

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

MEMORANDUM

TO: Nevada State Board of Dental Examiners Licensees

FROM: Jennifer J. Leonescu, Interim Executive Director

DATE: February 3, 2023

RE: Governor's Executive Order 2023-003: Order Freezing the Issuance of New Regulations and Requiring a Review of Existing Regulations by All Executive Branch Agencies, Departments, Boards and Commissions

I am writing to notify the Board's licensees of the impact and implementation of Governor Lombardo's January 12, 2023 Executive Order ("EO") No. 2023-003. In EO 2023-003, Governor Lombardo ordered that no new regulations were to be proposed, approved, or acted on by any executive branch agency, department, board, or commission until such time as the EO is rescinded. A copy of EO 2023-003 is provided with this memorandum.

The EO provides for exemptions for certain classes of regulations including, but not limited to, regulations that affect public health, safety, and security. However, the process for obtaining an exemption from the EO has not yet been established. Initial instructions issued on January 23, 2023 require all workshops and adoption hearings to be canceled and/or put on hold pending approval of an exemption from Governor Lombardo's General Counsel. In addition, any regulations drafted by an agency intended to be sent to the Legislative Counsel Bureau ("LCB") for review and revisions must be put on hold pending approval of an exemption or the lifting of the EO.

As many of you know or have asked about, the Board proposed regulation R072-22 to amend Chapter 631 of the Nevada Administrative Code to include academic, clinical requirements and other requirements to be licensed as a Dental Therapist in Nevada as well as licensing fees. In addition, the proposed regulation amends NAC 631.190 to add licensing for three new specialties: dental anesthesiology, oral medicine; and orofacial pain.

The Board will of course notify licensees and interested members of the public of all public workshops and meetings when the Board receives notification of an exemption from Governor Lombardo's Executive Order or when the Executive Order is lifted.

For further information, please contact the Board at 702-486-7044.



EXECUTIVE ORDER 2023-003

Order Freezing the Issuance of New Regulations and Requiring a Review of Existing Regulations by All Executive Branch Agencies, Departments, Boards and Commissions

WHEREAS, state regulations should protect workers, consumers and the environment, while promoting entrepreneurship and economic growth; and

WHEREAS, state regulations can become outdated, result in unintended consequences, create conflicts or impose an unnecessary burden on citizens, businesses or government entities; and

WHEREAS, it is in the best interest of the state of Nevada that its regulatory environment be concise, transparent, stable, balanced, predictable and thoughtfully constructed; and

WHEREAS, Nevada's current regulatory structure is too often unfocused and inefficient, contains regulations that are obsolete and includes regulations that are unnecessarily onerous, thereby limiting the economic potential of the State; and

WHEREAS, Article 5, Section 1 of the Nevada Constitution provides that, "The Supreme Executive Power of this State shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada;

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and laws of the State of Nevada, it is hereby ordered as follows:

SECTION 1

Every executive branch department, agency, board and commission shall undertake a comprehensive review of the regulations subject to its enforcement. On or before, May 1, 2023 each department, agency, board and commission shall provide a report to the Governor's office detailing how the regulation subject to its enforcement can be streamlined, clarified, reduced or otherwise improved to ensure those regulations provide for the general welfare of the State without unnecessarily inhibiting economic growth.

SECTION 2:

As part of its report, every executive branch department, agency, board and commission shall provide a list of not less than ten (10) regulations recommended for removal, ranking them in descending order of priority.

SECTION 3:

Prior to submitting their respective reports, every executive branch department, agency, board and commission shall hold a public hearing, after having provided reasonable notice consistent with Chapter 233B of the Nevada Revised Statutes, to key industry stakeholders, to: (i) vet their recommended changes; (ii) solicit input as to the merits of those changes and (iii) identify other regulatory changes stakeholders feel are worthy of consideration. Stakeholder input shall be reflected in the summary of findings and recommendations included in each submitted report.

SECTION 4:

Unless specifically exempt from this Executive Order as set forth in Section 5, no new regulations shall be proposed, approved or acted on by any executive branch agency, department, board or commission until such time as this Executive Order is rescinded.

SECTION 5:


The following regulations are not subject to the suspension set forth in Section 4:

- (a) Regulations that affect public health;
- (b) Regulations that affect public safety and security;
- (c) Regulations that are necessary in the pursuit of federal funds and certifications;
- (d) Regulations that affect the application of powers, functions and duties essential to the operation of the executive branch agency, department, board or commission at issue;
- (e) Regulations that affect pending judicial deadlines; and
- (f) Regulations necessary to comply with federal law.

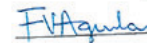
Until the suspension of this Executive Order, each executive branch department, agency, board and commission that intends to continue with the enactment of a proposed regulation under an exception to the freeze set forth in Section 4 shall submit a report to the Governor's office identifying which exemption the proposed regulation falls within and detailing the problem the regulation addresses or the value to the public of the regulation, how the regulation addresses the problem or the benefits provided by the regulation, why alternate forms or regulation are insufficient to address the problem and whether other regulations currently address the problem.




IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 12th day of January, in the year two thousand twenty-three.



Governor



Secretary of State



Deputy