

BEFORE THE NEVADA STATE BOARD OF DENTAL EXAMINERS

IN REGARDS TO THE MATTER OF:

Request by Samantha Sturges, RDH
For an Advisory Opinion Regarding Final
Physical Impressions vs. Final Digital
Scans

ADVISORY OPINION
AO-03152022-2

On March 15, 2022, pursuant to agenda item 6(b)(2) at a properly noticed meeting held at the Nevada State Board of Dental Examiners (“Board”) office located at 2651 N. Green Valley Parkway, Ste. 104, Henderson, Nevada, 89014, the Board issued the following advisory opinion. This advisor opinion is effective March 15, 2022 and supersedes any prior guidance or statements issued by the Board on these matters:

BOARD MEMBER PARTICIPATION:

| | |
|--------------------------------|---------|
| Dr. Tejpaal Johl | Present |
| Dr. David Lee | Present |
| Dr. Ronald Lemon | Present |
| Dr. Elizabeth Park | Present |
| Dr. Todd Thompson | Present |
| Dr. Ron West | Present |
| Dr. Adam York | Present |
| Yamilka Arias, RDH | Present |
| Jana McIntyre, RDH | Present |
| Michael Pontoni, Public Member | Present |

ADVISORY OPINION

I.
BACKGROUND

1. As set forth in NAC 631.279 through authority of NRS 631.190 and NRS 233B.120 the Board is authorized to provide advisory opinions.

NAC 631.279 Proceedings to determine applicability and construction of statutes and regulations. (NRS 631.190)

1. Any applicant or licensed dentist 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.

- A. The Board has discretion whether or not to issue an advisory opinion pursuant to NAC 631.279.
- B. Public notice of the above-referenced request for an advisory opinion was provided in accordance with state law.

II. DISCUSSION

Licensed Registered Dental Hygienist Samantha Sturges, RDH requested that the Board review [NRS 631.3124(1)(d); NAC 631.210(2)(d); and NAC 631.220(2)(j)] and clarify whether those statutes and regulations mandate that a dentist personally take final digital impressions/scans, in the same manner that a dentist must personally take final physical impressions.

A. Background and Analysis

NRS 631.3124(1)(d) states, in relevant part:

NRS 631.3124 Dental therapists: Authorized services; referral of patient to authorizing dentist for certain purposes; supervision of dental assistants and dental hygienists. [Effective January 1, 2020.]

1. In accordance with the written practice agreement required pursuant to [NRS 631.3122](#), a dental therapist may perform the following acts:

* * *

(d) Take the following types of impressions:

(1) Those used for the preparation of diagnostic 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.

NAC 631.210(2)(d) states, in relevant part:

NAC 631.210 Dental hygienists: Authorization to perform certain services; referral of patient to authorizing dentist for certain purposes. ([NRS 631.190](#), [631.310](#), [631.313](#), [631.317](#))

* * *

2. A dentist who is licensed in this State may authorize a dental hygienist in his or her employ to:

* * *

(d) Take the following types of impressions:

- (1) Those used for the preparation of diagnostic 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.

* * *

↳ Before performing any of the services set forth in this subsection, the dental hygienist must obtain authorization from the licensed dentist of the patient on whom the services are to be performed and the patient must have been examined by that dentist not more than 18 months before the services are to be performed. After performing any of the services set forth in this subsection, the dental hygienist shall refer the patient to the authorizing dentist for follow-up care or any necessary additional procedures that the dental hygienist is not authorized to perform.

NAC 631.220(2)(j) states, in relevant part:

NAC 631.220 Dental assistants: Authorization to perform certain services; supervision by dental hygienist for certain purposes. ([NRS 631.190](#), [631.313](#), [631.317](#))

* * *

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:

* * *

- (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.

Discussion between the Board and Ms. Sturges focused on the consensus opinion that final physical impressions involve the skilled manipulation of impression material, whereas a final digital ‘impression’ is more akin to a digital scan and produces an exact representation of the scanned environment and does not involve such skilled manipulation.

The Board further noted that the dentist is ultimately responsible for fit and finish, and should personally finalize all aspects of a crown, including margins. The Board also noted that digital scans produce a more accurate process than the creation of physical impressions and that final digital scan can be taken by dental hygienists, dental assistants, and dental therapists in lieu of the supervising dentist.

Lastly, the Board noted that the cited statutes and regulations do not accurately represent the current state of technology and directed General Counsel to

prepare regulatory changes to reflect the Board's opinion that dental hygienists, dental assistants, and dental therapists may take final digital scans.

III.
CONCLUSION

After consideration and discussion of the matters as outlined above, a motion was made by Board Member West:

- That dental hygienists, dental assistants, and dental therapists are fully permitted to perform final digital scans pursuant to this Advisory Opinion, until such time as NAC 631 can be updated to so reflect.

The motion was seconded by Board Member Park.

Dr. Lee called for the motion, which carried unanimously.



DAVID LEE, DMD, PRESIDENT
Nevada State Board of Dental Examiners