

# NEVADA STATE BOARD OF DENTAL EXAMINERS 6010 S Rainbow Boulevard, Suite A-1 Las Vegas, Nevada 89118 (702) 486-7044



Telephone Conferencing site for this meeting was at the Nevada State Board of Dental Examiners Office
Conference Room: 6010 S Rainbow Blvd, Suite AI, Las Vegas, Nevada 89118

# Telephone Conference

### PUBLIC MEETING

Tuesday, October 24, 2017 6:05 p.m.

## **Board Meeting Minutes**

Please Note: The Nevada State Board of Dental Examiners may hold board meetings via telephone conference call. The public is welcomed to attend the telephone conference meeting at the Board office located at 6010 S. Rainbow Blvd, Suite Al; Las Vegas, Nevada 89118.

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.

Public Comment time is available after roll call (beginning of meeting) and prior to adjournment (end of meeting). Public Comment is limited to three (3) minutes for each individual. You may provide the Board with written comment to be added to the record.

Asterisks (\*) denote items on which the Board may take action. Action by the Board on an item may be to approve, deny, amend, or table.

### I. Call to Order, roll call, and establish quorum

Dr. Blasco called the meeting to order and Mrs. Shaffer-Kugel conducted the following roll call:

| Dr. Timothy Pinther ("Dr. Pinther")PRESENT   | Dr. Ali Shahrestani ("Dr. Shahrestani")PRESENT |
|--|--|
| Dr. Byron Blasco ("Dr. Blasco")PRESENT       | Dr. R. Michael Sanders ("Dr. Sanders")PRESENT  |
| Dr. Jason Champagne ("Dr. Champagne")PRESENT | Ms. Theresa Guillen ("Ms. Guillen")PRESENT     |
| Dr. Gregory Pisani ("Dr. Pisani")PRESENT     | Ms. M Sharon Gabriel ("Ms. Gabriel")PRESENT    |
| Dr. Brendan Johnson ("Dr. Johnson")PRESENT   | •  |

Others Present: Melanie Bernstein Chapman, Board General Counsel; Sophia Long, Deputy Attorney General Co-Counsel; Debra Shaffer-Kugel, Executive Director.

Public Attendees – via telephone conference call: Leslie Kotler, DDS, Ray Gates, Esquire, Counsel for Dr. Kotler.

2. Public Comment: (Public Comment is limited to three (3) minutes for each individual)

No Public comment.

Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

- \*3. New Business (For Possible Action)
  - (a) Petition to make application for licensure pursuant to Paragraph 5(A)(3) of the Disciplinary Stipulation Agreement (For Possible Action)
    - (1) Leslie M. Kotler, DMD

Dr. Blasco drew the Board's attention to Mrs. Shaffer-Kugel. Mrs. Shaffer-Kugel stated that in the board books, they were provided with a copy of the stipulation agreement that Dr. Kotler entered into with the Board. She noted that tone of the provisions of the stipulation agreement was that upon the completion of Dr. Kotler's prison term, he may petition the Board to apply for a dental license. She further noted that Dr. Kotler was originally licensed by credential. Per a Board member's inquiry, Dr. Kotler noted for the record that he had taken and successfully passed the California State clinical exam and the NERB exam. Upon Dr. Kotler's response, Mrs. Shaffer-Kugel stated that the Board's statutes only recognizes the WREB and ADEX exams, thus requiring that Dr. Kotler complete one of the clinical exams stated; unless, however, Dr. Kotler feels he meets the eligibility requirements under the new application for Licensure by Endorsement.

Mr. Gates stated gave a brief history of the events that led to Dr. Kotler's unfortunate events, and how he has worked to serve his time and pay restitution. Mr. Gates added that Dr. Kotler was recently granted back his license from the California State Dental Board.

Mrs. Bernstein Chapman, General Counsel for the Board, noted to Dr. Kotler and Mr. Gates that a voluntary surrender of license in the State of Nevada was irrevocable and absolute and that the Board could not reinstate Dr. Kotler's license. She noted further to Dr. Kotler and Mr. Gates that the options were to apply for a new license by either Licensure by Endorsement, or Licensure by Examination. Mrs. Bernstein inquired if Dr. Kotler has any disciplinary action in the State of California, to which he responded that as a provision to reinstate his license, he agreed to four (4) years of probation. Mrs. Shaffer-Kugel stated to the Board that Dr. Kotler, per his stipulation agreement with the Board, was petitioning for approval to apply for a new license.

MOTION: Dr. Pisani moved that the Board approve Dr. Leslie Kotler's petition to make application for licensure in the State of Nevada, seconded by Dr. Johnson. Without further discussion, the majority vote ruled in favor of the motion, with one abstention from Dr. Shahrestani.

4. Public Comment: (Public Comment is limited to three (3) minutes for each individual)

No public comment.

Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

### \*5. Adjournment (For Possible Action)

Dr. Blasco called for a motion to adjourn the meeting of October 24, 2017 at 6:27 p.m.

MOTION: Dr. Pisani made the motion to adjourn, seconded by Dr. Sanders. The motion was unanimously approved by the Board.

Meeting Adjourned at 6:27 p.m.

Respectfully submitted by:

Debra Shaffer-Kugel, Executive Director