



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, July 19, 2019
9:10 a.m.

Board Meeting

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** . Written submissions must be received by the **NEVADA STATE BOARD OF DENTAL EXAMINERS** on or before **July 17, 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.

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.*

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") ----- EXCUSED
Dr. Timothy Pinther ("Dr. Pinther") ----- PRESENT
Dr. Jason Champagne ("Dr. Champagne") ----- PRESENT
Dr. Gregory Pisani ("Dr. Pisani") ----- PRESENT
Dr. D. Kevin Moore ("Dr. Moore") ----- PRESENT
Dr. David Lee ("Dr. Lee") ----- PRESENT
Ms. Betty Pate ("Ms. Pate") ----- EXCUSED
Ms. Joan Shadler ("Ms. Shadler") ----- PRESENT
Ms. Gabrielle Cioffi ("Ms. Cioffi") ----- PRESENT

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

Public Attendees:

55 Daniel Bouer, Cameraman for the LVDA.
56
57 Dr. Owen Trinh stated he was present regarding approval of his anesthesia permit application and to
58 answer any questions the board may have.
59
60 Dr. Michael Wassef stated that he was present in support of his request for reconsideration of his
61 license application here requesting licensure in the State of Nevada.
62
63 Dr. Robert Talley introduced himself as the Executive Director of the NDA.
64
65 Dr. Antonina Capurro introduced herself as the State Dental Health Officer and that she was present
66 regarding her requests for Advisory Opinions.
67
68 Ms. Beth Chartier introduced herself as the Interim State Public Health Dental Hygienist.
69
70 Ms. Terri Chandler, RDH representing Future Smiles

71
72
73 **2. Public Comment:** (Public Comment is limited to three (3) minutes for each individual for agenda items noticed on the
74 Public Meeting Notice)
75

76 There was no public comment.
77

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

80
81 ***3. Executive Director's Report** (For Possible Action)
82

83 ***a. Minutes** – NRS 631.190 (For Possible Action)
84

- 85 (1) Board Meeting – 05/10/2019
- 86 (2) Formal Hearing – 06/14/2019
- 87 (3) Board Meeting – 06/20/2019 (Teleconference)

88
89 Executive Director directed the Board Members to the draft minutes and inquired if there were any
90 amendments/corrections to be made. If none, Executive Director requested approval.
91

92 MOTION: Board Member Sanders motioned that the Board adopt both draft minutes of May
93 10, 2019; June 14, 2019; and June 20, 2019. Motion seconded by Board Member
94 Moore. With no further discussion, the vote was unanimous, motion passed.
95

96
97 ***b. Financials** – NRS 631.180/NRS 631.190 (For Possible Action)
98

- 99 (1) Review Balance Sheet and Statement of Revenues, Expenses and Balances for
100 period July 1, 2018 to May 31, 2019 (Informational Purposes only)

101 Mrs. Hummel was present. Mrs. Hummel inquired if the Board Members had any questions regarding the
102 financial statements. Mrs. Hummel discussed the statement of revenues and fund balances. She noted in
103 the budget that there were expenditures that were not made; additionally, that the Board received more
104 licensure applications than anticipated resulted in additional revenue. Mrs. Hummel explained that
105 because the changed to the anesthesia language to remove conscious sedation and the addition of a
106 Pediatric Moderate Sedation permit, fees collected from said permit types were not projected funds
107 included in the original budget. It was noted and discussed that there were some expenses that had not
108 been incurred.
109

110
111 ***c. Authorized Investigative Complaints** - NRS 631.360 (For Possible Action)
112

- 113 (1) Dr. "X" – The Board office received information that Dr. "X" may possibly be using
114 vials noted as single patient use for multiple patients which would be deemed a
115 violation of CDC Guidelines and NAC 631.178 (For Possible Action)

116 Executive Director advised the Board Members of the alleged violations of Dr. X and requested the Board
117 authorize an investigation against Dr. X.
118
119
120

21
22 MOTION: Board Member Pinther motioned that the Board authorize the investigation against Dr. X.
23 Motion was seconded by Board Member Sanders. No further discussion, the vote was
24 unanimous, motion passed.

- 25 (2) Dr. "Y" – The Board office received information that Dr. "Y" may be possibly treating
26 patients outside the scope of dental practice which would be deemed a violation
27 of NRS 631.215 (For Possible Action)
28

29 Executive Director advised the Board members of the alleged violations of Dr. Y and requested the Board
30 authorize an investigation against Dr. Y.
31

32 MOTION: Board Member Pisani motioned that the Board authorize the investigation against Dr. Y.
33 Motion was seconded by Board Member Pinther. No further discussion, the vote was
34 unanimous, motion passed.
35
36

- 37 (3) Dr. "Z" – The Board office received information that Dr. "Z" may not be conducting
38 a review of patient's utilization reports through the PMP database prior to issuing
39 controlled substances to his/her patients which would be deemed a violation(s) of
40 the NRS 639 and NRS 631 (For Possible Action)
41

42 Executive Director advised the Board members of the alleged violations of Dr. Z and requested the Board
43 authorize an investigation against Dr. Z.
44

45 MOTION: Board Member Pisani motioned that the Board authorize the investigation against Dr. Z.
46 Motion was seconded by Board Member Moore. No further discussion, the vote was
47 unanimous, motion passed.
48
49

50 ***d. American Association of Dental Boards (AADB) – NRS 631.190 (For Possible Action)**
51

- 52 (1) Approve 7 Board Members, Executive Director & General Counsel for Membership
53 to the AADB for FY20 (For Possible Action)
54

55 Executive Director explained to the recently appointed Board Members what the AADB organization is and
56 the meeting schedule. At the request of Board Members Moore and Lee, they requested that all Board
57 Members be approved not only 7. DAG Long explained that as the agenda is written, it calls for 7 board
58 members to be approved. Based on the request by Board Members Moore and Lee, this agenda item
59 was tabled for reconsideration at the next board meeting for approval all Board members.
60

- 61 (2) Approve Travel to AADB Annual Meeting October 19-20, 2019 Las Vegas, Nevada
62 (For Board Members in Northern Nevada) (For Possible Action)
63

64 At the request of Board Members Moore and Lee, this agenda item was tabled.
65
66

67 ***e. Office Lease: NRS 631.190 (For Possible Action)**
68

- 69 (1) Approval/Rejection to move board office to a larger office space upon the
70 expiration of the current office lease (For Possible Action)
71

72 Executive Director stated to the Board that the current lease expires on April 30, 2020 and the need for
73 additional space for possible additional staff.
74

75 MOTION: Board Member Sanders motioned that the Board approve to move the board office to a
76 larger space upon the expiration of the current office lease. Motion seconded by Board
77 Member Pinther. No further discussion, the vote was unanimous, motion passed.
78

79 ***4. General Counsel's Report (For Possible Action)**
80

81 ***a. Legal Actions/Lawsuit(s) Update**
82

83 General Counsel gave an update on the pending Abbey Dental case.

84
85 ***b. Consideration of Stipulation Agreements – NRS 622** (For Possible Action)
86

87 (1) Richard Racanelli, DMD
88

89 General Counsel advised the Board Members the stipulation agreement proceeded from a patient
90 complaint which was investigated and reviewed by the DSO and the Review Panel. Counsel for Dr.
91 Racanelli was present to answer any questions. General Counsel stated that on behalf of Dr. Racanelli, she
92 asked that the board approve the Corrective Action Plan Non Disciplinary Stipulation Agreement. Board
93 Member Lee was asked to conduct the vote for this matter, as Board Members Bethea and Board Member
94 Sanders currently sit on the Board's Review Panel. Board Member Lee called for the vote.
95

96 MOTION: Board Member Pisani motioned to approve the corrective action plan non disciplinary
97 stipulation agreement. Motion seconded by Board Member Pinther. Discussion: Board
98 Member Moore inquired of the tutorage involving Dr. Racanelli working with a non-
99 Nevada licensed dentist that included diagnosing and instruction on an individual
00 patient in the form of a live-patient Continuing Education Course. Board Member
01 Moore expressed his confusion of how the participation of a non-licensed dentist that is
02 diagnosing and instructing in Nevada was illegal. Executive Director explained that
03 under NRS 631.215 "Any person shall be deemed to be practicing dentistry who: ...
04 diagnoses or professes to diagnose" Board General Counsel referenced NRS
05 631.2715, which outlines that "The Board shall...issue a limited license to a person to
06 supervise courses of continuing education involving live patients at an institute or
07 organization with a permanent facility registered with the Board for the sole purpose of
08 providing postgraduate continuing education on live patients...." There was no further
09 discussion, voting members vote was unanimous, abstained from the motion: Board
10 Member Sanders and Board Member Bethea as they sit on the Review Panel. Board
11 Member Lee wanted to abstain due to his concerns with the audit report. Board
12 Member Moore also requested to abstain for the same reasons as Board Member Lee.
13

14 It was agreed upon to table this agenda item until after the agenda item involving the discussion of the
15 audit report.
16

17 Following a lengthy discussion of the audit report, the Board returned to this agenda item for discussion.
18 Board Member Bethea handed to gavel to Board Member Cioffi for this agenda item. Board Members
19 Sanders and Bethea recused themselves from the discussion. As discussed, the Board agreed that the
20 audit did not have an issue with stipulation agreements.
21

22 MOTION: Board Member Champagne motioned to adopt the corrective action plan non
23 disciplinary stipulation agreement. Motion seconded by Board Member Pisani. With no
24 additional discussion, the board voted unanimously, motion passed. Abstentions: Board
25 Member Bethea and Board Member Sanders, who sit on the review panel.
26

27 ***c. Pursuant to the terms of the Disciplinary Stipulation II Agreement, Respondent**
28 **hereby requests the Board to reinstate her suspended dental license. Respondent's**
29 **dental license is suspended for non-compliance with the terms and conditions of the**
30 **stipulated agreement approved by the Board on October 4, 2014.** (For Possible Action)
31

32 (1) Georgene Chase, DDS
33

34 Upon questions from Board Member Bethea whether she needed to recuse, General Counsel noted that
35 Board Members Bethea and Sanders had not reviewed the issues before the Board at this time. General
36 Counsel stated that when the issue was first noticed, Dr. Chase had an attorney and the attorney
37 requested this matter be noticed on the agenda for consideration; however, recently the attorney for Dr.
38 Chase withdrew from representing her. Therefore, regarding this agenda item as previously requested by
39 former attorney for Dr. Chase and with Dr. Chase not present General Counsel recommended tabling this
40 matter.
41

42 ***d. Consideration of Application for Dental Licensure pursuant to NRS 631.240** (For Possible Action)
43

44 (1) Michael Wassef, DDS
45

46 It was noted that the Board would be discussing both agenda items (4) (d) and (e) concurrently
47 thought they would each be voted on respectively.

48 Dr. Wassef was present and stepped forward to answer any questions the Board may have. General
49 Counsel stated that Dr. Wassef was seeking licensure and was licensed in Arizona. Dr. Wassef
50 acknowledged the Board, thanked them for their time, and stated he had practiced for a number of
51 years, and noted he had some issues arise in the State of Arizona. He noted further, that the issues in
52 Arizona were challenged legally which he was forthcoming of in his application which was supported with
53 documented evidence submitted with his application for licensure. There was lengthy discussion regarding
54 Dr. Wassef's issued with the Arizona State Dental Board. Dr. Sanders stated that as the Secretary-Treasurer
55 he read all the information submitted by Dr. Wassef and the Arizona State Board. He noted that it was his
56 honest opinion that not only was the information provided by the Arizona Board confusing and
57 nonsensical, but felt that the Executive Director was absurdly vindictive in their handling of the matter with
58 Dr. Wassef. Board Member Sanders noted that the Executive Director was no longer employed with the
59 Arizona State Dental Board.
60

61 Board Member Lee expressed his opinion that the information from Dr. Wassef was only one side of the
62 story, and appeared to be uncomfortable with the idea of granting a license to someone who had their
63 license revoked by another Board. Board Member Lee inquired of Dr. Wassef that if the alleged
64 misconduct was rather vindictive, why he had not attempted to reinstate his license. Dr. Wassef explained
65 that based on the order of revocation, he must wait a period of five (5) years before he can reapply for a
66 license. Dr. Wassef further noted that upon the Arizona Board first suspending his license they went before
67 an administrative laws judge where Dr. Wassef represented himself. After the two-day hearing the judge
68 ruled that there was no factual evidence to support their actions to suspend Dr. Wassef's license, and he
69 reversed the Board's decision. There was additional lengthy discussion regarding the events that occurred
70 that led to the revocation of his license in Arizona. Board Member Lee continued to argue that the
71 information is one sided. General Counsel informed Board Member Lee that the information of the events
72 were provided to all board members in the form of a CD, which contained documentation directly
73 received from the Arizona Board as well as a copy of the transcripts from the hearing with the
74 Administrative Laws Judge in Arizona; thus making it not true that the information provided was not one
75 sided. There was additional lengthy discussion regarding this matter. Board Member Cioffi stated that the
76 Board could not change whatever happened in the state of Arizona, but that she was comfortable with
77 granting Dr. Wassef a license under the conditions that he agrees to an agreed upon stipulation
78 agreement.
79

80 There was lengthy discussion regarding the precipitating events that led to the issues Dr. Wassef had with
81 the Arizona State Board.
82

83 MOTION: Board Member Moore motioned to approve Wassef's license contingent upon approval
84 of a stipulation agreement. Motion seconded by Board Member Cioffi. No further
85 discussion, the vote was unanimous, motion passed.
86

87 *e. **Consideration of Stipulation Agreement contingent upon the issuance of a license**
88 **to practice dentistry in the State of Nevada** (For Possible Action)
89

90 (1) Michael Wassef, DDS
91

92 General Counsel stated that this agenda item is for consideration of the proposed stipulation regarding Dr.
93 Michael Wassef. She stated that there were many blanks left in the proposed stipulation agreement to
94 allow the board to determine how they would like to fill them in. Board Members recommended that the
95 stipulation agreement include monitoring, which would be the term used to fill in all blanks throughout the
96 proposed stipulation agreement. General Counsel noted that Dr. Wassef had agreed to random drug
97 testing. She noted further that the proposed stipulation agreement would authorize the Executive Director
98 to obtain a copy of Dr. Wassef's PMP report and assign a monitor. The Board discussed each page of the
99 proposed stipulation agreement and discussed details of each provision. Discussion was held on the
00 frequency and minimum number of random drug tests the Board would like included. Board Members
01 acknowledge their unanimous agreement with the stipulation agreement as proposed. DAG Long

02 inquired if Dr. Wassef agreed with the terms of the proposed stipulation agreement as discussed and if he
03 voluntarily agreed to the terms. Dr. Wassef responded affirmatively.
04

05 MOTION: Board Member Moore motioned to adopt the proposed stipulation agreement. Motion
06 seconded by Board Member Sanders. No further discussion, the vote was unanimous,
07 motion passed.
08

09
10 ***5. New Business** (For Possible Action)

11 ***a. Review, Discuss and Approve/Reject Recommendations contained in the Division of**
12 **Internal Audit Report** (For Possible Action)
13
14

15 General Counsel stated that in January of this year they were advised that the previous administration
16 approved an audit be conducted by the Governor's Office of Finance of Internal Audits Division. General
17 Counsel noted that the report of the audit became finalized in June, which was sent to the Board's office.
18 It was noted that they were given explicit instruction that they could not discuss the audit with any of the
19 board members, other than with the Board President. General Counsel stated that a response was filed,
20 hoped that the Board members had reviewed the response. General Counsel stated that there were no
21 issues with accepting the recommendations; however it was believed that there may be some
22 misunderstandings as to what transpired as it related to the Board's process and some of the laws cited.
23 She added that they did submit a response in an attempt to clarify the misunderstandings and noted that
24 the first paragraph of the response does state that it was not the official response because the Board had
25 not been given the opportunity to review the audit and to determine if they agreed with the response.
26 General Counsel stated that the Governor rescheduled the audit for the November 7, 2019 meeting and
27 requested for the as many of the Board members as possible be present. General Counsel noted it was
28 suggested that the board may want to submit an amended or revised response. DAG Long advised the
29 Board Member to notify the Executive Director if they do plan on attending as they want to be sure resolve
30 any potential quorum concerns should the Board establish a quorum by attending. General Counsel
31 stated that though the audit that was approved by former Governor Sandoval stemmed from numerous
32 public comments and allegations, it was important to note that the audit did not find merit to the
33 allegations made. Furthermore, the audit explicitly states that there were no findings of bias, as alleged.
34

35 General Counsel went through the recommendations in the audit and asked that should any board
36 member have any questions they should contact her. There was discussion of the recommendation and
37 what administrative staff has done to implement the recommendations. It was noted that some
38 recommendations will incur an increased cost to the Board. Board Member noted that the Board had two
39 audits done and therefore wanted clarification if the recommendations made in the first audit were not
40 the same issues or concerns addressed in the second audit. General Counsel explained that the recent
41 audit utilized some language from the previous audit but clarified that the concern from the first audit listed
42 the recommendation for a review panel to provide oversight of the DSO's, whereas the current audit they
43 are recommending the pre-verification review process and some complaints not being reviewed. There
44 was discussion regarding the additional recommendations.
45

46 MOTION: Board Member Champagne motioned to accept the recommendations. Motion
47 seconded by Board Member Sanders. No further discussion, the vote was unanimous,
48 motion passed.
49

50 ***b. Request for an Advisory Opinion regarding the application of silver diamine fluoride by**
51 **dental hygienists who hold a public health endorsement – NRS 631.278 & NAC 631.210**
52 (For Possible Action)
53

54 (1) Antonina Capurro, DMD, State Dental Health Officer
55

56 Dr. Capurro present and stepped forward. Dr. Moore inquired of Dr. Capurro that with the request is she
57 proposing that there be an additional CE requirement, and if so how was she addressing the fix? Dr.
58 Capurro stated currently a dental hygienist ("RDH") with a public health endorsement ("PHE") can
59 practice independently, however, that currently the laws were unclear on whether or not a RDH with a PHE
60 working in a PH setting can place silver diamine fluoride to arrest decay and in cases where there is a large
61 cavitation can place temporary restorations with non-permanent materials as a palliative treatment. She
62 provided the proposed policy on how that would be placed. Additionally, she offered to require a CE

63 course for PHE RDHs to complete prior to being able to use the SDF, which she briefly explained what the
64 CE course would entail. Executive Director noted that Dr. Capurro was asking for an AO on the
65 regulations, which states that dental hygienists – and PHE holders – may administer fluoride preparations
66 meaning topical fluorides which the SDF falls under. Executive Director noted that one of the helpful things
67 would be to have patients sign an informed consent because SDF is known to temporarily turn the treated
68 teeth black. Dr. Capurro stated that they would be ensuring to obtain a signed informed consent prior to
69 treating a patient. There was some lengthy discussion regarding the placement of placing temporary
70 restorations and the materials that would be used.
71

72 MOTION: Board Member Lee motioned to approve the request the Advisory Opinion and that the
73 Board write an Advisory Opinion that Silver Diamine Fluoride is included in the regulation
74 under NAC 631.210 and to recommend how the temporary restorations be done.
75 Executive Director asked that the once the advisory opinion is written and issued, that it
76 be sent to all other PHE approved programs, and said programs can then request to
77 amend their approved programs to include the board recommended changes as
78 discussed. Motion seconded by Board Member Sanders. No further discussion, the vote
79 was unanimous, motion passed.
80

81
82 ***c. Request for an Advisory Opinion regarding whether telehealth is within the scope of**
83 **practice pursuant to NRS 631.215** – (For Possible Action)
84

85 (1) Antonina Capurro, DMD, State Dental Health Officer
86

87 Dr. Capurro stated that telehealth is an umbrella term under NRS 629 and therefore wanted clarification if it
88 is recognized under NRS 631.215. General Counsel stated that the board could not render an opinion on
89 NRS 629. General Counsel noted that statute that incorporated telehealth into Nevada changed a
90 number of professional licensing board's statutes to include telehealth within their particular statutes. She
91 noted further, that the bill, however, did not change the Board's statutes, and that currently NRS 631.215
92 did not include teledentistry, specifically. Dr. Capurro stated that for the same reason she was requesting if
93 under NRS 631.215 if the telehealth services and methodologies would be within the scope of practice for
94 dentists.
95

96 Ms. Terri Chandler explained that benefits that teledentistry could be for rural communities and for dentists
97 with limited mobility to be able to practice and provide a form of services to said communities in need. Dr.
98 Capurro explained how this topic of teledentistry came to fruition and thus the need for clarification. Dr.
99 Capurro explained that Liberty Dental was building a pilot program that would assist hospital emergency
00 rooms move non-traumatic dental cases to a teledentistry area within the hospital where a Nevada
01 Licensed dentist would review the case. Furthermore, with the help of technology that would include live
02 streaming with a dentist in real time at a station that would include a live intraoral camera that the patient
03 would utilize on themselves. It was noted that the statute did not specify the methodology of how a
04 licensed dentist may render treatment. Dr. Robert Talley commented that the statute required clarification
05 on the particular subject. Executive Director suggested that the Board could create a regulation
06 specifically to address teledentistry, and referred to the Ohio Dental Board's protocol as they just passed a
07 teledentistry law, as well as look to other state dental laws that also address teledentistry.
08

09 MOTION: Board Member Moore motioned to approve the request for an advisory opinion to
10 establish that telehealth is within the scope of NRS 631.215, with the recommendation
11 that the Board create regulation to clearly addresses and defines telehealth. There was
12 discussion to determine whether to use the term 'teledentistry' or 'telehealth'. Board
13 Member Moore corrected the term to telehealth. No further discussion, the vote was
14 unanimous, motion passed.
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20 ***d. Request the Board delegate authority to the Chair, Executive Director and/or General**
21 **Counsel to make any decision regarding litigation concerning any action or**

22 proceeding in which the public body or any member or employee of the public body is a
23 party in an official capacity or participates or intervenes in an official capacity pursuant to
24 Assembly Bill 70 (Chapter 241) (For Possible Action)
25

26 General Counsel explained that at the recent legislative session, assembly bill 70 was passed. She
27 explained the bill to the Board. She explained the Board could define the kinds of decision a delegated
28 person or persons could make in a list of scenarios. Executive Director explained that in the past, the Board
29 has a policy that if the board was informed of a person practicing illegally, the Board gave the authority to
30 the Executive Director and General Counsel upon a preponderance of evidence that an individual is
31 practicing dentistry or dental hygiene illegally that General Counsel may proceed with filing a TRO in
32 District Court to stop the person from continuing to practice illegally. By doing so, this immediately protect
33 the public and avoided having to wait for a board meeting. Some other possible situations were discussed
34 where this would be beneficial for the Board to establish and concerns were raised regarding abuse of
35 power. There was lengthy discussion regarding litigation and what it entailed.
36

37 It was agreed upon to table until the next board to better discuss AB70 in length.
38

39 There was discussion regarding scheduling the next board meeting to discuss the agenda items that have
40 been tabled, which will be placed on the September 13, 2019 meeting.
41

42 ***e. Approval of Voluntary Surrender of License – NAC 631.160** (For Possible Action)
43

- | | |
|---------------------------|---------------------------|
| (1) Leonid Banchik, DMD | (8) Pichak Kelk, DDS |
| (2) Olya Banchik, DDS | (9) Richard E. Lusby, DDS |
| (3) Nicholas DeLisle, DMD | (10) Clark C. Moore DMD |
| (4) Andrea Eslava, DMD | (11) Jamie Morris, DDS |
| (5) John A. Gawlik, DMD | (12) Kelly Walsh, DMD |
| (6) Jeffrey S Geist, DDS | (13) Adam Whiteley, DMD |
| (7) John Jeppsen, DMD | (14) Wendy Woodall, DDS |

444 Executive Director advised the Board the licensee wished to surrender their licenses in the state of
445 Nevada. The surrender is absolute and irrevocable. There is no pending matters and recommends
446 approval of the voluntary surrender.
447
448

449 MOTION: Board Member Sanders moved that the board approve the request for voluntary
450 surrender of all fourteen licensees listed. Motion was seconded by Board Member Pisani.
451 No discussion, the vote was unanimous, motion passed.
452

453 ***f. Consideration of Application for Moderate Sedation Temporary Permit – NAC 631.2254 and**
454 **NAC 631.2233** (For Possible Action)
455

- 456 (1) Owen V. Trinh, DMD - Moderate Sedation (patients 13 years of age & older)
457

458 Executive Director stated that Dr Moore reviewed the application and requested Dr Trinh explain his
459 training and program. There was discussion regarding Board Member Moore's concern with the training
460 course that was completed by Dr Trinh. Dr. Trinh was present and stepped forward. Board Member
461 Moore went over his concerns with the program with regards to the structure of the course and based on
462 documentation submitted with the application, it did not appear that Dr. Trinh met the requirements to
463 be eligible for a permit. Dr. Trinh explained how the programs worked and affirmed his belief that he did
464 qualify. The Board agreed that the documentation did not meet the requirements based on the
465 information provided. Dr. Trinh stated suggested that the Board review his certificate for Moderate
466 Sedation training from the Nellis Airforce base. It was suggested that Dr. Trinh obtain a letter from the
467 Nellis AFB stating that he completed 20 cases through his training.
468

469 MOTION: Board Member Sanders motioned to approve the permit contingent upon Dr. Trinh
470 submitting a letter from the Nellis AFB sedation training director verifying that Dr. Trinh
471 indeed completed their training program in compliance with the Statutory
472 requirements for a moderate sedation permit. Motion seconded by Board Member
473 Lee. No further discussion, the vote was unanimous, motion passed.

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

(1) General Anesthesia (For Possible Action)

- (a) Mitchell D. Duckworth, DDS
- (b) Thomas P. Myatt, DDS
- (c) Tate L. Viehweg, DMD

Board Member Moore stated he reviewed the application and recommended approval of the permanent General Anesthesia permit for Dr. Duckworth, Dr. Myatt and Dr. Viehweg.

MOTION: Board Member Moore moved that the board approve the permanent General Anesthesia permit for Dr. Duckworth, Dr. Myatt and Dr. Viehweg. Motion seconded by Board Member Sanders. No discussion, the vote was unanimous, motion passed.

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

- (a) Aaron J. Osga, DDS

Board Member Moore stated he reviewed the application and recommended approval of the permanent Moderate Sedation (patients 13 years of age & older) permit for Dr. Osga.

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

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

(1) General Anesthesia (For Possible Action)

- (a) Shawn B. Davis, DMD
- (b) Mahyar A. Karimi, DDS
- (c) Luke M. Nicholson, DMD

Board Member Moore stated he reviewed the application and recommended approval of the Temporary General Anesthesia permit for Dr. Davis, Dr. Karimi, and Dr. Nicholson.

MOTION: Board Member Moore moved that the board approve the temporary General Anesthesia permit for Dr. Davis, Dr. Karimi, and Dr. Nicholson. 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) Damien V. Betancourt, DDS
- (b) Lloyd Herman, DDS

Board Member Moore stated he reviewed the application and recommended approval of the Temporary Moderate Sedation (patients 13 years of age & older) permit for Dr. Betancourt, and Dr. Herman.

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

(3) Moderate Sedation (pediatric specialty) (For Possible Action)

- (a) Michael J. Purcell, DDS

Board Member Moore stated he reviewed the application, that they passed the evaluation, and recommended approval of the temporary moderate sedation permit (pediatric specialty) for Dr. Purcell.

542 MOTION: Board Member Moore motioned that the board approve the temporary moderate
543 sedation permit (pediatric specialty) for Dr. Purcell. Motion seconded by Board Member
544 Pisani. No discussion, the vote was unanimous, motion passed.

545 ***i. Approval for a 90-Day Extension of Anesthesia Permit – NAC 631.2254(2) (For Possible Action)**

546 **(1) Moderate Sedation (pediatric specialty) (For Possible Action)**

547 (a) Andrek K. Ingersoll, DMD
548

549 MOTION: Board Member Moore moved that the board approve the request for a 90-day
550 extension for the applicant listed. Motion seconded by Board Member Lee. Discussion:
551 Board Member Shadler inquired why there was a request for an extension. Executive
552 Director explained that more time may be needed to schedule an evaluation which
553 usually occurs when there is a scheduling conflict. No further discussion, the vote was
554 unanimous, motion passed.
555

556 ***j. Approval of Non-Dental Board Member to Review Panel (For Possible Action)**

557 (1) Ali Shahrestani, DMD
558

559 General Counsel stated that the statute implementing the Review Panel requires that it consists of a non-
560 board member person for the dental review panel. She noted that Dr. Thiriot resigned from the review
561 panel, thus the need to appoint a new non-board member. General Counsel noted that Dr. Shahrestani
562 showed interest in serving on the Review Panel. She additionally noted that Dr. Shahrestani was a former
563 board member and had discussed it with DAG Long and there did not see any conflict with the potential
564 appointment of Dr. Shahrestani. Board Member Cioffi called for a vote.
565

566 MOTION: Board Member Pisani moved that the Board approve to appoint Dr. Ali Shahrestani as a
567 non-board member to the Review Panel. Motion seconded by Board Member Pinther.
568 Discussion: Board Member Cioffi inquired if there were specific qualifications that Dr.
569 Shahrestani must meet to be a Review Panel member. Executive Director stated that Dr.
570 Shahrestani submitted an application as a DSO along with his curriculum vitae, further,
571 that historically the Board has looked for a licensee in good standing and has held a
572 license for a minimum of five (5) years, requirements that Dr. Shahrestani well exceeded.
573 With no further discussion, vote was unanimous, motion passed. Opposed: Board
574 Member Moore. Abstentions: Board Member Bethea (review panel member), Board
575 Member Sanders (review panel member), and Board Member Shadler (works for PDS).
576

577 ***k. Approval of Infection Control Inspector – NRS 631.190 (For Possible Action)**

578 (1) Patrick J. France, DDS
579

580 MOTION: Board Member Pisani moved that the Board approve the appoint Dr. Patrick France as
581 an Infection Control Inspector. Motion seconded by Board Member Champagne. With
582 no further discussion, vote was unanimous, motion passed.
583

584 ***l. Legislative Session Update: (Informational Only)**

585 Executive Director stated that Mr. McDonald could not attend the meeting due to being ill. Executive
586 Director gave a brief overview of the bills. She noted that the bills had been enacted by the legislature.
587

588 SB366 – Dental Therapists
589

590 Executive Director stated that SB366 had been enacted and that the Board will have to develop
591 regulations to outline certain provisions for dental therapists. It was noted that they were working on
592 creating the application for anyone to applying assuming they meet the requirements as outline in
593 the state/bill.
594

595 SB130 – Radiology license for Dentist, Dental Hygienists, and Dental Assistants
596
597
598
599
600
601

602 Executive Director stated that SB130 that was going to require radiology licenses for dentists, dental
603 hygienists and dental assistants, however, they were exempted from that requirement.

604
605
606 AB319 – Petition to determine whether a person's criminal history would disqualify
607 the person from obtaining a license.
608

609 Executive Director stated that AB319 would now allow an individual to petition the Board to
610 determine if a person's criminal history would disqualify that person from obtaining a license.

611
612 SB129 – Changes to Ethics Statutes for public officers and public employees
613

614 Executive Director stated that she could not recall the specific changes made to the Ethics statutes.

615
616 AB70 – Amends to Open Meeting Chapter 241
617

618 Executive Director stated that the Board discussed this bill earlier in the meeting.

619
620 SB409 – Audits conducted by the Sunset Committee and reporting requirements to
621 LCB
622

623 Executive Director stated that SB409 previously allowed the Sunset committee to audit Boards and
624 Commissions every ten (10) years but has changes it to every eight (8) years. Further, that the bill
625 now required additional reporting requirements to LCB.
626

627 Board Member Bethea requested that the Board create a Committee of Public Health and that she
628 would like it placed on the Board's next agenda to assist with developing language for the new bills
629 that require regulations. She proposed the committee include Ms. Terri Chandler, Dr. Antonina
630 Capurro, Ms. Beth Cartier, Dr. Talley, one dental board member and one dental hygiene board
631 member.
632

633 ***6. Resource Groups:** (For Possible Action)
634

635 ***a. Legislative and Dental Practice** (For Possible Action)
636 (Chair: Dr. Pinther; Dr. Lee; Dr. Moore; RDH Shadler & Ms. Cioffi)
637

638 Board Member Pinther stated there was no report.
639

640 ***b. Legal and Disciplinary Action** (For Possible Action)
641 (Chair: Dr. Blasco; Dr. Pisani; Dr. Lee; RDH Pate & Ms. Cioffi)
642

643 Board Member Pisani stated there was no report.
644

645 ***c. Examinations Liaisons** (For Possible Action)
646
647 ***(1) WREB/HERB Representatives** (For Possible Action)
648 (Dr. Blasco; RDH Pate)
649

650 There was no report.
651

652 ***(2) ADEX Representatives** (For Possible Action)
653 (R. Michael Sanders, DMD)
654

655 Board Member Sanders stated there was no report. Annual session august 9th & 10th
656
657

658 ***d. Continuing Education** (For Possible Action)
659 (Chair: Dr. Champagne; Dr. Lee; Dr. Moore; RDH Shadler)
660

661 Board Member Champagne stated there was no report.
662

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

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

665
666 Board Member Bethea stated there was no report.
667

668 *f. **Anesthesia** (For Possible Action)
669 (Chair: Dr. Moore; Dr. Champagne; Dr. Sanders)
670

671 Board Member Moore stated there was no report.
672

673 *g. **Infection Control** (For Possible Action)
674 (Chair: RDH Bethea; Dr. Sanders; Dr. Champagne; RDH Shadler)
675

676 **(1) Report from Ms. Shadler regarding OSAP Boot Camp and CDC Guidelines**
677

678 Ms. Shadler stated that she attended the meeting in May and thanked the board for allowing her to go.
679 She gave an overview of the conference and discussions held that were educational and informative.
680 She noted that the next meeting would be in Minneapolis in May 2020.
681

682 *h. **Budget and Finance Committee** (For Possible Action)
683 (Chair: Dr. Sanders; Dr. Moore; RDH Bethea; Ms. Cioffi)
684

685 Board Member Sanders stated there was no report.
686

687 **7. Public Comment:** (Public Comment is limited to three (3) minutes for each individual)
688

689 Dr. Talley stated that in the past when the Board has had workgroups to discuss large issues and
690 especially would like a subcommittee to work on SB366. Executive Director stated that they would
691 try to arrange it so.
692

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

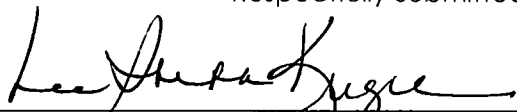
695 **8. Announcements:** No announcements were made.
696
697

698 *9. **Adjournment** (For Possible Action)
699

700 Board Member Bethea called for adjournment.
701

702 Meeting adjourned at 3:39 p.m.
703
704
705

706 *Minutes approved at the November 1, 2019 Board Meeting*
707 Respectfully Submitted by:

708 
709 _____
710 Debra Shaffer-Kuge, Executive Director
711
712