

BEFORE THE NEVADA STATE BOARD OF DENTAL EXAMINERS

In Re: )  
)  
Request By Antonina Capurro, DMD, State )  
Dental Health Officer, for an Advisory )  
Opinion Regarding the Application of Silver )  
Diamine Fluoride By Dental Hygienists )  
Who Hold a Public Health Endorsement )  
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ADVISORY OPINION  
AO-07192019-1

On July 19, 2019, at a properly noticed meeting held at the office of the Nevada State Board of Dental Examiners (the “Board”), located at 6010 S. Rainbow Boulevard, Suite A-1, Las Vegas, Nevada 89118, and pursuant to Agenda Item 5(b), the Board issued the following advisory opinion:

**BOARD MEMBER PARTICIPATION**

Mrs. Yvonne Bethea	Present
Dr. R. Michael Sanders	Present
Dr. Byron Blasco	Excused
Dr. Timothy Pinther	Present
Dr. Jason Champagne	Present
Dr. Gregory Pisani	Present
Dr. D. Kevin Moore	Present
Dr. David Lee	Present
Ms. Betty Pate	Excused
Ms. Joan Shadler	Present
Ms. Gabrielle Cioffi	Present

**ADVISORY OPINION**

**I.**

**BACKGROUND**

1. As set forth in NAC 631.279, pursuant to the authority of NRS 631.190 and NRS 233B.120, the Board is authorized to provide advisory opinions concerning any provision of NRS Chapter 631 or NAC Chapter 631.

2. NAC 631.279 states as follows:

**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.

3. The Board has the discretion whether or not to issue an advisory opinion pursuant to NAC 631.279

4. Licensee, Antonia Capurro, DMD, State Dental Health Officer, requested an advisory opinion regarding whether the scope of practice permits a dental hygienist who holds a special health endorsement to practice public health dental hygiene pursuant to NRS 631.287 and NAC 631.210(6) to place silver diamine fluoride and glass ionomer as a temporary, palliative measure for the underserved and vulnerable populations served by hygienists with public health endorsements.

5. Dr. Capurro also advised that the Nevada Oral Health Program is prepared to provide education and training for the placement of silver diamine fluoride and glass ionomer if so required by the Board.

6. Public notice of the above-referenced request for an advisory opinion was provided in accordance with state law.

**II.  
DISCUSSION**

7. Licensees Antonina Capurro, DMD and Beth Chartier, RDH, DPBH, appeared before the Board to discuss and receive clarification regarding whether placement of silver diamine and glass ionomer is within the scope of practice of a hygienist who holds a public health endorsement.

8. A hygienist who is issued a public health endorsement pursuant to NAC 631.210(6), may perform any of the services set forth in NRS 631.210(2)(a)-(n) without supervision by a dentist and without authorization from the licensed dentist of the patient on whom the services are to be performed, at a health facility, a school or a place in this State approved by the Board after the Board issues a special endorsement of the hygienist's license and approves the treatment protocol submitted by the dental hygienist that includes the information required by NAC 631.210(6)(b).

9. NAC 631.210(1)(l) authorizes the placement of a temporary restoration with nonpermanent material as a palliative treatment.

10. Silver diamine and glass ionomer are nonpermanent materials placed as a palliative treatment.

### III.

#### CONCLUSION

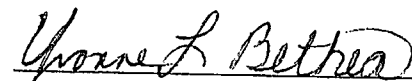
11. After considering comments by Dr. Capurro and RDH Chartier, and discussing the authority set forth in NAC 631.279, NRS 631.190 and NRS 233B.120, and discussing the scope of practice set forth in NAC 631.210(2) and (6), a motion was made by Board Member Lee that the Board issue the following advisory opinion:

**Placement of silver diamine and glass ionomer is within the scope of practice of a hygienist who holds a public health endorsement. To be authorized to place these materials, however, the hygienist's public health endorsement must meet the requirements of NAC 631.210(6)(b), specifically, that the treatment protocol submitted and approved by the Board must include placement of these materials. It is recommended that all hygienists to whom this Opinion applies follow the Nevada Policy for the Application of Silver Diamine Fluoride by Licensed Public Health Endorsed Dental Hygienists, including the use of the informed consent, submitted by Dr. Capurro. It is further recommended that the Board implement regulations to ensure the implementation of the Nevada Policy for the Application of Silver Diamine Fluoride by Licensed Public Health Endorsed Dental Hygienists, including the use of the informed consent, submitted by Dr. Capurro.**

12. The motion was seconded by Board Member Sanders.

13. Mrs. Bethea called for the Motion, and the motion passed unanimously that the Board issue the following Advisory Opinion:

Placement of silver diamine and glass ionomer is within the scope of practice of a hygienist who holds a public health endorsement. To be authorized to place these materials, however, the hygienist's public health endorsement must meet the requirements of NAC 631.210(6)(b), specifically, that the treatment protocol submitted and approved by the Board must include placement of these materials. It is recommended that all hygienists to whom this Opinion applies follow the Nevada Policy for the Application of Silver Diamine Fluoride by Licensed Public Health Endorsed Dental Hygienists, including the use of the informed consent, submitted by Dr. Capurro. It is further recommended that the Board implement regulations to ensure the implementation of the Nevada Policy for the Application of Silver Diamine Fluoride by Licensed Public Health Endorsed Dental Hygienists, including the use of the informed consent, submitted by Dr. Capurro.



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Yvonne L. Bethea, RDH, BSDH, President  
Nevada State Board of Dental Examiners