

BEFORE THE NEVADA STATE BOARD OF DENTAL EXAMINERS

IN REGARDS TO THE MATTER OF:

Request for the Advisory Opinion regarding whether applicants for limited licensure pursuant to NRS 631.271 who have been awarded a dental degree from outside the United States but have received a specialty degree from an ADA accredited specialty program would meet the eligibility requirements for limited licensure pursuant to NRS 631.271.

AO-13-1004

On October 4, 2013, pursuant to agenda item 5(b) at a properly noticed meeting held at the Nevada State Board of Dental Examiners ("Board") office located at 6010 S Rainbow Boulevard, Suite A-1, Las Vegas, Nevada 89118 the "Board" issued the following advisory opinion.

Dr. Jade A Miller	Present
Dr. Gregory Pisani	Present
Dr. Jason Champagne	Excused
Dr. Timothy Pinther	Present
Dr. James G Kinard	Present
Dr. J. Stephen Sill	Present
Dr. Byron Blasco	Present
Ms. Caryn Solie	Present
Mrs. Leslea Villigan	Present
Mrs. Theresa Guillen	Present
Mrs. Lisa Wark	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. Nevada licensee, Jaleh Pourhamidi, DMD requested an advisory opinion on behalf of the Orthodontic Program at Roseman University pursuant to NAC 631.279, as to whether an applicant for limited licensure to instruct at the Orthodontic Program at Roseman University who has been awarded a dental degree from outside the United States/Canada but has received a specialty degree from an ADA accredited specialty program would meet the eligibility requirements to apply for a limited license to instruct pursuant to NRS 631.271.
- C. Public notice of the above-referenced request for an advisory opinion was provided in accordance with state law.

II.
DISCUSSION

Dr Pourhamidi requested an advisory opinion regarding the eligibility requirements for applicants who would be instructors at the Orthodontic Program at Roseman University who have been awarded their dental degree outside of the United States (not ADA accredited) but the applicants have been awarded their specialty degree through an ADA accredited dental program and whether the applicant would meet the eligibility requirements for limited licensure pursuant to NRS 631.271. Dr Pouhamidi has an instructor who in interested in instructing at the Orthodontic Program at Roseman University who received his dental degree in Brazil but completed his specialty program at Ohio State University and is Board Certified. Currently, he is teaching at Marquette University and wanted to know whether this person would meet the eligibility requirements for a limited license to instruct at Roseman University pursuant to NRS 631.271.

Board Counsel discussed eligibility and accreditation as defined pursuant to NRS 631.271, NRS 631.230 and NRS 631.015 with regards to applicants for limited licensure. Board Counsel read the statutes into the record.

Board Member Sill did inform Dr Pourhamidi based upon the credentials of the individual she is describing the instructor may be eligible for licensure by credential pursuant to NRS 631.255. Dr Pourhamidi is aware of NRS 631.255. However, for the advisory opinion Dr Pourhamidi is specifically requesting clarification for the issuance of a limited license pursuant to NRS 631.271.

Board Counsel explained to the Board Members the proper language necessary to issue an advisory opinion.

Board Counsel advised the Board Members should they issue an advisory opinion an applicant for a limited license pursuant to NRS 631.271 who has a dental degree outside the United States but has received a specialty degree from an ADA accredited program as defined in NRS 631.015, meet the eligibility requirements pursuant to NRS 631.271 but the applicant would be limited to their area of specialty.

III. CONCLUSION

After considering and discussing public comment pursuant to the authority set forth in NAC 631.279, NRS 631.190 and NRS 233B.120, a motion was made by Board Member Blasco to approve the request for the issuance of an advisory opinion an applicant for a limited license pursuant to NRS 631.271 who has a dental degree outside the United States but has received a specialty degree from an ADA accredited program as defined in NRS 631.015, meet the eligibility requirements pursuant to NRS 631.271 but the applicant would be limited to their area of specialty.

The motion was seconded by Board Member Sill

III

Dr. Kinard called for the motion:

Dr. Jade A Miller	yes
Dr. Gregory Pisani	yes
Dr. Jason Champagne	excused
Dr. Timothy Pinther	yes
Dr. James G Kinard	yes
Dr. J. Stephen Sill	yes
Dr. Byron Blasco	yes
Ms. Caryn Solie	yes
Mrs. Leslea Villigan	yes
Mrs. Theresa Guillen	yes
Mrs. Lisa Wark	yes

The motion was passed unanimously an applicant for a limited license pursuant to NRS 631.271 who has a dental degree outside the United States but has received a specialty degree from an ADA accredited program as defined in NRS 631.015, meet the eligibility requirements pursuant to NRS 631.271 but the applicant would be limited to their area of specialty.

A handwritten signature in black ink, appearing to read 'JG Kinard', is written over a horizontal line.

JAMES G KINARD, DDS, PRESIDENT
Nevada State Board of Dental Examiners



September 5, 2013

Ms. Debra Shaffer, Executive Director
Nevada State Board of Dental Examiners
6010 South Rainbow Blvd
Las Vegas, Nevada 89118



Dear Ms. Shaffer and Members of the Nevada State Board of Dental Examiners:

I would like to respectfully request an **advisory opinion** regarding Nevada Revised Statute (NRS) 631.271 as it pertains to "Limited License to Practice Dentistry or Dental Hygiene; Permit Authorizing Certain Persons to Practice Dentistry or Dental Hygiene" at the next meeting of the Board.

Thank you for your time and consideration on this matter. I look forward to hearing from you.

Cordially Yours,

A handwritten signature in black ink, appearing to read 'Jaleh Pourhamidi', with a long horizontal flourish extending to the right.

Jaleh Pourhamidi DMD, MDSc
Dean, College of Dental Medicine, Henderson Campus
Program Director, Advanced Education in Orthodontics and
Dentofacial Orthopedics/MBA Residency Program
Associate Professor of Dental Medicine
Roseman University of Health Sciences
4 Sunset Way, Building C
Henderson, NV 89014