

NEVADA STATE BOARD  
of  
DENTAL EXAMINERS



BOARD TELECONFERENCE MEETING

WEDNESDAY, MARCH 10TH, 2024

6:00 P.M.

**PUBLIC BOOK**

# Nevada State Board of Dental Examiners



2651 N. Green Valley Pkwy, Ste. 104 • Henderson, NV 89014 • (702) 486-7044 • (800) DDS-EXAM • Fax (702) 486-7046

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## **PUBLIC MEETING NOTICE & BOARD MEETING AGENDA**

### **Meeting Date & Time**

Wednesday, April 10<sup>th</sup>, 2024  
6:00 P.M.

### **Meeting Location:**

Nevada State Board of Dental Examiners  
2651 N. Green Valley Pkwy., Suite 104  
Henderson, NV 89014

### **Video Conferencing / Teleconferencing Available**

**To access by phone**, call Zoom teleconference Phone Number: (669) 900 6833

**To access by video webinar**, visit [www.zoom.com](http://www.zoom.com) or use the Zoom app

Zoom Webinar/Meeting ID#: **812 5260 6182**

Zoom Webinar/Meeting Passcode: **454778**

### **PUBLIC NOTICE:**

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

Members of the public may submit public comment in written form to: **Nevada State Board of Dental Examiners, 2651 N. Green Valley Pkwy, Ste. 104, Henderson, NV 89014; FAX number (702) 486-7046; e-mail address [nsbde@dental.nv.gov](mailto:nsbde@dental.nv.gov)**. Written submissions received by the Board on or before **Tuesday, April 9, 2024, by 4:00 p.m.** may be entered into the record during the meeting. Any other written public comment submissions received prior to the adjournment of the meeting will be included in the permanent record.

The Nevada State Board of Dental Examiners may 1) address agenda items out of sequence to accommodate persons appearing before the Board or to aid the efficiency or effectiveness of the meeting; 2) combine items for consideration by the public body; 3) pull or remove items from the agenda at any time. The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. See NRS 241.030. Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public comment. See NRS 233B.126.

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

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

Pursuant to NRS 241.020(2) you may contact at (702) 486-7044, to request supporting materials for the public body or you may download the supporting materials for the public body from the Board's website at <http://dental.nv.gov> In addition, the supporting materials for the public body are available at the Board's office located at 2651 N. Green Valley Pkwy, Ste. 104, Henderson, NV 89014.

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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

2. **Public Comment (Live public comment by teleconference and pre-submitted email/written form):**

The public comment period is limited to matters specifically noticed on the agenda. No action may be taken upon the matter raised during public comment unless the matter itself has been specifically included on the agenda as an action item. Comments by the public may be limited to three (3) 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.

Members of the public may submit public comment via email to [nsbde@dental.nv.gov](mailto:nsbde@dental.nv.gov), or by mailing/faxing messages to the Board office. Written submissions received by the Board on or before **Tuesday, April 9, 2024, by 4:00 p.m.** may be entered into the record during the meeting. Any other written public comment submissions received prior to the adjournment of the meeting will be included in the permanent record.

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

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

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

\*b. **Approve Agenda** (For Possible Action)

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

\*a. **Approval/Rejection of Minutes** (For Possible Action)

(1) Board Meeting – 3/13/2024

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

a. **Legal Actions/Litigation Update** (For Informational Purposes Only)

b. **Regulatory Update** (For Informational Purposes Only)

c. **Review Panel – NRS 631.3645**

(1) Discussion and Consideration of Proposed Findings and Recommendations for Matters that have been Recommended for Remand by the Review Panel, and Possible Approval/Rejection of Same by the Board – NRS 631.3645.

(i) Review Panel 1

(ii) Review Panel 2

(iii) Attorney General's Office

\*d. **Consideration, Review, and Possible Approval/Rejection of Stipulation Agreements**

**NRS 631.3635; NRS 622A.170; NRS 622.330** (For Possible Action)

(1) Michelle Strider-Barraza, DMD

**\*e. Authorized Investigative Complaints – NRS 631.360** (For Possible Action)

- (1) Dr. S – The Board received information alleging Dr. S may have breached the standard of care, thereby potentially violating NRS 631.395 and NRS 631.160.
- (2) Dr. T - The Board received information alleging Dr. T may have breached the standard of care, thereby potentially violating NRS 631.3475.
- (3) Dr. U - The Board received information alleging Dr. U may have breached the standard of care, thereby potentially violating NRS 631.3475.
- (4) Dr. V - The Board received information alleging Dr. V may have breached the standard of care, thereby potentially violating NRS 631.3475.
- (5) Dr. W - The Board received information alleging Dr. W may have breached the standard of care, thereby potentially violating NRS 631.3475.
- (6) Dr. X - The Board received information alleging Dr. X may have breached the standard of care, thereby potentially violating NRS 631.3475.
- (7) Dr. Y - The Board received information alleging Dr. Y may have breached the standard of care, thereby potentially violating NRS 631.3475.
- (8) Dr. Z - The Board received information alleging Dr. Z may have breached the standard of care, thereby potentially violating NRS 631.349.

**\*6 Old Business:** (For Possible Action)

**\*a. Discussion, Consideration and Possible Action Regarding Revised Regulations Relating to Dental Therapy (SB 366) – NRS 631.190** (For Possible Action)

**\*b. Discussion, Consideration and Possible Action Regarding Recommendations of the Anesthesia Committee to Full Board Regarding Possible Revisions to Regulations Governing Inspections/Evaluations for Issuing and/or Renewing Anesthesia Permits and Required Maintenance of Emergency Drugs – NRS 631.190, NRS 631.265, NAC 631.2227, and NAC 631.2231** (For Possible Action)

**\*7. New Business:** (For Possible Action)

**\*a. Approval/Rejection of 90-day Extension of Temporary Anesthesia Permit – NAC 631.2254(2); NRS 631.190**  
(For Possible Action)

- (1) Creed S Haymond, DDS – General Anesthesia

**\*b. Approval/Rejection of Temporary Anesthesia Permit – NAC 631.2254; NRS 631.190** (For Possible Action)

- (1) Ouzhan Kalantari, DDS – General Anesthesia

**\*c. Discussion, Consideration and Possible Action Regarding Recommendations of the Legislative, Legal & Dental Practice Committee to Full Board Regarding Proposed Amendments, Additions, and/or Revisions to Nevada Administrative Code Chapter 631 (NAC631) Relating to Expanded Function Dental Assistants and Restorative Dental Hygiene in conformance with SB 310 – NRS 631.190** (For Possible Action)

**\*8. Public Comment (Live public comment by teleconference):** This public comment period is for any matter that is within the jurisdiction of the public body. No action may be taken upon the matter raised during public comment unless the matter itself has been specifically included on the agenda as an action item. Comments by the public may be limited to three (3) 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.

Members of the public may submit public comment via email to [nsbde@dental.nv.gov](mailto:nsbde@dental.nv.gov), or by mailing/faxing messages to the Board office. Written submissions received by the Board on or before **Tuesday, April 9, 2024, by 4:00 p.m.** may be entered into the record during the meeting. Any other written public comment submissions received prior to the adjournment of the meeting will be included in the permanent record.

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

## **\*9. Announcements**

**\*10. Adjournment** (For Possible Action)

### **PUBLIC NOTICE POSTING LOCATIONS**

Office of the NSBDE 2651 N GREEN VALLEY PKWY, Ste 104, Henderson, Nevada 89014  
Nevada State Board of Dental Examiners Website: [www.dental.nv.gov](http://www.dental.nv.gov)  
Nevada Public Posting Website: [www.notice.nv.gov](http://www.notice.nv.gov)

**Agenda Item 4(a)(1):**

**Approval/Rejection on Minutes**

**Board Meeting**

**3-13-24**

**Agenda Item 5(c):**

**Review Panel - NRS 631.3635**

**Discussion and Consideration of Proposed Findings  
and Recommendations for Matters that have been  
Recommended for Remand by the Review Panel, and  
Possible Approval/Rejection of Same by the Board  
NRS 631.3635**

**NRS 631.3635** Appointment of panel to review investigation or informal hearing; members; requirements of review; findings and recommendation.

1. The Board shall appoint a panel to review an investigation or informal hearing conducted pursuant to [NRS 631.363](#). Such a panel must consist of:
  - (a) If the subject of the investigation or informal hearing is a holder of a license to practice dental hygiene, one member of the Board who is a holder of a license to practice dentistry, one member of the Board who is a holder of a license to practice dental hygiene and one holder of a license to practice dental hygiene who is not a member of the Board and is not the subject of the investigation or informal hearing.
  - (b) If the subject of the investigation or informal hearing is a holder of a license to practice dentistry or any other person not described in paragraph (a), one member of the Board who is a holder of a license to practice dentistry, one member of the Board who is a holder of a license to practice dental hygiene and one holder of a license to practice dentistry who is not a member of the Board and is not the subject of the investigation or informal hearing.
2. A review panel appointed pursuant to subsection 1 shall, in conducting a review of an investigation or informal hearing conducted pursuant to [NRS 631.363](#), review and consider, without limitation:
  - (a) All files and records collected or produced by the investigator;
  - (b) Any written findings of fact and conclusions prepared by the investigator; and
  - (c) Any other information deemed necessary by the review panel.
3. The investigator who conducted the investigation or informal hearing pursuant to [NRS 631.363](#) shall not participate in a review conducted pursuant to subsection 1.
4. Before the Board takes any action or makes any disposition relating to a complaint, the review panel appointed pursuant to subsection 1 to conduct a review of the investigation or informal hearing relating to the complaint shall present to the Board its findings and recommendation relating to the investigation or informal hearing, and the Board shall review and consider those findings and recommendations.
5. Meetings held by a review panel appointed pursuant to subsection 1 are not subject to the provisions of [chapter 241](#) of NRS.

(Added to NRS by [2017, 988](#))



**Agenda Item 5(c)(1)(ii):**

**Review Panel 2**

**Agenda Item 5(c)(1)(i):**

**Review Panel 1**

**Agenda Item 5(c)(1)(iii):**

**Attorney General's Office**

**Agenda Item 5(d):**

**Consideration, Review, and Possible Approval/Rejection  
of Stipulation Agreements**

**NRS 631.3635; NRS 622A.170; NRS 622.330**

**NRS 631.3635** Appointment of panel to review investigation or informal hearing; members; requirements of review; findings and recommendation.

1. The Board shall appoint a panel to review an investigation or informal hearing conducted pursuant to [NRS 631.363](#). Such a panel must consist of:

(a) If the subject of the investigation or informal hearing is a holder of a license to practice dental hygiene, one member of the Board who is a holder of a license to practice dentistry, one member of the Board who is a holder of a license to practice dental hygiene and one holder of a license to practice dental hygiene who is not a member of the Board and is not the subject of the investigation or informal hearing.

(b) If the subject of the investigation or informal hearing is a holder of a license to practice dentistry or any other person not described in paragraph (a), one member of the Board who is a holder of a license to practice dentistry, one member of the Board who is a holder of a license to practice dental hygiene and one holder of a license to practice dentistry who is not a member of the Board and is not the subject of the investigation or informal hearing.

2. A review panel appointed pursuant to subsection 1 shall, in conducting a review of an investigation or informal hearing conducted pursuant to [NRS 631.363](#), review and consider, without limitation:

(a) All files and records collected or produced by the investigator;

(b) Any written findings of fact and conclusions prepared by the investigator; and

(c) Any other information deemed necessary by the review panel.

3. The investigator who conducted the investigation or informal hearing pursuant to [NRS 631.363](#) shall not participate in a review conducted pursuant to subsection 1.

4. Before the Board takes any action or makes any disposition relating to a complaint, the review panel appointed pursuant to subsection 1 to conduct a review of the investigation or informal hearing relating to the complaint shall present to the Board its findings and recommendation relating to the investigation or informal hearing, and the Board shall review and consider those findings and recommendations.

5. Meetings held by a review panel appointed pursuant to subsection 1 are not subject to the provisions of [chapter 241](#) of NRS.

(Added to NRS by [2017, 988](#))

**NRS 622A.170** Informal dispositions; consent and settlement agreements; designation of hearing panels.

1. The provisions of this chapter do not affect or limit the authority of a regulatory body, at any stage of a contested case, to make an informal disposition of the contested case pursuant to subsection 5 of [NRS 233B.121](#) or to enter into a consent or settlement agreement approved by the regulatory body pursuant to [NRS 622.330](#).

2. The provisions of this chapter do not affect or limit the authority of a regulatory body to designate a panel of its members to hear a contested case pursuant to this chapter.

(Added to NRS by [2005, 744](#))

**NRS 622.330** Consent and settlement agreements: Conditions for entry; deemed public records; exceptions.

1. Except as otherwise provided in this section, a regulatory body may not enter into a consent or settlement agreement with a person who has allegedly committed a violation of any provision of this title which the regulatory body has the authority to enforce, any regulation adopted pursuant thereto or any order of the regulatory body, unless the regulatory body discusses and approves the terms of the agreement in a public meeting.

2. A regulatory body that consists of one natural person may enter into a consent or settlement agreement without complying with the provisions of subsection 1 if:

(a) The regulatory body posts notice in accordance with the requirements for notice for a meeting held pursuant to [chapter 241](#) of NRS and the notice states that:

(1) The regulatory body intends to resolve the alleged violation by entering into a consent or settlement agreement with the person who allegedly committed the violation; and

(2) For the limited time set forth in the notice, any person may request that the regulatory body conduct a public meeting to discuss the terms of the consent or settlement agreement by submitting a written request for such a meeting to the regulatory body within the time prescribed in the notice; and

(b) At the expiration of the time prescribed in the notice, the regulatory body has not received any requests for a public meeting regarding the consent or settlement agreement.

3. If a regulatory body enters into a consent or settlement agreement that is subject to the provisions of this section, the agreement is a public record.

4. The provisions of this section do not apply to a consent or settlement agreement between a regulatory body and a licensee that provides for the licensee to enter a diversionary program for the treatment of an alcohol or other substance use disorder.

(Added to NRS by [2003, 3417](#))

**Agenda Item 5(d)(1):**

**Michelle Strider-Barraza, DMD**



**Agenda Item 5(e):**

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

**NRS 631.360** Investigation, notice and hearing; subpoena; search warrant; continuances; retention of complaints; regulations. [Effective January 1, 2020.]

1. Except as otherwise provided in [NRS 631.364](#), the Board may, upon its own motion, and shall, upon the verified complaint in writing of any person setting forth facts which, if proven, would constitute grounds for initiating disciplinary action, investigate the actions of any person who practices dentistry, dental hygiene or dental therapy in this State. A complaint may be filed anonymously. If a complaint is filed anonymously, the Board may accept the complaint but may refuse to consider the complaint if anonymity of the complainant makes processing the complaint impossible or unfair to the person who is the subject of the complaint.

2. The Board shall, before initiating disciplinary action, at least 10 days before the date set for the hearing, notify the accused person in writing of any charges made. The notice may be served by delivery of it personally to the accused person or by mailing it by registered or certified mail to the place of business last specified by the accused person, as registered with the Board.

3. At the time and place fixed in the notice, the Board shall proceed to hear the charges. If the Board receives a report pursuant to subsection 5 of [NRS 228.420](#), a hearing must be held within 30 days after receiving the report.

4. The Board may compel the attendance of witnesses or the production of documents or objects by subpoena. The Board may adopt regulations that set forth a procedure pursuant to which the Executive Director may issue subpoenas on behalf of the Board. Any person who is subpoenaed pursuant to this subsection may request the Board to modify the terms of the subpoena or grant additional time for compliance.

5. The Board may obtain a search warrant from a magistrate upon a showing that the warrant is needed for an investigation or hearing being conducted by the Board and that reasonable cause exists to issue the warrant.

6. If the Board is not sitting at the time and place fixed in the notice, or at the time and place to which the hearing has been continued, the Board shall continue the hearing for a period not to exceed 30 days.

7. The Board shall retain all complaints received by the Board pursuant to this section for at least 10 years, including, without limitation, any complaints not acted upon.

[Part 11:152:1951] — (NRS A [1969, 95](#); [1981, 99](#); [1983, 1114](#); [1993, 784](#); [2007, 508](#); [2009, 883](#); [2013, 2219](#); [2017, 4415](#), effective January 1, 2020)

**Agenda Item 5(e)(1):**

**Dr. S – The Board received information alleging Dr. S may have breached the standard of care, thereby potentially violating NRS 631.395 and NRS 631.160.**

**NRS 631.395 Acts constituting illegal practice of dentistry, dental hygiene or dental therapy.** A person is guilty of the illegal practice of dentistry, dental hygiene or dental therapy who:

1. Sells or barter, or offers to sell or barter, any diploma or document conferring or purporting to confer any dental degree, or any certificate or transcript made or purporting to be made pursuant to the laws regulating the licensing and registration of dentists, dental hygienists or dental therapists;
  2. Purchases or procures by barter any such diploma, certificate or transcript, with the intent that it be used as evidence of the holder's qualifications to practice dentistry, or in fraud of the laws regulating that practice;
  3. With fraudulent intent, alters in a material regard any such diploma, certificate or transcript;
  4. Uses or attempts to use any diploma, certificate or transcript, which has been purchased, fraudulently issued, counterfeited or materially altered, either as a license or color of license to practice dentistry, or in order to procure registration as a dentist, dental hygienist or dental therapist;
  5. Practices dentistry under a false or assumed name;
  6. Assumes the degree of "Doctor of Dental Surgery" or "Doctor of Dental Medicine" or appends the letters "D.D.S." or "D.M.D." or "R.D.H." to his or her name, not having conferred upon him or her, by diploma from an accredited dental or dental hygiene college or school legally empowered to confer the title, the right to assume the title, or assumes any title or appends any letters to his or her name with the intent to represent falsely that he or she has received a dental degree or license;
  7. Willfully makes, as an applicant for examination, license or registration under this chapter, a false statement in a material regard in an affidavit required by this chapter;
  8. Within 10 days after a demand is made by the Secretary-Treasurer, fails to furnish to the Board the names and addresses of all persons practicing or assisting in the practice of dentistry in the office of the person at any time within 60 days before the notice, together with a sworn statement showing under and by what license or authority the person and his or her employee are and have been practicing dentistry, but the affidavit must not be used as evidence against the person in any proceeding under this chapter;
  9. Except as otherwise provided in [NRS 629.091](#), practices dentistry, dental hygiene or dental therapy in this State without a license;
  10. Except as otherwise provided in [NRS 631.385](#), owns or controls a dental practice, shares in the fees received by a dentist or controls or attempts to control the services offered by a dentist if the person is not himself or herself licensed pursuant to this chapter; or
  11. Aids or abets another in violating any of the provisions of this chapter.
- [Part 2:152:1951]—(NRS A [1971, 531](#); [1981, 1970](#); [1983, 1110](#); [1995, 278, 750](#); [2019, 3220](#))

**NRS 631.160** Officers and Executive Director.

1. At the first regular meeting of each year, the Board shall elect from its membership one of its members as President and one of its members as Secretary-Treasurer, each of whom shall hold office for 1 year and until a successor is elected and qualified.

2. The Board shall define the duties of the President, the Secretary-Treasurer and the Executive Director.

3. The Executive Director shall receive such compensation as determined by the Board, and the Board shall fix the amount of the bond to be furnished by the Secretary-Treasurer and the Executive Director.

[Part 4:152:1951; A [1953, 363](#)] — (NRS A [1995, 275](#))

**Agenda Item 5(e)(2):**

**Dr. T – The Board received information alleging Dr. T may have breached the standard of care, thereby potentially violating NRS 631.3475**

**NRS 631.3475** Malpractice; professional incompetence; disciplinary action in another state; substandard care; procurement or administration of controlled substance or dangerous drug; alcohol or other substance use disorder; gross immorality; conviction of certain crimes; failure to comply with certain provisions relating to controlled substances; inappropriate administration of botulinum toxin or dermal or soft tissue fillers; failure to obtain certain training; violations related to pelvic examinations; certain operation of medical facility. The following acts, among others, constitute unprofessional conduct:

1. Malpractice;
2. Professional incompetence;
3. Suspension or revocation of a license to practice dentistry, the imposition of a fine or other disciplinary action by any agency of another state authorized to regulate the practice of dentistry in that state;
4. More than one act by the dentist, dental hygienist or dental therapist constituting substandard care in the practice of dentistry, dental hygiene or dental therapy;
5. Administering, dispensing or prescribing any controlled substance or any dangerous drug as defined in [chapter 454](#) of NRS, if it is not required to treat the dentist's patient;
6. Knowingly procuring or administering a controlled substance or a dangerous drug as defined in [chapter 454](#) of NRS that is not approved by the United States Food and Drug Administration, unless the unapproved controlled substance or dangerous drug:
  - (a) Was procured through a retail pharmacy licensed pursuant to [chapter 639](#) of NRS;
  - (b) Was procured through a Canadian pharmacy which is licensed pursuant to [chapter 639](#) of NRS and which has been recommended by the State Board of Pharmacy pursuant to subsection 4 of [NRS 639.2328](#); or
  - (c) Is cannabis being used for medical purposes in accordance with [chapter 678C](#) of NRS;
7. Having an alcohol or other substance use disorder to such an extent as to render the person unsafe or unreliable as a practitioner, or such gross immorality as tends to bring reproach upon the dental profession;
8. Conviction of a felony or misdemeanor involving moral turpitude or which relates to the practice of dentistry in this State, or conviction of any criminal violation of this chapter;
9. Conviction of violating any of the provisions of [NRS 616D.200](#), [616D.220](#), [616D.240](#) or [616D.300](#) to [616D.440](#), inclusive;
10. Failure to comply with the provisions of [NRS 453.163](#), [453.164](#), [453.226](#), [639.23507](#), [639.23535](#) and [639.2391](#) to [639.23916](#), inclusive, and any regulations adopted by the State Board of Pharmacy pursuant thereto.

11. Fraudulent, illegal, unauthorized or otherwise inappropriate prescribing, administering or dispensing of a controlled substance listed in schedule II, III or IV;
  12. Failure to comply with the provisions of [NRS 454.217](#) or [629.086](#);
  13. Failure to obtain any training required by the Board pursuant to [NRS 631.344](#);
  14. The performance or supervision of the performance of a pelvic examination in violation of [NRS 629.085](#); or
  15. Operation of a medical facility, as defined in [NRS 449.0151](#), at any time during which:
    - (a) The license of the facility is suspended or revoked; or
    - (b) An act or omission occurs which results in the suspension or revocation of the license pursuant to [NRS 449.160](#).
- ↪ This subsection applies to an owner or other principal responsible for the operation of the facility.

(Added to NRS by [1983, 1107](#); A [1987, 1556](#); [1993, 784](#); [2009, 882](#); [2011, 258, 849](#); [2015, 117, 1171](#); [2017, 1256, 4414](#); [2019, 2202, 3218, 3886](#); [2021, 1573](#))



**Agenda Item 5(e)(3):**

**Dr. U – The Board received information alleging Dr. U may have breached the standard of care, thereby potentially violating NRS 631.3475**

**NRS 631.3475** Malpractice; professional incompetence; disciplinary action in another state; substandard care; procurement or administration of controlled substance or dangerous drug; alcohol or other substance use disorder; gross immorality; conviction of certain crimes; failure to comply with certain provisions relating to controlled substances; inappropriate administration of botulinum toxin or dermal or soft tissue fillers; failure to obtain certain training; violations related to pelvic examinations; certain operation of medical facility. The following acts, among others, constitute unprofessional conduct:

1. Malpractice;
2. Professional incompetence;
3. Suspension or revocation of a license to practice dentistry, the imposition of a fine or other disciplinary action by any agency of another state authorized to regulate the practice of dentistry in that state;
4. More than one act by the dentist, dental hygienist or dental therapist constituting substandard care in the practice of dentistry, dental hygiene or dental therapy;
5. Administering, dispensing or prescribing any controlled substance or any dangerous drug as defined in [chapter 454](#) of NRS, if it is not required to treat the dentist's patient;
6. Knowingly procuring or administering a controlled substance or a dangerous drug as defined in [chapter 454](#) of NRS that is not approved by the United States Food and Drug Administration, unless the unapproved controlled substance or dangerous drug:
  - (a) Was procured through a retail pharmacy licensed pursuant to [chapter 639](#) of NRS;
  - (b) Was procured through a Canadian pharmacy which is licensed pursuant to [chapter 639](#) of NRS and which has been recommended by the State Board of Pharmacy pursuant to subsection 4 of [NRS 639.2328](#); or
  - (c) Is cannabis being used for medical purposes in accordance with [chapter 678C](#) of NRS;
7. Having an alcohol or other substance use disorder to such an extent as to render the person unsafe or unreliable as a practitioner, or such gross immorality as tends to bring reproach upon the dental profession;
8. Conviction of a felony or misdemeanor involving moral turpitude or which relates to the practice of dentistry in this State, or conviction of any criminal violation of this chapter;
9. Conviction of violating any of the provisions of [NRS 616D.200](#), [616D.220](#), [616D.240](#) or [616D.300](#) to [616D.440](#), inclusive;
10. Failure to comply with the provisions of [NRS 453.163](#), [453.164](#), [453.226](#), [639.23507](#), [639.23535](#) and [639.2391](#) to [639.23916](#), inclusive, and any regulations adopted by the State Board of Pharmacy pursuant thereto.

11. Fraudulent, illegal, unauthorized or otherwise inappropriate prescribing, administering or dispensing of a controlled substance listed in schedule II, III or IV;
  12. Failure to comply with the provisions of [NRS 454.217](#) or [629.086](#);
  13. Failure to obtain any training required by the Board pursuant to [NRS 631.344](#);
  14. The performance or supervision of the performance of a pelvic examination in violation of [NRS 629.085](#); or
  15. Operation of a medical facility, as defined in [NRS 449.0151](#), at any time during which:
    - (a) The license of the facility is suspended or revoked; or
    - (b) An act or omission occurs which results in the suspension or revocation of the license pursuant to [NRS 449.160](#).
- ↪ This subsection applies to an owner or other principal responsible for the operation of the facility.

(Added to NRS by [1983, 1107](#); A [1987, 1556](#); [1993, 784](#); [2009, 882](#); [2011, 258, 849](#); [2015, 117, 1171](#); [2017, 1256, 4414](#); [2019, 2202, 3218, 3886](#); [2021, 1573](#))

**Agenda Item 5(e)(4):**

**Dr. V – The Board received information alleging Dr. V may have breached the standard of care, thereby potentially violating NRS 631.3475**

**NRS 631.3475** Malpractice; professional incompetence; disciplinary action in another state; substandard care; procurement or administration of controlled substance or dangerous drug; alcohol or other substance use disorder; gross immorality; conviction of certain crimes; failure to comply with certain provisions relating to controlled substances; inappropriate administration of botulinum toxin or dermal or soft tissue fillers; failure to obtain certain training; violations related to pelvic examinations; certain operation of medical facility. The following acts, among others, constitute unprofessional conduct:

1. Malpractice;
2. Professional incompetence;
3. Suspension or revocation of a license to practice dentistry, the imposition of a fine or other disciplinary action by any agency of another state authorized to regulate the practice of dentistry in that state;
4. More than one act by the dentist, dental hygienist or dental therapist constituting substandard care in the practice of dentistry, dental hygiene or dental therapy;
5. Administering, dispensing or prescribing any controlled substance or any dangerous drug as defined in [chapter 454](#) of NRS, if it is not required to treat the dentist's patient;
6. Knowingly procuring or administering a controlled substance or a dangerous drug as defined in [chapter 454](#) of NRS that is not approved by the United States Food and Drug Administration, unless the unapproved controlled substance or dangerous drug:
  - (a) Was procured through a retail pharmacy licensed pursuant to [chapter 639](#) of NRS;
  - (b) Was procured through a Canadian pharmacy which is licensed pursuant to [chapter 639](#) of NRS and which has been recommended by the State Board of Pharmacy pursuant to subsection 4 of [NRS 639.2328](#); or
  - (c) Is cannabis being used for medical purposes in accordance with [chapter 678C](#) of NRS;
7. Having an alcohol or other substance use disorder to such an extent as to render the person unsafe or unreliable as a practitioner, or such gross immorality as tends to bring reproach upon the dental profession;
8. Conviction of a felony or misdemeanor involving moral turpitude or which relates to the practice of dentistry in this State, or conviction of any criminal violation of this chapter;
9. Conviction of violating any of the provisions of [NRS 616D.200](#), [616D.220](#), [616D.240](#) or [616D.300](#) to [616D.440](#), inclusive;
10. Failure to comply with the provisions of [NRS 453.163](#), [453.164](#), [453.226](#), [639.23507](#), [639.23535](#) and [639.2391](#) to [639.23916](#), inclusive, and any regulations adopted by the State Board of Pharmacy pursuant thereto.

11. Fraudulent, illegal, unauthorized or otherwise inappropriate prescribing, administering or dispensing of a controlled substance listed in schedule II, III or IV;
  12. Failure to comply with the provisions of [NRS 454.217](#) or [629.086](#);
  13. Failure to obtain any training required by the Board pursuant to [NRS 631.344](#);
  14. The performance or supervision of the performance of a pelvic examination in violation of [NRS 629.085](#); or
  15. Operation of a medical facility, as defined in [NRS 449.0151](#), at any time during which:
    - (a) The license of the facility is suspended or revoked; or
    - (b) An act or omission occurs which results in the suspension or revocation of the license pursuant to [NRS 449.160](#).
- ↪ This subsection applies to an owner or other principal responsible for the operation of the facility.

(Added to NRS by [1983, 1107](#); A [1987, 1556](#); [1993, 784](#); [2009, 882](#); [2011, 258, 849](#); [2015, 117, 1171](#); [2017, 1256, 4414](#); [2019, 2202, 3218, 3886](#); [2021, 1573](#))

**Agenda Item 5(e)(5):**

**Dr. W – The Board received information alleging  
Dr. W may have breached the standard of care,  
thereby potentially violating NRS 631.3475**

**NRS 631.3475** Malpractice; professional incompetence; disciplinary action in another state; substandard care; procurement or administration of controlled substance or dangerous drug; alcohol or other substance use disorder; gross immorality; conviction of certain crimes; failure to comply with certain provisions relating to controlled substances; inappropriate administration of botulinum toxin or dermal or soft tissue fillers; failure to obtain certain training; violations related to pelvic examinations; certain operation of medical facility. The following acts, among others, constitute unprofessional conduct:

1. Malpractice;
2. Professional incompetence;
3. Suspension or revocation of a license to practice dentistry, the imposition of a fine or other disciplinary action by any agency of another state authorized to regulate the practice of dentistry in that state;
4. More than one act by the dentist, dental hygienist or dental therapist constituting substandard care in the practice of dentistry, dental hygiene or dental therapy;
5. Administering, dispensing or prescribing any controlled substance or any dangerous drug as defined in [chapter 454](#) of NRS, if it is not required to treat the dentist's patient;
6. Knowingly procuring or administering a controlled substance or a dangerous drug as defined in [chapter 454](#) of NRS that is not approved by the United States Food and Drug Administration, unless the unapproved controlled substance or dangerous drug:
  - (a) Was procured through a retail pharmacy licensed pursuant to [chapter 639](#) of NRS;
  - (b) Was procured through a Canadian pharmacy which is licensed pursuant to [chapter 639](#) of NRS and which has been recommended by the State Board of Pharmacy pursuant to subsection 4 of [NRS 639.2328](#); or
  - (c) Is cannabis being used for medical purposes in accordance with [chapter 678C](#) of NRS;
7. Having an alcohol or other substance use disorder to such an extent as to render the person unsafe or unreliable as a practitioner, or such gross immorality as tends to bring reproach upon the dental profession;
8. Conviction of a felony or misdemeanor involving moral turpitude or which relates to the practice of dentistry in this State, or conviction of any criminal violation of this chapter;
9. Conviction of violating any of the provisions of [NRS 616D.200](#), [616D.220](#), [616D.240](#) or [616D.300](#) to [616D.440](#), inclusive;
10. Failure to comply with the provisions of [NRS 453.163](#), [453.164](#), [453.226](#), [639.23507](#), [639.23535](#) and [639.2391](#) to [639.23916](#), inclusive, and any regulations adopted by the State Board of Pharmacy pursuant thereto.



11. Fraudulent, illegal, unauthorized or otherwise inappropriate prescribing, administering or dispensing of a controlled substance listed in schedule II, III or IV;
  12. Failure to comply with the provisions of [NRS 454.217](#) or [629.086](#);
  13. Failure to obtain any training required by the Board pursuant to [NRS 631.344](#);
  14. The performance or supervision of the performance of a pelvic examination in violation of [NRS 629.085](#); or
  15. Operation of a medical facility, as defined in [NRS 449.0151](#), at any time during which:
    - (a) The license of the facility is suspended or revoked; or
    - (b) An act or omission occurs which results in the suspension or revocation of the license pursuant to [NRS 449.160](#).
- ↪ This subsection applies to an owner or other principal responsible for the operation of the facility.

(Added to NRS by [1983, 1107](#); A [1987, 1556](#); [1993, 784](#); [2009, 882](#); [2011, 258, 849](#); [2015, 117, 1171](#); [2017, 1256, 4414](#); [2019, 2202, 3218, 3886](#); [2021, 1573](#))

**Agenda Item 5(e)(6):**

**Dr. X – The Board received information alleging Dr. X may have breached the standard of care, thereby potentially violating NRS 631.3475**

**NRS 631.3475** Malpractice; professional incompetence; disciplinary action in another state; substandard care; procurement or administration of controlled substance or dangerous drug; alcohol or other substance use disorder; gross immorality; conviction of certain crimes; failure to comply with certain provisions relating to controlled substances; inappropriate administration of botulinum toxin or dermal or soft tissue fillers; failure to obtain certain training; violations related to pelvic examinations; certain operation of medical facility. The following acts, among others, constitute unprofessional conduct:

1. Malpractice;
2. Professional incompetence;
3. Suspension or revocation of a license to practice dentistry, the imposition of a fine or other disciplinary action by any agency of another state authorized to regulate the practice of dentistry in that state;
4. More than one act by the dentist, dental hygienist or dental therapist constituting substandard care in the practice of dentistry, dental hygiene or dental therapy;
5. Administering, dispensing or prescribing any controlled substance or any dangerous drug as defined in [chapter 454](#) of NRS, if it is not required to treat the dentist's patient;
6. Knowingly procuring or administering a controlled substance or a dangerous drug as defined in [chapter 454](#) of NRS that is not approved by the United States Food and Drug Administration, unless the unapproved controlled substance or dangerous drug:
  - (a) Was procured through a retail pharmacy licensed pursuant to [chapter 639](#) of NRS;
  - (b) Was procured through a Canadian pharmacy which is licensed pursuant to [chapter 639](#) of NRS and which has been recommended by the State Board of Pharmacy pursuant to subsection 4 of [NRS 639.2328](#); or
  - (c) Is cannabis being used for medical purposes in accordance with [chapter 678C](#) of NRS;
7. Having an alcohol or other substance use disorder to such an extent as to render the person unsafe or unreliable as a practitioner, or such gross immorality as tends to bring reproach upon the dental profession;
8. Conviction of a felony or misdemeanor involving moral turpitude or which relates to the practice of dentistry in this State, or conviction of any criminal violation of this chapter;
9. Conviction of violating any of the provisions of [NRS 616D.200](#), [616D.220](#), [616D.240](#) or [616D.300](#) to [616D.440](#), inclusive;
10. Failure to comply with the provisions of [NRS 453.163](#), [453.164](#), [453.226](#), [639.23507](#), [639.23535](#) and [639.2391](#) to [639.23916](#), inclusive, and any regulations adopted by the State Board of Pharmacy pursuant thereto.

11. Fraudulent, illegal, unauthorized or otherwise inappropriate prescribing, administering or dispensing of a controlled substance listed in schedule II, III or IV;
  12. Failure to comply with the provisions of [NRS 454.217](#) or [629.086](#);
  13. Failure to obtain any training required by the Board pursuant to [NRS 631.344](#);
  14. The performance or supervision of the performance of a pelvic examination in violation of [NRS 629.085](#); or
  15. Operation of a medical facility, as defined in [NRS 449.0151](#), at any time during which:
    - (a) The license of the facility is suspended or revoked; or
    - (b) An act or omission occurs which results in the suspension or revocation of the license pursuant to [NRS 449.160](#).
- ↪ This subsection applies to an owner or other principal responsible for the operation of the facility.

(Added to NRS by [1983, 1107](#); A [1987, 1556](#); [1993, 784](#); [2009, 882](#); [2011, 258, 849](#); [2015, 117, 1171](#); [2017, 1256, 4414](#); [2019, 2202, 3218, 3886](#); [2021, 1573](#))

**Agenda Item 5(e)(7):**

**Dr. Y – The Board received information alleging Dr. Y may have breached the standard of care, thereby potentially violating NRS 631.3475**

**NRS 631.3475** Malpractice; professional incompetence; disciplinary action in another state; substandard care; procurement or administration of controlled substance or dangerous drug; alcohol or other substance use disorder; gross immorality; conviction of certain crimes; failure to comply with certain provisions relating to controlled substances; inappropriate administration of botulinum toxin or dermal or soft tissue fillers; failure to obtain certain training; violations related to pelvic examinations; certain operation of medical facility. The following acts, among others, constitute unprofessional conduct:

1. Malpractice;
2. Professional incompetence;
3. Suspension or revocation of a license to practice dentistry, the imposition of a fine or other disciplinary action by any agency of another state authorized to regulate the practice of dentistry in that state;
4. More than one act by the dentist, dental hygienist or dental therapist constituting substandard care in the practice of dentistry, dental hygiene or dental therapy;
5. Administering, dispensing or prescribing any controlled substance or any dangerous drug as defined in [chapter 454](#) of NRS, if it is not required to treat the dentist's patient;
6. Knowingly procuring or administering a controlled substance or a dangerous drug as defined in [chapter 454](#) of NRS that is not approved by the United States Food and Drug Administration, unless the unapproved controlled substance or dangerous drug:
  - (a) Was procured through a retail pharmacy licensed pursuant to [chapter 639](#) of NRS;
  - (b) Was procured through a Canadian pharmacy which is licensed pursuant to [chapter 639](#) of NRS and which has been recommended by the State Board of Pharmacy pursuant to subsection 4 of [NRS 639.2328](#); or
  - (c) Is cannabis being used for medical purposes in accordance with [chapter 678C](#) of NRS;
7. Having an alcohol or other substance use disorder to such an extent as to render the person unsafe or unreliable as a practitioner, or such gross immorality as tends to bring reproach upon the dental profession;
8. Conviction of a felony or misdemeanor involving moral turpitude or which relates to the practice of dentistry in this State, or conviction of any criminal violation of this chapter;
9. Conviction of violating any of the provisions of [NRS 616D.200](#), [616D.220](#), [616D.240](#) or [616D.300](#) to [616D.440](#), inclusive;
10. Failure to comply with the provisions of [NRS 453.163](#), [453.164](#), [453.226](#), [639.23507](#), [639.23535](#) and [639.2391](#) to [639.23916](#), inclusive, and any regulations adopted by the State Board of Pharmacy pursuant thereto.

11. Fraudulent, illegal, unauthorized or otherwise inappropriate prescribing, administering or dispensing of a controlled substance listed in schedule II, III or IV;
  12. Failure to comply with the provisions of [NRS 454.217](#) or [629.086](#);
  13. Failure to obtain any training required by the Board pursuant to [NRS 631.344](#);
  14. The performance or supervision of the performance of a pelvic examination in violation of [NRS 629.085](#); or
  15. Operation of a medical facility, as defined in [NRS 449.0151](#), at any time during which:
    - (a) The license of the facility is suspended or revoked; or
    - (b) An act or omission occurs which results in the suspension or revocation of the license pursuant to [NRS 449.160](#).
- ↪ This subsection applies to an owner or other principal responsible for the operation of the facility.

(Added to NRS by [1983, 1107](#); A [1987, 1556](#); [1993, 784](#); [2009, 882](#); [2011, 258, 849](#); [2015, 117, 1171](#); [2017, 1256, 4414](#); [2019, 2202, 3218, 3886](#); [2021, 1573](#))

**Agenda Item 5(e)(8):**

**Dr. Z – The Board received information alleging Dr. Z may have breached the standard of care, thereby potentially violating NRS 631.349.**



**NRS 631.349** Examples of unprofessional conduct not complete list or authorization of other acts; Board may hold similar acts unprofessional conduct. The acts described in [NRS 631.346](#) to [631.3485](#), inclusive, must not be construed as a complete list of dishonorable or unprofessional conduct, or as authorizing or permitting the performance of other and similar acts, or as limiting or restricting the Board from holding that other or similar acts constitute unprofessional or dishonorable conduct.

(Added to NRS by [1983, 1108](#))

**Agenda Item 6:**

**Old Business**  
(For Possible Action)

**Agenda Item 6(a):**

**Discussion, Consideration & Possible Action Regarding  
Regulations to Dental Therapy (SB 366)  
NRS 631.190 (*For Possible Action*)**

**NRS 631.190** Powers and duties. [Effective January 1, 2020.] In addition to the powers and duties provided in this chapter, the Board shall:

1. Adopt rules and regulations necessary to carry out the provisions of this chapter.
2. Appoint such committees, review panels, examiners, officers, employees, agents, attorneys, investigators and other professional consultants and define their duties and incur such expense as it may deem proper or necessary to carry out the provisions of this chapter, the expense to be paid as provided in this chapter.
3. Fix the time and place for and conduct examinations for the granting of licenses to practice dentistry, dental hygiene and dental therapy.
4. Examine applicants for licenses to practice dentistry, dental hygiene and dental therapy.
5. Collect and apply fees as provided in this chapter.
6. Keep a register of all dentists, dental hygienists and dental therapists licensed in this State, together with their addresses, license numbers and renewal certificate numbers.
7. Have and use a common seal.
8. Keep such records as may be necessary to report the acts and proceedings of the Board. Except as otherwise provided in [NRS 631.368](#), the records must be open to public inspection.
9. Maintain offices in as many localities in the State as it finds necessary to carry out the provisions of this chapter.
10. Have discretion to examine work authorizations in dental offices or dental laboratories.

[Part 4:152:1951; A [1953, 363](#)] — (NRS A [1963, 150](#); [1967, 865](#); [1993, 2743](#); [2009, 3002](#); [2017, 989, 2848](#); [2019, 3205](#), effective January 1, 2020)

**REVISED PROPOSED REGULATION OF THE  
BOARD OF DENTAL EXAMINERS OF NEVADA**

**LCB File No. R072-22**

February 6, 2024

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§ 1, 2, 10, 14, 15, 20, 24, 25 and 27, NRS 631.190; § 3, NRS 631.190 and 631.3121; § 4, NRS 631.190, 631.3122 and 631.3123; § 5, NRS 631.190 and 631.3124; § 6, NRS 631.190 and 631.350; § 7, NRS 631.190 and 631.345; § 8, NRS 622.530, 631.190, 631.220, 631.255, 631.272, 631.274, 631.290 and 631.312; §§ 9 and 11, NRS 631.190 and 631.330; § 12, NRS 631.160, 631.190, 631.260, 631.290 and 631.312; § 13, NRS 631.190 and 631.240; § 16, NRS 631.190 and 631.335; §§ 17 and 18, NRS 631.190 and 631.342; § 19, NRS 631.190, 631.330, 631.335 and 631.342; § 21, NRS 631.190, 631.250 and 631.255; § 22, NRS 631.190, 631.313 and 631.317; § 23, NRS 631.190, 631.346 and 631.350; § 26, NRS 631.190 and 631.215.

A REGULATION relating to oral health; prescribing certain qualifications for licensure as a dental therapist; prescribing certain requirements governing the practice of a dental therapist; authorizing the summary suspension of authorization for a dentist to supervise a dental therapist under certain circumstances; making various provisions relating to providers of oral healthcare also applicable to dental therapists; prescribing certain fees; providing that mandatory supervision constitutes discipline for certain purposes; authorizing the Board of Dental Examiners of Nevada to require certain persons to pass an examination before the issuance or reinstatement of a license to practice dentistry, dental therapy or dental hygiene; requiring a licensee to notify the Board of certain information; prescribing certain requirements relating to an applicant for a license who has previously voluntarily surrendered his or her license; prescribing continuing education requirements for dental therapists; expanding the circumstances under which the failure to provide proof of continuing education constitutes unprofessional conduct; revising provisions governing audits of compliance with continuing education requirements; expanding the specialties for which the Board may issue a specialist's license; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Senate Bill No. 366 of the 2019 Legislative Session enacted provisions to authorize the practice of dental therapy by licensed dental therapists in this State. (Chapter 532, Statutes of Nevada 2019, at page 3198) Existing law requires the Board of Dental Examiners of Nevada to adopt rules and regulations necessary to carry out the provisions relating to the profession and

practice of dental therapy and the examination of applicants for licensure as dental therapists. (NRS 631.190)

Existing law requires an applicant for a license to practice dental therapy to have passed certain clinical examinations, including a clinical examination approved by the Board. (NRS 631.3121) **Section 3** of this regulation requires an applicant to pass a simulated clinical examination in dental therapy or a comparable examination in order to fulfill that requirement.

Existing law requires a dental therapist to practice under the authorization and supervision of a dentist. A dental therapist is only authorized to perform the services that are within the scope of his or her supervising dentist, authorized by the dentist and provided according to written practices and protocols. A dental therapist is also required to practice under the direct supervision of the authorizing dentist for a certain period of time. (NRS 631.3122) Existing law further requires: (1) a dental therapist to enter into a written practice agreement with his or her authorizing dentist; and (2) such a written practice agreement to include certain provisions. (NRS 631.3122, 631.3123) **Section 4** of this regulation additionally requires a written practice agreement to include certain provisions regarding the maintenance of records and responding to medical emergencies. **Section 2** of this regulation interprets the term “direct supervision.”

Existing law authorizes a dental therapist to perform certain procedures. (NRS 631.3124) **Section 5** of this regulation prescribes the procedures that a dental therapist is authorized to perform: (1) only after the authoring dentist examines the patient; and (2) without the authorizing dentist examining the patient before the procedure.

Existing law authorizes the Board to discipline a person who engages in unprofessional conduct or violates any regulation adopted by the Board. (NRS 631.350) **Section 6** of this regulation authorizes the Board to summarily suspend a dentist from supervising a dental therapist if an investigation reasonably finds that the health, safety or welfare of the public or a patient is at risk. **Section 6** provides that the Board will hold a hearing and make a decision concerning the relevant formal complaint not later than 60 days after the issuance of an order for summary suspension unless the dentist and the Board agree to a longer period of time.

**Sections 7-9, 11, 12, 14, 16, 20 and 22-27** of this regulation add references to dental therapy and dental therapists to certain provisions governing licensing and standards of practice for providers of oral health care. **Sections 17-19** of this regulation prescribe continuing education requirements for dental therapists.

Existing law requires the Board to establish by regulation fees associated with the performance of its duties. (NRS 631.345) Existing regulations establish a fee for the inspection of a facility required by the Board to ensure compliance with infection control guidelines. (NAC 631.029) **Section 7** of this regulation adds a reduced fee for a second or subsequent inspection of a facility to ensure compliance with infection control guidelines. **Section 7** also imposes a fee for a second or subsequent audit of a licensee to ensure compliance with continuing education requirements.

Existing regulations: (1) require an applicant for licensure as a dentist, dental therapist or dental hygienist to provide to the Board information concerning discipline imposed against the applicant in another jurisdiction; and (2) authorize the Executive Director or Secretary-Treasurer of the Board to reject an application for licensure if the applicant has been subject to such discipline. (NAC 631.030, 631.050) **Sections 8 and 12** of this regulation clarify that being subject to mandatory supervision constitutes discipline for those purposes.

Existing law provides that the term “substance abuse” is a term disfavored for use in the Nevada Revised Statutes and the Nevada Administrative Code. (NRS 220.125, 233B.062) **Sections 8 and 12** replace the term “substance abuse” with preferred terminology.

**Section 10** of this regulation removes an obsolete reference to an Internet website from a provision adopting by reference certain standards relating to the use of laser radiation in the practice of dentistry. **Section 20** of this regulation updates a reference to an Internet website with the correct address for guidelines relating to disinfection and sterilization. **Section 26** of this regulation updates a statutory reference to reflect technical changes made during the 2019 Legislative Session.

Existing regulations provide that the Board may require a licensee whose license has been placed on inactive status for 2 years or more and who is not actively practicing in another state to pass such examinations for licensure as the Board may prescribe before his or her license is reinstated. (NAC 631.170) **Section 13** of this regulation provides that the Board may similarly require a former licensee who has not held a license in this State for 2 years or more and has not maintained an active practice outside this State to pass such examinations before issuing a new license to the applicant. **Section 16** of this regulation provides that the Board may require a licensee whose license has been suspended for 2 years or more and who has not maintained an active practice outside this State to pass such examinations before reinstating his or her license. **Sections 13 and 16** further clarify that a licensee or former licensee is not maintaining an active practice outside this State if he or she is not practicing because of disciplinary action in another jurisdiction.

Existing law authorizes the Board to discipline a licensee for certain conduct, including malpractice, disciplinary action imposed against the licensee in another jurisdiction or conviction of certain crimes. (NRS 631.3475, 631.350) Existing regulations require a licensee to notify the Board if he or she is so disciplined or is convicted of any such crime. (NAC 631.155) **Section 14** of this regulation similarly requires a licensee to notify the Board of any claim or complaint of malpractice served and filed on the licensee.

Existing regulations authorize the Board to accept the voluntary surrender of a license by a licensee. (NAC 631.160) **Section 15** of this regulation prescribes certain requirements that a licensee who has voluntarily surrendered his or her license must satisfy before applying for a new license.

Existing regulations: (1) require a licensee to provide proof of his or her continuing education credits; and (2) provide that the third or subsequent failure of a licensee to provide such proof constitutes unprofessional conduct, which is grounds for discipline under existing law. (NAC 631.177) **Section 19** of this regulation instead provides that the second or subsequent such failure constitutes unprofessional conduct.

Existing regulations provide that the Board will conduct audits of providers of oral health care to ensure compliance with continuing education requirements. (NAC 631.177) **Section 19** clarifies that the Board may conduct follow-up audits after an initial audit.

Existing law authorizes the Board to issue a specialist’s license, which authorizes a dentist to hold himself or herself out as a specialist in a special area of dentistry. (NRS 631.250) **Section 21** of this regulation adds dental anesthesiology, oral medicine and orofacial pain to the list of specialties for which the Board may issue a specialist license.

**Section 1.** Chapter 631 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this regulation.

**Sec. 2.** *For the purposes of NRS 631.3122, the Board will interpret “direct supervision” to mean supervision by a dentist where the dentist:*

*1. Documents in the record of the patient the name of the dental therapist providing care to the patient;*

*2. Examines the patient before the dental therapist performs the procedure either face-to-face or by the use of electronic means;*

*3. Provides instructions for treating the patient before the dental therapist begins treating the patient; and*

*4. Examines the patient upon completion of the procedures performed by the dental therapist.*

**Sec. 3.** *Except as otherwise provided in NRS 622.090, in fulfillment of the requirements of paragraph (b) of subsection 1 of NRS 631.3121, an applicant taking the clinical examination approved by the Board and the American Board of Dental Examiners or the clinical examination administered by the Western Regional Examining Board must pass a simulated clinical examination in dental therapy or a comparable examination administered by the Western Regional Examining Board, as applicable.*

**Sec. 4.** *In addition to the items required by NRS 631.3123, a written practice agreement between a dentist and a dental therapist must include, without limitation:*

*1. Procedures for the duplication, maintenance and storage of the records of the patients of the dental therapist by the authorizing dentist;*



*2. Specific procedures for the management of medical emergencies, including, without limitation:*

*(a) A requirement that the dental therapist must be certified in the administration of cardiopulmonary resuscitation in accordance with NAC 631.173; and*

*(b) Procedures for the administration of first aid, an automated external defibrillator and supplemental oxygen;*

*3. The tasks that each staff member is required to perform when a medical emergency occurs; and*

*4. Procedures for the maintenance of a written log to document the monthly review of the records of patients which must include, without limitation:*

*(a) Evaluations of each referral of a patient made by the dental therapist to an authorizing dentist or an appropriate dental specialist and any follow-up of such a referral;*

*(b) The demographic information of the authorizing dentist and dental therapist, with any personally identifying information removed; and*

*(c) Procedures for making the written log available to the Board for review and examination upon request.*

*Sec. 5. 1. In accordance with a written practice agreement required pursuant to NRS 631.3122, a dental therapist may:*

*(a) Provide the following services to a patient who has first been examined by the authorizing dentist:*

*(1) Making and exposing cone-beam radiographs;*

*(2) Application of topical preventive or prophylactic agents, including, without limitation, fluoride varnishes and pit and fissure sealants;*

*(3) Removal of excess cement from cemented restorations or orthodontic appliances without rotary;*

*(4) Re-cementing permanent crowns and bridges with nonpermanent material as a palliative treatment;*

*(5) Administering local intraoral chemotherapeutic agents in any form except aerosol, including, without limitation, antimicrobial agents, fluoride preparations, topical anesthetics and topical desensitizing agents;*

*(6) Minor adjustments and repairs of removable partial dentures;*

*(7) Placement and removal of space maintainers;*

*(8) Cavity preparation;*

*(9) Restoration of primary and permanent teeth;*

*(10) Extractions of primary teeth and permanent teeth with grade three plus mobility with recorded periodontal charting;*

*(11) Preparation and placement of preformed crowns on primary teeth;*

*(12) Indirect and direct pulp capping of permanent teeth;*

*(13) Administration of local anesthetic;*

*(14) Sub-gingival curettage;*

*(15) Fabricating mouth guards for temporomandibular joint dysfunction or sleep disorders; and*

*(16) Definitive charting of the oral cavity.*

*(b) Provide the following services to a patient who has not first been examined by the authorizing dentist:*

*(1) Making a radiograph through periapical, bitewing or panorex;*

- (2) Mechanical polishing;*
- (3) Application of desensitizing medication or resin;*
- (4) Preliminary charting of an oral cavity;*
- (5) Removal of sutures;*
- (6) Instruction and education on oral health and disease prevention, including, without limitation, nutritional counseling and dietary analysis; and*
- (7) Fabricating mouth guards for use in sports protection.*

*2. In addition to performing the examination required by paragraph (a) of subsection 1, the authorizing dentist of a dental therapist who provides a service listed in that paragraph shall:*

- (a) Document in the record of the patient the name of the dental therapist; and*
- (b) Provide instructions for treating the patient before the dental therapist begins treating the patient.*

**Sec. 6.** *1. If an investigation by the Board regarding the supervision of a dental therapist by an authorizing dentist reasonably determines that the health, safety or welfare of the public or any patient served by the dentist or dental therapist is placed at risk of imminent or continued harm by the continued supervision of a dental therapist by the authorizing dentist, the Board may summarily suspend the dentist from supervising any dental therapist pending the conclusion of a hearing to consider a formal complaint against the dentist or dental therapist.*

*2. The order of summary suspension may be issued only by the Board, the President of the Board, the presiding officer of an investigative committee convened by the Board to*

*investigate the dentist or dental therapist or the member, employee, investigator or other agent of the Board who conducted the investigation.*

*3. If the Board, the President of the Board, the presiding officer of an investigative committee convened by the Board to investigate the dentist or dental therapist or a member, employee, investigator or other agent of the Board issues an order to summarily suspend a dentist from supervising a dental therapist pursuant to subsection 1, the Board will hold a hearing to consider the formal complaint against the dentist or dental therapist. The Board will hold the hearing and render a decision concerning the formal complaint not later than 60 days after the date of issuance of the order, unless the Board and the dentist or dental therapist agree to a longer period of time.*

**Sec. 7.** NAC 631.029 is hereby amended to read as follows:

631.029 The Board will charge and collect the following fees:

|   |              |
|---|--------------|
| Application fee for an initial license to practice dentistry if the applicant has successfully passed a clinical examination administered by the Western Regional Examining Board or a clinical examination approved by the Board and the American Board of Dental Examiners and administered by a regional examination organization other than the Board ..... | .....\$1,200 |
| Application fee for an initial license to practice <i>dental therapy or</i> dental hygiene .....  | .....600     |
| Application fee for a specialty license by credential.....  | .....1,200   |
| Application fee for a temporary restricted geographical license to practice dentistry .....   | .....600     |

|   |            |
|---|------------|
| Application fee for a temporary restricted geographical license to practice<br><i>dental therapy or</i> dental hygiene .....                              | 150        |
| Application fee for a specialist’s license to practice dentistry .....  | 125        |
| Application fee for a limited license or restricted license to practice dentistry ,<br><i>dental therapy</i> or dental hygiene.....                       | 125        |
| Application and examination fee for a permit to administer general<br>anesthesia, moderate sedation or deep sedation .....                                | 750        |
| Application and examination fee for a site permit to administer general<br>anesthesia, moderate sedation or deep sedation .....                           | 500        |
| Fee for any reinspection required by the Board to maintain a permit to<br>administer general anesthesia, moderate sedation or deep sedation.....          | 500        |
| Fee for the inspection of a facility required by the Board to ensure<br>compliance with infection control guidelines.....                                 | 250        |
| <i>Fee for a second or subsequent inspection of a facility required by the<br/>Board to ensure compliance with infection control guidelines .....</i>     | <i>150</i> |
| Biennial renewal fee for a permit to administer general anesthesia, moderate<br>sedation or deep sedation.....  | 200        |
| Fee for the inspection of a facility required by the Board to renew a permit to<br>administer general anesthesia, moderate sedation or deep sedation..... | 350        |
| Biennial license renewal fee for a general license or specialist’s license to<br>practice dentistry .....   | 600        |
| Biennial license renewal fee for a restricted geographical license to practice<br>dentistry .....   | 600        |

|  |            |
|--|------------|
| Biennial license renewal fee for a restricted geographical license to practice<br><i>dental therapy or</i> dental hygiene .....  | 300        |
| Biennial license renewal fee for a general license to practice <i>dental therapy</i><br><i>or</i> dental hygiene .....   | 300        |
| Annual license renewal fee for a limited license to practice dentistry , <i>dental</i><br><i>therapy</i> or dental hygiene.....  | 200        |
| Annual license renewal fee for a restricted license to practice dentistry .....  | 100        |
| Biennial license renewal fee for an inactive dentist.....  | 200        |
| Biennial license renewal fee for an inactive <i>dental therapist or</i> dental<br>hygienist .....  | 50         |
| <i>Fee for a second or subsequent audit to ensure compliance with continuing</i><br><i>education requirements</i> .....  | <i>200</i> |
| Reinstatement fee for a suspended license to practice dentistry , <i>dental</i><br><i>therapy</i> or dental hygiene.....   | 300        |
| Reinstatement fee for a revoked license to practice dentistry , <i>dental therapy</i><br>or dental hygiene .....   | 500        |
| Reinstatement fee to return an inactive or retired dentist , <i>dental therapist</i> or<br>dental hygienist or a dentist , <i>dental therapist</i> or dental hygienist with a<br>disability to active status ..... | 300        |
| Fee for the certification of a license .....   | 25         |
| Fee for the certification of a license to administer nitrous oxide or local<br>anesthesia .....  | 25         |

|   |     |
|---|-----|
| Fee for a duplicate wall certificate .....                                      | 25  |
| Fee for a duplicate pocket card receipt.....                                    | 25  |
| Application fee for converting a temporary license to a permanent license ..... | 125 |
| Fee for an application packet for an examination .....                          | 25  |
| Fee for an application packet for licensure by credentials .....                | 25  |

**Sec. 8.** NAC 631.030 is hereby amended to read as follows:

631.030 1. An applicant for licensure must provide the following information and documentation in his or her application:

(a) The date and place of his or her birth;

(b) Certification of graduation from an accredited dental school or college, *from an accredited school or college of dental therapy* or from an accredited school or college of dental hygiene, whichever is applicable;

(c) Whether he or she has applied for similar licensure in another state or a territory of the United States or the District of Columbia and, if so, the name of the state or territory of the United States or the District of Columbia, the date and the result of his or her application;

(d) If he or she has practiced dentistry, *dental therapy* or dental hygiene in another state or a territory of the United States or the District of Columbia, certification from the licensing authority of each state or territory of the United States or the District of Columbia in which he or she has practiced or is practicing that he or she is in good standing and that there are not any disciplinary proceedings affecting his or her standing pending against him or her in the other state or territory of the United States or the District of Columbia;

(e) Whether he or she has terminated or attempted to terminate a license from another state or territory of the United States or the District of Columbia and, if so, the reasons for doing so;

(f) If he or she is not a natural born citizen of the United States, a copy of his or her certificate of naturalization or other document attesting that he or she is legally eligible to reside and work in the United States;

(g) All scores obtained on the examination in which he or she was granted a certificate by the Joint Commission on National Dental Examinations and the date it was issued;

(h) Whether he or she has ever been convicted of a crime involving moral turpitude or has entered a plea of nolo contendere to a charge of such a crime and, if so, the date and place of the conviction or plea and the sentence, if any, which was imposed;

(i) Whether he or she has had any misdemeanor or felony convictions and, if so, any documents relevant to any misdemeanor or felony convictions;

(j) Whether he or she has been held civilly or criminally liable in this State, another state or territory of the United States or the District of Columbia for misconduct relating to his or her occupation or profession;

(k) Whether he or she has a history of substance ~~abuse;~~ *misuse or substance use disorder* and, if so, any documents relevant to the substance ~~abuse;~~ *misuse or substance use disorder;*

(l) Whether he or she has been refused permission to take an examination for licensure by this State, any other state or territory of the United States or the District of Columbia, or any regional testing agency recognized by the Board and, if so, any documents relevant to the refusal;

(m) Whether he or she has been denied licensure by this State, any other state or territory of the United States or the District of Columbia and, if so, any documents relevant to the denial;



(n) Whether he or she has had his or her license to practice dentistry , *dental therapy* or dental hygiene suspended, revoked or placed on probation, or has otherwise been disciplined concerning his or her license to practice dentistry , *dental therapy* or dental hygiene, including, without limitation, *being subject to mandatory supervision or* receiving a public reprimand, in this State, another state or territory of the United States or the District of Columbia and, if so, any documents relevant to the suspension, revocation, probation or other discipline;

(o) A copy of current certification in administering cardiopulmonary resuscitation;

(p) Whether he or she is currently involved in any disciplinary action concerning his or her license to practice dentistry , *dental therapy* or dental hygiene in this State, another state or territory of the United States or the District of Columbia and, if so, any documents relevant to the reprimand or disciplinary action;

(q) Two sets of certified fingerprint cards and an authorization form allowing the Board to submit the fingerprint forms to law enforcement agencies for verification of background information;

(r) Whether he or she has any claims against him or her or has committed any actions that would constitute unprofessional conduct pursuant to NRS 631.3475 or NAC 631.230;

(s) An application form that he or she has completed and signed which:

(1) Is furnished by the Board; and

(2) Includes, without limitation, a properly executed request to release information;

(t) If applicable, the statement and proof required by subsection 3;

(u) Evidence that he or she is eligible to apply for a license to practice:

(1) Dentistry pursuant to NRS 631.230; ~~for~~

(2) Dental hygiene pursuant to NRS 631.290; *or*

***(3) Dental therapy pursuant to NRS 631.312;***

- (v) The statement required by NRS 425.520; and
- (w) Any other information requested by the Board.

2. An applicant for licensure by endorsement pursuant to NRS 622.530 must provide the following information and documentation with his or her application:

- (a) The information and documentation listed in subsection 1;
- (b) A certificate granted by a nationally recognized, nationally accredited or nationally certified examination or other examination approved by the Board which proves that the applicant has achieved a passing score on such an examination; and
- (c) Proof that the applicant has actively practiced dentistry , ***dental therapy*** or dental hygiene for the 5 years immediately preceding the date of submission of the application.

3. An applicant for licensure who wishes to use laser radiation in his or her practice of dentistry , ***dental therapy*** or dental hygiene must provide to the Board:

- (a) A statement certifying that each laser that will be used by the licensee in the practice of dentistry , ***dental therapy*** or dental hygiene has been cleared by the Food and Drug Administration for use in dentistry; and
- (b) Proof that he or she has successfully completed a course in laser proficiency that:
  - (1) Is at least 6 hours in length; and
  - (2) Is based on the *Curriculum Guidelines and Standards for Dental Laser Education*, adopted by reference pursuant to NAC 631.035.

**Sec. 9.** NAC 631.033 is hereby amended to read as follows:

631.033 Each licensee who uses or wishes to use laser radiation in his or her practice of dentistry , *dental therapy* or dental hygiene must include with the application for renewal of his or her license:

1. A statement certifying that each laser used by the licensee in his or her practice of dentistry , *dental therapy* or dental hygiene has been cleared by the Food and Drug Administration for use in dentistry; and

2. Proof that he or she has successfully completed a course in laser proficiency that:

(a) Is at least 6 hours in length; and

(b) Is based on the *Curriculum Guidelines and Standards for Dental Laser Education*, adopted by reference pursuant to NAC 631.035.

**Sec. 10.** NAC 631.035 is hereby amended to read as follows:

631.035 1. The Board hereby adopts by reference the *Curriculum Guidelines and Standards for Dental Laser Education*, adopted by the Academy of Laser Dentistry. The *Curriculum Guidelines and Standards for Dental Laser Education* is available, free of charge, from the Academy of Laser Dentistry:

(a) By mail, at P.O. Box 8667, Coral Springs, Florida 33075;

(b) By telephone, at (954) 346-3776; or

(c) At the Internet address

~~[http://www.laserdentistry.org/prof/edu\\_curriculumguidelines.cfm](http://www.laserdentistry.org/prof/edu_curriculumguidelines.cfm)~~

<http://www.laserdentistry.org/certification#curriculum-guidelines>.

2. The Board will periodically review the *Curriculum Guidelines and Standards for Dental Laser Education* and determine within 30 days after the review whether any change made to those guidelines and standards is appropriate for application in this State. If the Board does not

disapprove a change to an adopted guideline or standard within 30 days after the review, the change is deemed to be approved by the Board.

**Sec. 11.** NAC 631.045 is hereby amended to read as follows:

631.045 A licensed dentist who owns an office or facility where dental treatments are to be performed in this State must, on the application for renewal of his or her license, execute a certified statement that includes:

1. The location of each office or facility owned by the licensed dentist where dental treatments are to be performed;
2. The name and address of each employee, other than a licensed dentist, *dental therapist* or dental hygienist, who assists at the office or facility in procedures for infection control and the date the employee began to assist in procedures for infection control at the office or facility;
3. A statement that each employee identified in subsection 2:
  - (a) Has received adequate instruction concerning procedures for infection control; and
  - (b) Is qualified to:
    - (1) Operate sterilization equipment and other equipment in compliance with the guidelines adopted by reference in NAC 631.178; and
    - (2) Perform all other applicable activities in compliance with the guidelines adopted by reference in NAC 631.178; and
4. If the licensed dentist is registered to dispense controlled substances with the State Board of Pharmacy pursuant to chapter 453 of NRS, an attestation that the licensed dentist has conducted annually a minimum of one self-query regarding the issuance of controlled substances through the Prescription Monitoring Program of the State Board of Pharmacy.

**Sec. 12.** NAC 631.050 is hereby amended to read as follows:

631.050 1. If the Executive Director or Secretary-Treasurer finds that:

(a) An application is:

- (1) Deficient; or
- (2) Not in the proper form; or

(b) The applicant has:

- (1) Provided incorrect information;
- (2) Not attained the scores required by chapter 631 of NRS; or
- (3) Not submitted the required fee,

→ the Executive Director or Secretary-Treasurer shall reject the application and return it to the applicant with the reasons for its rejection.

2. If the Executive Director or Secretary-Treasurer finds that an applicant has:

- (a) A felony conviction;
- (b) A misdemeanor conviction;
- (c) Been held civilly or criminally liable in this State, another state or territory of the United States or the District of Columbia for misconduct relating to his or her occupation or profession;
- (d) A history of substance ~~abuse;~~ *misuse or substance use disorder;*
- (e) Been refused permission to take an examination for licensure by this State, any other state or territory of the United States or the District of Columbia;
- (f) Been denied licensure by this State, any other state or territory of the United States or the District of Columbia;
- (g) Had his or her license to practice dentistry, *dental therapy* or dental hygiene suspended, revoked or placed on probation, or has otherwise been disciplined concerning his or her license to practice dentistry, *dental therapy* or dental hygiene, including, without limitation, *being*

*subject to mandatory supervision or* receiving a public reprimand, in this State, another state or territory of the United States or the District of Columbia;

(h) Not actively practiced dentistry , *dental therapy* or dental hygiene, as applicable, for 2 years or more before the date of the application to the Board; or

(i) Is currently involved in any disciplinary action concerning his or her license to practice dentistry , *dental therapy* or dental hygiene in this State, another state or territory of the United States or the District of Columbia,

↪ the Executive Director or Secretary-Treasurer may reject the application. If rejected, the application must be returned to the applicant with the reasons for its rejection.

3. If an application is rejected pursuant to subsection 2, the applicant may furnish additional relevant information to the Executive Director or Secretary-Treasurer, and request that the application be reconsidered. If an application is rejected following reconsideration by the Executive Director or Secretary-Treasurer, the applicant may petition the Board for a review of the application at the next regularly scheduled meeting of the Board.

**Sec. 13.** NAC 631.090 is hereby amended to read as follows:

631.090 *1.* Except as otherwise provided in NRS 622.090, in fulfillment of the statutory requirements of paragraph (b) of subsection 1 of NRS 631.240, an applicant taking the clinical examination approved by the Board and the American Board of Dental Examiners or the clinical examination administered by the Western Regional Examining Board must:

~~111~~ *(a)* Pass the Dental Simulated Clinical Examination or a comparable examination administered by the Western Regional Examining Board, as applicable;

~~121~~ *(b)* Demonstrate proficiency in endodontics as the organization administering the clinical examination requires;

~~13.1~~ (c) Demonstrate proficiency in fixed prosthodontics as the organization administering the clinical examination requires;

~~14.1~~ (d) Demonstrate proficiency in restorative dentistry as the organization administering the clinical examination requires;

~~15.1~~ (e) Demonstrate proficiency in periodontics as the organization administering the clinical examination requires; and

~~16.1~~ (f) Perform such other procedures as the Board requires.

*2. The Board may require an applicant for licensure to practice dentistry, dental hygiene or dental therapy to pass such additional examinations for licensure as the Board may prescribe if the applicant:*

*(a) Has been previously licensed in this State and has not held such a license for 2 years or more, including, without limitation, because the license was revoked or voluntarily surrendered; and*

*(b) Has not maintained an active practice outside of this State, including, without limitation, because his or her license to practice in another jurisdiction has been suspended, revoked, surrendered or because of any other order by a competent authority of another jurisdiction.*

**Sec. 14.** NAC 631.155 is hereby amended to read as follows:

631.155 Each licensee shall, within 30 days after the occurrence of the event, notify the Board in writing by certified mail of:

1. The death of a patient during the performance of any dental procedure;
2. Any unusual incident occurring in his or her dental practice which results in permanent physical or mental injury to a patient or requires the hospitalization of a patient;

3. The suspension or revocation of his or her license to practice dentistry , *dental therapy or dental hygiene* or the imposition of a fine or other disciplinary action against him or her by any agency of another state authorized to regulate the practice of dentistry , *dental therapy or dental hygiene, as applicable*, in that state;

4. The conviction of any felony or misdemeanor involving moral turpitude or which relates to the practice of dentistry , *dental therapy or dental hygiene, as applicable*, in this State or the conviction of any violation of chapter 631 of NRS; ~~for~~

5. *The filing and service of any claim or complaint of malpractice against the licensee; or*

6. Being held civilly or criminally liable in this State, another state or territory of the United States or the District of Columbia for misconduct relating to his or her occupation or profession.

**Sec. 15.** NAC 631.160 is hereby amended to read as follows:

631.160 1. If a licensee desires voluntarily to surrender his or her license, he or she may submit to the Board a sworn written surrender of the license accompanied by delivery to the Board of the certificate of registration previously issued to him or her. The Board may accept or reject the surrender of the license. If the Board accepts the surrender of the license, the surrender is absolute and irrevocable. The Board will notify any agency or person of the surrender as it deems appropriate.

2. The voluntary surrender of a license does not preclude the Board from hearing a complaint for disciplinary action filed against the licensee.

3. *A former licensee who has voluntarily surrendered his or her license may apply for a new license if he or she meets all criteria required for licensure by this chapter and chapter 631 of NRS. If a former licensee surrendered his or her license voluntarily while being disciplined by the Board or during a pending investigation, the Board may require the former*



*licensee to complete any terms of discipline or corrective action not completed as a result of the surrender and require additional terms be completed before issuing a new license.*

**Sec. 16.** NAC 631.170 is hereby amended to read as follows:

631.170 1. A licensee may request the Board to place his or her license in an inactive or retired status. Such a request must be made in writing and before the license expires.

2. The Secretary-Treasurer may reinstate an inactive license upon the written request of an inactive licensee who has maintained an active license and practice outside this State during the time his or her Nevada license was inactive. To reinstate the license, such an inactive licensee must:

- (a) Pay the appropriate renewal fees;
- (b) Provide a list of his or her employment during the time the license was inactive;
- (c) Report all claims of unprofessional conduct or professional incompetence against him or her or any violation of the law which he or she may have committed, including administrative disciplinary charges brought by any other jurisdiction;
- (d) Report whether he or she has been held civilly or criminally liable in this State, another state or territory of the United States or the District of Columbia for misconduct relating to his or her occupation or profession;
- (e) Report any appearance he or she may have made before a peer review committee;
- (f) Submit proof of his or her completion of an amount of continuing education, prorated as necessary, for the year in which the license is restored to active status;
- (g) Provide certification from each jurisdiction in which he or she currently practices that his or her license is in good standing and that no proceedings which may affect that standing are pending;

(h) Satisfy the Secretary-Treasurer that he or she is of good moral character; and

(i) Provide any other information which the Secretary-Treasurer may require,

↪ before the license may be reinstated. In determining whether the licensee is of good moral character, the Secretary-Treasurer may consider whether the license to practice dentistry , *dental therapy or dental hygiene* in another state has been suspended or revoked or whether the licensee is currently involved in any disciplinary action concerning the license in that state.

3. If a person whose license has been on inactive status for less than 2 years has not maintained an active license or practice outside this State, *including, without limitation, because his or her license to practice in another jurisdiction has been suspended, revoked or surrendered or because of any other order by a competent authority of another jurisdiction*, or if a person's license has been on retired status for less than 2 years, he or she must submit to the Board:

(a) Payment of the appropriate renewal fees;

(b) A written petition for reinstatement that has been signed and notarized;

(c) Proof of his or her completion of an amount of continuing education, prorated as necessary, for the year in which the license is restored to active status; and

(d) A list of his or her employment, if any, during the time the license was on inactive or retired status,

↪ before the license may be reinstated.

4. If a person whose license has been on inactive status for 2 years or more has not maintained an active license or practice outside this State, *including, without limitation, because his or her license to practice in another jurisdiction has been suspended, revoked or*

*surrendered or because of any other order by a competent authority of another jurisdiction*, or if a person's license has been on retired status for 2 years or more, he or she must:

- (a) Satisfy the requirements set forth in paragraphs (a) to (d), inclusive, of subsection 3; and
- (b) Pass such additional examinations for licensure as the Board may prescribe,

↪ before the license may be reinstated.

5. If the license of a person has been placed on disabled status, the person must:

- (a) Satisfy the requirements of paragraphs (a), (b) and (c) of subsection 3;
- (b) Submit to the Board a list of his or her employment, if any, during the time the license

was on disabled status;

- (c) Pass such additional examinations for licensure as the Board may prescribe; and

(d) Submit to the Board a statement signed by a licensed physician setting forth that the person is able, mentally and physically, to practice dentistry, *dental therapy or dental hygiene, as applicable*,

↪ before the license may be reinstated.

*6. If the license of a person has been suspended for 2 years or more and the person has not maintained an active practice outside of this State, including, without limitation, because his or her license to practice in another jurisdiction has been suspended, revoked or surrendered or because of any other order by a competent authority of another jurisdiction, the Board may require the person to pass such examinations for licensure as the Board may prescribe before reinstating the license.*

**Sec. 17.** NAC 631.173 is hereby amended to read as follows:

631.173 1. Each dentist licensed to practice in this State must annually complete at least 20 hours of instruction in approved courses of continuing education or biennially complete at

least 40 hours of instruction in approved courses of continuing education, as applicable, based on the renewal period set forth in NRS 631.330 for the type of license held by the dentist. Hours of instruction may not be transferred or carried over from one licensing period to another.

2. *Each dental therapist licensed to practice in this State must annually complete at least 18 hours of instruction in approved courses of continuing education or biennially complete at least 40 hours of instruction in approved courses of continuing education, as applicable, based on the renewal period set forth in NRS 631.330 for the type of license held by the dental therapist. Hours of instruction may not be transferred or carried over from one licensing period to another.*

3. Each dental hygienist licensed to practice in this State must annually complete at least 15 hours of instruction in approved courses of continuing education or biennially complete at least 30 hours of instruction in approved courses of continuing education, as applicable, based on the renewal period set forth in NRS 631.330 for the type of license held by the dental hygienist. Hours of instruction may not be transferred or carried over from one licensing period to another.

~~13.1~~ 4. In addition to the hours of instruction prescribed in subsections 1 , ~~and~~ 2 ~~1~~ and 3, each dentist , *dental therapist* and dental hygienist must maintain current certification in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life. Any course taken pursuant to this subsection must be taught by a certified instructor.

~~14.1~~ 5. Any provider of or instructor for a course in continuing education relating to the practice of dentistry , *dental therapy* or dental hygiene which meets the requirements of this section must be approved by the Board, unless the course is for training in cardiopulmonary resuscitation or is approved by:

- (a) The American Dental Association or the societies which are a part of it;
- (b) The American Dental Hygienists' Association or the societies which are a part of it;
- (c) The Academy of General Dentistry;
- (d) Any nationally recognized association of dental or medical specialists;
- (e) Any university, college or community college, whether located in or out of Nevada; or
- (f) Any hospital accredited by The Joint Commission.

~~15.1~~ **6.** To be approved as a provider of a course in continuing education, the instructor of the course must complete a form provided by the Board and submit it to the Board for review by a committee appointed by the Board not later than 45 days before the beginning date of the course. Upon receipt of the form, the committee shall, within 10 days after receiving the form, approve or disapprove the application and inform the applicant of its decision.

~~16.1~~ **7.** Study by group may be approved for continuing education if the organizer of the group complies with the requirements of subsection ~~15.1~~ **6** and furnishes the Board with a complete list of all members of the group, a synopsis of the subject to be studied, the time, place and duration of the meetings of the group, and the method by which attendance is recorded and authenticated.

~~17.1~~ **8.** Credit may be allowed for attendance at a meeting or a convention of a dental ~~hand~~, *dental therapy or* dental hygiene society.

~~18.1~~ **9.** Credit may be allowed for courses completed via home study, on-line study, self-study or journal study which are taught through correspondence, webinar, compact disc or digital video disc.

~~19.1~~ **10.** Credit may be allowed for dental , *dental therapy* and dental hygiene services provided on a voluntary basis to nonprofit agencies and organizations approved by the Board.

**Sec. 18.** NAC 631.175 is hereby amended to read as follows:

631.175 1. Approved subjects for continuing education in dentistry , *dental therapy* and dental hygiene are:

(a) Clinical subjects, including, without limitation:

- (1) Dental and medical health;
- (2) Preventive services;
- (3) Dental diagnosis and treatment planning; and
- (4) Dental clinical procedures, including corrective and restorative oral health procedures

and basic dental sciences, dental research and new concepts in dentistry; and

(b) Nonclinical subjects, including, without limitation:

- (1) Dental practice organization and management;
- (2) Patient management skills;
- (3) Methods of health care delivery; and
- (4) Teaching methodology.

2. In completing the hours of continuing education required pursuant to NAC 631.173, a dentist *or dental therapist* must annually complete at least 15 hours in clinical subjects approved pursuant to subsection 1 or biennially complete at least 30 hours in clinical subjects approved pursuant to subsection 1, as applicable, based on the renewal period set forth in NRS 631.330 for the type of license held by the dentist ~~H~~ *or dental therapist, as applicable.*

3. In completing the hours of continuing education required pursuant to NAC 631.173, a dental hygienist must annually complete at least 12 hours in clinical subjects approved pursuant to subsection 1 or biennially complete at least 24 hours in clinical subjects approved pursuant to

subsection 1, as applicable, based on the renewal period set forth in NRS 631.330 for the type of license held by the dental hygienist.

4. In completing the hours of continuing education required pursuant to NAC 631.173, a dentist, *dental therapist* or dental hygienist must annually complete at least 2 hours in the clinical subject of infection control in accordance with the provisions of the guidelines adopted by reference in NAC 631.178 or biennially complete at least 4 hours in the clinical subject of infection control in accordance with the provisions of the guidelines adopted by reference in NAC 631.178, as applicable, based on the renewal period set forth in NRS 631.330 for the type of license held by the dentist, *dental therapist* or dental hygienist.

5. In completing the hours of continuing education required pursuant to NAC 631.173, a dentist who is registered to dispense controlled substances pursuant to NRS 453.231 must complete at least 2 hours of training relating specifically to the misuse and abuse of controlled substances, the prescribing of opioids or addiction during each period of licensure.

6. The Board will credit, as a maximum in any one year of an annual or biennial licensing period, the following number of hours of instruction for the following types of courses or activities:

(a) For approved study by a group, 3 hours.

(b) For attendance at a meeting or convention of a dental, *dental therapy* or dental hygiene society, 1 hour for each meeting, but not more than 3 hours, exclusive of hours of continuing education offered in conjunction with the meeting.

(c) For courses completed via home study, on-line study, self-study or journal study through correspondence, webinar, compact disc or digital video disc, not more than 50 percent of the

number of hours of continuing education required by subsection 1 , ~~for~~ 2 or 3 of NAC 631.173, as applicable.

(d) For all other courses conducted by an approved instructor, the number of hours completed by the dentist , *dental therapist* or dental hygienist.

(e) For approved dental , *dental therapy* or dental hygiene services provided in approved nonprofit settings, 6 hours, except that not more than 3 hours will be allowed for any day of volunteer services provided.

**Sec. 19.** NAC 631.177 is hereby amended to read as follows:

631.177 1. When requesting a renewal or reinstatement of his or her license, each:

(a) Dentist shall submit a signed, written statement in substantially the following language for each year since his or her last renewal:

I, ....., hereby certify to the Board of Dental Examiners of Nevada that I have obtained at least 20 approved hours of instruction in continuing education during the period July 1, ....., through and including June 30, ....., I also certify to the Board of Dental Examiners of Nevada that I am currently certified in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life.

Dated this ..... (day) of ..... (month) of ..... (year)

.....

Signature of Dentist



(b) *Dental therapist shall submit a signed, written statement in substantially the following language for each year since his or her last renewal:*

*I, ....., hereby certify to the Board of Dental Examiners of Nevada that I have obtained at least 18 approved hours of instruction in continuing education during the period July 1, ....., through and including June 30, ....., I also certify to the Board of Dental Examiners of Nevada that I am currently certified in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life.*

*Dated this ..... (day) of ..... (month) of ..... (year)*

.....  
*Signature of Dental Therapist*

(c) Dental hygienist shall submit a signed, written statement in substantially the following language for each year since his or her last renewal:

I, ....., hereby certify to the Board of Dental Examiners of Nevada that I have obtained at least 15 approved hours of instruction in continuing education during the period July 1, ....., through and including June 30, ....., I also certify to the Board of Dental Examiners of Nevada that I am currently certified in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life.

Dated this ..... (day) of ..... (month) of ..... (year)

.....  
Signature of Dental Hygienist

~~(e)~~ (d) Dentist , *dental therapist* or dental hygienist shall submit proof of his or her current certification in administering cardiopulmonary resuscitation or other medically acceptable means of maintaining basic bodily functions which support life.

2. Legible copies of all receipts, records of attendance, certificates and other evidence of attendance by a dentist , *dental therapist* or dental hygienist at an approved course in continuing education must be retained by the dentist , *dental therapist* or dental hygienist and made available to the Board for inspection or copying for 3 years after attendance at the course is submitted to meet the continuing education requirements of the Board. Proof of attendance and completion of the required credit hours of instruction must be complete enough to enable the Board to verify the attendance and completion of the course by the dentist , *dental therapist* or dental hygienist and must include at least the following information:

- (a) The name and location of the course;
- (b) The date of attendance;
- (c) The name, address and telephone number of its instructor;
- (d) A synopsis of its contents; and
- (e) For courses designed for home study, the number assigned to the provider by the Board at the time the course was approved and the name, address and telephone number of the producer or author of the course.

3. The ~~third~~ *second* or subsequent failure of a dentist ~~and~~, *dental therapist or* dental hygienist to obtain or file proof of completion of the credit hours of instruction required by this section and NAC 631.173 and 631.175 is unprofessional conduct.

4. The Board will conduct random *initial* audits of dentists, *dental therapists* or dental hygienists *and additional follow-up audits, as necessary*, to ensure compliance with the requirements of this section and NAC 631.173 and 631.175.

**Sec. 20.** NAC 631.178 is hereby amended to read as follows:

631.178 1. Each person who is licensed pursuant to the provisions of chapter 631 of NRS shall comply with:

(a) The provisions of the *Guidelines for Infection Control in Dental Health-Care Settings-2003* adopted by the Centers for Disease Control and Prevention which is hereby adopted by reference. The publication is available, free of charge, from the Centers for Disease Control and Prevention at the Internet address

<http://www.cdc.gov/mmwr/preview/mmwrhtml/rr5217a1.htm>; and

(b) As applicable to the practice of dentistry, *dental therapy and dental hygiene*, the provisions of the *Guideline for Disinfection and Sterilization in Healthcare Facilities, 2008*, adopted by the Centers for Disease Control and Prevention which is hereby adopted by reference. The publication is available, free of charge, from the Centers for Disease Control and Prevention at the Internet address

~~[http://www.cdc.gov/ncidod/dhqp/pdf/guidelines/Disinfection\\_Nov\\_2008.pdf](http://www.cdc.gov/ncidod/dhqp/pdf/guidelines/Disinfection_Nov_2008.pdf)~~

<http://www.cdc.gov/infectioncontrol/pdf/guidelines/disinfection-guidelines-H.pdf>

2. The Board will periodically review the guidelines adopted by reference in this section and determine within 30 days after the review whether any change made to the guidelines is

appropriate for application in this State. If the Board does not disapprove a change to the guidelines within 30 days after the review, the change is deemed to be approved by the Board.

**Sec. 21.** NAC 631.190 is hereby amended to read as follows:

631.190 The only specialties for which the Board will issue licenses are:

1. Oral and maxillofacial pathology;
2. Oral and maxillofacial surgery;
3. Orthodontia;
4. Periodontia;
5. Prosthodontia;
6. Pediatric dentistry;
7. Endodontia;
8. Public health; ~~hand~~
9. Oral and maxillofacial radiology ~~H~~;

*10. Dental anesthesiology;*

*11. Oral medicine; and*

*12. Orofacial pain.*

**Sec. 22.** NAC 631.220 is hereby amended to read as follows:

631.220 1. A dentist who is licensed in the State of Nevada may authorize a dental assistant in his or her employ and under his or her supervision to perform the following procedures before the patient is examined by the dentist:

- (a) Expose radiographs; and
- (b) Take impressions for the preparation of diagnostic models.

2. A dentist who is licensed in the State of Nevada may authorize a dental assistant in his or her employ and under his or her supervision only to do one or more of the following procedures after the patient has been examined by the dentist:

- (a) Retract a patient's cheek, tongue or other tissue during a dental operation.
- (b) Remove the debris that normally accumulates during or after a cleaning or operation by the dentist by using mouthwash, water, compressed air or suction.
- (c) Place or remove a rubber dam and accessories used for its placement.
- (d) Place and secure an orthodontic ligature.
- (e) Remove sutures.
- (f) Place and remove a periodontal pack.
- (g) Remove excess cement from cemented restorations and orthodontic appliances. A dental assistant may not use a rotary cutting instrument to remove excess cement from restorations or orthodontic appliances.
- (h) Administer a topical anesthetic in any form except aerosol.
- (i) Train and instruct persons in the techniques of oral hygiene and preventive procedures.
- (j) Take the following types of impressions:
  - (1) Those used for the preparation of counter or opposing models;
  - (2) Those used for the fabrication of temporary crowns or bridges; and
  - (3) Those used for the fabrication of temporary removable appliances, provided no missing teeth are replaced by those appliances.
- (k) Fabricate and place temporary crowns and bridges. This procedure must be checked and approved by the supervising dentist before dismissal of the patient from the office of the dentist.

(l) Retract gingival tissue if the retraction cord contains no medicaments that have potential systemic side effects.

(m) Remove soft plaque and stain from exposed tooth surfaces, utilizing an appropriate rotary instrument with a rubber cup or brush and a suitable polishing agent. A licensed dentist, *dental therapist* or dental hygienist shall determine that the teeth to be polished are free of calculus or other extraneous material.

(n) Administer a topical fluoride.

(o) Apply pit and fissure sealant to the dentition for the prevention of decay. This procedure must be checked and approved by the supervising dentist before dismissal of the patient from the office of the dentist.

(p) Fit orthodontic bands and prepare teeth for orthodontic bands if the bands are cemented or bonded, or both, into the patient's mouth by the dentist who authorized the dental assistant to perform this procedure.

3. A dentist who is licensed in the State of Nevada may authorize a *dental therapist or dental hygienist* to supervise a dental assistant in the assistance of the ~~hygienist's~~ performance of *the dental therapist or dental hygienist of* one or more of the following ~~+~~ *procedures:*

(a) Retract a patient's cheek, tongue or other tissue during a dental operation.

(b) Remove the debris that normally accumulates during or after a cleaning or operation by the *dental therapist or dental hygienist* by using mouthwash, water, compressed air or suction.

(c) Train and instruct persons in the techniques of oral hygiene and preventive procedures.

(d) Remove soft plaque and stain from exposed tooth surfaces, utilizing an appropriate rotary instrument with a rubber cup or brush and a suitable polishing agent. A licensed dentist, *dental*

*therapist* or dental hygienist shall determine that the teeth to be polished are free of calculus or other extraneous material.

(e) Administer a topical fluoride.

4. A dental hygienist ~~H~~ who is authorized by the Board to perform the services described in subsection 6 of NAC 631.210 ~~H~~ *or a dental therapist* may authorize a dental assistant under his or her supervision to assist the hygienist *or therapist, as applicable*, in the performance of the services described in paragraphs (a) to (e), inclusive, of subsection 3.

**Sec. 23.** NAC 631.230 is hereby amended to read as follows:

631.230 1. In addition to those specified by statute and subsection 3 of NAC 631.177, the following acts constitute unprofessional conduct:

(a) The falsification of records of health care or medical records.

(b) Writing prescriptions for controlled substances in such excessive amounts as to constitute a departure from prevailing standards of acceptable dental practice.

(c) The consistent use of dental procedures, services or treatments which constitute a departure from prevailing standards of acceptable dental practice even though the use does not constitute malpractice or gross malpractice.

(d) The acquisition of any controlled substances from any pharmacy or other source by misrepresentation, fraud, deception or subterfuge.

(e) Making an unreasonable additional charge for laboratory tests, radiology services or other testing services which are ordered by the dentist and performed outside his or her own office.

(f) The failure to report to the Board as required in NAC 631.155 or to sign any affidavit required by the Board.

(g) Employing any person in violation of NAC 631.260 or failing to report to the Board as required by that section.

(h) The failure of a dentist who is administering or directly supervising the administration of general anesthesia, deep sedation or moderate sedation to be physically present while a patient is under general anesthesia, deep sedation or moderate sedation.

(i) Administering moderate sedation to more than one patient at a time, unless each patient is directly supervised by a person authorized by the Board to administer moderate sedation.

(j) Administering general anesthesia or deep sedation to more than one patient at a time.

(k) The failure to have any patient who is undergoing general anesthesia, deep sedation or moderate sedation monitored with a pulse oximeter or similar equipment required by the Board.

(l) Allowing a person who is not certified in basic cardiopulmonary resuscitation to care for any patient who is undergoing general anesthesia, deep sedation or moderate sedation.

(m) The failure to obtain a patient's written, informed consent before administering general anesthesia, deep sedation or moderate sedation to the patient or, if the patient is a minor, the failure to obtain his or her parent's or guardian's consent unless the dentist determines that an emergency situation exists in which delaying the procedure to obtain the consent would likely cause permanent injury to the patient.

(n) The failure to maintain a record of all written, informed consents given for the administration of general anesthesia, deep sedation or moderate sedation.

(o) The failure to report to the Board, in writing, the death or emergency hospitalization of any patient to whom general anesthesia, deep sedation or moderate sedation was administered.

The report must be made within 30 days after the event.



(p) Allowing a person to administer general anesthesia, deep sedation or moderate sedation to a patient if the person does not hold a permit to administer such anesthesia or sedation unless the anesthesia or sedation is administered in a facility for which a permit is held as required by NRS 449.442.

(q) The failure of a dentist who owns a dental practice to provide copies of the records of a patient to a dentist , *dental therapist* or dental hygienist who provided the services as an employee or independent contractor of the dentist when the records are the basis of a complaint before the Board. Nothing in this paragraph relieves the treating dentist , *dental therapist* or dental hygienist from the obligation to provide records of the patient to the Board.

(r) The failure of a dentist who owns a dental practice to verify the license of a dentist , *dental therapist* or dental hygienist before offering employment or contracting for services with the dentist , *dental therapist* or dental hygienist as an independent contractor.

(s) The failure of a dentist who owns a dental practice and participates in the diagnosis and treatment of any patient to ensure that the services rendered by a dentist , *dental therapist* or dental hygienist who is an employee or independent contractor of that dentist meet the prevailing standards of acceptable dental practice. If a dentist , *dental therapist* or dental hygienist who is an employee or independent contractor of the dentist is found by substantial evidence to have provided services below the prevailing standards of acceptable dental practice, the dentist who owns the dental practice may be required to reimburse the patient to whom the services were provided pursuant to paragraph (l) of subsection 1 of NRS 631.350.

(t) The failure of a dentist who owns a dental practice to record the name of the dentist , *dental therapist* or dental hygienist who provided the services in the records of a patient each time the services are rendered.

(u) The failure of a dentist who is registered to dispense controlled substances with the State Board of Pharmacy pursuant to chapter 453 of NRS to conduct annually a minimum of one self-query regarding the issuance of controlled substances through the Prescription Monitoring Program of the State Board of Pharmacy.

2. For purposes of NRS 631.347, a plan or practice requiring a patient to select a dentist from a specific group does not provide the patient with a reasonable opportunity to select a dentist of his or her own choice, and constitutes unprofessional conduct on the part of any dentist participating in such a plan or practice, unless it, or another plan concurrently available to the patient, allows the patient to:

(a) Have an annual opportunity, lasting for a minimum of 30 days, to select a dentist of his or her own choice for all dental work to be performed during the subsequent 12 months. Any new patient added to the plan or practice must immediately be given an initial opportunity, lasting at least 30 days, to select the coverage supplied by the plan or practice or a dentist of his or her own choice.

(b) Receive the allowance for a procedure performed by a dentist of his or her own choice in substantially the same amount as he or she would if he or she used the services of one of the group of dentists specified by the plan or practice.

**Sec. 24.** NAC 631.260 is hereby amended to read as follows:

631.260 1. Each patient who is undergoing a radiographic procedure must be covered with a lead apron.

2. Each licensee who employs any person, other than a *dental therapist or* dental hygienist, to assist him or her in radiographic procedures shall include with his or her application for renewal of his or her license a certified statement:

(a) Containing the name of each person so employed, his or her position and the date he or she began to assist the licensee in radiographic procedures; and

(b) Attesting that each such employee has received:

(1) Adequate instruction concerning radiographic procedures and is qualified to operate radiographic equipment as required pursuant to subsection 3 of NAC 459.552;

(2) Training in cardiopulmonary resuscitation at least every 2 years while so employed;

(3) A minimum of 4 hours of continuing education in infection control every 2 years while so employed; and

(4) Before beginning such employment, a copy of this chapter and chapter 631 of NRS in paper or electronic format.

**Sec. 25.** NAC 631.273 is hereby amended to read as follows:

631.273 1. If, upon the death of a dentist licensed pursuant to chapter 631 of NRS, a surviving member of his or her family desires to own or control his or her practice, share in the fees therefrom, or control the services offered, the surviving member shall, within 2 months after the dentist's death, notify the Board of that fact by furnishing the Secretary-Treasurer with a certified copy of the death certificate.

2. Upon receipt of the death certificate, the Board will appoint one or more of its members, agents or employees to investigate the operation of the dental practice of the decedent to determine whether the practice is being conducted in full compliance with the requirements of chapter 631 of NRS and the regulations of the Board, paying particular attention to the health, welfare and safety of the public.

3. If, upon investigation, the Board finds that the practice is not being conducted in full compliance with the requirements of chapter 631 of NRS or the regulations of the Board, it will

apply to the district court to enjoin the continuation of the practice and will further institute any disciplinary action it deems necessary against any licensed dentist , *dental therapist* or dental hygienist associated with the practice.

**Sec. 26.** NAC 631.275 is hereby amended to read as follows:

631.275 1. For the purposes of paragraph ~~(h)~~ (i) of subsection 2 of NRS 631.215, the Board will deem a person to exercise authority or control over the clinical practice of dentistry if the person, by agreement, lease, policy, understanding or other arrangement, exercises authority or control over:

(a) The manner in which a licensed dentist, *a dental therapist*, a dental hygienist or a dental assistant uses dental equipment or materials for the provision of dental treatment;

(b) The use of a laboratory or the decision to purchase or not to purchase dental equipment or materials against the advice of a licensed dentist if the dentist reasonably concludes that such use, purchase or failure to purchase would impair the ability of the dentist , *a dental therapist* or a dental hygienist to provide dental care to a patient consistent with the standard of care in the community;

(c) A decision of a licensed dentist regarding a course or alternative course of treatment for a patient, the procedures or materials to be used as part of a course of treatment or the manner in which a course of treatment is carried out by the dentist, *a dental therapist*, a dental hygienist or a dental assistant;

(d) The length of time a licensed dentist , *a dental therapist* or a dental hygienist spends with a patient or if the person otherwise places conditions on the number of patients a licensed dentist , *a dental therapist* or a dental hygienist may treat in a certain period of time;

(e) The length of time a licensed dentist, *a dental therapist*, a dental hygienist or a dental assistant spends performing dental services, against the advice of the dentist, if the dentist reasonably believes that the ability of the dentist, *dental therapist*, dental hygienist or dental assistant to provide dental care to a patient consistent with the standard of care in the community would be impaired;

(f) The referrals by a licensed dentist to another licensed dentist or otherwise places any restriction or limitation on the referral of patients to a specialist or any other practitioner the licensed dentist determines is necessary;

(g) The clinical practices of a *dental therapist or* dental hygienist regarding appropriate *dental therapy care or* dental hygiene care , *as applicable*, or the duties that a licensed dentist may delegate to a *dental therapist or* dental hygienist;

(h) Patient records at any time to the exclusion of the applicable licensed dentist or the applicable patient;

(i) A decision of a licensed dentist to refund payments made by a patient for clinical work that is not performed or is performed incorrectly by:

(1) The dentist; or

(2) A *dental therapist or* dental hygienist employed by the licensed dentist or a professional entity of the licensed dentist;

(j) A decision regarding the advertising of the practice of a licensed dentist if the decision would result in a violation of the provisions of NRS 631.348 by the dentist;

(k) A decision to establish fees for dental services against the advice of a licensed dentist if the dentist reasonably concludes that those fees would impair the ability of the dentist , ~~for~~ a

*dental therapist or a* dental hygienist to provide dental care to patients consistent with the standard of care in the community;

(l) A decision relating to the clinical supervision of *dental therapists or* dental hygienists and ancillary personnel regarding the delivery of dental care to patients of a licensed dentist;

(m) The hiring or firing of licensed dentists, *dental therapists* or dental hygienists or the material clinical terms of their employment relationship with a licensed dentist or a professional entity of a licensed dentist;

(n) A decision regarding the hiring of ancillary personnel against the advice of a licensed dentist or a decision by a licensed dentist to fire or refuse to work with ancillary personnel if that advice, firing or refusal is related to the clinical competence of that ancillary personnel to render dental care to patients, regardless of who employs such ancillary personnel; and

(o) The material terms of any provider contracts or arrangements between a licensed dentist or a professional entity of a licensed dentist and third-party payors against the advice of the dentist, if the dentist reasonably concludes that the contract or arrangement would impair the ability of the dentist to provide dental care to patients consistent with the standard of care in the community.

2. For the purposes of this section:

(a) “Ancillary personnel” means a person, other than a licensed dentist, *a dental therapist* or a dental hygienist, who:

(1) Directly provides dental care to a patient under the supervision of a licensed dentist, *a dental therapist* or a dental hygienist; or

(2) Assists a licensed dentist, *a dental therapist* or a dental hygienist in the provision of dental care to a patient.

(b) “Clinical” means relating to or involving the diagnosis, evaluation, examination, prevention or treatment of conditions, diseases or disorders of the maxillofacial area, oral cavity or the adjacent and associated structures and their impact on the human body, as typically provided by a licensed dentist or, if applicable, a *dental therapist or* dental hygienist, within the scope of the education, experience and training of the dentist, *dental therapist* or dental hygienist, in accordance with applicable law and the ethics of the profession of dentistry.

**Sec. 27.** NAC 631.279 is hereby amended to read as follows:

631.279 1. Any applicant or licensed dentist, *dental therapist* or dental hygienist may obtain a determination or advisory opinion from the Board as to the applicability of any provision of chapter 631 of NRS or any regulation adopted pursuant thereto by bringing an action for a declaratory judgment before the Board.

2. The Board will construe any statute or regulation reviewed pursuant to this section in a manner consistent with the declared policy of the State of Nevada.

**Agenda Item 6(b):**

**Discussion, Consideration & Possible Action Regarding  
Recommendations of the Anesthesia Committee to Full  
Board Regarding Possible Revisions to Regulations  
Governing Inspections/Evaluations for Issuing and/or  
Renewing Anesthesia Permits and Required  
Maintenance of Emergency Drugs  
NRS 631.190, NRS 631.265, NAC 631.2227  
and NAC 631.2231 (For Possible Action)**



**NRS 631.190** Powers and duties. [Effective January 1, 2020.] In addition to the powers and duties provided in this chapter, the Board shall:

1. Adopt rules and regulations necessary to carry out the provisions of this chapter.
2. Appoint such committees, review panels, examiners, officers, employees, agents, attorneys, investigators and other professional consultants and define their duties and incur such expense as it may deem proper or necessary to carry out the provisions of this chapter, the expense to be paid as provided in this chapter.
3. Fix the time and place for and conduct examinations for the granting of licenses to practice dentistry, dental hygiene and dental therapy.
4. Examine applicants for licenses to practice dentistry, dental hygiene and dental therapy.
5. Collect and apply fees as provided in this chapter.
6. Keep a register of all dentists, dental hygienists and dental therapists licensed in this State, together with their addresses, license numbers and renewal certificate numbers.
7. Have and use a common seal.
8. Keep such records as may be necessary to report the acts and proceedings of the Board. Except as otherwise provided in [NRS 631.368](#), the records must be open to public inspection.
9. Maintain offices in as many localities in the State as it finds necessary to carry out the provisions of this chapter.
10. Have discretion to examine work authorizations in dental offices or dental laboratories.

[Part 4:152:1951; A [1953, 363](#)] — (NRS A [1963, 150](#); [1967, 865](#); [1993, 2743](#); [2009, 3002](#); [2017, 989, 2848](#); [2019, 3205](#), effective January 1, 2020)

**NRS 631.265 Permit to administer or supervise administration of general anesthesia, minimal sedation, moderate sedation or deep sedation; regulations.**

1. No licensed dentist or person who holds a restricted license issued pursuant to [NRS 631.275](#) may administer or supervise directly the administration of general anesthesia, minimal sedation, moderate sedation or deep sedation to dental patients unless the dentist or person has been issued a permit authorizing him or her to do so by the Board.

2. The Board may issue a permit authorizing a licensed dentist or person who holds a restricted license issued pursuant to [NRS 631.275](#) to administer or supervise directly the administration of general anesthesia, minimal sedation, moderate sedation or deep sedation to dental patients under such standards, conditions and other requirements as the Board shall by regulation prescribe.

(Added to NRS by [1983, 278](#); A [1989, 1740](#); [2001, 2692](#); [2015, 3876](#))

**NAC 631.2227 Inspections and evaluations: Minimum standards for physical facilities and equipment.** ([NRS 631.190](#), [631.265](#)) A dentist's office inspected or evaluated for the issuance or renewal of a general anesthesia permit, moderate sedation permit or certificate of site approval must meet the following minimum standards with regard to physical facilities and equipment:

1. The operating theater must be large enough to accommodate the patient adequately on a table or in a dental chair and to allow an operating team consisting of at least three persons to move freely about the patient.

2. The operating table or dental chair must:

(a) Allow the patient to be placed in a position such that the operating team can maintain the airway;

(b) Allow the operating team to alter the patient's position quickly in an emergency; and

(c) Provide a firm platform for the management of cardiopulmonary resuscitation.

3. The lighting system must be adequate to allow an evaluation of the patient's skin and mucosal color. An alternate lighting system must derive its power from batteries and must be sufficiently intense to allow completion of any procedure underway at the time of a general power failure.

4. Suction equipment must be available that allows aspiration of the oral and pharyngeal cavities. An alternate suction device that will function effectively during a general power failure must be available.

5. A system for delivering oxygen must have adequate full-face masks and appropriate connectors, and be capable of delivering oxygen to the patient under positive pressure. An adequate alternate system for delivering oxygen is also required.

6. A recovery area must be provided that has available oxygen, adequate lighting, suction and electrical outlets. The recovery area may be the operating theater. A member of the staff must be able to observe the patient at all times during the recovery.

7. Except as otherwise provided in this subsection, ancillary equipment must include:

(a) A laryngoscope complete with an adequate selection of blades and spare batteries and bulbs;

(b) Endotracheal tubes and appropriate connectors;

(c) Oral airways;

(d) A tonsillar or pharyngeal suction tip adaptable to all office suction outlets;

(e) An endotracheal tube type forcep;

(f) A sphygmomanometer and stethoscope;

(g) An electrocardioscope and defibrillator;

(h) Adequate equipment for the establishment of an intravenous infusion;

(i) A pulse oximeter; and

(j) A capnography monitor.

↳ Except as otherwise provided in subsection 8, a dentist's office inspected or evaluated for the issuance or renewal of a moderate sedation permit is not required to have the ancillary equipment described in paragraphs (a), (b), (e), (g) and (j).

8. In addition to the requirements of subsection 7, if general anesthesia, deep sedation or moderate sedation is administered at the dentist's office to a patient 12 years of age or younger, the following equipment must be available at the dentist's office:

- (a) A pediatric size ambu bag and masks;
- (b) Pediatric blood pressure cuffs;
- (c) A laryngoscope complete with an adequate selection of blades for use on pediatric patients;
- (d) Appropriately sized endotracheal tubes and appropriate connectors;
- (e) An electrocardioscope and defibrillator;
- (f) Pediatric pads for use with an electrocardioscope and defibrillator; and
- (g) Small oral and nasal airways.

(Added to NAC by Bd. of Dental Exam'rs, eff. 10-21-83; A by R005-99, 9-7-2000; R004-17, 5-16-2018)

**NAC 631.2231 Inspections and evaluations: Maintenance of emergency drugs. (NRS 631.190, 631.265)**

1. Except as otherwise provided in this section, a dentist's office inspected or evaluated for the issuance or renewal of a general anesthesia permit, moderate sedation permit or certificate of site approval must maintain emergency drugs of the following categories which must be immediately available for use on the patient:

- (a) Vasopressor;
- (b) Corticosteroid;
- (c) Bronchodilator;
- (d) Muscle relaxant;
- (e) Intravenous medication for the treatment of cardiopulmonary arrest;
- (f) Appropriate drug antagonist;
- (g) Antihistaminic;
- (h) Anticholinergic;
- (i) Antiarrhythmic;
- (j) Coronary artery vasodilator;
- (k) Anti-hypertensive; and
- (l) Anti-convulsive.

2. In addition to the requirements of subsection 1, if general anesthesia, deep sedation or moderate sedation is administered at a dentist's office to a patient 12 years of age or younger, the dentist's office must maintain the following emergency drugs:

- (a) Appropriate dosages of epinephrine or a pediatric epinephrine auto-injector;
- (b) Adenosine;
- (c) Aminodarone;
- (d) Magnesium sulfate; and
- (e) Procainamide.

3. Except as otherwise provided in subsection 2, a dentist's office that is inspected or evaluated for the issuance or renewal of a moderate sedation permit is not required to maintain the emergency drugs described in paragraphs (d), (e), (i) and (k) of subsection 1.

(Added to NAC by Bd. of Dental Exam'rs, eff. 10-21-83; A by R005-99, 9-7-2000; R004-17, 5-16-2018)

## Changes that are needed 11/9/2023

NAC 631.2227 Inspections and evaluations: Minimum standards for physical facilities and equipment. ([NRS 631.190](#), [631.265](#)) A dentist's office inspected or evaluated for the issuance or renewal of a general anesthesia permit, moderate sedation permit or certificate of site approval must meet the following minimum standards with regard to physical facilities and equipment:

1. The operating theater must be large enough to accommodate the patient adequately on a table or in a dental chair and to allow an operating team consisting of at least three persons to move freely about the patient.

2. The operating table or dental chair must:

(a) Allow the patient to be placed in a position such that the operating team can maintain the airway;

(b) Allow the operating team to alter the patient's position quickly in an emergency; and

(c) Provide a firm platform for the management of cardiopulmonary resuscitation.

3. The lighting system must be adequate to allow an evaluation of the patient's skin and mucosal color. An alternate lighting system must derive its power from batteries and must be sufficiently intense to allow completion of any procedure underway at the time of a general power failure.

4. Suction equipment must be available that allows aspiration of the oral and pharyngeal cavities. An alternate suction device that will function effectively during a general power failure must be available.

5. A system for delivering oxygen must have adequate full-face masks and appropriate connectors, and be capable of delivering oxygen to the patient under positive pressure. An adequate alternate system for delivering oxygen is also required.

6. A recovery area must be provided that has available oxygen, adequate lighting, suction and electrical outlets. The recovery area may be the operating theater. A member of the staff must be able to observe the patient at all times during the recovery.

7. Except as otherwise provided in this subsection, ancillary equipment must include:

(a) A laryngoscope complete with an adequate selection of blades and spare batteries and bulbs;

(b) Endotracheal tubes and appropriate connectors;

(c) Oral airways;

- (d) A tonsillar or pharyngeal suction tip adaptable to all office suction outlets;
- (e) An endotracheal tube type forcep;
- (f) A sphygmomanometer and stethoscope;
- (g) An electrocardioscope and defibrillator;
- (h) Adequate equipment for the establishment of an intravenous infusion;
- (i) A pulse oximeter; and
- (j) A capnography monitor.

↪ Except as otherwise provided in subsection 8, a dentist's office inspected or evaluated for the issuance or renewal of a moderate sedation permit **for 13 and over and 12 years and younger** is not required to have the ancillary equipment described in paragraphs (a), (b), (e), (g) and (j).

8. In addition to the requirements of subsection 7, if general anesthesia, deep sedation or moderate sedation (**remove moderate sedation from this paragraph**) is administered at the dentist's office to a patient 12 years of age or younger, the following equipment must be available at the dentist's office:

- (a) A pediatric size ambu bag and masks;
- (b) Pediatric blood pressure cuffs;
- (c) A laryngoscope complete with an adequate selection of blades for use on pediatric patients;
- (d) Appropriately sized endotracheal tubes and appropriate connectors;
- (e) An electrocardioscope and defibrillator;
- (f) Pediatric pads for use with an electrocardioscope and defibrillator; and
- (g) Small oral and nasal airways.

(Added to NAC by Bd. of Dental Exam'rs, eff. 10-21-83; A by R005-99, 9-7-2000; R004-17, 5-16-2018)

**9. For Pediatric moderate sedation 12 years and younger the following equipment is needed:**

**A. Pediatric ambu bag and masks**

**B. Pediatric BP Cuff**

**C. Small Oral and Nasal Airways**



NAC 631.2231 Inspections and evaluations: Maintenance of emergency drugs. ([NRS 631.190, 631.265](#))

1. Except as otherwise provided in this section, a dentist's office inspected or evaluated for the issuance or renewal of a general anesthesia permit, moderate sedation permit or certificate of site approval must maintain emergency drugs of the following categories which must be immediately available for use on the patient:

- (a) Vasopressor;
- (b) Corticosteroid;
- (c) Bronchodilator;
- (d) Muscle relaxant;
- (e) Intravenous medication for the treatment of cardiopulmonary arrest;
- (f) Appropriate drug antagonist;
- (g) Antihistaminic;
- (h) Anticholinergic;
- (i) Antiarrhythmic;
- (j) Coronary artery vasodilator;
- (k) Anti-hypertensive; and
- (l) Anti-convulsive.

2. In addition to the requirements of subsection 1, if general anesthesia, deep sedation or moderate sedation is administered at a dentist's office to a patient 12 years of age or younger, the dentist's office must maintain the following emergency drugs:

- (a) Appropriate dosages of epinephrine or a pediatric epinephrine auto-injector;
- (b) Adenosine; **NEEDS TO BE REMOVED**
- (c) Aminodarone; **NEEDS TO BE REMOVED**
- (d) Magnesium sulfate; and **NEEDS TO BE REMOVED**
- (e) Procainamide. **NEEDS TO BE REMOVED**

3. Except as otherwise provided in subsection 2, a dentist's office that is inspected or evaluated for the issuance or renewal of a moderate sedation permit **13 and over and 12 and younger** is not required to maintain the emergency drugs described in paragraphs (d), (e), (i) and (k) of subsection 1.

(Added to NAC by Bd. of Dental Exam'rs, eff. 10-21-83; A by R005-99, 9-7-2000; R004-17, 5-16-2018)

**NAC 631.2219 Inspection and evaluation; renewal of permit; reevaluation of credentials. ([NRS 631.190](#), [631.265](#))**

1. The Board will require an inspection and evaluation of the facility, equipment, personnel, records of patients and the procedures used by every dentist who seeks or holds a general anesthesia permit or moderate sedation permit, and of the dentist himself or herself, before issuing such an original permit to the dentist, and **(MAY)** at least once in every 5-year period thereafter.

2. The Board will renew general anesthesia permits and moderate sedation permits annually or biennially, as applicable, based on the renewal period set forth in [NRS 631.330](#) for the type of license held by the holder of the permit, unless the holder is informed in writing, 60 days before the date for renewal, that a reevaluation of his or her credentials is required. In determining whether reevaluation is necessary, the Board will consider, among other factors, complaints by patients and reports of adverse occurrences. A reevaluation will, if appropriate, include an inspection of the facility, equipment, personnel, records of patients and the procedures used by the holder, and an examination of his or her qualifications.

(Added to NAC by Bd. of Dental Exam'rs, eff. 10-21-83; A 7-30-84; R005-99, 9-7-2000; R158-08, 12-17-2008; R004-17, 5-16-2018)

**Agenda Item 7:**

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

**Agenda Item 7(a):**

**Approval/Rejection of 90-Day Extension of Temporary  
Anesthesia Permit**

**NAC 631.2254(2); NRS 631.190 (For Possible Action)**

**NAC 631.2254** Temporary permits. ([NRS 631.190](#), [631.265](#))

1. The Board may grant a temporary permit to administer general anesthesia and deep sedation or a temporary permit to administer moderate sedation to an applicant who meets the qualifications for a permit to administer that type of anesthesia or sedation pursuant to [NAC 631.2213](#).

2. A temporary permit is valid for not more than 90 days, but the Board may, in any case it deems appropriate, grant a 90-day extension of the permit.

3. The Board may require the holder of a temporary permit to pass an on-site inspection as a condition of retaining the permit. If the holder fails the inspection, his or her permit will be revoked. In case of revocation, the holder of a temporary permit may apply to be reinspected in accordance with the procedures set forth in [NAC 631.2235](#).

(Added to NAC by Bd. of Dental Exam'rs, eff. 11-28-90; A by R005-99, 9-7-2000; R004-17, 5-16-2018)

**NRS 631.190** Powers and duties. [Effective January 1, 2020.] In addition to the powers and duties provided in this chapter, the Board shall:

1. Adopt rules and regulations necessary to carry out the provisions of this chapter.
2. Appoint such committees, review panels, examiners, officers, employees, agents, attorneys, investigators and other professional consultants and define their duties and incur such expense as it may deem proper or necessary to carry out the provisions of this chapter, the expense to be paid as provided in this chapter.
3. Fix the time and place for and conduct examinations for the granting of licenses to practice dentistry, dental hygiene and dental therapy.
4. Examine applicants for licenses to practice dentistry, dental hygiene and dental therapy.
5. Collect and apply fees as provided in this chapter.
6. Keep a register of all dentists, dental hygienists and dental therapists licensed in this State, together with their addresses, license numbers and renewal certificate numbers.
7. Have and use a common seal.
8. Keep such records as may be necessary to report the acts and proceedings of the Board. Except as otherwise provided in [NRS 631.368](#), the records must be open to public inspection.
9. Maintain offices in as many localities in the State as it finds necessary to carry out the provisions of this chapter.
10. Have discretion to examine work authorizations in dental offices or dental laboratories.

[Part 4:152:1951; A [1953, 363](#)] — (NRS A [1963, 150](#); [1967, 865](#); [1993, 2743](#); [2009, 3002](#); [2017, 989, 2848](#); [2019, 3205](#), effective January 1, 2020)

**Agenda Item 7(a)(1):**

**Creed S Haymond, DDS - General Anesthesia**





**Nevada State Board of Dental Examiners**

2651 N. Green Valley Parkway, Suite 104, Henderson, NV 89014  
(702) 486-7044 • (800) DDS-EXAM • Fax (702) 486-7046  
nsbde@dental.nv.gov

Dr. Travis Kirklands  
holds GA-AA  
SPG 393-AA

**GENERAL ANESTHESIA ADMIN PERMIT APPLICATION**

|   |
|---|
| Office Site Permit <input type="checkbox"/>   |
| Check box if you are applying for a Site Permit for this same office location as well |

Name: Creed S. Hammond <sup>DDS</sup> License Number: 52-163C

Dental Practice Name: Any Day Dental

Office Address: 2575 5<sup>th</sup> Street  
Clark, NV. 89801

Office Telephone: 775-553-0136

Office Fax: 775-738-6815

**DENTAL EDUCATION**

University / College: University of Washington

Location: Seattle, Washington

Dates attended: 8/15/83 to 6/15/87 Degree Earned: D.O.S.

**SPECIALTY EDUCATION**

University / College: University of Washington

Location: Seattle, Washington

Dates attended: 7/1/87 to 6/30/91 Degree Earned: OMS certificate

The following information and documentation must be received by the Board office prior to consideration of a **GENERAL ANESTHESIA** permit:

- 1) Completed and signed application form with all questions answered in full;
- 2) Non-refundable application fee in the amount of \$750.00;
- 3) The completion of a program, subject to the approval of the Board, of advanced training in anesthesiology and related academic subjects beyond the level of undergraduate dental school in training program as described in the Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students or the completion of a graduate program in oral and maxillofacial surgery or dental anesthesiology approved by CODA
- 4) Valid copy of Advanced Cardiac Life Support or a course providing similar instruction that is approved by the Board

Received  
IAN 29 2024  
NSBDE Rev 1/2014

**QUESTION SECTION:**

**HAVE YOU:**

1) Completed one (1) year advanced training in Anesthesiology?  Yes  No

Where: \_\_\_\_\_ When: \_\_\_\_\_

2) Completed a residency program in General Anesthesia of not less than one (1) calendar year approved by the Board of Directors of the American Dental Society of Anesthesiology?

Yes  No

Where: \_\_\_\_\_ When: \_\_\_\_\_

3) Completed a graduate program in Oral and Maxillofacial Surgery approved by the Commission of Accreditation of the American Dental Association?  Yes  No

Where: U. of Washington When: 1987 - 1991

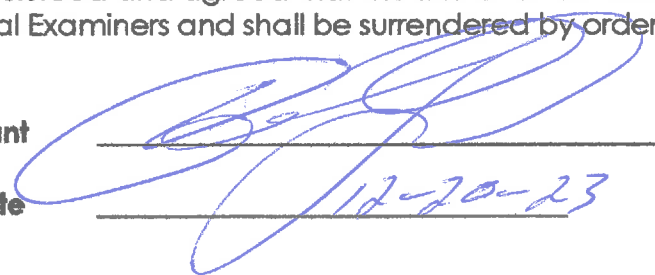
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I hereby make application for a General Anesthesia Permit from the Nevada State Board of Dental Examiners. I understand that if this permit is issued, I am authorized to administer to a patient of any age general anesthesia, deep sedation or moderate sedation ONLY at the address listed above. If I wish to administer general anesthesia, deep sedation or moderate sedation at another location, I understand that each site must be inspected and issued a general anesthesia site permit by the Board prior to administration of general anesthesia. I understand that this permit, if issued allows only me to administer general anesthesia, deep sedation or moderate sedation. I have read and am familiar with the provisions and requirements of NRS 631 and NAC 631 regarding the administration of general anesthesia.

I hereby acknowledge the information contained on this application is true and correct, and I further acknowledge any omissions, inaccuracies, or misrepresentations of information on this application are grounds for the revocation of a permit which may have been obtained through this application. It is understood and agreed that the title of all certificates shall remain in the Nevada State Board of Dental Examiners and shall be surrendered by order of said Board.

**Signature of Applicant** \_\_\_\_\_

**Date** \_\_\_\_\_

  
12-20-23

**Received**

**JAN 29 2024**

**NSBDE**

3-06/2018

Endodontics - University of Washington School of Dentistry

Washington

University of Washington School of Dentistry

1959 NE Pacific Street, B-530

Box 357480

Seattle

98195

<http://www.dental.washington.edu>

Program Director: Dr. Avina Paranjpe

Discipline Code: ENDO

Accreditation Status: Approval without Reporting Requirements

Last Accreditation Visit: 2016

Next Accreditation Visit: 2024

Oral and Maxillofacial Surgery - University of Washington School of Dentistry

Washington

University of Washington School of Dentistry

1959 NE Pacific Street, B-530

Box 357480

Seattle

98195

<http://www.dental.washington.edu>

Program Director: Dr. Jasjit Kaur Dillon

Discipline Code: OMS

Accreditation Status: Approval without Reporting Requirements (S)

Last Accreditation Visit: 2020

Next Accreditation Visit: 2025

CODA  
approved  
😊

**Agenda Item 7(b):**

**Approval/Rejection of Temporary Anesthesia Permit  
NAC 631.2254; NRS 631.190 (For Possible Action)**

**NAC 631.2254** Temporary permits. ([NRS 631.190](#), [631.265](#))

1. The Board may grant a temporary permit to administer general anesthesia and deep sedation or a temporary permit to administer moderate sedation to an applicant who meets the qualifications for a permit to administer that type of anesthesia or sedation pursuant to [NAC 631.2213](#).
2. A temporary permit is valid for not more than 90 days, but the Board may, in any case it deems appropriate, grant a 90-day extension of the permit.
3. The Board may require the holder of a temporary permit to pass an on-site inspection as a condition of retaining the permit. If the holder fails the inspection, his or her permit will be revoked. In case of revocation, the holder of a temporary permit may apply to be reinspected in accordance with the procedures set forth in [NAC 631.2235](#).

(Added to NAC by Bd. of Dental Exam'rs, eff. 11-28-90; A by R005-99, 9-7-2000; R004-17, 5-16-2018)

**NRS 631.190** Powers and duties. [Effective January 1, 2020.] In addition to the powers and duties provided in this chapter, the Board shall:

1. Adopt rules and regulations necessary to carry out the provisions of this chapter.
2. Appoint such committees, review panels, examiners, officers, employees, agents, attorneys, investigators and other professional consultants and define their duties and incur such expense as it may deem proper or necessary to carry out the provisions of this chapter, the expense to be paid as provided in this chapter.
3. Fix the time and place for and conduct examinations for the granting of licenses to practice dentistry, dental hygiene and dental therapy.
4. Examine applicants for licenses to practice dentistry, dental hygiene and dental therapy.
5. Collect and apply fees as provided in this chapter.
6. Keep a register of all dentists, dental hygienists and dental therapists licensed in this State, together with their addresses, license numbers and renewal certificate numbers.
7. Have and use a common seal.
8. Keep such records as may be necessary to report the acts and proceedings of the Board. Except as otherwise provided in [NRS 631.368](#), the records must be open to public inspection.
9. Maintain offices in as many localities in the State as it finds necessary to carry out the provisions of this chapter.
10. Have discretion to examine work authorizations in dental offices or dental laboratories.

[Part 4:152:1951; A [1953, 363](#)] — (NRS A [1963, 150](#); [1967, 865](#); [1993, 2743](#); [2009, 3002](#); [2017, 989, 2848](#); [2019, 3205](#), effective January 1, 2020)

**Agenda Item 7(b)(1):**

**Ouzhan Kalantari, DDS - General Anesthesia**



# Nevada State Board of Dental Examiners

2651 N. Green Valley Parkway, Suite 104, Henderson, NV 89014  
(702) 486-7044 • (800) DDS-EXAM • Fax (702) 486-7046  
nsbde@dental.nv.gov

Received  
MAR 19 2024  
NSBDE

## GENERAL ANESTHESIA ADMIN PERMIT APPLICATION

Office Site Permit

Check box if you are applying for a Site Permit for this same office location as well

Name: Ouzhan Kalantari License Number: S2-211C

Dental Practice Name: Aspen Dental

Office Address: 2050 E Serene Ave,  
Las Vegas, NV 89123

Office Telephone: 702-854-3287  
Office Fax: \_\_\_\_\_

### DENTAL EDUCATION

### SPECIALTY EDUCATION

University/  
College: UCLA

University /  
College: Case Western Reserve University

Location: 714 Tiverton Ave,  
Los Angeles, CA 90024

Location: 9601 Chester Ave,  
Cleveland, OH 44110

Dates attended: 09 / 01 / 13 | Degree Earned: DDS  
to  
06 / 31 / 17

Dates attended: 07 / 01 / 17 | Degree Earned: MD, OMFS Certificate  
to  
06 / 15 / 22

The following information and documentation must be received by the Board office prior to consideration of a **GENERAL ANESTHESIA** permit:

- 1) Completed and signed application form with all questions answered in full;
- 2) Non-refundable application fee in the amount of \$750.00;
- 3) The completion of a program, subject to the approval of the Board, of advanced training in anesthesiology and related academic subjects beyond the level of undergraduate dental school in training program as described in the Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students or the completion of a graduate program in oral and maxillofacial surgery or dental anesthesiology approved by CODA
- 4) Valid copy of Advanced Cardiac Life Support or a course providing similar instruction that is approved by the Board



Received  
MAR 19 2024  
NSBDE

**QUESTION SECTION:**

**HAVE YOU:**

1) Completed one (1) year advanced training in Anesthesiology? \_\_\_\_ Yes  No

Where: \_\_\_\_\_ When: \_\_\_\_\_

2) Completed a residency program in General Anesthesia of not less than one (1) calendar year approved by the Board of Directors of the American Dental Society of Anesthesiology?

\_\_\_\_ Yes  No

Where: \_\_\_\_\_ When: \_\_\_\_\_

3) Completed a graduate program in Oral and Maxillofacial Surgery approved by the Commission of Accreditation of the American Dental Association?  Yes \_\_\_\_ No

Where: Case Western Reserve University When: 2017-2022

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I hereby make application for a General Anesthesia Permit from the Nevada State Board of Dental Examiners. I understand that if this permit is issued, I am authorized to administer to a patient of any age general anesthesia, deep sedation or moderate sedation ONLY at the address listed above. If I wish to administer general anesthesia, deep sedation or moderate sedation at another location, I understand that each site must be inspected and issued a general anesthesia site permit by the Board prior to administration of general anesthesia. I understand that this permit, if issued allows only me to administer general anesthesia, deep sedation or moderate sedation. I have read and am familiar with the provisions and requirements of NRS 631 and NAC 631 regarding the administration of general anesthesia.

I hereby acknowledge the information contained on this application is true and correct, and I further acknowledge any omissions, inaccuracies, or misrepresentations of information on this application are grounds for the revocation of a permit which may have been obtained through this application. It is understood and agreed that the title of all certificates shall remain in the Nevada State Board of Dental Examiners and shall be surrendered by order of said Board.

**Signature of Applicant**

okalantari

**Date**

3/19/24



# Nevada State Board of Dental Examiners

## VERIFY LICENSE

License information on this site reflects information in the Nevada State Board of Dental Examiners database; however, applications and forms are subject to standard processing time, and the information here does not reflect pending changes which are being reviewed.

Enter License Number or First Name or Last Name to check on the license status of your dental examiners. If you don't know the exact spelling of the name, type only the first few letters. You do not need to enter value in all fields to begin a search.

Last Name :

First Name :

License Number :

s2-211c

For a more detailed view of a licensee's information, click the View Details button on the row for which you want detailed information. To clear the search and enter new search, click on the Reset button above.

Show: 10 entries

| Credentials       | Practitioner Name   | Specialty Details | Location        | Status | Public Health | Action |
|-------------------|---------------------|-------------------|-----------------|--------|---------------|--------|
| Specialty Dentist | Ouzhan B. Kalantari |                   | Irvine CA 92618 | Active |               |        |

**Full Name :** Kalantari, Ouzhan B

**Primary Office Address :** 114 Pacifica, Ste 420

**City, State Zip :** Irvine, CA 92618

**Office Phone :**

**License Number :** S2-211C

**License Date :** 12/12/2023

**Status :** Active

**Expiration Date :** 06/30/2025

**Graduated From :**

**Graduation Date :**

**Permits :**

| Permit | Permit Number | Issue Date | Exp Date |
|--------|---------------|------------|----------|
|        |               |            |          |

**Board Action / Malpractice :**

| Action Type | Date | Document Link |
|-------------|------|---------------|
|             |      |               |

← Close detail

First () Previous () 1 () 2 () 3 () 4 () 5 () Next () Last ()

✓ 3-19-24  
AM

**Agenda Item 7(c):**

**Discussion, Consideration & Possible Action Regarding  
Recommendations of the Legislative, Legal & Dental  
Practice Committee to Full Board Regarding Proposed  
Amendments, Additions, and/or Revisions to Nevada  
Administrative Code Chapter 631 (NAC 631) Relating  
to Expanded Function Dental Assistants  
and Restorative Dental Hygiene in  
Conformance with SB 310  
NRS 631.190 (*For Possible Action*)**

**NRS 631.190** Powers and duties. [Effective January 1, 2020.] In addition to the powers and duties provided in this chapter, the Board shall:

1. Adopt rules and regulations necessary to carry out the provisions of this chapter.
2. Appoint such committees, review panels, examiners, officers, employees, agents, attorneys, investigators and other professional consultants and define their duties and incur such expense as it may deem proper or necessary to carry out the provisions of this chapter, the expense to be paid as provided in this chapter.
3. Fix the time and place for and conduct examinations for the granting of licenses to practice dentistry, dental hygiene and dental therapy.
4. Examine applicants for licenses to practice dentistry, dental hygiene and dental therapy.
5. Collect and apply fees as provided in this chapter.
6. Keep a register of all dentists, dental hygienists and dental therapists licensed in this State, together with their addresses, license numbers and renewal certificate numbers.
7. Have and use a common seal.
8. Keep such records as may be necessary to report the acts and proceedings of the Board. Except as otherwise provided in [NRS 631.368](#), the records must be open to public inspection.
9. Maintain offices in as many localities in the State as it finds necessary to carry out the provisions of this chapter.
10. Have discretion to examine work authorizations in dental offices or dental laboratories.

[Part 4:152:1951; A [1953, 363](#)] — (NRS A [1963, 150](#); [1967, 865](#); [1993, 2743](#); [2009, 3002](#); [2017, 989, 2848](#); [2019, 3205](#), effective January 1, 2020)

Senate Bill No. 310—Senators Goicoechea,  
Hansen; and Stone

CHAPTER.....

AN ACT relating to dentistry; providing for the licensure and regulation of expanded function dental assistants; creating a special endorsement for dental hygienists to practice restorative dental hygiene; authorizing a dental hygienist who possesses certain qualifications to prescribe and dispense certain drugs that are not controlled substances and certain devices; authorizing a public health dental hygienist to authorize an expanded function dental assistant or dental assistant to perform certain tasks under certain circumstances; providing penalties; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law provides for the licensure and regulation of dentists, dental hygienists and dental therapists by the Board of Dental Examiners of Nevada. (Chapter 631 of NRS) Existing law authorizes a licensed dentist to assign certain tasks to a dental assistant, who is not required to have a license. (NRS 631.313, 631.317)

**Sections 4-8** of this bill provide for the licensure and regulation of expanded function dental assistants. **Sections 2, 3 and 3.5** of this bill define the terms “expanded function dental assistance,” “expanded function dental assistant” and “restorative dental hygiene,” respectively. **Section 10** of this bill makes a conforming change to indicate the proper placement of **sections 2, 3 and 3.5** in the Nevada Revised Statutes.

**Section 4** requires a person to be over 18 years of age to be eligible to apply for a license to practice expanded function dental assistance. **Section 5** of this bill requires an applicant for such a license to: (1) possess certain education and experience; (2) hold a current certification in the techniques of administering cardiopulmonary resuscitation; and (3) pass a written clinical examination and a written jurisprudence examination administered by the Board. **Section 6** of this bill authorizes a person who is licensed in another state and possesses certain other qualifications to apply for a license by endorsement as an expanded function dental assistant. **Section 6** authorizes the Board to require such an applicant to complete such additional training as is necessary for the applicant to be able to practice expanded function dental assistance with the same degree of competence as a person licensed pursuant to **section 5**. **Section 6.5** of this bill requires the Board to issue a special endorsement to practice restorative dental hygiene to a dental hygienist who has an active license in good standing to practice dental hygiene in this State and has successfully completed a course on restorative dental hygiene. **Section 7** of this bill requires an expanded function dental assistant or a dental hygienist with a special endorsement to practice restorative dental hygiene to work under the authorization of a dentist and prescribes certain requirements governing the supervision of an expanded function dental assistant. **Section 8** of this bill prescribes the services and procedures an expanded function dental assistant or dental hygienist with a special endorsement to practice restorative dental hygiene is authorized to perform. **Section 22** of this bill requires the Board to adopt regulations governing the practice of: (1) expanded function dental assistants; and



(2) dental hygienists who hold a special endorsement to practice restorative dental hygiene. **Section 25** of this bill requires the Board to adopt regulations governing continuing education in expanded function dental assistance. **Section 26** of this bill prescribes certain fees relating to licensure as an expanded function dental assistant, which are equal to similar fees that apply to dental hygienists.

**Section 36** of this bill prescribes certain activities that constitute the illegal practice of expanded function dental assistance, and **section 39** of this bill makes it a crime to practice expanded function dental assistance without a license. It is also a crime to practice restorative dental hygiene without the proper special endorsement. (NRS 631.400)

**Sections 11-20, 21, 23, 24, 27-35, 37-40, 42-45, 47 and 48** of this bill make revisions to certain existing provisions so that expanded function dental assistants are treated in the same manner as similar providers of oral health care in various respects.

Existing law: (1) provides for the issuance of a special endorsement as a public health dental hygienist to a dental hygienist who possesses certain qualifications; and (2) authorizes the holder of such an endorsement to provide services without the authorization or supervision of a dentist under certain circumstances. (NRS 631.287) **Sections 20.5 and 42** of this bill authorize a public health dental hygienist to authorize an expanded function dental assistant or a dental assistant to perform certain tasks as part of an approved program of public health dental hygiene.

Existing law authorizes a dental hygienist to perform only those services which are authorized by a dentist, unless otherwise provided by a regulation adopted by the Board. (NRS 631.310) **Sections 9, 41 and 46** of this bill authorize a dental hygienist who possesses certain qualifications to prescribe and dispense only certain drugs that are not controlled substances and are used for preventative treatment and devices used for such treatment. **Section 9** prohibits such a dental hygienist from prescribing or dispensing any controlled substance or any other drug or device that is not listed in **section 9**. **Section 9** requires the Board to adopt regulations prescribing continuing education for a dental hygienist who prescribes and dispenses the drugs and devices listed in **section 9**. **Section 40.5** of this bill: (1) requires a dental hygienist to obtain a certification from the State Board of Pharmacy to possess, prescribe and dispense dangerous drugs and devices pursuant to **section 9**; and (2) authorizes the State Board of Pharmacy to deny a dental hygienist application for such a certificate or grant the certificate but limit the ability of a dental hygienist to possess, prescribe and dispense dangerous drugs and devices.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** Chapter 631 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 9.5, inclusive, of this act:

**Sec. 2.** *“Expanded function dental assistance” means the performance of educational, preventative, therapeutic, palliative and restorative treatment of intraoral or extraoral procedures under the supervision of a dentist or as otherwise authorized*



*pursuant to this chapter by a person licensed pursuant to section 5 or 6 of this act.*

**Sec. 3.** *“Expanded function dental assistant” means any person who practices the profession of expanded function dental assistance and is licensed pursuant to this chapter.*

**Sec. 3.5.** *“Restorative dental hygiene” means the performance of educational, preventative, therapeutic, palliative and restorative treatment of intraoral or extraoral procedures under the supervision of a dentist or as otherwise authorized pursuant to this chapter by a dental hygienist who holds a special endorsement issued pursuant to section 6.5 of this act.*

**Sec. 4.** *Any person is eligible to apply for a license to practice expanded function dental assistance in this State who is over 18 years of age.*

**Sec. 5.** *Except as otherwise provided in section 6 of this act, an applicant for a license as an expanded function dental assistant must include in his or her application proof that he or she:*

*1. Possesses the following qualifications:*

*(a) Graduation from an accredited program for dental assisting with expanded functions; or*

*(b) Successful completion of a course of training for expanded function dental assistants and:*

*(1) Graduation from an accredited program for dental assisting without expanded functions; or*

*(2) Employment as a dental assistant working full-time for at least 2 years or part-time for at least 4 years and a passing score on the examination for Certified Dental Assistants administered by the Dental Assisting National Board, or its successor organization;*

*2. Holds a current certification in the techniques of administering cardiopulmonary resuscitation;*

*3. Has passed a written clinical examination given by the Board upon such subjects as the Board deems necessary for the practice of expanded function dental assistance; and*

*4. Has passed a written examination given by the Board concerning laws and regulations governing the practice of expanded function dental assistance in this State.*

**Sec. 6. 1.** *An applicant for a license by endorsement as an expanded function dental assistant must include in his or her application proof that he or she:*

*(a) Is currently licensed as an expanded function dental assistant in another state or territory of the United States, or the District of Columbia;*



*(b) Possesses the following qualifications:*

*(1) Graduation from an accredited program for dental assisting with expanded functions; or*

*(2) Employment as a dental assistant or an expanded function dental assistant working full-time for at least 2 years or part-time for at least 4 years; and*

*(c) Has passed a written examination given by the Board concerning laws and regulations governing the practice of expanded function dental assistance in this State.*

*2. The Board may require an applicant for licensure by endorsement as an expanded function dental assistant to complete any training that the Board deems necessary for the applicant to be able to practice expanded function dental assistance with the same degree of competence as a person who possesses the qualifications described in section 5 of this act.*

**Sec. 6.5.** *1. The Board shall, upon application by a dental hygienist who has the qualifications prescribed by subsection 2, issue a special endorsement of the license allowing the dental hygienist to practice restorative dental hygiene. The special endorsement may be renewed biennially upon renewal of the license of the dental hygienist.*

*2. An applicant for a special endorsement allowing a dental hygienist to practice restorative dental hygiene must include in his or her application proof that he or she:*

*(a) Holds an active license in good standing as a dental hygienist in this State; and*

*(b) Has successfully completed a course on restorative dental hygiene.*

**Sec. 7.** *1. An expanded function dental assistant or dental hygienist with a special endorsement of his or her license issued pursuant to section 6.5 of this act may only practice expanded function dental assistance or restorative dental hygiene, as applicable, under the authorization of a dentist who is licensed in this State, unless otherwise authorized by NRS 631.287 or a regulation adopted by the Board.*

*2. Except as specifically authorized by NRS 631.287 or a regulation adopted by the Board, an expanded function dental assistant shall not practice expanded function dental assistance to a person unless that person is a patient of the authorizing dentist of the expanded function dental assistant.*

*3. Except as specifically required by a regulation adopted by the Board, the authorizing dentist of an expanded function dental*





*assistant is not required to be present during the provision of services by the expanded function dental assistant.*

*4. If the expanded function dental assistance required or requested by a patient exceeds the scope of practice or the skill and training of an expanded function dental assistant, the expanded function dental assistant shall refer the patient to the authorizing dentist of the expanded function dental assistant.*

**Sec. 8.** *An expanded function dental assistant or dental hygienist with a special endorsement to practice restorative dental hygiene may perform the following acts under the conditions prescribed by section 7 of this act:*

*1. Any service that a dental assistant or dental hygienist, as applicable, is authorized to perform pursuant to this chapter or any regulation adopted pursuant thereto.*

*2. Placing, condensing, contouring, adjusting, curing and finishing restorations that are made of a direct restorative material, including, without limitation, amalgam, resin-based composite and glass ionomer.*

*3. Placing and removing matrices and interproximal wedge devices.*

*4. Placing desensitizers, liners and bases.*

*5. Taking final impressions for:*

*(a) Indirect restorations, including, without limitation, crowns, bridges and veneers; and*

*(b) Removable prostheses, including, without limitation, dentures.*

*6. Adjusting a removable prostheses extraorally.*

*7. Cementation of permanent restorations, including, without limitation, crowns, bridges and veneers, if the authorizing dentist:*

*(a) Evaluates and approves each permanent restoration before the cementation is final; and*

*(b) Inspects each permanent restoration before the patient leaves the premises where the cementation occurred.*

*8. Placing topical fluoride.*

*9. Administering a hemostatic agent.*

*10. Applying agents for bleaching teeth.*

*11. Using an ultrasonic scaling unit only for the removal of bonding agents. This subsection does not authorize an expanded function dental assistant to use an ultrasonic scaling unit on any natural tooth.*

**Sec. 9.** *1. A dental hygienist who meets the requirements prescribed by regulation of the Board pursuant to subsection 4 and is issued a certificate by the State Board of Pharmacy*



*pursuant to section 40.5 of this act may prescribe and dispense only:*

*(a) Topical or systemic prescription drugs, other than controlled substances, for preventative care;*

*(b) Fluoride preparations for which a prescription is not required;*

*(c) Topical antimicrobial oral rinses; and*

*(d) Medicament trays or mouthguards.*

*2. A dental hygienist shall not prescribe or dispense:*

*(a) A controlled substance; or*

*(b) Any drug or device not listed in subsection 1 or authorized under the certificate issued pursuant to section 40.5 of this act.*

*3. A dental hygienist may only prescribe and dispense a drug or device pursuant to subsection 1:*

*(a) In compliance with any applicable regulations adopted by the Board; and*

*(b) In compliance with any applicable law governing the handling, prescribing and dispensing of a drug or device.*

*4. The Board shall adopt regulations prescribing the:*

*(a) Education and training that a dental hygienist must complete before prescribing and dispensing a drug or device pursuant to subsection 1; and*

*(b) Continuing education that a dental hygienist must complete to be authorized to continue prescribing and dispensing drugs or devices pursuant to subsection 1.*

**Sec. 9.5.** (Deleted by amendment.)

**Sec. 10.** NRS 631.005 is hereby amended to read as follows:

631.005 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 631.015 to 631.105, inclusive, *and sections 2, 3 and 3.5 of this act* have the meanings ascribed to them in those sections.

**Sec. 11.** NRS 631.070 is hereby amended to read as follows:

631.070 "License" means a certificate issued by the Board to any applicant upon completion of requirements for admission to practice *expanded function dental assistance*, dental hygiene, dental therapy or dentistry, or any of the special branches of dentistry, as provided by the license.

**Sec. 12.** NRS 631.115 is hereby amended to read as follows:

631.115 Except as otherwise provided in subsection ~~2~~ **3** of NRS 631.317, this chapter does not apply to:

1. A legally qualified physician or surgeon unless he or she practices dentistry as a specialty.



2. A dentist, dental hygienist , ~~or~~ dental therapist *or expanded function dental assistant* of the United States Army, Navy, Air Force, Public Health Service, Coast Guard or Department of Veterans Affairs in the discharge of his or her official duties, including, without limitation, providing medical care in a hospital in accordance with an agreement entered into pursuant to NRS 449.2455.

**Sec. 13.** NRS 631.130 is hereby amended to read as follows:

631.130 The Governor shall appoint:

1. Six members who are graduates of accredited dental schools or colleges, are residents of Nevada and have ethically engaged in the practice of dentistry in Nevada for a period of at least 5 years.

2. One member who has resided in Nevada for at least 5 years and who represents the interests of persons or agencies that regularly provide health care to patients who are indigent, uninsured or unable to afford health care. This member may be licensed under the provisions of this chapter.

3. Three members who:

(a) Are graduates of accredited schools or colleges of dental hygiene or dental therapy;

(b) Are residents of Nevada; and

(c) Have been actively engaged in the practice of dental hygiene or dental therapy in Nevada for a period of at least 5 years before their appointment to the Board.

4. One member who is a representative of the general public. This member must not be:

(a) A dentist, dental hygienist , ~~or~~ dental therapist ~~or~~ *or expanded function dental assistant*; or

(b) The spouse or the parent or child, by blood, marriage or adoption, of a dentist, dental hygienist , ~~or~~ dental therapist ~~or~~ *or expanded function dental assistant*.

**Sec. 14.** NRS 631.190 is hereby amended to read as follows:

631.190 In addition to the powers and duties provided in this chapter, the Board shall:

1. Adopt rules and regulations necessary to carry out the provisions of this chapter.

2. Appoint such committees, review panels, examiners, officers, employees, agents, attorneys, investigators and other professional consultants and define their duties and incur such expense as it may deem proper or necessary to carry out the provisions of this chapter, the expense to be paid as provided in this chapter.



3. Fix the time and place for and conduct examinations for the granting of licenses to practice dentistry, dental hygiene , ~~and~~ dental therapy ~~and expanded function dental assistance~~.

4. Examine applicants for licenses to practice dentistry, dental hygiene , ~~and~~ dental therapy ~~and expanded function dental assistance~~.

5. Collect and apply fees as provided in this chapter.

6. Keep a register of all dentists, dental hygienists , ~~and~~ dental therapists ~~and expanded function dental assistants~~ licensed in this State, together with their addresses, license numbers and renewal certificate numbers.

7. Have and use a common seal.

8. Keep such records as may be necessary to report the acts and proceedings of the Board. Except as otherwise provided in NRS 631.368, the records must be open to public inspection.

9. Maintain offices in as many localities in the State as it finds necessary to carry out the provisions of this chapter.

10. Have discretion to examine work authorizations in dental offices or dental laboratories.

**Sec. 15.** NRS 631.215 is hereby amended to read as follows:

631.215 1. Any person shall be deemed to be practicing dentistry who:

(a) Uses words or any letters or title in connection with his or her name which in any way represents the person as engaged in the practice of dentistry, or any branch thereof;

(b) Advertises or permits to be advertised by any medium that the person can or will attempt to perform dental operations of any kind;

(c) Evaluates or diagnoses, professes to evaluate or diagnose or treats or professes to treat, surgically or nonsurgically, any of the diseases, disorders, conditions or lesions of the oral cavity, maxillofacial area or the adjacent and associated structures and their impact on the human body;

(d) Extracts teeth;

(e) Corrects malpositions of the teeth or jaws;

(f) Takes impressions of the teeth, mouth or gums, unless the person is authorized by the regulations of the Board to engage in such activities without being a licensed dentist;

(g) Examines a person for, or supplies artificial teeth as substitutes for natural teeth;

(h) Places in the mouth and adjusts or alters artificial teeth;

(i) Does any practice included in the clinical dental curricula of accredited dental colleges or a residency program for those colleges;



(j) Administers or prescribes such remedies, medicinal or otherwise, as are needed in the treatment of dental or oral diseases;

(k) Uses X-ray radiation or laser radiation for dental treatment or dental diagnostic purposes, unless the person is authorized by the regulations of the Board to engage in such activities without being a licensed dentist;

(l) Determines:

(1) Whether a particular treatment is necessary or advisable;

or

(2) Which particular treatment is necessary or advisable; or

(m) Dispenses tooth whitening agents or undertakes to whiten or bleach teeth by any means or method, unless the person is:

(1) Dispensing or using a product that may be purchased over the counter for a person's own use; or

(2) Authorized by the regulations of the Board to engage in such activities without being a licensed dentist.

2. Nothing in this section:

(a) Prevents a dental assistant, dental hygienist, dental therapist, *expanded function dental assistant* or qualified technician from making radiograms or X-ray exposures for dental treatment or dental diagnostic purposes upon the direction of a licensed dentist.

(b) Prevents a dental hygienist or dental therapist from administering local anesthesia for pain management during treatment or using X-ray radiation or laser radiation for dental treatment or dental diagnostic purposes, upon authorization of a licensed dentist.

(c) Prohibits the performance of mechanical work, on inanimate objects only, by any person employed in or operating a dental laboratory upon the written work authorization of a licensed dentist.

(d) Prevents students from performing dental procedures that are part of the curricula of an accredited dental school or college or an accredited school of dental hygiene or an accredited school of dental therapy or an accredited school of dental assisting.

(e) Prevents a licensed dentist, ~~for~~ dental hygienist *or expanded function dental assistant* from another state or country from appearing as a clinician for demonstrating certain methods of technical procedures before a dental society or organization, convention or dental college or an accredited school of dental hygiene or an accredited school of dental assisting.

(f) Prohibits the manufacturing of artificial teeth upon receipt of a written authorization from a licensed dentist if the manufacturing does not require direct contact with the patient.



(g) Prohibits the following entities from owning or operating a dental office or clinic if the entity complies with the provisions of NRS 631.3452:

(1) A nonprofit corporation organized pursuant to the provisions of chapter 82 of NRS to provide dental services to rural areas and medically underserved populations of migrant or homeless persons or persons in rural communities pursuant to the provisions of 42 U.S.C. § 254b or 254c.

(2) A federally-qualified health center as defined in 42 U.S.C. § 1396d(1)(2)(B) operating in compliance with other applicable state and federal law.

(3) A nonprofit charitable corporation as described in section 501(c)(3) of the Internal Revenue Code and determined by the Board to be providing dental services by volunteer licensed dentists at no charge or at a substantially reduced charge to populations with limited access to dental care.

(h) Prevents a person who is actively licensed as a dentist in another jurisdiction from treating a patient if:

(1) The patient has previously been treated by the dentist in the jurisdiction in which the dentist is licensed;

(2) The dentist treats the patient only during a course of continuing education involving live patients which:

(I) Is conducted at an institute or organization with a permanent facility registered with the Board for the sole purpose of providing postgraduate continuing education in dentistry; and

(II) Meets all applicable requirements for approval as a course of continuing education; and

(3) The dentist treats the patient only under the supervision of a person licensed pursuant to NRS 631.2715.

(i) Prohibits a person from providing goods or services for the support of the business of a dental practice, office or clinic owned or operated by a licensed dentist or any entity not prohibited from owning or operating a dental practice, office or clinic if the person does not:

(1) Provide such goods or services in exchange for payments based on a percentage or share of revenues or profits of the dental practice, office or clinic; or

(2) Exercise any authority or control over the clinical practice of dentistry.

***(j) Prohibits a dental hygienist, dental therapist or expanded function dental assistant from engaging in any activity authorized by this chapter or the regulations adopted pursuant thereto.***



3. The Board shall adopt regulations identifying activities that constitute the exercise of authority or control over the clinical practice of dentistry, including, without limitation, activities which:

(a) Exert authority or control over the clinical judgment of a licensed dentist; or

(b) Relieve a licensed dentist of responsibility for the clinical aspects of the dental practice.

↪ Such regulations must not prohibit or regulate aspects of the business relationship, other than the clinical practice of dentistry, between a licensed dentist or professional entity organized pursuant to the provisions of chapter 89 of NRS and the person or entity providing goods or services for the support of the business of a dental practice, office or clinic owned or operated by the licensed dentist or professional entity.

**Sec. 16.** NRS 631.220 is hereby amended to read as follows:

631.220 1. Every applicant for a license to practice dental hygiene, dental therapy, *expanded function dental assistance* or dentistry, or any of its special branches, must:

(a) File an application with the Board.

(b) Accompany the application with a recent photograph of the applicant together with the required fee and such other documentation as the Board may require by regulation.

(c) Submit with the application a complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

(d) If the applicant is required to take an examination pursuant to NRS 631.240, 631.300 or 631.3121 ~~§~~ *or section 5 or 6 of this act*, submit with the application proof satisfactory that the applicant passed the examination.

2. An application must include all information required to complete the application.

3. The Secretary-Treasurer may, in accordance with regulations adopted by the Board and if the Secretary-Treasurer determines that an application is:

(a) Sufficient, advise the Executive Director of the sufficiency of the application. Upon the advice of the Secretary-Treasurer, the Executive Director may issue a license to the applicant without further review by the Board.

(b) Insufficient, reject the application by sending written notice of the rejection to the applicant.



**Sec. 17.** NRS 631.225 is hereby amended to read as follows:

631.225 1. In addition to any other requirements set forth in this chapter:

(a) An applicant for the issuance of a license to practice dentistry, dental hygiene, ~~{or}~~ dental therapy *or expanded function dental assistance* shall include the social security number of the applicant in the application submitted to the Board.

(b) An applicant for the issuance or renewal of a license to practice dentistry, dental hygiene, ~~{or}~~ dental therapy *or expanded function dental assistance* shall submit to the Board the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license; or

(b) A separate form prescribed by the Board.

3. A license to practice dentistry, dental hygiene, ~~{or}~~ dental therapy *or expanded function dental assistance* may not be issued or renewed by the Board if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

**Sec. 18.** NRS 631.260 is hereby amended to read as follows:

631.260 Except as otherwise provided in subsection 3 of NRS 631.220, as soon as possible after the examination has been given, the Board, under rules and regulations adopted by it, shall determine the qualifications of the applicant and shall issue to each person found by the Board to have the qualifications therefor a license





which will entitle the person to practice dental hygiene, dental therapy, *expanded function dental assistance* or dentistry, or any special branch of dentistry, as in such license defined, subject to the provisions of this chapter.

**Sec. 19.** NRS 631.271 is hereby amended to read as follows:

631.271 1. The Board shall, without a clinical examination required by NRS 631.240, 631.300 or 631.3121, issue a limited license to practice dentistry, dental hygiene, ~~or~~ dental therapy *or expanded function dental assistance* to a person who:

(a) Is qualified for a license to practice dentistry, dental hygiene, ~~or~~ dental therapy *or expanded function dental assistance* in this State;

(b) Pays the required application fee;

(c) Has entered into a contract with:

(1) The Nevada System of Higher Education to provide services as a dental intern, dental resident or instructor of dentistry, dental hygiene, ~~or~~ dental therapy *or expanded function dental assistance* at an educational or outpatient clinic, hospital or other facility of the Nevada System of Higher Education; or

(2) An accredited program of dentistry, dental hygiene, ~~or~~ dental therapy *or expanded function dental assistance* of an institution which is accredited by a regional educational accrediting organization that is recognized by the United States Department of Education to provide services as a dental intern, dental resident or instructor of dentistry, dental hygiene, ~~or~~ dental therapy *or expanded function dental assistance* at an educational or outpatient clinic, hospital or other facility of the institution and accredited by the Commission on Dental Accreditation of the American Dental Association or its successor specialty accrediting organization;

(d) Satisfies the requirements of NRS 631.230, 631.290 or 631.312, as appropriate; and

(e) Satisfies at least one of the following requirements:

(1) Has a license to practice dentistry, dental hygiene, ~~or~~ dental therapy *or expanded function dental assistance* issued pursuant to the laws of another state or territory of the United States, or the District of Columbia;

(2) Presents to the Board a certificate granted by the Western Regional Examining Board which contains a notation that the person has passed, within the 5 years immediately preceding the date of the application, a clinical examination administered by the Western Regional Examining Board;

(3) Successfully passes a clinical examination approved by the Board and the American Board of Dental Examiners; or



(4) Has the educational or outpatient clinic, hospital or other facility where the person will provide services as a dental intern or dental resident in an internship or residency program submit to the Board written confirmation that the person has been appointed to a position in the program. If a person qualifies for a limited license pursuant to this subparagraph, the limited license remains valid only while the person is actively providing services as a dental intern or dental resident in the internship or residency program and is in compliance with all other requirements for the limited license.

2. The Board shall not issue a limited license to a person:

(a) Who has been issued a license to practice dentistry, dental hygiene , ~~or~~ dental therapy *or expanded function dental assistance* if:

(1) The person is involved in a disciplinary action concerning the license; or

(2) The license has been revoked or suspended; or

(b) Who has been refused a license to practice dentistry, dental hygiene , ~~or~~ dental therapy ~~or~~ *or expanded function dental assistance*,

↪ in this State, another state or territory of the United States, or the District of Columbia.

3. Except as otherwise provided in subsection 4, a person to whom a limited license is issued pursuant to subsection 1:

(a) May practice dentistry, dental hygiene , ~~or~~ dental therapy *or expanded function dental assistance* in this State only:

(1) At the educational or outpatient clinic, hospital or other facility where the person is employed; and

(2) In accordance with the contract required by paragraph (c) of subsection 1.

(b) Shall not, for the duration of the limited license, engage in the private practice of dentistry, dental hygiene , ~~or~~ dental therapy *or expanded function dental assistance* in this State or accept compensation for the practice of dentistry, dental hygiene , ~~or~~ dental therapy *or expanded function dental assistance* except such compensation as may be paid to the person by the Nevada System of Higher Education or an accredited program of dentistry, dental hygiene , ~~or~~ dental therapy *or expanded function dental assistance* for services provided as a dental intern, dental resident or instructor of dentistry, dental hygiene , ~~or~~ dental therapy *or expanded function dental assistance* pursuant to paragraph (c) of subsection 1.

4. The Board may issue a permit authorizing a person who holds a limited license to engage in the practice of dentistry, dental



hygiene , ~~or~~ dental therapy *or expanded function dental assistance* in this State and to accept compensation for such practice as may be paid to the person by entities other than the Nevada System of Higher Education or an accredited program of dentistry, dental hygiene , ~~or~~ dental therapy *or expanded function dental assistance* with whom the person is under contract pursuant to paragraph (c) of subsection 1. The Board shall, by regulation, prescribe the standards, conditions and other requirements for the issuance of a permit.

5. A limited license expires 1 year after its date of issuance and may be renewed on or before the date of its expiration, unless the holder no longer satisfies the requirements for the limited license. The holder of a limited license may, upon compliance with the applicable requirements set forth in NRS 631.330 and the completion of a review conducted at the discretion of the Board, be granted a renewal certificate that authorizes the continuation of practice pursuant to the limited license for 1 year.

6. A permit issued pursuant to subsection 4 expires on the date that the holder's limited license expires and may be renewed when the limited license is renewed, unless the holder no longer satisfies the requirements for the permit.

7. Within 7 days after the termination of a contract required by paragraph (c) of subsection 1, the holder of a limited license shall notify the Board of the termination, in writing, and surrender the limited license and a permit issued pursuant to this section, if any, to the Board.

8. The Board may revoke a limited license and a permit issued pursuant to this section, if any, at any time if the Board finds, by a preponderance of the evidence, that the holder of the license violated any provision of this chapter or the regulations of the Board.

**Sec. 20.** NRS 631.274 is hereby amended to read as follows:

631.274 1. The Board shall, without a clinical examination required by NRS 631.240, 631.300 or 631.3121 ~~§~~ *or section 5 of this act*, issue a restricted geographical license to practice dentistry, dental hygiene , ~~or~~ dental therapy *or expanded function dental assistance* to a person if the person meets the requirements of subsection 2 and:

(a) A board of county commissioners submits a request that the Board of Dental Examiners of Nevada waive the requirements of NRS 631.240, 631.300 or 631.3121 *or section 5 of this act* for any applicant intending to practice dentistry, dental hygiene , ~~or~~ dental therapy *or expanded function dental assistance* in a rural area of a



county in which dental, dental hygiene , ~~for~~ dental therapy *or expanded function dental assistance* needs are underserved , as that term is defined by the officer of rural health of the University of Nevada School of Medicine;

(b) Two or more boards of county commissioners submit a joint request that the Board of Dental Examiners of Nevada waive the requirements of NRS 631.240, 631.300 or 631.3121 *or section 5 of this act* for any applicant intending to practice dentistry, dental hygiene , ~~for~~ dental therapy *or expanded function dental assistance* in one or more rural areas within those counties in which dental, dental hygiene , ~~for~~ dental therapy *or expanded function dental assistance* needs are underserved , as that term is defined by the officer of rural health of the University of Nevada School of Medicine; or

(c) The director of a federally qualified health center or a nonprofit clinic submits a request that the Board waive the requirements of NRS 631.240, 631.300 or 631.3121 *or section 5 of this act* for any applicant who has entered into a contract with a federally qualified health center or nonprofit clinic which treats underserved populations in Washoe County or Clark County.

2. A person may apply for a restricted geographical license if the person:

(a) Has a license to practice dentistry, dental hygiene , ~~for~~ dental therapy *or expanded function dental assistance* issued pursuant to the laws of another state or territory of the United States, or the District of Columbia;

(b) Is otherwise qualified for a license to practice dentistry, dental hygiene , ~~for~~ dental therapy *or expanded function dental assistance* in this State;

(c) Pays the application, examination and renewal fees in the same manner as a person licensed pursuant to NRS 631.240, 631.300 or 631.3121 ~~for~~ *or section 5 of this act*;

(d) Submits all information required to complete an application for a license; and

(e) Satisfies the requirements of NRS 631.230, 631.290 or 631.312 ~~for~~ *or section 4 of this act*, as appropriate.

3. The Board shall not issue a restricted geographical license to a person:

(a) Whose license to practice dentistry, dental hygiene , ~~for~~ dental therapy *or expanded function dental assistance* has been revoked or suspended;



(b) Who has been refused a license to practice dentistry, dental hygiene , ~~or~~ dental therapy ~~or~~ *or expanded function dental assistance*; or

(c) Who is involved in or has pending a disciplinary action concerning a license to practice dentistry, dental hygiene , ~~or~~ dental therapy ~~or~~ *or expanded function dental assistance*,  
↳ in this State, another state or territory of the United States, or the District of Columbia.

4. The Board shall examine each applicant in writing on the contents and interpretation of this chapter and the regulations of the Board.

5. A person to whom a restricted geographical license is issued pursuant to this section:

(a) May practice dentistry, dental hygiene , ~~or~~ dental therapy *or expanded function dental assistance* only in the county or counties which requested the restricted geographical licensure pursuant to paragraph (a) or (b) of subsection 1.

(b) Shall not, for the duration of the restricted geographical license, engage in the private practice of dentistry, dental hygiene , ~~or~~ dental therapy *or expanded function dental assistance* in this State or accept compensation for the practice of dentistry, dental hygiene , ~~or~~ dental therapy *or expanded function dental assistance* except such compensation as may be paid to the person by a federally qualified health center or nonprofit clinic pursuant to paragraph (c) of subsection 1.

6. Within 7 days after the termination of a contract pursuant to paragraph (c) of subsection 1, the holder of a restricted geographical license shall notify the Board of the termination, in writing, and surrender the restricted geographical license.

7. A person to whom a restricted geographical license was issued pursuant to this section may petition the Board for an unrestricted license without a clinical examination required by NRS 631.240, 631.300 or 631.3121 *or section 5 of this act* if the person:

(a) Has not had a license to practice dentistry, dental hygiene , ~~or~~ dental therapy *or expanded function dental assistance* revoked or suspended in this State, another state or territory of the United States, or the District of Columbia;

(b) Has not been refused a license to practice dentistry, dental hygiene , ~~or~~ dental therapy *or expanded function dental assistance* in this State, another state or territory of the United States, or the District of Columbia;

(c) Is not involved in or does not have pending a disciplinary action concerning a license to practice dentistry, dental hygiene ,



~~for~~ dental therapy *or expanded function dental assistance* in this State, another state or territory of the United States, or the District of Columbia; and

(d) Has:

(1) Actively practiced dentistry, dental hygiene , ~~for~~ dental therapy *or expanded function dental assistance* for 3 years at a minimum of 30 hours per week in the county or counties which requested the restricted geographical licensure pursuant to paragraph (a) or (b) of subsection 1; or

(2) Been under contract with a federally qualified health center or nonprofit clinic for a minimum of 3 years.

8. The Board may revoke a restricted geographical license at any time if the Board finds, by a preponderance of the evidence, that the holder of the license violated any provision of this chapter or the regulations of the Board.

**Sec. 20.5.** NRS 631.287 is hereby amended to read as follows:

631.287 1. The Board shall, upon application by a dental hygienist who is licensed pursuant to this chapter and has such qualifications as the Board specifies by regulation, issue a special endorsement of the license allowing the dental hygienist to practice public health dental hygiene. The special endorsement may be renewed biennially upon the renewal of the license of the dental hygienist.

2. A dental hygienist who holds a special endorsement issued pursuant to subsection 1 may provide services without the authorization or supervision of a dentist only as specified by regulations adopted by the Board.

3. *As part of a program for the provision of public health dental hygiene approved by the Board, a dental hygienist with a special endorsement to practice public health dental hygiene may authorize a dental assistant or expanded function dental assistant under his or her direct supervision to:*

- (a) *Apply dental sealants;*
- (b) *Apply topical fluoride;*
- (c) *Perform coronal polishing;*
- (d) *Take radiographs; and*
- (e) *Provide oral health education.*

**Sec. 21.** NRS 631.313 is hereby amended to read as follows:

631.313 1. Except as otherwise provided in NRS 454.217 and 629.086, a licensed dentist may assign to a person in his or her employ who is a dental hygienist, *a* dental therapist, *a* dental assistant , *an expanded function dental assistant* or other person directly or indirectly involved in the provision of dental care only



such intraoral tasks as may be permitted by a regulation of the Board or by the provisions of this chapter.

2. The performance of these tasks must be:

(a) If performed by a dental assistant or a person, other than a dental hygienist or dental therapist, who is directly or indirectly involved in the provision of dental care, under the supervision of the licensed dentist who made the assignment.

(b) If performed by a dental hygienist, ~~or~~ dental therapist ~~or~~ *or expanded function dental assistant*, authorized by the licensed dentist of the patient for whom the tasks will be performed, except as otherwise provided in NRS 631.287.

3. No such assignment is permitted that requires:

(a) ~~The~~ *Except as otherwise provided in sections 8 and 9 of this act, the* diagnosis, treatment planning, prescribing of drugs or medicaments, or authorizing the use of restorative, prosthodontic or orthodontic appliances.

(b) Surgery on hard or soft tissues within the oral cavity or any other intraoral procedure that may contribute to or result in an irremediable alteration of the oral anatomy.

(c) The administration of general anesthesia, minimal sedation, moderate sedation or deep sedation except as otherwise authorized by regulations adopted by the Board.

(d) The performance of a task outside the authorized scope of practice of the employee who is being assigned the task.

4. A dental hygienist may, pursuant to regulations adopted by the Board, administer local anesthesia or nitrous oxide in a health care facility, as defined in NRS 162A.740, if:

(a) The dental hygienist is so authorized by the licensed dentist of the patient to whom the local anesthesia or nitrous oxide is administered; and

(b) The health care facility has licensed medical personnel and necessary emergency supplies and equipment available when the local anesthesia or nitrous oxide is administered.

**Sec. 22.** NRS 631.317 is hereby amended to read as follows:

631.317 The Board shall adopt rules or regulations:

1. Specifying the intraoral tasks that may be assigned by a licensed dentist to a dental hygienist, dental therapist or dental assistant in his or her employ or that may be performed by a dental hygienist or dental therapist engaged in school health activities or employed by a public health agency.

2. *Specifying the intraoral tasks, in addition to those prescribed by section 8 of this act, that may be assigned by a licensed dentist to an expanded function dental assistant or dental*



*hygienist with a special endorsement to practice restorative dental hygiene in his or her employ or that may be performed by an expanded function dental assistant or dental hygienist with a special endorsement to practice restorative dental hygiene engaged in school health activities or employed by a public health agency.*

3. Governing the practice of dentists, dental hygienists, ~~and~~ dental therapists *and expanded function dental assistants* in full-time employment with the State of Nevada.

**Sec. 23.** NRS 631.330 is hereby amended to read as follows:

631.330 1. Licenses issued pursuant to NRS 631.271, 631.2715 and 631.275 must be renewed annually. All other licenses must be renewed biennially.

2. Except as otherwise provided in NRS 631.271, 631.2715 and 631.275:

(a) Each holder of a license to practice dentistry, dental hygiene, ~~or~~ dental therapy *or expanded function dental assistance* must, upon:

(1) Payment of the required fee;

(2) Submission of proof of completion of the required continuing education; and

(3) Submission of all information required to complete the renewal,

↳ be granted a renewal certificate which will authorize continuation of the practice for 2 years.

(b) A licensee must comply with the provisions of this subsection and subsection 1 on or before June 30. Failure to comply with those provisions by June 30 every 2 years automatically suspends the license, and it may be reinstated only upon payment of the fee for reinstatement and compliance with the requirements of this subsection.

3. If a license suspended pursuant to this section is not reinstated within 12 months after suspension, it is automatically revoked.

**Sec. 24.** NRS 631.340 is hereby amended to read as follows:

631.340 1. Any person who has obtained from the Board a license certificate to practice dental hygiene, dental therapy, *expanded function dental assistance* or dentistry or any special branch of dentistry in this State, and who fails to obtain a renewal certificate, must, before resuming the practice in which he or she was licensed, make application to the Secretary-Treasurer, under such rules as the Board may prescribe, for the restoration of the license to practice.





2. Upon application being made, the Secretary-Treasurer shall determine whether the applicant possesses the qualifications prescribed for the granting of a license to practice in his or her particular profession, and whether the applicant continues to possess a good moral character and is not otherwise disqualified to practice in this State. If the Secretary-Treasurer so determines, the Secretary-Treasurer shall thereupon issue the license, and thereafter the person may make application annually for a renewal certificate, as provided in this chapter.

**Sec. 25.** NRS 631.342 is hereby amended to read as follows:

631.342 1. The Board shall adopt regulations concerning continuing education in dentistry, dental hygiene , ~~and~~ dental therapy ~~and~~ *and expanded function dental assistance*. The regulations must include:

(a) Except as provided in NRS 631.3425, the number of hours of credit required annually;

(b) The criteria used to accredit each course; and

(c) The requirements for submission of proof of attendance at courses.

2. Except as otherwise provided in subsection 3, as part of continuing education, each licensee must complete a course of instruction, within 2 years after initial licensure, relating to the medical consequences of an act of terrorism that involves the use of a weapon of mass destruction. The course must provide at least 4 hours of instruction that includes instruction in the following subjects:

(a) An overview of acts of terrorism and weapons of mass destruction;

(b) Personal protective equipment required for acts of terrorism;

(c) Common symptoms and methods of treatment associated with exposure to, or injuries caused by, chemical, biological, radioactive and nuclear agents;

(d) Syndromic surveillance and reporting procedures for acts of terrorism that involve biological agents; and

(e) An overview of the information available on, and the use of, the Health Alert Network.

3. Instead of the course described in subsection 2, a licensee may complete:

(a) A course in Basic Disaster Life Support or a course in Core Disaster Life Support if the course is offered by a provider of continuing education accredited by the National Disaster Life Support Foundation; or



(b) Any other course that the Board determines to be the equivalent of a course specified in paragraph (a).

4. Notwithstanding the provisions of subsections 2 and 3, the Board may determine whether to include in a program of continuing education additional courses of instruction relating to the medical consequences of an act of terrorism that involves the use of a weapon of mass destruction.

5. Each licensee must complete, as part of continuing education, at least 2 hours of training in the screening, brief intervention and referral to treatment approach to substance use disorder within 2 years after initial licensure.

6. As used in this section:

(a) "Act of terrorism" has the meaning ascribed to it in NRS 202.4415.

(b) "Biological agent" has the meaning ascribed to it in NRS 202.442.

(c) "Chemical agent" has the meaning ascribed to it in NRS 202.4425.

(d) "Radioactive agent" has the meaning ascribed to it in NRS 202.4437.

(e) "Weapon of mass destruction" has the meaning ascribed to it in NRS 202.4445.

**Sec. 26.** NRS 631.345 is hereby amended to read as follows:

631.345 1. Except as otherwise provided in NRS 631.2715, the Board shall by regulation establish fees for the performance of the duties imposed upon it by this chapter which must not exceed the following amounts:

|   |         |
|---|---------|
| Application fee for an initial license to practice dentistry.....   | \$1,500 |
| Application fee for an initial license to practice dental hygiene <i>or expanded function dental assistance</i> .....   | 750     |
| Application fee for an initial license to practice dental therapy .....   | 1,000   |
| Application fee for a specialist's license to practice dentistry.....   | 300     |
| Application fee for a limited license or restricted license to practice dentistry, dental hygiene, <del>or</del> dental therapy <i>or expanded function dental assistance</i> ..... | 300     |
| Fee for administering a clinical examination in dentistry.....  | 2,500   |



|  |       |
|--|-------|
| Fee for administering a clinical examination in dental hygiene , <del>{or}</del> dental therapy <i>or expanded function dental assistance</i> .....  | 1,500 |
| Application and examination fee for a permit to administer general anesthesia, minimal sedation, moderate sedation or deep sedation .....  | 750   |
| Fee for any reinspection required by the Board to maintain a permit to administer general anesthesia, minimal sedation, moderate sedation or deep sedation.....  | 500   |
| Biennial renewal fee for a permit to administer general anesthesia, minimal sedation, moderate sedation or deep sedation .....   | 600   |
| Fee for the inspection of a facility required by the Board to renew a permit to administer general anesthesia, minimal sedation, moderate sedation or deep sedation.....   | 350   |
| Fee for the inspection of a facility required by the Board to ensure compliance with infection control guidelines.....   | 500   |
| Biennial license renewal fee for a general license, specialist's license, temporary license or restricted geographical license to practice dentistry.....  | 1,000 |
| Annual license renewal fee for a limited license or restricted license to practice dentistry .....   | 300   |
| Biennial license renewal fee for a general license, temporary license or restricted geographical license to practice dental hygiene , <del>{or}</del> dental therapy <i>or expanded function dental assistance</i> ..... | \$600 |
| Annual license renewal fee for a limited license to practice dental hygiene , <del>{or}</del> dental therapy <i>or expanded function dental assistance</i> .....   | 300   |
| Biennial license renewal fee for an inactive dentist .....   | 400   |
| Biennial license renewal fee for a dentist who is retired or has a disability .....  | 100   |
| Biennial license renewal fee for an inactive dental hygienist , <del>{or}</del> dental therapist <i>or expanded function dental assistant</i> .....  | 200   |
| Biennial license renewal fee for a dental hygienist , <del>{or}</del> dental therapist <i>or expanded function dental assistant</i> who is retired or has a disability .....   | 100   |



Reinstatement fee for a suspended license to practice dentistry, dental hygiene , ~~for~~ dental therapy *or expanded function dental assistance* ..... 500

Reinstatement fee for a revoked license to practice dentistry, dental hygiene , ~~for~~ dental therapy *or expanded function dental assistance* ..... 500

Reinstatement fee to return a dentist, dental hygienist , ~~for~~ dental therapist *or expanded function dental assistant* who is inactive, retired or has a disability to active status..... 500

Fee for the certification of a license ..... 50

2. Except as otherwise provided in this subsection, the Board shall charge a fee to review a course of continuing education for accreditation. The fee must not exceed \$150 per credit hour of the proposed course. The Board shall not charge a nonprofit organization or an agency of the State or of a political subdivision of the State a fee to review a course of continuing education.

3. All fees prescribed in this section are payable in advance and must not be refunded.

**Sec. 27.** NRS 631.3452 is hereby amended to read as follows:

631.3452 Except as otherwise provided in NRS 631.3453, an entity that owns or operates a dental office or clinic as described in paragraph (g) of subsection 2 of NRS 631.215 must:

1. Designate an actively licensed dentist as the dental director of the dental office or clinic. The dental director shall have responsibility for the clinical practice of dentistry at the dental office or clinic, including, without limitation:

(a) Diagnosing or treating any of the diseases or lesions of the oral cavity, teeth, gingiva or the supporting structures thereof.

(b) Administering or prescribing such remedies, medicinal or otherwise, as are needed in the treatment of dental or oral diseases.

(c) Determining:

(1) Whether a particular treatment is necessary or advisable;

or

(2) Which particular treatment is necessary or advisable.

(d) The overall quality of patient care that is rendered or performed in the clinical practice of dentistry.

(e) Supervising dental hygienists, dental therapists, dental assistants , *expanded function dental assistants* and other personnel involved in direct patient care and authorizing procedures performed by the dental hygienists, dental therapists, dental assistants , *expanded function dental assistants* and other personnel in



accordance with the standards of supervision established by law or regulations adopted pursuant thereto.

(f) Providing any other specific services that are within the scope of clinical dental practice.

(g) Retaining patient dental records as required by law and regulations adopted by the Board.

(h) Ensuring that each patient receiving services from the dental office or clinic has a dentist of record.

2. Maintain current records of the names of licensed dentists who supervise the clinical activities of dental hygienists, dental therapists, dental assistants, *expanded function dental assistants* or other personnel involved in direct patient care. The records must be available to the Board upon written request.

**Sec. 28.** NRS 631.3455 is hereby amended to read as follows:

631.3455 Nothing in this chapter precludes a person or entity not licensed by the Board from providing goods or services for the support of the business of a dental practice, office or clinic if the person or entity does not manage or control the clinical practice of dentistry. Such goods and services may include, without limitation, transactions involving:

1. Real and personal property, other than the ownership of the clinical records of patients; and

2. Personnel, other than licensed dentists, dental hygienists, ~~and~~ dental therapists ~~and~~ *expanded function dental assistants*.

**Sec. 29.** NRS 631.346 is hereby amended to read as follows:

631.346 The following acts, among others, constitute unprofessional conduct:

1. Employing, directly or indirectly, any student or any suspended or unlicensed dentist, dental hygienist, ~~or~~ dental therapist *or expanded function dental assistant* to perform operations of any kind to treat or correct the teeth or jaws, except as provided in this chapter;

2. Except as otherwise provided in NRS 631.287 or 631.3453, giving a public demonstration of methods of practice any place other than the office where the licensee is known to be regularly engaged in this practice;

3. Employing, procuring, inducing, aiding or abetting a person not licensed or registered as a dentist to engage in the practice of dentistry, but a patient shall not be deemed to be an accomplice, employer, procurer, inducer, aider or abettor;

4. For a dental hygienist or dental therapist, practicing in any place not authorized pursuant to this chapter; or



5. Practicing while a license is suspended or without a renewal certificate.

**Sec. 30.** NRS 631.3465 is hereby amended to read as follows:

631.3465 The following acts, among others, constitute unprofessional conduct:

1. Dividing fees or agreeing to divide fees received for services with any person for bringing or referring a patient, without the knowledge of the patient or his or her legal representative, but licensed dentists are not prohibited from:

(a) Practicing in a partnership and sharing professional fees;

(b) Employing another licensed dentist, dental hygienist , ~~for~~ dental therapist ~~;~~ *or expanded function dental assistant*; or

(c) Rendering services as a member of a nonprofit professional service corporation.

2. Associating with or lending his or her name to any person engaged in the illegal practice of dentistry or associating with any person, firm or corporation holding himself, herself or itself out in any manner contrary to the provisions of this chapter.

3. Associating with or being employed by a person not licensed pursuant to this chapter if that person exercises control over the services offered by the dentist, owns all or part of the dentist's practice or receives or shares the fees received by the dentist. The provisions of this subsection do not apply to a dentist who associates with or is employed by a person who owns or controls a dental practice pursuant to NRS 631.385.

4. Using the name "clinic," "institute," "referral services" or other title or designation that may suggest a public or semipublic activity.

5. Practicing under the name of a dentist who has not been in active practice for more than 1 year.

**Sec. 31.** NRS 631.3475 is hereby amended to read as follows:

631.3475 The following acts, among others, constitute unprofessional conduct:

1. Malpractice;

2. Professional incompetence;

3. Suspension or revocation of a license to practice dentistry, the imposition of a fine or other disciplinary action by any agency of another state authorized to regulate the practice of dentistry in that state;

4. More than one act by the dentist, dental hygienist , ~~for~~ dental therapist *or expanded function dental assistant* constituting substandard care in the practice of dentistry, dental hygiene , ~~for~~



dental therapy **[H]** or *expanded function dental assistance, as applicable;*

5. Administering, dispensing or prescribing any controlled substance or any dangerous drug as defined in chapter 454 of NRS, if it is not required to treat the dentist's patient;

6. Knowingly procuring or administering a controlled substance or a dangerous drug as defined in chapter 454 of NRS that is not approved by the United States Food and Drug Administration, unless the unapproved controlled substance or dangerous drug:

(a) Was procured through a retail pharmacy licensed pursuant to chapter 639 of NRS;

(b) Was procured through a Canadian pharmacy which is licensed pursuant to chapter 639 of NRS and which has been recommended by the State Board of Pharmacy pursuant to subsection 4 of NRS 639.2328; or

(c) Is cannabis being used for medical purposes in accordance with chapter 678C of NRS;

7. Having an alcohol or other substance use disorder to such an extent as to render the person unsafe or unreliable as a practitioner, or such gross immorality as tends to bring reproach upon the dental profession;

8. Conviction of a felony or misdemeanor involving moral turpitude or which relates to the practice of dentistry in this State, or conviction of any criminal violation of this chapter;

9. Conviction of violating any of the provisions of NRS 616D.200, 616D.220, 616D.240 or 616D.300 to 616D.440, inclusive;

10. Failure to comply with the provisions of NRS 453.163, 453.164, 453.226, 639.23507, 639.23535 and 639.2391 to 639.23916, inclusive, and any regulations adopted by the State Board of Pharmacy pursuant thereto.

11. Fraudulent, illegal, unauthorized or otherwise inappropriate prescribing, administering or dispensing of a controlled substance listed in schedule II, III or IV;

12. Failure to comply with the provisions of NRS 454.217 or 629.086;

13. Failure to obtain any training required by the Board pursuant to NRS 631.344;

14. The performance or supervision of the performance of a pelvic examination in violation of NRS 629.085; or

15. Operation of a medical facility, as defined in NRS 449.0151, at any time during which:

(a) The license of the facility is suspended or revoked; or



(b) An act or omission occurs which results in the suspension or revocation of the license pursuant to NRS 449.160.

↳ This subsection applies to an owner or other principal responsible for the operation of the facility.

**Sec. 32.** NRS 631.3485 is hereby amended to read as follows:

631.3485 1. The following acts, among others, constitute unprofessional conduct:

(a) Willful or repeated violations of the provisions of this chapter;

(b) Willful or repeated violations of the regulations of the State Board of Health, the State Board of Pharmacy or the Board of Dental Examiners of Nevada;

(c) Failure to pay the fees for a license; or

(d) Failure to make the health care records of a patient available for inspection and copying as provided in NRS 629.061, if the dentist, dental hygienist, ~~or~~ dental therapist *or expanded function dental assistant* is the custodian of health care records with respect to those records.

2. As used in this section, “custodian of health care records” has the meaning ascribed to it in NRS 629.016.

**Sec. 33.** NRS 631.3487 is hereby amended to read as follows:

631.3487 1. If the Board receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license to practice dentistry, dental hygiene, ~~or~~ dental therapy ~~or~~ *or expanded function dental assistance* the Board shall deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Board receives a letter issued to the holder of the license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The Board shall reinstate a license to practice dentistry, dental hygiene, ~~or~~ dental therapy *or expanded function dental assistance* that has been suspended by a district court pursuant to NRS 425.540 if:

(a) The Board receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560; and





(b) The person whose license was suspended pays the fee imposed pursuant to NRS 631.345 for the reinstatement of a suspended license.

**Sec. 34.** NRS 631.350 is hereby amended to read as follows:

631.350 1. Except as otherwise provided in NRS 631.271, 631.2715 and 631.347, the Board may:

- (a) Refuse to issue a license to any person;
- (b) Revoke or suspend the license or renewal certificate issued by it to any person;
- (c) Fine a person it has licensed;
- (d) Place a person on probation for a specified period on any conditions the Board may order;
- (e) Issue a public reprimand to a person;
- (f) Limit a person's practice to certain branches of dentistry;
- (g) Require a person to participate in a program relating to an alcohol or other substance use disorder or any other impairment;
- (h) Require that a person's practice be supervised;
- (i) Require a person to perform community service without compensation;
- (j) Require a person to take a physical or mental examination or an examination of his or her competence;
- (k) Require a person to fulfill certain training or educational requirements;
- (l) Require a person to reimburse a patient; or
- (m) Any combination thereof,

↳ if the Board finds, by a preponderance of the evidence, that the person has engaged in any of the activities listed in subsection 2.

2. The following activities may be punished as provided in subsection 1:

- (a) Engaging in the illegal practice of dentistry, dental hygiene, ~~or~~ dental therapy ~~or~~ *expanded function dental assistance*;
- (b) Engaging in unprofessional conduct; or
- (c) Violating any regulations adopted by the Board or the provisions of this chapter.

3. The Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect fines therefor and deposit the money therefrom in banks, credit unions, savings and loan associations or savings banks in this State.

4. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 3 and the Board deposits the money collected from the imposition of fines with the State Treasurer for credit to the State General Fund, it may present a



claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

5. The Board shall not administer a private reprimand.

6. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

**Sec. 35.** NRS 631.360 is hereby amended to read as follows:

631.360 1. Except as otherwise provided in NRS 631.364, the Board may, upon its own motion, and shall, upon the verified complaint in writing of any person setting forth facts which, if proven, would constitute grounds for initiating disciplinary action, investigate the actions of any person who practices dentistry, dental hygiene, ~~or~~ dental therapy *or expanded function dental assistance* in this State. A complaint may be filed anonymously. If a complaint is filed anonymously, the Board may accept the complaint but may refuse to consider the complaint if anonymity of the complainant makes processing the complaint impossible or unfair to the person who is the subject of the complaint.

2. The Board shall, before initiating disciplinary action, at least 10 days before the date set for the hearing, notify the accused person in writing of any charges made. The notice may be served by delivery of it personally to the accused person or by mailing it by registered or certified mail to the place of business last specified by the accused person, as registered with the Board.

3. At the time and place fixed in the notice, the Board shall proceed to hear the charges. If the Board receives a report pursuant to subsection 5 of NRS 228.420, a hearing must be held within 30 days after receiving the report.

4. The Board may compel the attendance of witnesses or the production of documents or objects by subpoena. The Board may adopt regulations that set forth a procedure pursuant to which the Executive Director may issue subpoenas on behalf of the Board. Any person who is subpoenaed pursuant to this subsection may request the Board to modify the terms of the subpoena or grant additional time for compliance.

5. The Board may obtain a search warrant from a magistrate upon a showing that the warrant is needed for an investigation or hearing being conducted by the Board and that reasonable cause exists to issue the warrant.

6. If the Board is not sitting at the time and place fixed in the notice, or at the time and place to which the hearing has been continued, the Board shall continue the hearing for a period not to exceed 30 days.



7. The Board shall retain all complaints received by the Board pursuant to this section for at least 10 years, including, without limitation, any complaints not acted upon.

**Sec. 36.** NRS 631.395 is hereby amended to read as follows:

631.395 A person is guilty of the illegal practice of dentistry, dental hygiene , ~~{or}~~ dental therapy *or expanded function dental assistance* who:

1. Sells or barter, or offers to sell or barter, any diploma or document conferring or purporting to confer any dental degree, or any certificate or transcript made or purporting to be made pursuant to the laws regulating the licensing and registration of dentists, dental hygienists , ~~{or}~~ dental therapists ~~{;}~~ *or expanded function dental assistants;*

2. Purchases or procures by barter any such diploma, certificate or transcript, with the intent that it be used as evidence of the holder's qualifications to practice dentistry, or in fraud of the laws regulating that practice;

3. With fraudulent intent, alters in a material regard any such diploma, certificate or transcript;

4. Uses or attempts to use any diploma, certificate or transcript, which has been purchased, fraudulently issued, counterfeited or materially altered, either as a license or color of license to practice dentistry, or in order to procure registration as a dentist, dental hygienist , ~~{or}~~ dental therapist ~~{;}~~ *or expanded function dental assistant;*

5. Practices dentistry under a false or assumed name;

6. Assumes the degree of "Doctor of Dental Surgery" or "Doctor of Dental Medicine" or appends the letters "D.D.S." or "D.M.D." or "R.D.H." to his or her name, not having conferred upon him or her, by diploma from an accredited dental or dental hygiene college or school legally empowered to confer the title, the right to assume the title, or assumes any title or appends any letters to his or her name with the intent to represent falsely that he or she has received a dental degree or license;

7. Willfully makes, as an applicant for examination, license or registration under this chapter, a false statement in a material regard in an affidavit required by this chapter;

8. Within 10 days after a demand is made by the Secretary-Treasurer, fails to furnish to the Board the names and addresses of all persons practicing or assisting in the practice of dentistry in the office of the person at any time within 60 days before the notice, together with a sworn statement showing under and by what license or authority the person and his or her employee are and have been



practicing dentistry, but the affidavit must not be used as evidence against the person in any proceeding under this chapter;

9. Except as otherwise provided in NRS 629.091, practices dentistry, dental hygiene, ~~{or}~~ dental therapy *or expanded function dental assistance* in this State without a license;

10. Except as otherwise provided in NRS 631.385, owns or controls a dental practice, shares in the fees received by a dentist or controls or attempts to control the services offered by a dentist if the person is not himself or herself licensed pursuant to this chapter; or

11. Aids or abets another in violating any of the provisions of this chapter.

**Sec. 37.** NRS 631.396 is hereby amended to read as follows:

631.396 Any member or agent of the Board may enter any premises in this State where a person who holds a license or certificate issued pursuant to the provisions of this chapter practices dentistry, dental hygiene, ~~{or}~~ dental therapy *or expanded function dental assistance* and inspect it to determine whether a violation of any provision of this chapter has occurred, including, without limitation, an inspection to determine whether any person at the premises is practicing dentistry, dental hygiene, ~~{or}~~ dental therapy *or expanded function dental assistance* without the appropriate license or certificate issued pursuant to the provisions of this chapter.

**Sec. 38.** NRS 631.397 is hereby amended to read as follows:

631.397 Unless the Board determines that extenuating circumstances exist, the Board shall forward to the appropriate law enforcement agency any substantiated information submitted to the Board concerning a person who practices or offers to practice dentistry, dental hygiene, ~~{or}~~ dental therapy *or expanded function dental assistance* without the appropriate license or certificate issued pursuant to the provisions of this chapter.

**Sec. 39.** NRS 631.400 is hereby amended to read as follows:

631.400 1. A person who engages in the illegal practice of dentistry in this State is guilty of a category D felony and shall be punished as provided in NRS 193.130, unless a greater penalty is provided pursuant to NRS 200.830 or 200.840.

2. Unless a greater penalty is provided pursuant to NRS 200.830 or 200.840, a person who practices or offers to practice dental hygiene, ~~{or}~~ dental therapy *or expanded function dental assistance* in this State without a license, or who, having a license, practices dental hygiene, ~~{or}~~ dental therapy *or expanded function dental assistance* in a manner or place not permitted by the provisions of this chapter:



(a) If it is his or her first or second offense, is guilty of a gross misdemeanor.

(b) If it is his or her third or subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130.

3. Unless a greater penalty is provided by specific statute, a person who is licensed to practice dentistry who practices dentistry in a manner or place not permitted by the provisions of this chapter:

(a) If it is his or her first or second offense, is guilty of a gross misdemeanor.

(b) If it is his or her third or subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130.

4. The Board may assign a person described in subsection 1, 2 or 3 specific duties as a condition of renewing a license.

5. If a person has engaged or is about to engage in any acts or practices which constitute or will constitute an offense against this chapter, the district court of any county, on application of the Board, may issue an injunction or other appropriate order restraining the conduct. Proceedings under this subsection are governed by Rule 65 of the Nevada Rules of Civil Procedure, except that no bond or undertaking is required in any action commenced by the Board.

6. In addition to any other penalty prescribed by law, if the Board determines that a person has committed any act described in subsection 1, 2 or 3, the Board may:

(a) Issue and serve on the person an order to cease and desist until the person obtains from the Board the proper license or certificate or otherwise demonstrates that he or she is no longer in violation of subsection 1, 2 or 3. An order to cease and desist must include a telephone number with which the person may contact the Board.

(b) Issue a citation to the person. A citation issued pursuant to this paragraph must be in writing, describe with particularity the nature of the violation and inform the person of the provisions of this paragraph. Each activity in which the person is engaged constitutes a separate offense for which a separate citation may be issued. To appeal a citation, the person must submit a written request for a hearing to the Board not later than 30 days after the date of issuance of the citation.

(c) Assess against the person an administrative fine of not more than \$5,000.

(d) Impose any combination of the penalties set forth in paragraphs (a), (b) and (c).



**Sec. 40.** NRS 632.472 is hereby amended to read as follows:

632.472 1. The following persons shall report in writing to the Executive Director of the Board any conduct of a licensee or holder of a certificate which constitutes a violation of the provisions of this chapter:

(a) Any physician, dentist, dental hygienist, *expanded function dental assistant*, chiropractic physician, optometrist, podiatric physician, medical examiner, resident, intern, professional or practical nurse, nursing assistant, medication aide - certified, perfusionist, physician assistant licensed pursuant to chapter 630 or 633 of NRS, psychiatrist, psychologist, marriage and family therapist, clinical professional counselor, alcohol or drug counselor, peer recovery support specialist, peer recovery support specialist supervisor, music therapist, holder of a license or limited license issued pursuant to chapter 653 of NRS, driver of an ambulance, paramedic or other person providing medical services licensed or certified to practice in this State.

(b) Any personnel of a medical facility or facility for the dependent engaged in the admission, examination, care or treatment of persons or an administrator, manager or other person in charge of a medical facility or facility for the dependent upon notification by a member of the staff of the facility.

(c) A coroner.

(d) Any person who maintains or is employed by an agency to provide personal care services in the home.

(e) Any person who operates, who is employed by or who contracts to provide services for an intermediary service organization as defined in NRS 449.4304.

(f) Any person who maintains or is employed by an agency to provide nursing in the home.

(g) Any employee of the Department of Health and Human Services.

(h) Any employee of a law enforcement agency or a county's office for protective services or an adult or juvenile probation officer.

(i) Any person who maintains or is employed by a facility or establishment that provides care for older persons.

(j) Any person who maintains, is employed by or serves as a volunteer for an agency or service which advises persons regarding the abuse, neglect or exploitation of an older person and refers them to persons and agencies where their requests and needs can be met.

(k) Any social worker.



(1) Any person who operates or is employed by a community health worker pool or with whom a community health worker pool contracts to provide the services of a community health worker, as defined in NRS 449.0027.

2. Every physician who, as a member of the staff of a medical facility or facility for the dependent, has reason to believe that a nursing assistant or medication aide - certified has engaged in conduct which constitutes grounds for the denial, suspension or revocation of a certificate shall notify the superintendent, manager or other person in charge of the facility. The superintendent, manager or other person in charge shall make a report as required in subsection 1.

3. A report may be filed by any other person.

4. Any person who in good faith reports any violation of the provisions of this chapter to the Executive Director of the Board pursuant to this section is immune from civil liability for reporting the violation.

5. As used in this section:

(a) "Agency to provide personal care services in the home" has the meaning ascribed to it in NRS 449.0021.

(b) "Community health worker pool" has the meaning ascribed to it in NRS 449.0028.

(c) "Peer recovery support specialist" has the meaning ascribed to it in NRS 433.627.

(d) "Peer recovery support specialist supervisor" has the meaning ascribed to it in NRS 433.629.

**Sec. 40.5.** Chapter 639 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. Except as otherwise provided in subsection 5, a dental hygienist licensed pursuant to chapter 631 of NRS may, if authorized by the Board, possess, prescribe or dispense dangerous drugs and devices only to the extent and subject to the limitations specified in section 9 of this act and the certificate issued to the dental hygienist by the Board pursuant to this section.*

*2. If a dental hygienist wishes to possess, prescribe or dispense dangerous drugs and devices and is authorized to do so by section 9 of this act and the regulations adopted pursuant thereto, the dental hygienist must apply to the Board for a certificate to possess, prescribe or dispense dangerous drugs and devices and pay the applicable fee for authorization of a practitioner to dispense dangerous drugs pursuant to NRS 639.170.*



3. *The Board shall consider each application separately and, except as otherwise provided in subsection 5, may, even though the dental hygienist is otherwise authorized by section 9 of this act to possess, prescribe or dispense dangerous drugs and devices:*

(a) *Refuse to issue a certificate;*

(b) *Issue a certificate limiting the authority of the dental hygienist to possess, prescribe or dispense dangerous drugs and devices, the area in which the dental hygienist may possess dangerous drugs and devices or the kind and amount of dangerous drugs or devices; or*

(c) *Issue a certificate imposing other limitations or restrictions which the Board feels are necessary and required to protect the health, safety and welfare of the public.*

4. *The Board may adopt regulations controlling the maximum amount to be possessed, prescribed or dispensed and the storage, security, recordkeeping and transportation of dangerous drugs or devices by a dental hygienist licensed pursuant to chapter 631 of NRS.*

5. *The provisions of this section do not limit or authorize the Board to limit the authority of a dental hygienist to possess dangerous drugs under the circumstances authorized by paragraph (b) of subsection 1 of NRS 454.213, regardless of whether the dental hygienist holds a certificate issued pursuant to this section.*

**Sec. 41.** NRS 639.0125 is hereby amended to read as follows:

639.0125 "Practitioner" means:

1. A physician, dentist, veterinarian or podiatric physician who holds a license to practice his or her profession in this State;

2. A hospital, pharmacy or other institution licensed, registered or otherwise permitted to distribute, dispense, conduct research with respect to or administer drugs in the course of professional practice or research in this State;

3. An advanced practice registered nurse who has been authorized to prescribe controlled substances, poisons, dangerous drugs and devices;

4. A physician assistant who:

(a) Holds a license issued by the Board of Medical Examiners; and

(b) Is authorized by the Board to possess, administer, prescribe or dispense controlled substances, poisons, dangerous drugs or devices under the supervision of a physician as required by chapter 630 of NRS;

5. A physician assistant who:





(a) Holds a license issued by the State Board of Osteopathic Medicine; and

(b) Is authorized by the Board to possess, administer, prescribe or dispense controlled substances, poisons, dangerous drugs or devices under the supervision of an osteopathic physician as required by chapter 633 of NRS; ~~or~~

6. An optometrist who is certified by the Nevada State Board of Optometry to prescribe and administer pharmaceutical agents pursuant to NRS 636.288, when the optometrist prescribes or administers pharmaceutical agents within the scope of his or her certification ~~or~~; *or*

7. *A dental hygienist who:*

*(a) Holds a valid license to practice dental hygiene in this State;*

*(b) Is authorized to prescribe and dispense the dangerous drugs and devices listed in section 9 of this act in accordance with the provisions of that section and the regulations adopted pursuant thereto; and*

*(c) Holds a certificate issued pursuant to section 40.5 of this act by the State Board of Pharmacy authorizing him or her to so prescribe.*

**Sec. 42.** NRS 653.430 is hereby amended to read as follows:

653.430 The provisions of this chapter do not apply to:

1. A physician or physician assistant licensed pursuant to chapter 630 or 633 of NRS.

2. A dentist, dental hygienist, ~~or~~ dental therapist *or expanded function dental assistant* licensed pursuant to chapter 631 of NRS or a dental assistant working within the scope of his or her employment under the direct supervision of ~~an~~:

*(a) A dentist ~~or~~; or*

*(b) Where authorized by NRS 631.287, a dental hygienist who holds a special endorsement to practice public health dental hygiene.*

3. A chiropractic physician or chiropractic assistant licensed pursuant to chapter 634 of NRS.

4. A person training to become a chiropractic assistant or a student practicing in the preceptor program established by the Chiropractic Physicians' Board of Nevada pursuant to NRS 634.1375.

5. A podiatric physician or podiatry hygienist licensed pursuant to chapter 635 of NRS, or a person training to be a podiatry hygienist.



6. A veterinarian or veterinary technician licensed pursuant to chapter 638 of NRS or any other person performing tasks under the supervision of a veterinarian or veterinary technician as authorized by regulation of the Nevada State Board of Veterinary Medical Examiners.

7. The performance of mammography in accordance with NRS 457.182 to 457.187, inclusive.

**Sec. 43.** NRS 200.471 is hereby amended to read as follows:

200.471 1. As used in this section:

(a) "Assault" means:

(1) Unlawfully attempting to use physical force against another person; or

(2) Intentionally placing another person in reasonable apprehension of immediate bodily harm.

(b) "Fire-fighting agency" has the meaning ascribed to it in NRS 239B.020.

(c) "Officer" means:

(1) A person who possesses some or all of the powers of a peace officer;

(2) A person employed in a full-time salaried occupation of fire fighting for the benefit or safety of the public;

(3) A member of a volunteer fire department;

(4) A jailer, guard or other correctional officer of a city or county jail;

(5) A prosecuting attorney of an agency or political subdivision of the United States or of this State;

(6) A justice of the Supreme Court, judge of the Court of Appeals, district judge, justice of the peace, municipal judge, magistrate, court commissioner, master or referee, including a person acting pro tempore in a capacity listed in this subparagraph;

(7) An employee of this State or a political subdivision of this State whose official duties require the employee to make home visits;

(8) A civilian employee or a volunteer of a law enforcement agency whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to law enforcement; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the law enforcement agency;

(9) A civilian employee or a volunteer of a fire-fighting agency whose official duties require the employee or volunteer to:

(I) Interact with the public;



(II) Perform tasks related to fire fighting or fire prevention; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the fire-fighting agency; or

(10) A civilian employee or volunteer of this State or a political subdivision of this State whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to code enforcement; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for this State or a political subdivision of this State.

(d) "Provider of health care" means a physician, a medical student, a perfusionist or a physician assistant licensed pursuant to chapter 630 of NRS, a practitioner of respiratory care, a homeopathic physician, an advanced practitioner of homeopathy, a homeopathic assistant, an osteopathic physician, a physician assistant licensed pursuant to chapter 633 of NRS, a podiatric physician, a podiatry hygienist, a physical therapist, a medical laboratory technician, an optometrist, a chiropractic physician, a chiropractic assistant, a doctor of Oriental medicine, a nurse, a student nurse, a certified nursing assistant, a nursing assistant trainee, a medication aide - certified, a dentist, a dental student, a dental hygienist, a dental hygienist student, *an expanded function dental assistant, an expanded function dental assistant student*, a pharmacist, a pharmacy student, an intern pharmacist, an attendant on an ambulance or air ambulance, a psychologist, a social worker, a marriage and family therapist, a marriage and family therapist intern, a clinical professional counselor, a clinical professional counselor intern, a licensed dietitian, the holder of a license or a limited license issued under the provisions of chapter 653 of NRS, an emergency medical technician, an advanced emergency medical technician and a paramedic.

(e) "School employee" means a licensed or unlicensed person employed by a board of trustees of a school district pursuant to NRS 391.100 or 391.281.

(f) "Sporting event" has the meaning ascribed to it in NRS 41.630.

(g) "Sports official" has the meaning ascribed to it in NRS 41.630.

(h) "Taxicab" has the meaning ascribed to it in NRS 706.8816.

(i) "Taxicab driver" means a person who operates a taxicab.



(j) "Transit operator" means a person who operates a bus or other vehicle as part of a public mass transportation system.

2. A person convicted of an assault shall be punished:

(a) If paragraph (c) or (d) does not apply to the circumstances of the crime and the assault is not made with the use of a deadly weapon or the present ability to use a deadly weapon, for a misdemeanor.

(b) If the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

(c) If paragraph (d) does not apply to the circumstances of the crime and if the assault is committed upon an officer, a provider of health care, a school employee, a taxicab driver or a transit operator who is performing his or her duty or upon a sports official based on the performance of his or her duties at a sporting event and the person charged knew or should have known that the victim was an officer, a provider of health care, a school employee, a taxicab driver, a transit operator or a sports official, for a gross misdemeanor, unless the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon, then for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

(d) If the assault is committed upon an officer, a provider of health care, a school employee, a taxicab driver or a transit operator who is performing his or her duty or upon a sports official based on the performance of his or her duties at a sporting event by a probationer, a prisoner who is in lawful custody or confinement or a parolee, and the probationer, prisoner or parolee charged knew or should have known that the victim was an officer, a provider of health care, a school employee, a taxicab driver, a transit operator or a sports official, for a category D felony as provided in NRS 193.130, unless the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon, then for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.



**Sec. 44.** NRS 200.5093 is hereby amended to read as follows:

200.5093 1. Any person who is described in subsection 4 and who, in a professional or occupational capacity, knows or has reasonable cause to believe that an older person or vulnerable person has been abused, neglected, exploited, isolated or abandoned shall:

(a) Except as otherwise provided in subsection 2, report the abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person to:

(1) The local office of the Aging and Disability Services Division of the Department of Health and Human Services;

(2) A police department or sheriff's office; or

(3) A toll-free telephone service designated by the Aging and Disability Services Division of the Department of Health and Human Services; and

(b) Make such a report as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the older person or vulnerable person has been abused, neglected, exploited, isolated or abandoned.

2. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that the abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person involves an act or omission of the Aging and Disability Services Division, another division of the Department of Health and Human Services or a law enforcement agency, the person shall make the report to an agency other than the one alleged to have committed the act or omission.

3. Each agency, after reducing a report to writing, shall forward a copy of the report to the Aging and Disability Services Division of the Department of Health and Human Services and the Unit for the Investigation and Prosecution of Crimes.

4. A report must be made pursuant to subsection 1 by the following persons:

(a) Every physician, dentist, dental hygienist, *expanded function dental assistant*, chiropractic physician, optometrist, podiatric physician, medical examiner, resident, intern, professional or practical nurse, physician assistant licensed pursuant to chapter 630 or 633 of NRS, perfusionist, psychiatrist, psychologist, marriage and family therapist, clinical professional counselor, clinical alcohol and drug counselor, alcohol and drug counselor, music therapist, athletic trainer, driver of an ambulance, paramedic, licensed dietitian, holder of a license or a limited license issued under the provisions of chapter 653 of NRS, behavior analyst,



assistant behavior analyst, registered behavior technician, peer recovery support specialist, as defined in NRS 433.627, peer recovery support specialist supervisor, as defined in NRS 433.629, or other person providing medical services licensed or certified to practice in this State, who examines, attends or treats an older person or vulnerable person who appears to have been abused, neglected, exploited, isolated or abandoned.

(b) Any personnel of a hospital or similar institution engaged in the admission, examination, care or treatment of persons or an administrator, manager or other person in charge of a hospital or similar institution upon notification of the suspected abuse, neglect, exploitation, isolation or abandonment of an older person or vulnerable person by a member of the staff of the hospital.

(c) A coroner.

(d) Every person who maintains or is employed by an agency to provide personal care services in the home.

(e) Every person who maintains or is employed by an agency to provide nursing in the home.

(f) Every person who operates, who is employed by or who contracts to provide services for an intermediary service organization as defined in NRS 449.4304.

(g) Any employee of the Department of Health and Human Services, except the State Long-Term Care Ombudsman appointed pursuant to NRS 427A.125 and any of his or her advocates or volunteers where prohibited from making such a report pursuant to 45 C.F.R. § 1321.11.

(h) Any employee of a law enforcement agency or a county's office for protective services or an adult or juvenile probation officer.

(i) Any person who maintains or is employed by a facility or establishment that provides care for older persons or vulnerable persons.

(j) Any person who maintains, is employed by or serves as a volunteer for an agency or service which advises persons regarding the abuse, neglect, exploitation, isolation or abandonment of an older person or vulnerable person and refers them to persons and agencies where their requests and needs can be met.

(k) Every social worker.

(l) Any person who owns or is employed by a funeral home or mortuary.

(m) Every person who operates or is employed by a community health worker pool, as defined in NRS 449.0028, or with whom a



community health worker pool contracts to provide the services of a community health worker, as defined in NRS 449.0027.

(n) Every person who is enrolled with the Division of Health Care Financing and Policy of the Department of Health and Human Services to provide doula services to recipients of Medicaid pursuant to NRS 422.27177.

5. A report may be made by any other person.

6. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that an older person or vulnerable person has died as a result of abuse, neglect, isolation or abandonment, the person shall, as soon as reasonably practicable, report this belief to the appropriate medical examiner or coroner, who shall investigate the cause of death of the older person or vulnerable person and submit to the appropriate local law enforcement agencies, the appropriate prosecuting attorney, the Aging and Disability Services Division of the Department of Health and Human Services and the Unit for the Investigation and Prosecution of Crimes his or her written findings. The written findings must include the information required pursuant to the provisions of NRS 200.5094, when possible.

7. A division, office or department which receives a report pursuant to this section shall cause the investigation of the report to commence within 3 working days. A copy of the final report of the investigation conducted by a division, office or department, other than the Aging and Disability Services Division of the Department of Health and Human Services, must be forwarded within 30 days after the completion of the report to the:

(a) Aging and Disability Services Division;

(b) Repository for Information Concerning Crimes Against Older Persons or Vulnerable Persons created by NRS 179A.450; and

(c) Unit for the Investigation and Prosecution of Crimes.

8. If the investigation of a report results in the belief that an older person or vulnerable person is abused, neglected, exploited, isolated or abandoned, the Aging and Disability Services Division of the Department of Health and Human Services or the county's office for protective services may provide protective services to the older person or vulnerable person if the older person or vulnerable person is able and willing to accept them.

9. A person who knowingly and willfully violates any of the provisions of this section is guilty of a misdemeanor.

10. As used in this section, "Unit for the Investigation and Prosecution of Crimes" means the Unit for the Investigation and



Prosecution of Crimes Against Older Persons or Vulnerable Persons in the Office of the Attorney General created pursuant to NRS 228.265.

**Sec. 45.** NRS 439.2713 is hereby amended to read as follows:

439.2713 “Provider of oral health care” means a dentist, ~~for~~ dental hygienist *or expanded function dental assistant* licensed pursuant to the provisions of chapter 631 of NRS.

**Sec. 46.** NRS 454.00958 is hereby amended to read as follows:

454.00958 “Practitioner” means:

1. A physician, dentist, veterinarian or podiatric physician who holds a valid license to practice his or her profession in this State.

2. A pharmacy, hospital or other institution licensed or registered to distribute, dispense, conduct research with respect to or to administer a dangerous drug in the course of professional practice in this State.

3. When relating to the prescription of poisons, dangerous drugs and devices:

(a) An advanced practice registered nurse who holds a certificate from the State Board of Pharmacy permitting him or her so to prescribe; or

(b) A physician assistant who holds a license from the Board of Medical Examiners and a certificate from the State Board of Pharmacy permitting him or her so to prescribe.

4. An optometrist who is certified to prescribe and administer pharmaceutical agents pursuant to NRS 636.288 when the optometrist prescribes or administers dangerous drugs which are within the scope of his or her certification.

*5. A dental hygienist who holds a valid license to practice dental hygiene in this State and:*

*(a) Is authorized to prescribe and dispense the dangerous drugs listed in section 9 of this act in accordance with the provisions of that section and the regulations adopted pursuant thereto; and*

*(b) Holds a certificate issued by the State Board of Pharmacy pursuant to section 40.5 of this act authorizing him or her to so prescribe.*

**Sec. 47.** NRS 454.213 is hereby amended to read as follows:

454.213 1. Except as otherwise provided in NRS 454.217, a drug or medicine referred to in NRS 454.181 to 454.371, inclusive, may be possessed and administered by:

(a) A practitioner.





(b) A physician assistant licensed pursuant to chapter 630 or 633 of NRS, at the direction of his or her supervising physician or a licensed dental hygienist *or expanded function dental assistant* acting in the office of and under the supervision of a dentist.

(c) Except as otherwise provided in paragraph (d), a registered nurse licensed to practice professional nursing or licensed practical nurse, at the direction of a prescribing physician, physician assistant licensed pursuant to chapter 630 or 633 of NRS, dentist, podiatric physician or advanced practice registered nurse, or pursuant to a chart order, for administration to a patient at another location.

(d) In accordance with applicable regulations of the Board, a registered nurse licensed to practice professional nursing or licensed practical nurse who is:

(1) Employed by a health care agency or health care facility that is authorized to provide emergency care, or to respond to the immediate needs of a patient, in the residence of the patient; and

(2) Acting under the direction of the medical director of that agency or facility who works in this State.

(e) A medication aide - certified at a designated facility under the supervision of an advanced practice registered nurse or registered nurse and in accordance with standard protocols developed by the State Board of Nursing. As used in this paragraph, "designated facility" has the meaning ascribed to it in NRS 632.0145.

(f) Except as otherwise provided in paragraph (g), an advanced emergency medical technician or a paramedic, as authorized by regulation of the State Board of Pharmacy and in accordance with any applicable regulations of:

(1) The State Board of Health in a county whose population is less than 100,000;

(2) A county board of health in a county whose population is 100,000 or more; or

(3) A district board of health created pursuant to NRS 439.362 or 439.370 in any county.

(g) An advanced emergency medical technician or a paramedic who holds an endorsement issued pursuant to NRS 450B.1975, under the direct supervision of a local health officer or a designee of the local health officer pursuant to that section.

(h) A respiratory therapist employed in a health care facility. The therapist may possess and administer respiratory products only at the direction of a physician.



(i) A dialysis technician, under the direction or supervision of a physician or registered nurse only if the drug or medicine is used for the process of renal dialysis.

(j) A medical student or student nurse in the course of his or her studies at an accredited college of medicine or approved school of professional or practical nursing, at the direction of a physician and:

(1) In the presence of a physician or a registered nurse; or

(2) Under the supervision of a physician or a registered nurse if the student is authorized by the college or school to administer the drug or medicine outside the presence of a physician or nurse.

↳ A medical student or student nurse may administer a dangerous drug in the presence or under the supervision of a registered nurse alone only if the circumstances are such that the registered nurse would be authorized to administer it personally.

(k) Any person designated by the head of a correctional institution.

(l) An ultimate user or any person designated by the ultimate user pursuant to a written agreement.

(m) A holder of a license to engage in radiation therapy and radiologic imaging issued pursuant to chapter 653 of NRS, at the direction of a physician and in accordance with any conditions established by regulation of the Board.

(n) A chiropractic physician, but only if the drug or medicine is a topical drug used for cooling and stretching external tissue during therapeutic treatments.

(o) A physical therapist, but only if the drug or medicine is a topical drug which is:

(1) Used for cooling and stretching external tissue during therapeutic treatments; and

(2) Prescribed by a licensed physician for:

(I) Iontophoresis; or

(II) The transmission of drugs through the skin using ultrasound.

(p) In accordance with applicable regulations of the State Board of Health, an employee of a residential facility for groups, as defined in NRS 449.017, pursuant to a written agreement entered into by the ultimate user.

(q) A veterinary technician or a veterinary assistant at the direction of his or her supervising veterinarian.

(r) In accordance with applicable regulations of the Board, a registered pharmacist who:

(1) Is trained in and certified to carry out standards and practices for immunization programs;



(2) Is authorized to administer immunizations pursuant to written protocols from a physician; and

(3) Administers immunizations in compliance with the “Standards for Immunization Practices” recommended and approved by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.

(s) A registered pharmacist pursuant to written guidelines and protocols developed pursuant to NRS 639.2629 or a collaborative practice agreement, as defined in NRS 639.0052.

(t) A person who is enrolled in a training program to become a physician assistant licensed pursuant to chapter 630 or 633 of NRS, dental hygienist, advanced emergency medical technician, paramedic, respiratory therapist, dialysis technician, physical therapist or veterinary technician or to obtain a license to engage in radiation therapy and radiologic imaging pursuant to chapter 653 of NRS if the person possesses and administers the drug or medicine in the same manner and under the same conditions that apply, respectively, to a physician assistant licensed pursuant to chapter 630 or 633 of NRS, dental hygienist, advanced emergency medical technician, paramedic, respiratory therapist, dialysis technician, physical therapist, veterinary technician or person licensed to engage in radiation therapy and radiologic imaging who may possess and administer the drug or medicine, and under the direct supervision of a person licensed or registered to perform the respective medical art or a supervisor of such a person.


(u) A medical assistant, in accordance with applicable regulations of the:

(1) Board of Medical Examiners, at the direction of the prescribing physician and under the supervision of a physician or physician assistant.

(2) State Board of Osteopathic Medicine, at the direction of the prescribing physician and under the supervision of a physician or physician assistant.

2. As used in this section, “accredited college of medicine” has the meaning ascribed to it in NRS 453.375.

**Sec. 48.** NRS 695D.040 is hereby amended to read as follows:

695D.040 “Dentist” includes a dental hygienist  *and an expanded function dental assistant.*

**Sec. 49.** 1. Not later than January 1, 2025, the Board of Dental Examiners of Nevada shall submit a report to the Director of the Legislative Counsel Bureau for transmittal to the 83rd Session of the Legislature that includes, without limitation:



(a) The number of persons that applied for licensure as an expanded function dental assistant pursuant to sections 5 and 6 of this act during the 2024 calendar year and the number of such licenses issued during the 2024 calendar year;

(b) The number of persons that applied for a special endorsement to practice restorative dental hygiene pursuant to section 6.5 of this act during the 2024 calendar year and the number of such special endorsements issued during the 2024 calendar year;

(c) The number of dental hygienists currently authorized to prescribe and dispense drugs or devices pursuant to section 9 of this act; and

(d) A description of the impact of authorizing the practice of expanded function dental assistance and restorative dental hygiene and the prescription and dispensing of drugs by dental hygienists on the quality and availability of dental services in this State.

2. As used in this section:

(a) "Dental hygienist" has the meaning ascribed to it in NRS 631.040.

(b) "Expanded function dental assistance" has the meaning ascribed to it in section 2 of this act.

(c) "Expanded function dental assistant" has the meaning ascribed to it in section 3 of this act.

(d) "Restorative dental hygiene" has the meaning ascribed to it in section 3.5 of this act.

**Sec. 50.** 1. This section becomes effective upon passage and approval.

2. Sections 1 to 49, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On January 1, 2024, for all other purposes.



Expanded Function Dental Assistants (SB 310) Regulations – Points for Consideration/Discussion

1) Should Board require additional training/education for licensure by endorsement to practice EFDA – *see Section 6(2)*

**\*Applicants for licensure by endorsement to provide proof of passing DANB Certified Preventative Functions Dental Assistant and Certified Restorative Functions Dental Assistant or having successfully completed Board approved course on restorative dental hygiene.**

2) Should Board delineate that the endorsement available for Expanded Function Dental Assistance (EFDA) and/or for Restorative Dental Hygiene (RDH) are not the same endorsement as Public Health Endorsement (PHE) for Dental Therapists/Dental Hygienists – *see Section 6.5 and 7*

3) Board should that require very specific education/training for Dental Hygienists that qualify for Restorative Dental Hygiene (RDH) to be permitted to prescribe/dispense drugs in conjunction with State Pharmacy Board requirements – *see Section 9(1) and Section 9(4)*

**\*Consider completion of PTT coursework at schools accepted by NV Pharmacy Board – schools in both No. and So. NV**

**\*\*Consider that education/training and CE hours must have a safe prescribing practices component for Board approval**

4) Board should require/specifically delineate drugs to be prescribed by Dental Hygienists that qualify for Restorative Dental Hygiene (RDH): - *see Section 9(1)*

- a. Topical Fluoride
- b. Oral Antiseptic Rinse
- c. Prescription Fluoride Dentifrice
- d. Desensitizers
- e. Whitening Gel
- f. Topical Anesthetic
- g. Periodontal therapeutic medication

5) Board should require specific treatment protocols to be used by Dental Hygienists under PHE who then authorizes DA or EFDA to: (1) apply dental sealants; (2) apply topical fluoride; (3) perform coronal polishing; (4) take radiographs; and (5) provide oral health education – *see Section 20.5 (3)*

6) Should Board delineate intraoral tasks in addition to those outlined in Section 8 which can be assigned to EFDA Dental Hygienists with special endorsement for RDH employed by dentist, engaged in school health activities or employed by a public health agency – *see Section 22*

7) Board should require specific regulations regarding the possession/prescription/dispensing of dangerous drugs/devices by Dental Hygienists who has special endorsement – *see Section 40.5*

**\* Dental Hygienists must petition Board for certificate to possess/prescribe/dispense dangerous drugs/devices**

**\*\*Board can: (1) refuse to issue certificate, (2) issue certificate limiting authority of Dental Hygienists, or (3) issue certificate with other limitations/restrictions Board determines necessary protect public health, safety and welfare**

**\*\*\*Board regs can include maximum amount possessed/prescribed/dispensed and transportation, storage, security, recordkeeping requirements.**

8) Should Board adopt and/or incorporate written exam offered by CDCA/WREB/CITA (Expanded Function Dental Auxiliary) or DANB (Certified Preventative Functions Dental Assistant and Certified Restorative Functions Dental Assistant) – *see Section 18*

9) Should Board require applicants to have graduated from a CODA accredited institution that offers an expanded function dental assistant program of not less than one (1) academic year with curriculum including didactic, lab and clinical components – *see Section 19*

10) Should Board require Dental Hygienists seeking special endorsement to have completed a DANB approved course on restorative dental hygiene or seek other course(s) to approve; should Board require fee assessment for RDH endorsement – *see Section 6.5 (2)(b)*

11) Should Board require EFDA to complete 12 CE hours annually or 24 CE hours biennially for license renewal

12) Should the Board limit the number of EFDAs permitted to practice under the supervision of the same dentist

**\*Potentially utilize Ohio reg language: “At no time shall more than two (2) expanded function dental assistants be practicing as expanded function dental assistants under the supervision of the same dentist.”**

13) Should the Board require that EFDA complete course approved by Board in the identification and prevention of medical emergencies; should the Board require dentists to have written protocols for EFDAs to follow in the event of medical emergencies

14) Should the Board add language to NAC further defining language for the use of an ultrasonic scaling unit – *See Section 8 (11)*

*\*Potential defining language: As referenced in NRS 631.\_\_\_\_, “use of an ultrasonic scaling unit for the removal of bonding agents” shall be interpreted by the Board for the purposes of orthodontic care. The prohibition of an expanded function dental assistant to “use of an ultrasonic scaling unit on any natural tooth” shall be interpreted by the Board for the purposes of dental cleaning.*



Ohio Revised Code 4715.64

(B) An expanded function dental auxiliary shall perform the services specified in divisions (A)(1) and (11) of this section only under the supervision, order, control, and full responsibility of a dentist licensed under this chapter. At no time shall more than two expanded function dental auxiliaries be practicing as expanded function dental auxiliaries under the supervision of the same dentist. Except as provided in divisions (C) and (D) of this section and section [4715.431](#) of the Revised Code, an expanded function dental auxiliary shall not practice as an expanded function dental auxiliary when the supervising dentist is not physically present at the location where the expanded function dental auxiliary is practicing.

(C) An expanded function dental auxiliary may perform, for not more than fifteen consecutive business days, the application of pit and fissure sealants when the supervising dentist is not physically present at the location where the expanded function dental auxiliary is practicing if all of the following conditions have been satisfied:

- (1) The expanded function dental auxiliary has at least one year and a minimum of one thousand five hundred hours of experience practicing as an expanded function dental auxiliary or dental assistant.
- (2) The expanded function dental auxiliary has successfully completed a course approved by the board in the identification and prevention of potential medical emergencies.
- (3) The supervising dentist has evaluated the expanded function dental auxiliary's skills.
- (4) The supervising dentist has established written protocols or written standing orders for the expanded function dental auxiliary to follow during and in the absence of an emergency.
- (5) The supervising dentist completed and evaluated a medical and dental history of the patient not more than one year prior to the date that the expanded function dental auxiliary provides services to the patient, and the

supervising dentist determines that the patient is in a medically stable condition.

(6) In advance of the appointment for services, the patient is notified that the supervising dentist will be absent from the location and that the expanded function dental auxiliary cannot diagnose the patient's dental health care status.

(7) The expanded function dental auxiliary is employed by, or under contract with, the supervising dentist, a dentist licensed under this chapter who meets one of the criteria specified in division (C)(10)(b) of section [4715.22](#) of the Revised Code, or a government entity that employs the expanded function dental auxiliary to provide services in a public school or in connection with other programs the government entity administers.

#### Virginia 18VAC60-30-40

A. A dentist may utilize up to a total of four dental hygienists or dental assistants II in any combination practicing under direction at one and the same time. In addition, a dentist may permit through issuance of written orders for services additional dental hygienists to practice under general supervision in a free clinic, a public health program, or a voluntary practice.

B. In all instances and on the basis of his diagnosis, a licensed dentist assumes ultimate responsibility for determining with the patient or his representative the specific treatment the patient will receive, which aspects of treatment will be delegated to qualified personnel, and the direction required for such treatment, in accordance with this chapter, Part IV ([18VAC60-21-110](#) et seq.) of the Regulations Governing the Practice of Dentistry, and the Code.

#### Virginia 18VAC60-30-40

Only licensed dentists shall perform the following duties:

1. Final diagnosis and treatment planning;

2. Performing surgical or cutting procedures on hard or soft tissue except a dental hygienist performing gingival curettage as provided in [18VAC60-21-140](#);
3. Prescribing or parenterally administering drugs or medicaments, except a dental hygienist who meets the requirements of [18VAC60-25-100](#) may parenterally administer Schedule VI local anesthesia to patients 18 years of age or older;
4. Authorization of work orders for any appliance or prosthetic device or restoration that is to be inserted into a patient's mouth;
5. Operation of high speed rotary instruments in the mouth;
6. Administering and monitoring moderate sedation, deep sedation, or general anesthetics except as provided for in § 54.1-2701 of the Code and subsections J and K of [18VAC60-21-260](#);
7. Condensing, contouring, or adjusting any final, fixed, or removable prosthodontic appliance or restoration in the mouth with the exception of packing and carving amalgam and placing and shaping composite resins by dental assistants II with advanced training as specified in [18VAC60-30-120](#);
8. Final positioning and attachment of orthodontic bonds and bands; and
9. Final adjustment and fitting of crowns and bridges in preparation for final cementation.