the following roll call:

Dr. D. Kevin Moore	PRESENT (President)
Dr. David Lee	PRESENT (Secretary-Treasurer)
Dr. J. Brian Allman	PRESENT
Dr. W. Todd Thompson	PRESENT
Dr. Ronald West	PRESENT
Dr. Ronald Lemon	PRESENT
Dr. Elizabeth Park	PRESENT
Ms. Betty Pate	PRESENT
Ms. Joan Shadler	PRESENT
Mrs. Jana McIntyre	PRESENT
Ms. Gabrielle Cioffi ("Ms. Cioffi")	PRESENT

Others Present: Brad Slighting, Interim Board General Counsel; Candice Stratton, Interim Executive Director.

2. <u>Public Comment</u>: The public comment period is limited to matters <u>specifically</u> 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.

Dr. Richard Dragon commented that their entire Executive committee of the NDA was on the phone. They introduced themselves as: Dr. Mark Funke, President of NDA. He stated that he was been working with the ADA and NC State Medical officer. Dr. David White, Chairman of Nevada Government affairs, and also a practicing dentist. Jason Doucette, Secretary of the NDA. Dr. Kelly McGinley, counsel of membership for the NDA; Eddie De Andrade; Dave Mahon, Officer at Large NDA; Bob Talley, Executive Director NDA.

Dr. Antonina Capurro, Nevada Dental Health officer, was present and stated that she was available to help with the Board's directive and provide any information that may be helpful.

Jessica Woods, President of the NDHA stated that she was here to support efforts of the board.

Caryn Solie, member of the NDHA, stated that she was here to support the efforts of the board.

Dr. Jim Rice was present on behalf of the SNDH advisory board, and represents the city of Las Vegas.

Tod Goldman, on behalf of the NDHA, his entity is the Executive Management for the organization.

Sara Mercier stated that she supported the board's efforts.

Dr. Prada, a pediatric dentist for absolute dental was present on the call.

MOTION: Board Member Thompson moved to approve the agenda. Motion seconded by Board Member Park. All were in favor, motion passed.

*3. New Business: (For Possible Action)

- *a. Address and take possible action related to the COVID-19 Outbreak and provide directive and/or recommendations of action to ensure safety of licensees, dental practices and the general public. Consideration of the following, but not limited to: (For Possible Action)
 - Board to issue statement, to be posted to board's website, regarding COVID-19 outbreak and any potential mandated closures, recommended precautions, etc.
 - Potential office closure recommendations (whether State recommendations or at owners' discretion/open only for emergency treatment, etc.)
 - Concerns of supplies shortage of protective gear
 - Should Board recommend office closures, determine recommended length of time to remain closed
 - Questions dental offices can ask patients related to their health
 - Turning away patients that are sick
 - Extra precautions to take if and when treating patients
 - Concerns of licensees being required by employers to work
 - Dental Hygienists' concern of live-instruction CE requirements for license renewal

Board Member Moore stated that he would like to start this section and hopes the board has had an opportunity to read the webpage notice before it is published. Board Member Thompson stated that he read over the recommended suggestions to be published and agreed with them. Further, he stated that every office is different and every community is different, and therefore believed it was a good start to leave some authority to the dental offices on how to respond and take action. Board Member Moore inquired if there were any suggestions that any Board Member would like the Board to consider adding or changing to the proposed language. Board Member Thompson suggested that they correct some of the typographical and grammatical errors. There was some discussion related to office closures of non-

essential businesses. It was recommended leaving the closure of offices to the discretion of each dentist. Board Member Allman stated that the Governor noted that medical offices would remain open. There was additional discussion about leaving the owners to use their expert opinion to determine which treatments would be deemed elective and non-elective services. Some discussion of how Board member's offices are handling the situation.

MOTION: Board Member Lee motioned to approve the statement as presented with the discussed typographical and grammatical errors. Motion seconded by Board Member Park. Discussion: Some Board Members stated that their offices were trying to be proactive and sent messages to patients that if they are ill, are feeling ill, have traveled recently, or may have been exposed to the virus that they stay home and have their appointments rescheduled. Further, that they have asked them to not bring additional persons with them, and have started to screen patients prior to entry into the office. Board Member Moore asked for the NDA to provide their input. Mr. Mark Funke stated that many of the recommendations were not following the ADA's recommendations and studies on how to approach. He noted that while dentists and dental hygienists are not the number one persons at risk, they rank at number 1.5 of persons most at risk of being infected, and therefore believe that the public should not be deciding if they should seek dental treatment or not. It was noted by the Board that the proposed memo did ask that dentist postpone providing elective services. Board Member Thompson noted that it would be left to the dentist to make well informed decisions when providing care to their patients, and that the Board should do their part to limit non-essential dentistry as much as possible over the next few weeks. Board Member Moore stated that it was at the dentist owner's discretion to limit their practice to emergency care only. Board Member West stated that he was okay with putting the ADA's recommendations forward in limiting non-essential dental treatment. Board Member Allman noted that not all owner dentists physically practice at all their locations, and therefore, recommended that they leave it to the treating dentist's discretion whether or not to limit their practice to emergency care. After additional discussion, it was believed that ultimately the discretion to close offices and treat for emergency care only would be left to the treating dentist and/or hygienist.

Board Member Moore stated that the ADA recommendation is for dentists nationwide to limit their practices to emergency care, only, which would alleviate the burden of emergency rooms being overburdened with dental emergency patients, for a period of three weeks. Further, that it was up to the dentists to make well informed decision on practices. There was discussion on the possibility of mandating the recommendations by the ADA to Nevada dentists. There was some discussion of the length of time to enforce the ADA's recommendations. Board Member Park commented that she would like the website to list the EPA link that products that will help eliminate the contagion from offices.

Board Member Thompson recommended some language changes to make the language less harshly worded. There was discussion regarding the idea of listing which services are deemed elective and non-elective, however, many board members disagreed to providing a list as there were a number of treatments that some dentists would having difference in opinions on, and felt it best to leave it to the discretion of the treating practitioner to determine which procedures would be deemed elective and non-elective. After additional discussion to Board Member Moore proposed the following language as "The NSBDE concurs with the ADA that our healthcare practitioners do its part to mitigate the spread of COVID-19 in recommending that our dental healthcare provider postpone elective procedures for the next 2 weeks."

There were no further recommendations or changes to the remainder of the proposed language.

Continuing Education Discussion: There was lengthy discussion on the options to provide the licensees. The board appeared to favor the idea of having a waiver available, to be presented at a future meeting for approval, to licensees that they could submit to request

to allow for them to take more classes online and to grant an extension to renew or complete the CPR requirements. Board Member Lee amended his motion to approve the posting with the recommended changes as discussed. Board Member Allman amended his second to the motion. No further discussion, all were in favor. Motion passed.

*b. <u>Discussion and possible action regarding conducting Infection Control Inspections and Anesthesia Evaluations amid COVID-19 outbreak, potential exposure concerns and safety (For Possible Action)</u>

Board Member Moore inquired on the Board members opinion regarding the possibility of conducting inspections and evaluations during the shutdown. There was discussion of the concerns of conducting the inspections while also noting the IC inspection did not require any patients to be present, while the evaluations did. It was discussed postponing evaluations for two weeks and then revisiting the matter at a future meeting.

MOTION: Board Member Park moved to postpone the anesthesia evaluations for 2 weeks, but to continue with the IC inspections. Motion seconded by Board Member Lee. Discussion: Board Member Thompson stated his concern that many doctors might choose to close their doors and many not be willing to open their offices for inspections. Board Member Park noted that there was a backlog of inspections, and that the inspections did not require patients to be in the office. All were in favor of the motion, motion passed.

4. <u>Public Comment</u>: 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. The Chairperson of the Board will impose a time limit of three (3) minutes. The Chairperson may allow additional time at his/her discretion.

Board Member Moore thanked the public attendees and the NDA for being a part of tonight's emergency meeting.

Richard Dragon thanked the board for the meeting tonight and the interaction with the NDA. He stated that is was refreshing that they could communicate with the board and work together on such a topic.

David White thanked the board for considering the greater good of the citizens of Nevada and for doing their part in helping slow the spread of the virus.

Caryn Solie thanked the Board for their efforts and for considering creating a waiver in relation to making exceptions to the CE and CPR requirements given the pandemic.

5. Announcements

There were no announcements.

*6. Adjournment (For Possible Action)

Board Member Moore called for adjournment.

Board Member Thompson motioned to adjourn the meeting. Motion seconded by Board Member Cioffi. All were in favor, motion passed.

Meeting Adjourned at 7:47 p.m.
Respectfully submitted by:
 Frank DiMagaio. Executive Director

<u>Draft Minutes</u> Employment Committee Meeting

April 07, 2020



NEVADA STATE BOARD OF DENTAL EXAMINERS



Meeting Location:

Nevada State Board of Dental Examiners 6010 S. Rainbow Blvd, Suite A-1 Las Vegas, NV 89118

Teleconferencing was available for this meeting

Call-In: (702) 486-5260 Collaboration Code: 67044

Meeting Date & Time

Tuesday, April 7, 2020 9:14 a.m.

DRAFT MINUTES

NOTICE OF AGENDA & TELECONFERENCE MEETING FOR THE EMPLOYMENT COMMITTEE

(David Lee, DMD, (Chair); J. Brian Allman, DDS; Ronald West, DMD; D. Kevin Moore, DDS; Jana McIntyre, RDH)

PUBLIC NOTICE:

The Nevada State Board of Dental Examiners may hold board meetings via video conference or telephone conference call.

Due to the Governor's Executive Order in response to the COVID-19 pandemic, the Board office will not be open to the general public for this meeting. The general public is encouraged to participate via teleconference

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.

Persons wishing to comment may appear at the scheduled meeting/hearing or may address their comments, data, views, arguments in written form to: Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd, A-1, Las Vegas, Nevada 89118, Attn: Angelica Bejar; FAX number (702) 486-7046; e-mail address nsbde@nsbde.nv.gov. Written submissions should be received by the Board on or before April 6, 2020 by 2:00 p.m. 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.

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, option 4, 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, option 4, 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 \$ Rainbow Blvd, \$te. 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.

1. Call to Order

- Roll call/ Quorum

Dr. Lee called the meeting to order and Ms. Stratton conducted the following roll call:

Dr. James Allman	Present
Dr. Ronald West	Present
Dr. David Lee	Present
Dr. D. Kevin Moore	Present
Mrs. Jana McIntyre	Present

Others Present: Candice Stratton, Interim Executive Director.

Public Attendees: No public attendees were present.

2. <u>Public Comment</u>: The public comment period is limited to matters <u>specifically</u> 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.

Erin Negrete made public comment regarding Dr. Shahrestani being a previous Board member and stated that he had a current Ethics complaint.

Natalie Hill commented that she was present for any questions as she was being considered to be a member on the dental hygiene review panel.

Samantha Sturges commented that she was present for any questions as she was being considered to be a member on the dental hygiene review panel.

Nichelle Mosier stated that she was currently being considered for the dental hygiene review panel non-board member position and added that she would like to see more diversity on the panel since she is an African-American female.

Natalie Hill commented that she wanted to add that she had been dental hygienists for over 15 years and has a diverse background.

Dr. Ali Shahrestani commented that he was a former review panel member and stated that the comment from Erin Negrete regarding him having an Ethics complaint, which he was not aware of any Ethics complaint. He added that he was available for any question.

*3. Chairman's Report: David Lee, DMD (For Possible Action)

*a. Request to remove agenda item(s) (For Possible Action)

There were no items for removal.

*b. <u>Approve Agenda</u> (For Possible Action)

MOTION: Committee Member Moore moved to approve the agenda. Motion seconded by Committee Member West. All were in favor, motion passed.

- *4. Committee to review, discuss, select, and recommend to the full Board for approval, to appoint a non-Board member dentist and an alternate non-Board member dentist to be appointed to the dental review panel and alternate dental review panel, respectively (For Possible Action)
 - 1) Ali Shahrestani, DMD
 - 2) Mehrdad Mostafaepour, DDS
 - 3) Teipaul Johl, DDS (Endodontist)
 - 4) Truvella Reese, DMD

Chairman Lee stated every member of the committee should have received the applications for the licensees listed. Chairman Lee opened floor for possible discussion. Committee Member Moore stated that he had the opportunity to work with Dr. Most approximately 4-5 years prior on the peer review committee, and therefore vouched for Dr. Most and recommended his appointment to the review panel. Chairman Lee disclosed that while he had met Dr. Johl a few years prior but had no relationship with him.

- MOTION: Committee Member Moore motioned to appoint Dr. Mostafaepour to the primary review panel as a non-board member dentist. Motion seconded by Committee Member McIntyre. All were in favor of the motion, motion passed.
- MOTION: Committee Member Moore motioned to appoint Dr. Johl to the alternate review panel as a non-board member dentist. Motion seconded by Committee Member McIntyre. All were in favor of the motion, motion passed.
- *5. Committee to review, discuss, select, and recommend to the full Board for approval, to appoint a non-Board member dental hygienist and an alternate non-Board member dental hygienist to be appointed to the dental hygiene review panel and alternate dental hygiene review panel, respectively (For Possible Action)
 - 1) Natalia Hill, RDH
 - 2) Samantha Sturges, RDH
 - 3) Nichelle Mosier, RDH

Chairman Lee stated every member of the committee should have received the applications for the licensees listed, and opened the floor for discussion. Committee Member Moore stated that he had the opportunity to call some of the employers listed on the various resumes, and while he did not personally know any of the candidates, he did receive positive feedback, especially for Ms. Mosier. Committee member West stated that he also heard positive reviews for Ms. Mosier.

MOTION: Committee Member West motioned to appoint Nichelle Mosier, RDH to the Dental Hygiene Review Panel as a non-board member dental hygienist. Motion seconded by Committee Member Moore. All were in favor, motion passed.

Committee Member West stated that he was in favor of Ms. Samantha Sturges to be appointed to the alternate dental hygiene review panel because of her background experience as listed on her resume. Committee Member McIntyre stated that she liked that Ms. Sturges seemed passionate about what she does.

MOTION: Committee Member McIntyre motioned to appoint Samantha Sturges, RDH to the Alternate Dental Hygiene Review Panel as a non-board member dental hygienist. Motion seconded by Committee Member West. All were in favor, motion passed.

6. Public Comment: 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. The Chairperson of the Board will impose a time limit of three (3) minutes. The Chairperson may allow additional time at his/her discretion.

There was no public comment.

7. Announcements

There were no announcements.

*8. Adjournment (For Possible Action)

Chairman Lee called for adjournment.

Committee Member Moore motioned to adjourn the meeting. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

Meeting Adjourned at 9:35 a.m.

Respectfully submitted by:

Frank DiMaggio, Executive Director

<u>Draft Minutes</u> Disciplinary Committee Meeting

April 16, 2020



NEVADA STATE BOARD OF DENTAL EXAMINERS



Meeting Location:

Nevada State Board of Dental Examiners 6010 S. Rainbow Blvd, Suite A-1 Las Vegas, NV 89118

Teleconferencing is available for this meeting only

Meeting Call-In #: (669) 900-6833 Meeting ID #: 685 477 041

Meeting Date & Time

Thursday, April 16, 2020 6:30 p.m.

DRAFT MINUTES

NOTICE OF AGENDA & TELECONFERENCE MEETING FOR THE DISCIPLINARY COMMITTEE

(Ron West, DMD, (Chair); W. Todd Thompson, DMD; Ron Lemon, DMD; Betty Pate, RDH; Gabrielle Cioffi)

PUBLIC NOTICE:

The Nevada State Board of Dental Examiners may hold board meetings via video conference or telephone conference call. **Due to the Governor's Executive Order in response to the COVID-19 pandemic, the Board office will <u>not</u> be open to the general public for this meeting. The general public is encouraged to participate via teleconference**

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.

Persons wishing to comment may appear at the scheduled meeting/hearing or may address their comments, data, views, arguments 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 should be received by the Board on or before April 15, 2020 by 2:00 p.m. 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.

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 office, 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 NR\$ 241.020(2) you may contact Board office 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.

<u>Note</u>: Asterisks (*) "<u>For Possible Action</u>" 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.

1. Call to Order

- Roll call/ Quorum

Chairman West called the meeting to order and Ms. Stratton conducted the following roll call:

Dr. Ronald West (Chair)	Present
Dr. Ron Lemon	Present
Dr. Todd Thompson	Present
Ms. Betty Pate	Present
Ms. Gabrielle Cioffi	Present

Others Present: Brad Slighting, Interim General Counsel; Candice Stratton, Interim Executive Director, Rigo Morales.

Public Attendees: Mr. Chuck Zeh, Esquire, on behalf of Dr. Georgene Chase.

2. <u>Public Comment</u>: The public comment period is limited to matters <u>specifically</u> 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.

Mr. Chuck Zeh, Esquire, spoke on behalf of Dr. Georgene Chase, and indicated that unless the Committee was inclined to reinstate Dr. Chase's dental license, he did not waive the notice requirement under the open meeting law. He is requesting a hearing. Brad slighting spoke up and indicated he spoke with Mr. Zeh earlier in the day and Mr. Zeh stated they are not waiving the notice requirement pertaining to agenda item 4(a)(1). Mr. slighting indicated that they intend to request to remove item 4(a)(1) under section 3(a). Brad's recommendation as counsel was to remove the item and reschedule to give proper notice.

- *3. Chairman's Report: David Lee, DMD (For Possible Action)
 - (a) Request to remove agenda item(s) (For Possible Action)

Request was made to remove items 4(a) and 4(c)(1). Motion was combined with 3(b), see below.

(b) Approve Agenda (For Possible Action)

MOTION: Committee Member Thompson motioned to approve the agenda with the noticed items (see 3[a] above) for removal. Motion seconded by Committee Member Lemon. All were in favor, motion passed.

- *4. New Business: (For Possible Action)
 - *a. Review and discussion of the request for reinstatement of license that is currently suspended due to the failure to comply with Paragraph 23(C) and 23(G) of the Disciplinary Stipulation Agreement, and recommendations to the full Board for consideration and approval (For Possible Action)
 - (1) Georgene Chase, DDS

By motion of the Board, this agenda Item was removed.

*b. Review and discussion of the request for reactivation of suspended license for non-renewal and review terms and conditions of the stipulation agreement approved January 24, 2014, and recommendations to the full Board for consideration and approval (For Possible Action)

(1) Craig S. Morris, DDS

Chairman West asked if all members reviewed the materials. Chairman West summarized the materials and all other members agreed with the summarization. Discussion was held.

MOTION: Committee Member Thompson motioned that the Committee's recommendation to the Board should be for the Board to not reinstate Dr. Morris' license. Motion seconded by Committee Member Cioffi. All were in favor, motion passed.

*c. Consideration of Stipulation Agreements and possible recommendations to the full Board -

NRS 622 (For Possible Action)

(1) Kerry Davis, DDS

By motion of the Board, this agenda Item was removed.

(2) Phillip Devore, DDS

Chairman West asked for the committee members' thoughts on the stipulation. He gave a brief verbal synopsis of the case and a list of the items required in the stipulation agreement. Discussion held.

MOTION: Committee Member Thompson motioned that the Committee's recommendation to the Board is to accept the Stipulation agreement. Motion was seconded by Committee Member Cioffi. All were in favor, motion passed.

(3) Ammar Kerio, DMD

Chairman West asked if all members were aware of Dr. Kerio's information, provided to them. Chairman Thompson gave a brief verbal synopsis of the case and a list of the items required in the stipulation agreement. Discussion held.

MOTION: Committee Member Lemon motioned that the Committee's recommendation to the Board is to accept the Stipulation agreement. Motion was seconded by Committee Member Thompson. All were in favor, motion passed.

*d. Review and Discussion of the Board's complaint process, and possible recommendations for changes for consideration and approval by the full Board (For Possible Action)

Chairman West gave a synopsis of the current complaint process. Chairman West referenced a prior board audit and the complaint process pre-audit. Discussion was held regarding possible changes to the current complaint process, changes to the process regarding complainant withdrawal requests and consideration of a possible peer-review-like process. Chairman West suggested that all committee members individually reach out to 1-2 states to inquire about those respective states' complaint processes to then share the information with the committee at a future meeting. Item ultimately tabled with no action taken beyond discussion.

e. <u>Discussion of pending disciplinary matters requiring action by the Board</u>

Committee Member Lemon inquired about complaints received regarding businesses operating under 'business as usual' following the directive from the Governor recommending emergency treatment only. Committee Member Lemon also inquired about the Board's position in enforcement of the directive. Discussion held.

5. <u>Public Comment</u>: 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. The Chairperson of the Board will impose a time limit of three (3) minutes. The Chairperson may allow additional time at his/her discretion.

There was no public comment.

6. Announcements

There were no announcements.

*7. Adjournment (For Possible Action)

Chairman West called for adjournment.

MOTION: Committee Member Thompson motioned to adjourn the committee meeting. Motion seconded by Committee Member Lemon. All were in favor, motion passed.

Respectfully submitted:
Frank DiMaggio, Executive Director

Meeting adjourned at 7:37 p.m.

<u>Draft Minutes</u> Board Meeting

April 18, 2020



NEVADA STATE BOARD OF DENTAL EXAMINERS



Meeting Location:

Nevada State Board of Dental Examiners 6010 S. Rainbow Blvd, Suite A-1 Las Vegas, NV 89118

Video Conferencing not Available for this meeting / Teleconferencing available

Meeting Call-In Number: (669) 900-6833 Meeting ID#: 930 2565 1129 Zoom Video (via app) Meeting Password: 159434

Meeting Date & Time

Saturday, April 18, 2020 9:00 a.m.

DRAFT MINUTES

PUBLIC NOTICE OF BOARD MEETING

PUBLIC NOTICE:

The Nevada State Board of Dental Examiners may hold board meetings via video conference or telephone conference call. **Due to the Governor's Executive Order in response to the COVID-19 pandemic, the Board office will <u>not</u> be open to the general public for this meeting. The general public is encouraged to participate via teleconference**

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Persons wishing to comment may appear at the scheduled meeting/hearing or may address their comments, data, views, arguments 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 should be received by the Board on or before Friday, April 17, 2020 by 2:00 p.m. in order to make copies available to members and the public.

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<u>Note</u>: Asterisks (*) "<u>For Possible Action</u>" 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.

1. Call to Order

- Roll call/ Quorum

Board Member Moore called the meeting to order. Ms. Candice Stratton conducted the following roll call:

Dr. James Allman	PRESENT	W. Todd Thompson	PRESENT
Dr. Ronald West	PRESENT	Dr. Ronald Lemon	PRESENT
Dr. Elizabeth Park	PRESENT	Dr. D. Kevin Moore	PRESENT (President)
Dr. David Lee (Secretary-Treasurer)	PRESENT	Ms. Betty Pate	PRESENT
Ms. Joan Shadler	PRESENT	Mrs. Jana McIntyre	PRESENT
Ms Gabrielle Cioffi	PRESENT		

Others present: Candice Stratton, Interim Executive Director, Brad Slighting, Esquire, Interim General Counsel, Justin Taruc, Esquire, Deputy Attorney General, Rigoberto Morales.

Public Attendees: Francine Smith; Lancette VanGuilder RDH; Caryn Solie RDH; Jessica Woods RDH; Charles Zeh, Esquire; Dr. Richard Dragon; Sara Mercier RDH; Charles Buchanan.

2. <u>Public Comment</u>: The public comment period is limited to matters <u>specifically</u> 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.

Francine Smith spoke in support of Dr. Georgene Chase.

Lancette VanGuilder spoke on behalf of the Nevada Dental Hygienist's (NDHA) Association regarding the agenda item discussing dental hygiene licensure renewals.

Caryn Solie reiterated the comments made by Ms. VanGuilder pertaining to the same agenda item.

Jessica Woods, current President NDHA, requested that the letter she submitted on March 25, 2020 for public comment for March 26, 2020 meeting be added to public comment for this meeting.

Mr. Charles Zeh, Esquire, spoke on behalf of Dr. Georgene Chase. Dr. Chase did not waive the notification required pursuant to the open meeting law.

*3. <u>President's Report</u>: (For Possible Action)

(a) Request to remove agenda item(s) (For Possible Action)

Board Member Moore asked to remove items 4(a)(1), 4(c), 4(d), 4(e), 4(i), 4(j). Motion was combined with 3(b), see below.

(b) Approve Agenda ((For Possible Action)

MOTION: Board Member Thompson motioned to remove the items as stated by Board Member Moore. Motion was seconded by Board Members West and Lee. All were in favor. Deputy Attorney General Justin Taruc advised Board Member Moore to use the original posted agenda. Interim Counsel, Brad, was in agreement with using the original posted agenda. Board Member Moore indicated the items from the original posted agenda that will be discussed (5a2, 5b, 5f, 5g and 5h) and all remaining items will be removed.

MOTION: Board Member Thompson motioned to approve the agenda with items as last stated by Board Member Moore (5a2, 5b, 5f, 5g and 5h). Motion was seconded by Board Member Shadler. All were in favor, motion passed.

*4. New Business: (For Possible Action)

*a. Approval of Non-Board Member Dental & Dental Hygiene Review Panel Members April 2020 through December 31, 2020 – NRS 631.190 (For Possible Action)

(1) Mehrdad Mostafaepour, DDS - Dental

By Motion of the Board, this agenda item was removed.

(2) Nichelle Mosier, RDH – Dental Hygiene

Board Member Moore indicated the recommendation of the Employment Committee to approve Ms. Mosier as the dental hygiene review panel member.

MOTION: Board Member Shadler motioned for the approval of Nichelle Mosier RDH to the Review Panel. Motion seconded by Board Members West and Lee. All were in favor, motion passed.

*b. <u>Approval of Non-Board Member Alternate Dental & Dental Hygiene Review Panel Members</u> <u>April 2020 through December 31, 2020 – NRS 631.190</u> (For Possible Action)

- (1) Teipaul Johl, DDS Dental
- (2) Samantha Sturges, RDH Dental Hygiene

Board Member Moore requested a motion for approval of items (1) and (2). MOTION – Board Member Park motioned to approve Tejpaul Johl DDS and Samantha Sturges RDH as alternate dental and dental hygiene panel members, respectively. Board Member Shadler seconded the motion. All were in favor, motion passed.

*c. Authorized Inspection of Office/Facility to Ensure Compliance with CDC Guidance for Providing Dental Care during COVID-19 - NAC 631.178 and NAC 631.179 (For Possible Action)

- (1) Dr. X alleged to have violated recommendations from the Board for postponement of elective procedures and are endangering public health and safety
- (2) Dr. Y alleged to have violated recommendations from the Board for postponement of elective procedures and are endangering public health and safety
- (3) Dr. Z alleged to have violated recommendations from the Board for postponement of elective procedures and are endangering public health and safety

By Motion of the Board, this agenda item was removed.

*d. Request the Board issue a subpoena duces tecum signed by the Board's Secretary-Treasurer - NRS 631.360(4) (For Possible Action)

(1) Dr. X - Dr. X has failed to produce records as previously requested in connection with a patient's verified complaint and in violation of NRS 629.061 (For Possible Action)

By Motion of the Board, this agenda item was removed.

*e. <u>Disciplinary Committee to make recommendation to Board regarding reinstatement of license (For Possible Action)</u>

- (1) Georgene Chase, DDS
- (2) Craig S Morris, DDS

By Motion of the Board, this agenda item was removed.

*f. <u>Approval for Anesthesia Permit</u> – NAC 631.2213 (For Possible Action)

- (1) General Anesthesia (For Possible Action)
 - (a) Kimberly Bentjen, DDS

Board Member Moore stated application has been reviewed and asked for a motion to approve the item.

MOTION: Board Member Park motioned to approve the permit. Board Member Thompson seconded the motion. All were in favor, motion passed.

*g. Approval for 90-Day Extension For Renewal of Existing Licenses and Permits, to Include 2020

Dental Hygiene and Limited License Renewals, Public Health Endorsements and Temporary

Dental Anesthesia Permits (For Possible Action)

Board Member Moore stated license and permits will be inclusive for CPR/PALS/ACLS, etc. MOTION: Board Member Allman motioned to approve the 90-day extension. Board Member Lemon seconded the motion. All were in favor, motion passed.

*h. <u>Discussion concerning, and possible approval of, settlement agreement reached between the Nevada State Board of Dental Examiners, Dr. Michael Khanna, DDS, Dr. Lawrence Drake, DDS, Abbey Dental Center, Inc. and Abbey Dental Drake, PLLC (For Possible Action)</u>

Board Member Moore made a preliminary statement into the record and then asked if any members had questions for Board Member West regarding his report. Board Member Allman requested, for transparency, all Board Members divulge any past or present relationship with Abbey Dental, Abbey Dental LLC, Dr. Khanna or Dr. Drake. Board Member Shadler stated she has had no relationship. Board Member McIntyre stated she worked for Abbey dental over 4 years ago which included a small

overlapping time during the investigation. Board Member McIntyre further stated she was not involved as a subject in the investigation and feels her independent judgement as a Board member will not materially affect her ability to participate in this matter. Board Member Thompson stated he has had no involvement. Board Member Park stated she's had no relationship w/Abbey Dental. Board Member West stated he's had no relationship with Abbey Dental. Dr. Lemon stated he was employed by an organization affiliated with Abbey Dental. Board Member Cioffi stated she's had no past or present relationship with Abbey Dental or any affiliated businesses. Board Member Lee stated his daughter attended school with Dr. Khanna's child(ren) in the past. Board Member Moore stated he has performed 2 anesthesia evaluations at Dr. Khanna's office and only interacted with the applicants for anesthesia permits. Board Member Pate stated she was on the peer review committee that had to do with Abbey Dental and she worked for Dr. Sill.

Discussion was held once all Board Members divulged any relationship with Abbey Dental. During discussion, Board Member Moore called for a 5-minute recess. Upon reconvening, Board Member Moore called for a motion to approve the settlement agreement.

MOTION: Board Member Lee motioned to approve the settlement agreement. Further discussion held. Board Member Thompson seconded the motion. The following roll call vote was taken:

Dr. W Todd ThompsonYAY	Dr. James Allman	NAY
Dr. Ronald West RECUSE	Dr. Ronald Lemon	RECUSE
Dr. Elizabeth Park YAY	Dr. D. Kevin Moore (President)	YAY
Dr. David Lee (Secretary-Treasurer) YAY	Ms. Betty Pate	RECUSE
Ms. Joan Shadler NAY	Mrs. Jana McIntyre	YAY
Ms. Gabrielle CioffiYAY		

Motion passed.

*i. Disciplinary Committee Report (For Possible Action)

By Motion of the Board, this agenda item was removed.

*j. Emergency Addition Item - Creation of COVID-19 Emergency Inspection Committee - NRS 631.190 (For Possible Action)

By Motion of the Board, this agenda item was removed.

5. <u>Public Comment</u>: 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. The Chairperson of the Board will impose a time limit of three (3) minutes. The Chairperson may allow additional time at his/her discretion.

Dr. Richard Dragon, Immediate Past President of the Nevada Dental Association commented on an item that was removed from the agenda, pertaining to actions/activities concerning practices remaining open during COVID-19. Board Member Moore indicated the Board is addressing those as quickly as possible.

Ms. Sara Mercier, immediate past President of the Nevada Dental Hygienist's Association (NDHA). Thanked the Board for the 90-day dental hygiene license renewal extension. Requested the Board add to the agenda of a future meeting the possibility of reducing dental and dental hygiene license renewal fees.

Mr. Charles Buchanan, a third-year student at UNLV School of Dental Medicine and a trustee for the American Student Dental Association. He commented regarding alternate pathways to licensure. He urged the Board to change the requirements for initial dental licensure due to issues current examinations have faced during the COVID-19.

6. Announcements

No announcement.

*7. Adjournment (For Possible Action)

MOTION: Board Member Lee motioned for adjournment. Board Member Cioffi seconded the motion. All were in favor, motion passed.

Meeting Adjourned at 10:44 a.m.

Respectfully submitted by:

Frank DiMaggio, Executive Director



Draft Minutes

Continuing Education Committee Meeting

April 24, 2020



NEVADA STATE BOARD OF DENTAL EXAMINERS



Meeting Location:

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

Video Conferencing not Available for this meeting / Teleconferencing available

Meeting Call-In Number: (669) 900-6833 Meeting ID#: 930 2565 1129 Zoom Video (via app) Meeting Password: 159434

Meeting Date & Time

Friday, April 24, 2020 1:00 p.m.

DRAFT MINUTES

CONTINUING EDUCATION COMMITTEE PUBLIC MEETING

PUBLIC NOTICE:

The Nevada State Board of Dental Examiners may hold board meetings via video conference or telephone conference call. **Due to the Governor's Executive Order in response to the COVID-19 pandemic, the Board office will not be open to the general public for this meeting. The general public is encouraged to participate via teleconference**

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Persons wishing to comment may appear at the scheduled meeting/hearing or may address their comments, data, views, arguments 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 should be received by the Board on or before April 22, 2020 in order to make copies available to members and the public.

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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 office, 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.

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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.

1. Call to Order

Roll call/ Quorum

Committee Member Lemon called the meeting to order and thanked the staff for their hard work. Ms. Stratton conducted the following roll call:

Dr. Elizabeth Park	PRESENT	Ms. Joan Shadler	PRESEN1
Dr. Ron Lemon	PRESENT		

Board of Dental Examiners – Continuing Education Committee Meeting April 24, 2020

Others Present: Candice Stratton, License and Credentialing Specialist; Frank DiMaggio, Executive Director, Rigoberto Morales and Sandra Spilsbury.

Public Attendees: Committee Member Lemon stated there were 21 people on the call. Public attendees identified: Cory Pickens with ADMA, Dr. Ed DeAndrade, Dr. James Mah, Ana Delgado with DentaSpa Seminars, Dr. Jason Doucette, Dr. Warren Roberts and Carly Olynyk with Pacific Training Institute and Facial Aesthetics, Dr. William Pappas, President of ADEX.

2. Public Comment: The public comment period is limited to matters <u>specifically</u> 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.

Cory Pickens with ADMA stated he is present to answer any questions the board may have regarding agenda item 4(d).

Dr. Ed DeAndrade, a periodontist in Las Vegas, commented in support of DentaSpa seminars.

Dr. James Mah, professor at UNLV, is participating on agenda item 4(c), in the event the Committee has any questions.

Ana Delgado, Program Director, DentaSpa Seminars, was present and available for questions as related to their course.

Dr. Warren Roberts with Pacific Training Institute for Facial Aesthetics was available for any questions.

- *3. Chairman's Report: Ron Lemon, DMD (For Possible Action)
 - *a. Request to remove agenda item(s) (For Possible Action)

No items were requested for removal.

*b. Approve Agenda (For Possible Action)

Committee Member Lemon asked for a motion to approve the agenda.

MOTION: Committee Member Park motioned to approve the agenda. Committee Member Lemon seconded the motion. All were in favor, motion passed.

*4. Consideration and recommendation of application for Injection of Neuromodulators, Dermal and Soft -Tissue Filler Program as meeting training requirements pursuant to NAC 631.257(1) (For Possible Action)

Committee Member Park asked for the number of currently approved programs. Ms. Spilsbury indicated there are currently 2 Board approved courses and she narrated NA 631.257 related to the requirements for injection courses. During Ms. Spilsbury's comments, the Zoom recording skipped to Mr. Cory Pickens with ADMA speaking on behalf of their course. He spoke regarding Nevada being ahead of the curve in relation to approval of courses of these types. Ms. Delgado commented along the lines of Mr. Pickens. Ms. Carly Olynyk and Dr. Warren Roberts spoke on behalf of Pacific Training Institute for Facial Aesthetics. Discussion continued and included requirements in Canada for dental students. Dr. Park asked several questions regarding the requirements as outlined in NAC 631.257. Sandra then clarified the total number of hours for the course offered by Pacific Training Institute for Facial Aesthetics is 72 units not 68 units as listed on the agenda. Further discussion was held regarding licensure in the states where the programs are offered other than Nevada.

*a. Pacific Training Institute for Facial Aesthetics – Level 1 + Level 2 + Level 4 (68 units) Program

Committee Member Lemon asked if Pacific Training Institute for Facial Aesthetics (PTIFA) had any comments regarding their faculty. Dr. warren Roberts commented that it depends on whether the course is completed in a state/province. Various instructors are licensed in various states/provinces. He confirmed the participants are licensed.

MOTION: Committee Member Lemon made a motion to approve the course submitted by PTIFA. Committee Member Park seconded the motion. All were in favor, motion passed.

*b. DentaSpa Seminars – Botulinum Toxin & Dermal Filler Dental Training (24 units) Program

Ana Delgado stated their faculty have received their license for the Nevada course.

MOTION: Committee Member Park made a motion to approve the course through DentaSpa. Committee Member Lemon seconded the motion. All were in favor, motion passed.

*c. University of Alberta & UNLV-SODM – Neuromodulator Level 2 + 3 (36 units) Program

Comment was made that the faculty from the University of Alberta are already licensed in Nevada.

MOTION: Committee Member Park made a motion to approve the course through the University of Alberta. Committee Member Lemon seconded the motion. All were in favor, motion passed.

*d. <u>Academy of Dental & Medical Anesthesia (ADMA) – ADMA Dental Botox & Filler Training:</u>
<u>Cosmetic & Therapeutic (24 units) Program</u>

Committee Member Lemon asked for verification that the participants will be licensed. Mr. Pickens indicated their course is held only in Ohio and every participant with clinical component is required to have an active license in good standing. Nevada enrollees must obtain a temporary license through the Ohio Dental Board. The Ohio Dental Board notifies ADMA once the enrollee has obtained the Ohio license. Dr. DeAndrade asked for clarification regarding the consideration of out of state courses for Nevada dentists.

MOTION: Committee Member Park made a motion to approve the course through ADMA. Committee Member Shadler seconded the motion. All were in favor, motion passed.

*5. Clarification and recommendation whether the current Board-approved Neuromodulator, Dermal and Soft Tissue Filler Program(s) are acceptable if offered/completed in other states (outside of the Nevada approved locations) - NAC 631.257(1) (For Possible Action)

Ms. Spilsbury was asked and provided an explanation that the PTIFA & ADMA courses are outside the state of Nevada. The University of Alberta and DentaSpa courses are held in Nevada. Ss explained that the purpose of this items is if a course that has been approved for offering in Nevada and they then want to offer the same course out of state, would the course still meet the requirements for certification in Nevada. The courses are the same (content, hours, etc.).

MOTION: Committee Member Park made a motion to approve the course if completed in other states, if the approved program does not change when offered out of Nevada. Committee Member Shadler seconded the motion. All were in favor, motion passed.

*6. Consideration and recommendation whether training completed during Oral & Maxillofacial

Surgery (OMS) Residency satisfies the training requirements pursuant to NAC 631.257(1) (For Possible Action)

Committee Member Lemon indicated he conducted research regarding a standard for OMS residencies and found there is no such standard as pertains to injection/filler training. Committee Member Lemon recommended to the matter to the Board for discussion regarding burden of proof lying with the oral surgeon to prove their residency training was adequate and satisfies NAC 631.257. Committee Member Park was concerned that the recommendation of Committee Member Lemon was not allowed due to the verbiage of the item listed for discussion. Matter was tabled.

*7 Review, discuss and recommend possible revisions of the Continuing Education Provider
Application Form (For Possible Action)

Committee Member Lemon recommended a digital revision (fillable form) of the current provider

application form for clarity and standardization.

MOTION: Committee Member Park made the motion to accept a digital form. Committee Member Lemon seconded the motion. All were in favor, motion passed.

*8. Consideration and recommendation regarding request from Nevada Board of Psychological Examiners in support of seeking an amendment of NRS 629.021 (For Possible Action)

Committee Member Park asked for clarification on why the Nevada Board of Psychological Examiners is asking the Dental Board for their input. CM Lemon questioned how it would affect dentistry and suggested that a representative from the Board of Psychological Examiners give explanation why they need the amendment.

MOTION: Committee Member Park made a motion to table this item. Committee Member Lemon seconded the motion. All were in favor, motion passed.

*9. <u>Discussion and possible recommendation regarding extension of CPR certification</u> (For Possible Action)

Committee Member Lemon gave an introduction stating the American Heart Association (AHA) has recommended 120-day extension for providers/instructors. Discussion held. Committee Member Park suggested to allow an extension in accordance with the AHA.

MOTION: Committee Member Park made a motion to extend the expirations from March 16, 2020 through July 1, 2020. Discussion ensued regarding giving a specific date and the possibility of the AHA extending beyond such date would require the committee to meet again and consider a further extension. Committee Member park revised her motion to follow the recommendation of the extension of CPR certification in accordance with the AHA extensions, and extensions allowed by any other certifying entities. Committee Member Lemon seconded the motion. All were in favor, motion passed.

10. <u>Discussion for informative purposes only regarding potential changes to board examinations without patients</u>

Committee Member Park indicated she had attended an ADEX dental town hall meeting and gave her understanding of the possible changes to the exam. Discussion ensued between Committee Member Park and Dr. William Pappas, President of ADEX. Dr. Pappas clarified the changes anticipated to the patient based periodontal section of the clinical examination. Dr. Pappas further discussed the CompeDont, which ADEX is anticipated to begin incorporating, and the similarities it has with daily dental practice. Dr. Pappas indicated additional information would be forthcoming at the beginning of next week.

11. <u>Public Comment</u>: 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. The Chairperson of the Board will impose a time limit of three (3) minutes. The Chairperson may allow additional time at his/her discretion.

Cory Pickens with ADMA thanked the Committee.

12. Announcements

No announcements.

*12. <u>Adjournment</u> (For Possible Action)

Committee Member Lemon asked for a motion for adjournment.

MOTION: Committee Member Park made a motion to adjourn. Committee Member Shadler seconded the motion. All were in favor; motion passed.

Meeting adjourned at 2:59 p.m. Respectfully submitted:



<u>Draft Minutes</u> Employment Committee Meeting

April 24, 2020



NEVADA STATE BOARD OF DENTAL EXAMINERS



Meeting Location:

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

Video Conferencing not Available for this meeting / Teleconferencing available

Meeting Call-In Number: (669) 900-6833 Meeting ID#: 930 2565 1129 Zoom Video (via app) Meeting Password: 159434

Meeting Date & Time

Friday, April 24, 2020 12:30 p.m.

DRAFT MINUTES EMPLOYMENT COMMITTEE PUBLIC MEETING

PUBLIC NOTICE:

The Nevada State Board of Dental Examiners may hold board meetings via video conference or telephone conference call. **Due to the Governor's Executive Order in response to the COVID-19 pandemic, the Board office will <u>not</u> be open to the general public for this meeting. The general public is encouraged to participate via teleconference**

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.

Persons wishing to comment may appear at the scheduled meeting/hearing or may address their comments, data, views, arguments in written form to: Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd, A-1, Las Vegas, Nevada 89118, Attn: Angelica Bejar; FAX number (702) 486-7046; e-mail address nsbde@nsbde.nv.gov. Written submissions should be received by the Board on or before April 22, 2020 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.

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 office, 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 the Board office 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.

<u>Note</u>: Asterisks (*) "<u>For Possible Action</u>" denotes items on which the Board may take action. <u>Note:</u> Action by the Board on an item may be to approve, deny, amend, or tabled.

Call to Order

- Roll call/ Quorum

Committee Member Lee called the meeting to order. The recording cut off/did not record from approximately 19 seconds into the recording until about 1 minute 15 seconds later. During that 1 minute 15 second period of no audio, Ms. Stratton conducted the following roll call:

Dr. Ron	ald West	PRESENT	Dr. D. Kevin Moore	PRESENT	(President)	j
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Dr. David Lee PRESENT (Secretary-Treasure) Mrs. Jana McIntyre	PRESENT
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Others Present: Candice Stratton, Interim Executive Director; Frank DiMaggio, Executive Director and Rigoberto Morales.

Public Attendees: From the Zoom chat record, Tracy Wale and Trish (last name unknown) were present on the call. There were no attendees that verbally identified themselves.

2. <u>Public Comment</u>: The public comment period is limited to matters <u>specifically</u> 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.

Per the Zoom chat record, a person (name unknown) sent a chat request asking the question 'when can we open'. Committee Member Lee asked the person to hold that comment until Public Comment, agenda item 5.

- *3. Chairman's Report: David Lee, DMD (For Possible Action)
 - (a) Request to remove agenda item(s) (For Possible Action)

No items were requested for removal.

(b) Approve Agenda (For Possible Action)

Committee Member Lee called for a motion to approve the agenda.

MOTION: Committee Member West motioned to approve the agenda. Motion was seconded by Committee Member Moore. All were in favor, motion passed.

*4. Committee to discuss/consider applicants for General Counsel Position and select top candidate for recommendation to the Board to approve unclassified General Counsel applicant for hire pursuant to NRS 631.190 (For Possible Action)

1)	Thomas Brooksbank DDS Esq.
2)	Cara Brown Esq.
3)	Jonathan Callister Esq.
4)	Scott Cook Esq.
5)	Mistee Galicia Esq.
6)	Kathy McCarthy Esq.
7)	Alma Orozco Esq.
8)	Sami Randolph Esq.
9)	Phil Su Esq.
10)	Kyle Waite Esq.
11)	Justin Zarcone Esq.

Committee Member Lee requested each Committee Member to select their top candidate from the interviews conducted. Committee Member Lee explained that, in addition to the interviews, all applicants were given a task to create a flow chart based on the NRS and NAC. Committee Member Lee called for each Committee Member to choose a candidate after reviewing the flow charts and conducting the interviews. Committee Member Lee asked Committee Member McIntyre for her choice. She chose Mr. Phil Su, Esquire. Committee Member Lee asked Committee Member Moore and he also chose Mr. Phil Su, Esquire. Committee Member Lee asked Committee Member West for his choice and he also chose Mr. Phil Su, Esquire. Committee Member Lee then stated his choice was also Mr. Phi Su, Esquire. Committee Member Lee then stated his choice was also Mr. Phi Su, Esquire. Committee Member Lee asked for a motion to approve Mr. Phil Su, Esquire as the candidate to recommend to the Board to fill the unclassified position of General Counsel.

MOTION: Committee Member Moore motioned to approve the chosen candidate, Mr. Phil Su, Esquire. Committee Member West seconded the motion. All were in favor, motion passed.

5. <u>Public Comment</u>: 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. The Chairperson of the Board will impose a time limit of three (3) minutes. The Chairperson may allow additional time at his/her discretion.

The chat request from agenda item 2 Public Comment was read aloud again asking the question 'when can we open'. Committee Member Lee indicating another meeting or letter will be going out soon to address this issue. Committee Member West commented that there was no directive for offices to close. Committee Member Moore stated April 30th is the supposed lifting of the Governor's directive. Committee Member West further stated we are working on language to help offices transition to working again but are waiting on guidance from the Governor. Committee Member West further stated we are assuming we can start opening on May 1st, incrementally, much like the Governor anticipates opening businesses. Committee Member West reiterated a letter will be forthcoming.

6. Announcements

No announcements.

*7. Adjournment (For Possible Action)

Committee Member Lee asked for a motion for adjournment.

MOTION: Committee Member Moore made a motion to adjourn. Committee Member West seconded the motion. All were in favor; motion passed.

Meeting adjourned at 12:40 p.m.
Respectfully submitted:

Frank DiMaggio, Executive Director

<u>Draft Minutes</u> Board Meeting

April 30, 2020



NEVADA STATE BOARD OF DENTAL EXAMINERS



Meeting Location:

Nevada State Board of Dental Examiners 6010 S. Rainbow Blvd, Suite A-1 Las Vegas, NV 89118

Video Conferencing not Available for this meeting / Teleconferencing available

Meeting Call-In Number: (669) 900 6833 Meeting ID#: 921 6370 3975 Zoom Video (via app) Meeting Password: 561217

Meeting Date & Time

Thursday, April 30, 2020 9:30 a.m.

DRAFT MINUTES

PUBLIC NOTICE OF BOARD MEETING

PUBLIC NOTICE:

The Nevada State Board of Dental Examiners may hold board meetings via video conference or telephone conference call. **Due to the Governor's Executive Order in response to the COVID-19 pandemic, the Board office will <u>not</u> be open to the general public for this meeting. The general public is encouraged to participate via teleconference**

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.

Persons wishing to comment may appear at the scheduled meeting/hearing or may address their comments, data, views, arguments 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 should be received by the Board on or before Tuesday, April 28, 2020 by 5:00 p.m. 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.

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 the Board office 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.

<u>Note</u>: Asterisks (*) "<u>For Possible Action</u>" denotes items on which the Board may take action. <u>Note</u>: Action by the Board on an item may be to approve, deny, amend, or tabled.

Call to Order

- Roll call/ Quorum

Board Member Moore apologized for the delay in the state of the meeting and called the meeting to order at approximately 10:35 a.m. Ms. Candice Stratton conducted the following roll call:

Dr. D. Kevin Moore (President)	PRESENT	W. Todd Thompson	PRESENT
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Dr. David Lee (Secretary-Treasurer)	PRESEIVI	Dr. Ronald Lemon	LKE2EI/II
Dr. Elizabeth Park	PRESENT	Dr. Ronald West	PRESENT
Ms. Betty Pate	PRESENT	Ms. Joan Shadler	PRESENT
Mrs. Jana McIntvre	PRESENT	Ms. Gabrielle Cioffi	PRESENT

Others present: Frank DiMaggio, Executive Director; Candice Stratton, License and Credentialing Specialist; Brad Slighting, Esquire, Interim General Counsel; Justin Taruc, Esquire, Deputy Attorney General; Rigoberto Morales; Sandra Spilsbury.

Public Attendees: Phil Su, Esquire; Samantha Sturges RDH; Stacy (last name inaudible); Richard Dragon DMD; Michael Kimmel, Esq., SM; Jessica Woods RDH, Adam Welmerink DDS, Emily Goodrich RDH, David Trylovich DDS, Lisa Collier DDS, Charles Buchanan, Jade Miller DDS, Lori Biunno RDH, Antonio Ventura RDH, Meagan Struby DDS, David White DDS, Franson David Tom DMD, Daniel Shalev DDS, Emily Browner DMD, Melinda Kuhn DMD, Frances Pierce RDH, Brendan Johnson DDS, Blaine Hansen DMD, Emily Caser RDH, Tyree Davis DDS, Lillian Braner RDH, Cody Hughes DMD, Brandy Dupont DMD, Karli Garcia RDH, Jessica Wilson RDH, Joshua Ignatowicz DMD, Mark Edington DDS, Chelsie Todd DMD, Joseph Shawa DMD, Julia (no last name given) RDH, Robin Lobato DDS, Rita (no last name given) RDH, Brandi Montonini RDH.

Technical difficulties for board office location; callers could not hear Board members from approximately 4 minutes 12 seconds into recording until approximately 7 minutes 9 seconds into recording.

2. <u>Public Comment</u>: The public comment period is limited to matters <u>specifically</u> 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.

The following people gave public comment regarding agenda item 11: Samantha Sturges RDH; Stacy (last name unknown); Richard Dragon DMD; Michael Kimmel, Esq.; Person with initials SM (stated name was inaudible); Jessica Woods RDH, current President of NDHA; Adam Welmerink DDS; Emily Goodrich RDH; David Trylovich DDS; Lisa Collier, DDS, Chief Dental Officer at Community Health Alliance; Charles Buchanan, fourth-year dental student; Jade Miller DDS; Lori Biunno RDH; Antonio Ventura RDH, President SNDHA (read letter from Ms. Lancette VanGuilder); Meagan Struby DDS; David White DDS with the Nevada Dental Association; Franson David Tom DMD; Daniel Shalev DDS; Emily Browner DMD; Melinda Kuhn DMD; Frances Pierce RDH; Brendan Johnson DDS; Blaine Hansen DMD, President of the Nevada State Orthodontic Society (referenced letter submitted for public comment in addition to giving public comment); Emily Caser RDH; Tyree Davis DDS Chief Dental Officer Nevada Health Centers; Lillian Braner RDH President Southern Nevada Dental Hygienists Association; Cody Hughes DMD; Brandy Dupont DMD; Karli Garcia RDH; Jessica Wilson RDH; Joshua Ignatowicz DMD; Mark Edington DDS; Chelsie Todd DMD; Joseph Shawa DMD; Julia (no last name given) RDH; Robin Lobato DDS; Rita (no last name given) RDH; Brandi Montonini RDH.

- *3. President's Report: (For Possible Action)
 - (a) Request to remove agenda item(s) (For Possible Action)

There were no agenda items requested for removal.

(b) Approve Agenda ((For Possible Action)

MOTION: Board Member Lee motioned to approve the agenda. Motion was seconded by Board Member Thompson. All were in favor, motion passed.

- 64. Consideration and approval/rejection of the recommendation from the Employment Committee to hire the applicant listed for the unclassified General Counsel Position and determine beginning salary (For Possible Action)
 - a. Phil Su, Esq.

Board Member Lee gave a brief explanation of the process through which the Employment Committee chose the recommended candidate.

MOTION: Board Member West motioned to approve Phil Su, Esq., as General Counsel. Motion was seconded by Board Member Park. All were in favor, motion passed.

Discussion was held to determine the beginning salary for Mr. Su. Board Member Moore indicated the salary of \$115,000 is consistent with previous General Counsel and which Mr. Su has agreed to accept.

MOTION: Board Member Park motioned to approve Mr. Su's beginning salary at \$115,000 per year. Motion was seconded by Board Member McIntyre. All were in favor, motion passed.

Brief recess was taken at approximately 12:14 p.m. until approximately 12:48 p.m. at which time Board Member Moore called the meeting back to order. Ms. Candice Stratton conducted the following roll call:

Dr. D. Kevin Moore (President)	PRESENT	W. Todd Thompson	PRESENT
Dr. David Lee (Secretary-Treasurer)	PRESENT	Dr. Ronald Lemon	PRESENT
Dr. Elizabeth Park	PRESENT	Dr. Ronald West	PRESENT
Ms. Betty Pate	PRESENT	Ms. Joan Shadler	PRESENT
Mrs. Jana McIntyre	PRESENT	Ms. Gabrielle Cioffi	PRESENT

- *5. Consideration and approval/rejection of the recommendation from the Continuing Education
 Committee to approve the applications for Injection of Neuromodulators, Dermal and Soft Tissue
 Filler Programs NAC 631.257 (For Possible Action)
 - a. Pacific Training Institute for Facial Aesthetics Levels 1, Level 2 & Level 4 Program (72 units)
 - b. DentaSpa Seminars Course Botulinum Toxin & Dermal Filler Dental Training Program (24 units)
 - c. University of Alberta and UNLV SODM Neuromodulators Level 2 & Level 3 Program (36 units)
 - d. Academy Of Dental & Medical Anesthesia (ADMA) ADMA Dental Botox & Filler Training Cosmetic & Therapeutic (24 units)

Board Member Lemon gave a brief explanation of the Continuing Education Committee's meeting to consider the above listed applicants' courses. Board Member Lemon indicated all applications were found to be in compliance with NAC 631.257 and the Committee recommends approval of all four programs. After brief discussion between Board Members Moore and Lemon, Board Member Moore asked to consider items 5(a) through 5(c) as a group. Board Member Moore requested a motion to table item 5(d). DAG Justin Taruc stated they do not need a motion to table an item for a future discussion.

MOTION: Board Member Lee then made a motion to approve 5(a) through 5(c) only. Board Member Moore seconded the motion. All were in favor, motion passed.

*6. Consideration and approval/rejection of the recommendation from the Continuing Education

Committee to accept certification from current Board-approved Neuromodulator, Dermal and Soft

Tissue Filler Programs if offered/completed in other states outside the Nevada approved locations,
provided the program content remains consistent with the original approval by the Board —

NAC 631.257 (For Possible Action)

Board Member Park gave a brief explanation of the discussion held during the CE Committee's meeting regarding this item. Ms. Sandra Spilsbury explained the 2 courses that currently hold Board approval (American Academy of Facial Esthetics & Advanced Dental CE's) and the reason for which this item is now being considered for courses completed outside the state of Nevada.

MOTION: Board Member Park motioned to approve acceptance of certification from the 2 courses (American Academy of Facial Esthetics & Advanced Dental CE's) that currently hold Board approval if the courses are completed in other states. Motion was seconded by Board Member Thompson. All were in favor, motion passed.

*7. Consideration and approval/rejection of the revisions to the Continuing Education Provider
Application form as recommended by the Continuing Education Committee (For Possible Action)

Per Board Member Moore's request, Sandra Spilsbury gave a brief explanation of this item. Board Member Moore asked for a motion to accept the new form.

MOTION: Board Member Thompson motioned to approve changes to CE provider application. Motion was seconded by Board Member Pate. All were in favor, motion passed.

*8. Consideration and approval/rejection of the recommendation from the Continuing Education

Committee to follow the CPR extension recommendations of the American Heart Association and

other certifying agencies (For Possible Action)

Board Member Moore asked Board Member Lemon for an explanation of the Committee's recommendation. Board Member Lemon provided an explanation of the Committee's discussion and stated the Committee decided to extend the certifications through a specific date, to be determined by the Board. Ms. Stratton and Board Member Park voiced their recollection of the discussion of the Committee stating it was decided to accept the AHA's extensions and the Committee recommended the Board mirror the AHA's extensions as they are issued. Board Member Moore asked for a motion.

MOTION: Board Member Park motioned to approve the CPR extension recommendations following the AHA (American Heart Association) and other certifying agencies should they stipulate an extension to their certification renewal. Motion was seconded by Board Member Shadler. Discussion ensued. Board Member Park amended her motion to specify applicability to cards that expired March 1, 2020 forward. Board Member Lee seconded Dr. Park's amended motion. All were in favor, motion passed.

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

- a. Susan A Davis RDH Nevada Health Centers.
- b. Carla J Eigenauer RDH Healthy Smile/Healthy Child
- c. Traci L Sanbongi RDH Healthy Smile/Healthy Child

Pursuant to Board Member Moore's request, Sandra Spilsbury gave a brief explanation of this agenda item and reason for placement. Board Member Moore requested a motion to approve the applications listed as a group.

MOTION: Board Member Lee motioned to approve the PHE applications a through c. Motion was seconded by Board Member West. Board Member Park asked the question whether this was a public service position. To which Board Member Moore stated no. Board Member Park recused herself from voting; all others were in favor, motion passed.

*10. Consideration and approval/rejection to hire additional part-time Infection Control Employee(s) [For Possible Action]

- a. Truvella Reese DMD
- b. Mary Bobbett RDH

Board Member Moore stated Dr. Park has reviewed the applications. Dr. Park explained the backlog of evaluations has been eliminated. She further stated the additional employees will help keep the Board on top of future evaluations. Board Member Moore requested a motion to approve the 2 new employees.

MOTION: Board Member Thompson motioned to approve the part-time infection control employees listed. Motion was seconded by Board Member West. All were in favor, motion passed.

*11. Address and take possible action related to the COVID-19 Outbreak and provide directive and/or recommendations of action to ensure safety of licensees, dental practices and the general public (For Possible Action)

Mr. Phil Su, newly appointed General Counsel, spoke regarding some concerns brought up regarding potential conflict between the Department of Health and Human Services' (DHHS) memo with certain CDC guidelines, specific to emergency/urgent treatment/services. Discussion ensued regarding the Board's ability/responsibility to adopt changes in CDC guidelines. Board Member Moore asked the Board Members if they had legal questions for Counsel. Board Member Park asked Dr. Antonina Capurro what legal capacity she has to speak on behalf of the Governor. Dr. Capurro stated she does not speak on behalf of the Governor and briefly outlined her role as the State Dental Health Officer. Discussion continued as Board Member Moore asked each Board Member individually if they had questions for Counsel. Questions were asked of Dr. Capurro, for which she provided answers.

MOTION: Following a long discussion with Dr. Capurro, Board Member Lee made motion to disapprove the CDC Dental Guidelines for COVID-19 dated April 8, 2020 and April 27, 2020, disapprove the DHHS memo dated April 28, 2020, approve only those sections pertaining to opening of the dental offices

(sections B, C, D and F) and change the effective date of opening to immediate. There was some question as to whether the Board could adopt sections. DAG Justin Taruc stated he was stepping away from the conversation to ask his superiors a question and would return shortly. Board Member Moore stated the Board would take a short recess (at 3:39:30 of the recording). The meeting reconvened (at 3:53:45 of the recording) and Ms. Stratton conducted the following role call:

Dr. D. Kevin Moore (President)	PRESENT	W. Todd Thompson	PRESENT
Dr. David Lee (Secretary-Treasurer)	PRESENT	Dr. Ronald Lemon	PRESENT
Dr. Elizabeth Park	PRESENT	Dr. Ronald West	PRESENT
Ms. Betty Pate	PRESENT	Ms. Joan Shadler	PRESENT
Mrs. Jana McIntyre	PRESENT	Ms. Gabrielle Cioffi	PRESENT

Upon reconvening, DAG Justin Taruc questioned whether the Board would consider redacting the sections it does not want to adopt instead of approving specific sections. He cautioned the board about allowing to open sooner than the Governor allows, but ok with being more restrictive. Board Member Lee again clarified his motion to disapprove the CDC Dental Guidelines for COVID-19 dated April 8, 2020 and April 27, 2020, approve DHHS memo without sections A, B(3)(c), second section C item 4 and section E, and keep the reopening effective immediately. Thompson pointed out that doing as motioned would make it less restrictive, which is not allowable. Further discussion ensued regarding what constitutes more restrictive and less restrictive. Justin Taruc was asked to clarify whether the items that were just reiterated by Board Member Lee were allowable for removal, to which he stated he felt that removing them would be in direct opposition to the memo. Board Member Lee asked about the removal of the second section C, item 4, to which Justin Taruc stated he felt that item could be removed. Board Member Lee asked about the date to which Justin Taruc cautioned against reopening immediately.

MOTION: After lengthy discussion, Board Member Moore clarified Board Member Lee's motion to disapprove the CDC Dental Guidelines for COVID-19 dated April 8, 2020 and April 27, 2020, accept DHHS' Memo minus section A, item 1 (i), minus second section C, item 4 and minus section E. West seconded the motion. 1 Nay (Board Member Pate), no abstentions, the remainder were in favor; motioned passed.

12. <u>Public Comment</u>: 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. The Chairperson of the Board will impose a time limit of three (3) minutes. The Chairperson may allow additional time at his/her discretion.

Public comment began at 4:09:53

The following people gave public comment regarding agenda item 11: SM gave additional comment regarding the Board's approval today regarding DHHS memo stating NDHA is in opposition to the memo; Ashley Crossland RDH stated her support of the NDHA's position; Sheryl Scott RDH; Lori Fagundes RDH stated her support of the NDHA's position; David White DDS; Antonio Ventura RDH, President SNDHA; Brittany Henriod RDH; Camille Gallagher RDH stated her support of the NDHA's position; Ramona Snyder RDH; Thomas Kintonis DDS; Robin Lobato DDS; Ngoc Kelsch RDH; Elyana Smith RDH stated her support of the NDHA's position; Valessa O'Brien RDH voiced her support of the NDHA's position.

Jessica Woods RDH, NDHA President, spoke referenced her letter from March 25, 2020 inquiring about the composition/selection of the COVID-19 Dental Advisor Team and the means with which they may operate without public notices or meetings surrounding their activities. She requested future consideration and response to that letter.

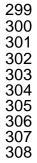
Charles Buchanan voiced concern stating disappointment that the dental students have been left out of the conversation regarding licensing opportunities.

13. Announcements

There were no announcements.

*14. Adjournment (For Possible Action)

Board Member Moore requested a motion to adjourn the meeting.



MOTION: Board Member West motioned for adjournment. Board Member Park seconded the motion. All were in favor, motion passed.

Meeting Adjourned at 3:20 p.m. Respectfully submitted by:

Frank DiMaggio, Executive Director



Voluntary Surrender of License



Received
JUL 0 2 2020

NSBDE

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rint name	Dental / Dental Hygiene (circle one)
License number 2038 on the 2	2 day of June, 2020.
of this license is absolute and irrevocable. Ad	nant to Nevada Administrative Code (NAC) 631.160, the surrender ditionally, I understand that the voluntary surrender of this license emplaint for disciplinary action filed against this licensee.
Provide full current mailing address including Email address:	city, state and zip on the line below:
Home Phone: (Cell Phone:
	Licensee Signature 0/25/2020
	Date of Signature (must correspond with notary date)
State of Nevada	
County of Washae	and sworn before me this 25 day of June , 20 20.
,	Notary Public , 20 28
PRUDENCE WEBB Notary Public-State of Nevada APPT. NO. 07-2412-2	My Commission Expires
My Annt Evnires 05-07-2023	





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	, hereby surrender my Dental / Dental Hygiene (circle one)
License number 53-68C on the 20	day of <u>JAMUARY</u> , 20 20.
of this license is absolute and irrevocable. Addi	nt to Nevada Administrative Code (NAC) 631.160, the surrender ationally, I understand that the voluntary surrender of this license aplaint for disciplinary action filed against this licensee.
Provide full current mailing address including c	ity, state and zip on the line below:
Email address: Home Phone: ()	Cell Phone: (
	Date of Signature (must correspond with notary date)
State of Complete County of	The state of the s
The statements on this document are subscribed an	d sworn before me this 21st day of Johnson, 20 20.
CHATTY OUBLIC OF BEING	Notary Public Ol-31-000 My Commission Expires

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STATE OF CA	
COUNTY OF Riveride	
Dental/Dental Hygiene (circle one) license no dental de la companya de la company	, hereby surrender my Nevada number 53-26°C on 30 day of
By signing this document, I understand, pursu	uant to Nevada Administrative Code (NAC)
631.160, the surrender of this license is absol	ute and irrevocable. Additionally, I
understand that the voluntary surrender of thi	s license does not preclude the Board from
hearing a complaint for disciplinary action fil	ed against this licensee.
Licensee Signature 6/30/20 Date	THERESA ROSE RUIZ COMM. # 2167400 NOTARY PREVIOUS COUNTY RIVERSIDE COUNTY
Notary Signature	My Comm. Exp. OCT. 10, 2020
Jacensee Current Mailing Address:	
Email address:	
-	Cell Phone:



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By signing this document, I understand, pursuant to Nevada Administrative Code (NAC) 631.160, the surrender of this lice. is absolute and irrevocable. Additionally, I understand that the voluntary surrender of this license does not preclude the Board from hearing a complaint for disciplinary action filed against this licensee. Provide full current mailing address including city, state and zip on the line below: Email address: Home Phone: (Cell Phone: (C	I,	, hereby surrender my Dental / Dental Hygiene (circle one)
of this lice.* is absolute and irrevocable. Additionally, I understand that the voluntary surrender of this license does not preclude the Board from hearing a complaint for disciplinary action filed against this licensee. Provide full current mailing address including city, state and zip on the line below: Email address: Home Phone: Cell Phone: Cell Phone: County of E Devo Date of Signature (must correspond with notary date) State of Texas County of E Devo ORSON RAMIREZ Notary Bulling State of Texas My Commission Expires Received APR 23 2020	Print name License number S3-263C on the	$\int day da$
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I, BEN NEDBANZ Print name	, hereby surrender my Dental / Dental Hygiene (circle one)
License number 53-246 c on the 31	day of
	t to Nevada Administrative Code (NAC) 631.160, the surrender tionally, I understand that the voluntary surrender of this license
does not preclude the Board from hearing a com	plaint for disciplinary action filed against this licensee.
Provide full current mailing address including ci	ty, state and zip on the line below:
Email address:	<i>d</i>
Home Phone: (Cell Phone: (
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	Licensee Signature
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State of DTKH County of Sat TLAKE	
	sworn before marking 3 Jany of Survey, 20 70.
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BRENDA POWELL	Notary Public 23 Upril 2023 My Commission Expires