



# NEVADA STATE BOARD OF DENTAL EXAMINERS



## Meeting Location:

Nevada State Board of Dental Examiners  
6010 S Rainbow Blvd, Suite A1  
Las Vegas, Nevada 89118

Video Conferencing was available for this meeting at the Nevada State Board of Medical Examiners  
Office located at: 9600 Gateway Drive, Reno, Nevada 89521

## PUBLIC MEETING

Friday, May 10, 2019

9:28 a.m.

## Board Meeting Minutes

**Please Note:** The Nevada State Board of Dental Examiners may hold board meetings via video conference or telephone conference call. The public is welcomed to attend the meeting at the Board office located at 6010 S. Rainbow Blvd, Suite A1; Las Vegas, Nevada 89118; or in the Conference room of the Nevada State Board of Medical Examiners office located at 1105 Terminal Way, Suite #301; Reno, NV 89502 (when applicable).

Persons wishing to comment may appear at the scheduled workshop/hearing or may address their comments, data, views, arguments or small business impact in written form to: **Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd, A-1, Las Vegas, Nevada 89118, Attn: Debra Shaffer-Kugel, Executive Director; FAX number (702) 486-7046; e-mail address [nsbde@nsbde.nv.gov](mailto:nsbde@nsbde.nv.gov)** . Written submissions must be received by the **NEVADA STATE BOARD OF DENTAL EXAMINERS** on or before **May 7, 2019** in order to make copies available to members and the public.

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.

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**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.**

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

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

Mrs. Yvonne Bethea ("Ms. Bethea") ----- PRESENT (President)  
Dr. R. Michael Sanders ("Dr. Sanders") ----- PRESENT (Secretary-Treasurer)  
Dr. Byron Blasco ("Dr. Blasco") ----- PRESENT  
Dr. Timothy Pinther ("Dr. Pinther") ----- PRESENT  
Dr. Jason Champagne ("Dr. Champagne") ----- PRESENT  
Dr. Gregory Pisani ("Dr. Pisani") ----- PRESENT  
Dr. D. Kevin Moore ("Dr. Moore") ----- EXCUSED  
Dr. David Lee ("Dr. Lee") ----- PRESENT  
Ms. Betty Pate ("Ms. Pate") ----- PRESENT  
Ms. Joan Shadler ("Ms. Shadler") ----- PRESENT  
Ms. Gabrielle Cioffi ("Ms. Cioffi") ----- PRESENT

**Others Present:** Melanie Bernstein Chapman, Board General Counsel; Rosalie Bordelove, Esquire, Deputy Attorney General/Board Co-Counsel; Debra Shaffer-Kugel, Executive Director.

**Public Attendees:** Terri Chandler, RDH, Future Smiles; Michael Kharioufeh, DDS; Daniel Bouer, Cameraman for the LVDA; Lyn Beggs, Esquire, Counsel for Smile Restore; Jennifer Hamilton, Executive Director for Smile Restore.

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

56  
57 There was no public comment.  
58

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

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62 **\*3. Executive Director's Report** (For Possible Action)

63  
64 **\*a. Minutes** – NRS 631.190 (For Possible Action)

- 65  
66 (1) Board Meeting – 03/22/2019  
67 (2) Committee on Dental Hygiene Meeting – 03/22/2019  
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69 Executive Director directed the Board members to the draft minutes provided in their meeting books and  
70 inquired if there were any amendments/corrections to be made. If none, Executive Director requested  
71 approval.  
72

73 MOTION: Board Member Sanders motioned that the Board adopt both draft minutes of  
74 March 22, 2019. Motion seconded by Board Member Blasco. With no further  
75 discussion, the vote was unanimous, motion passed.  
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78 **\*b. Financials** – NRS 631.180/NRS 631.190 (For Possible Action)

- 79 (1) Review Balance Sheet and Statement of Revenues, Expenses and Balances for  
80 period July 1, 2018 to March 31, 2019 (Informational Purposes only)  
81

82 Mrs. Hummel was present. Mrs. Hummel inquired if the Board members had any questions regarding the  
83 financial statements. Mrs. Hummel discussed the statement of revenues and fund balances. She noted a  
84 significant increase in dental applications received for licensure by endorsement. The applications  
85 received were more than was anticipated in budget. Mrs. Hummel went over certain accounts with the  
86 Board and briefly explained how the allocation of funds are determined with drafting the budget.  
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89 **\*c. Authorized Investigative Complaints** - NRS 631.360 (For Possible Action)

- 90 (1) Dr. Z: Received information from the Board's Licensing Specialist that Dr. Z has failed  
91 to file current board re-certification for his/her designated specialty in accordance  
92 with NRS 631.255 (For Possible Action)  
93

94 Executive Director advised the Board members of the alleged violations of Dr. Z and requested the Board  
95 authorize an investigation against Dr. Z.  
96

97 MOTION: Board Member Pate motioned that the Board authorize the investigation against Dr. Z.  
98 Motion was seconded by Board Member Blasco. No further discussion, the vote was  
99 unanimous, motion passed.  
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102 **\*d. Travel:** (For Possible Action)

- 103 (1) OSAP Boot Camp Meeting – May 30 through June 2, 2019 – Tucson, Arizona

104 (a) Joan Shadler, RDH  
105

106 Executive Director noted that Board Member Shadler has volunteered to attend the OSAP Boot Camp  
107 Meeting on behalf of the Board and Infection Control Committee. It was noted that Board Member  
108 Shadler would provide a report at the next board meeting. At the request of Board Member Lee, it was  
109 explained that OSAP was one of the largest groups that works with CDC compliance. It was explained  
110 why attending the meetings benefits the board in staying up to date with changes as they may affect  
111 dentistry, specifically as it relates to the CDC guidelines.  
112

113 MOTION: Board Member Pisani motioned that the Board approve travel for Board Member  
114 Shadler. Motion seconded by Board Member Pinther. No further discussion, the vote  
115 was unanimous, motion passed.  
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120 **\*e. Contracts**: (For Possible Action)

121 (1) Lee Drizin, Esquire, Chartered

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123 Executive Director stated Mr. Drizin's current contract will expire on June 30<sup>th</sup> and to avoid interruption  
124 with continued legal representation in litigation case(s), the board would need to enter into a new  
125 contract with an effective date of July 1, 2019.

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127 MOTION: Board Member Blasco motioned that the Board approve the contract. Motion  
128 seconded by Board Member Sanders. No further discussion, the vote was unanimous,  
129 motion passed.

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133 **\*4. General Counsel's Report** (For Possible Action)

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135 **\*a. Legal Actions/Lawsuit(s) Update**

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137 General Counsel stated the case regarding Abbey Dental remained pending, and gave an update on  
138 where they were in the case and the motions/orders that have been issued.

139  
140  
141 **\*b. Board to determine if Smile Restore (a non-profit clinic) is operating in accordance**  
142 **with NRS 631.215(2)(f)(3)** (For Possible Action)

143  
144 Lyn Beggs, Counsel for Smile Restore was present, as well as Jennifer Hamilton, the Executive Director for  
145 Smile Restore. General Counsel stated that they have submitted information that was requested at the  
146 previous board meeting. General Counsel explained why this must come before the board. Smile  
147 Restore's fee schedule was provided to the Board; and Ms. Beggs explained that they condensed their  
148 fee schedule look so that it would be easier to understand. Ms. Beggs went on to explain all the  
149 documents submitted by Smile Restore. UCR fee is not charged to any SR patient. It was determined that  
150 the voucher program was a little too complicated to understand and implement, and they have moved  
151 away from doing that for the time being. There was some discussion regarding how discounts are  
152 displayed on patient ledgers and the Access to Health Care Discount Program. Ms. Hamilton explained  
153 what the program is and how it worked.

154  
155 MOTION: Board Member Pisani moved that board motion that Smile Restore is compliant with NRS  
156 631.215(2)(f)(3). Motion seconded by Board Member Pinther. No further discussion, the  
157 vote was unanimous, motion passed.

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161 **\*5. New Business** (For Possible Action)

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163 **\*a. Consideration of Application to Reactivate Inactive License** – NAC 631.170  
164 (For Possible Action)

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166 (1) Michael Kharoufeh, DDS

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168 Executive Director noted that Dr. Kharoufeh was present. Executive Director stated that anyone with an  
169 inactive license that has not practiced dentistry in two (2) or more years must come before the board for  
170 consideration of their application to reactivate their inactive license. Executive Director stated that  
171 historically the Board has required a skills assessment or clinical exam in order to reinstate a license in  
172 where the licensee has not practiced dentistry or dental hygiene for 2 or more years. Dr. Kharoufeh  
173 stated that he was physically disabled from his right arm, but that he would be going to go work as a  
174 consultant, and therefore was seeking an active license with the limitation of doing no physical aspect of  
175 dentistry. Dr. Kharoufeh's license would be limited to diagnosis and treatment planning.

176  
177 MOTION: Board Member Blasco motioned that the Board approve Dr. Kharoufeh's application for  
178 reactivation of his Inactive license to active and the license is limited to diagnosis and  
179 treatment planning. Motion seconded by Board Member Pisani. No further discussion,  
180 the vote was unanimous, motion passed.

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**\*b. Approval of Voluntary Surrender of License – NAC 631.160 (For Possible Action)**

- (1) Kerry D. Hanson, DDS
- (2) Robert E. Hill, DDS

Executive Director advised the Board the licensee wished to surrender their licenses in the state of Nevada. The surrender is absolute and irrevocable. There was no pending matters and recommended approval of the voluntary surrender.

MOTION: Board Member Blasco moved that the board approve the request for voluntary surrender of the dental licenses. Motion was seconded by Board Member Pate. No discussion, the vote was unanimous, motion passed.

**\*c. Approval for Anesthesia-Permanent Permit – NAC 631.2233 (For Possible Action)**

**(1) General Anesthesia (For Possible Action)**

- (a) Paul P. Bohman, DDS

Executive Director stated that Board Member Moore reviewed the application and recommended approval of the Temporary General Anesthesia permit for Dr. Bohman.

MOTION: Board Member Pinther moved that the board approve the temporary General Anesthesia permit for Dr. Bohman. Motion seconded by Board Member Shadler. No discussion, the vote was unanimous, motion passed.

**(2) Moderate Sedation (patients 13 years of age & older) (For Possible Action)**

- (a) Chung M. Tsang, DMD

Executive Director stated that Board Member Moore reviewed the application and recommended approval of the Temporary General Anesthesia permit for Dr. Tsang.

MOTION: Board Member Pisani moved that the board approve the temporary Moderate Sedation (patients 13 years of age & older) permit for Dr. Tsang. Motion seconded by Board Member Champagne. No discussion, the vote was unanimous, motion passed.

**(3) Moderate Sedation (Pediatric Specialty) 21 years of age or younger (For Possible Action)**

- (a) Samira Farokh, DMD

Executive Director stated that Board Member Moore reviewed the application and recommended approval of the Temporary General Anesthesia permit for Dr. Farokh.

MOTION: Board Member Pinther moved that the board approve the temporary Moderate Sedation (Pediatric Specialty) 21 years of age or younger permit for Dr. Farokh. Motion seconded by Board Member Sanders. No discussion, the vote was unanimous, motion passed.

**\*d. Approval for Anesthesia-Temporary Permit – NAC 631.2254 (For Possible Action)**

**(1) Moderate Sedation (patients 13 years of age & older) (For Possible Action)**

- (a) Aaron J. Osga, DDS
- (b) Jong M. Um, DDS

Executive Director stated that Board Member Moore reviewed the application and recommended approval of the Temporary General Anesthesia permit for Dr. Osga and Dr. Um.

249 MOTION: Board Member Pinther moved that the board approve the applications for a temporary  
250 Moderate Sedation (patients 13 years of age & older) permit. Motion seconded by  
251 Board Member Champagne. No discussion, the vote was unanimous, motion passed.  
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254 **(2) Moderate Sedation (pediatric specialty) 21 years of age or younger** (For Possible Action)  
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256 (a) Andrek J. Ingersoll, DMD  
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258 Executive Director stated that Board Member Moore reviewed the application and recommended  
259 approval of the Temporary General Anesthesia permit for Dr. Ingersoll.  
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261 MOTION: Board Member Pisani moved that the board approve the application for a temporary  
262 Moderate Sedation (Pediatric Specialty) 21 years of age or younger permit. Motion  
263 seconded by Board Member Pinther. No discussion, the vote was unanimous, motion  
264 passed.  
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266 **\*e. Approval for a 90-Day Extension of Anesthesia Permit – NAC 631.2254(2)** (For Possible Action)  
267

268 **(1) General Anesthesia** (For Possible Action)  
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270 (a) Thomas P. Myatt, DDS  
271 (b) Tate L. Viehweg, DMD  
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273 MOTION: Board Member Pisani moved that the board approve the request for a 90-day extension  
274 for the applicants listed. Motion seconded by Board Member Champagne. No  
275 discussion, the vote was unanimous, motion passed.  
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278 **\*f. Legislative Session Update:** (Informational Only)  
279

280 Executive Director stated that SB366 was a bill sponsored by Senator Ratti along with the Nevada Dental  
281 Hygiene Association that would have established a separate board for dental hygiene. However, that  
282 provision has been deleted from the bill. Currently, the bill would enact licensure for dental therapists in  
283 the state of Nevada .  
284

285 **6. Committees:**  
286

287 **\*a. Legislative and Dental Practice** (For Possible Action)

288 (Chair: Dr. Pinther; Dr. Lee; Dr. Moore; RDH Shadler & Ms. Cioffi)  
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290 Board Member Pinther stated there was no report.  
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293 **\*b. Legal and Disciplinary Action** (For Possible Action)

294 (Chair: Dr. Blasco; Dr. Pisani; Dr. Lee; RDH Pate & Ms. Cioffi)  
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296 Board Member Blasco stated there was no report.  
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299 **\*c. Examinations Liaisons** (For Possible Action)  
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301 **\*(1) WREB/HERB Representatives** (For Possible Action)

302 (Dr. Blasco; RDH Pate)  
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304 Board Member Blasco stated there was no report. Board Member Pate stated there was no report.  
305

306 **\*(2) ADEX Representatives** (For Possible Action)

307 (R. Michael Sanders, DMD)  
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309 Board Member Sanders stated there was no report.  
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312 **\*d. Continuing Education** (For Possible Action)

313 (Chair: Dr. Champagne; Dr. Lee; Dr. Moore; RDH Shadler)  
314

315 Board Member Champagne stated there was no report.

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**\*e. Committee of Dental Hygiene** (For Possible Action)

(Chair: RDH Pate; RDH Bethea; RDH Shadler; Dr. Pisani)

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- (1) Approve/Reject recommendation to amend NAC 631.210 regarding utilizing a laser for the treatment of herpes labialis (cold sores) by dental hygienists (For Possible Action)

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Board Member Pate, Chair of the Committee on Dental Hygiene explained the request and recommendation amending the regulation to include, utilizing a laser for the treatment of herpes labialis (cold sores) by dental hygienists. General Counsel noted that there was a motion to change 631.210 to allow dental hygienist to utilize lasers to treat apthous ulcers. Board Member Pisani clarified that the recommendation was to treat both apthous ulcers and herpes labialis; further, that the diagnosis must come from the dentist before the dental hygienist can treat for one or both with a laser.

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MOTION: Board Member Blasco motioned that the Board approve the recommendations by the Committee on Dental Hygiene. Motion seconded by Board Member Sanders. No further discussion, vote was unanimous, motion passed.

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- (2) Approve/Reject recommendation to amend NAC 631.173 to add the American Academy of Dental Hygiene as an automatic approved continue education provider (For Possible Action)

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Executive Director stated the courses offered by the American Association of Dental Hygiene which receives automatic provider approval under the regulations courses are approved by the American Academy of Dental Hygiene. Therefore, the Committee on Dental Hygiene recommends amending the regulation to include the American Academy of Dental Hygiene to receive automatic approval.

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MOTION: Board Member Sanders motioned that the Board approve the recommendations made by the Committee on Dental Hygiene. Motion seconded by Board member Cioffi. No further discussion, vote was unanimous, motion passed.

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**\*f. Anesthesia** (For Possible Action)

(Chair: Dr. Moore; Dr. Champagne; Dr. Sanders)

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Board Member Champagne stated there was no report. General Counsel noted that the Board received an invite for any board members to audit a DOCS anesthesia course.

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**\*g. Infection Control** (For Possible Action)

(Chair: RDH Bethea; Dr. Sanders; Dr. Champagne; RDH Shadler)

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Board Member Bethea stated there was no report.

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**\*h. Budget and Finance Committee** (For Possible Action)

(Chair: Dr. Sanders; Dr. Moore; MRDH Bethea; Ms. Cioffi)

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Board Member Sanders stated there was no report.

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

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There was no public comment.

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**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)

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**8. Announcements:** Executive Director announced that dental license and limited license renewals were well underway, and that a second reminder postcard would be mailed to licensees.

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**\*9. Adjournment** (For Possible Action)

Board Member Bethea called for a motion to adjourn.

MOTION: Board Member Blasco motioned the May 10, 2019 meeting of the Nevada State Board of Dental Examiners be adjourned. Motion seconded by Board Member Sanders, and without discussion, the vote was unanimous, motion passed.

Meeting adjourned at 10:34 a.m.

*Minutes approved at the July 19, 2019 Board Meeting*  
Respectfully Submitted by:

  
\_\_\_\_\_  
Debra Shaffer-Kugel, Executive Director