



NEVADA STATE BOARD OF DENTAL EXAMINERS

(Video Conferenced)



Meeting Location

Board of Dental Examiners
6010 S Rainbow Boulevard, Suite A-1
Las Vegas, Nevada 89118
(702) 486-7044

&

Video Conferencing was Available

Board of Nursing
5011 Meadowood Mall Way, Suite 300
Reno, Nevada 89502

Meeting Date & Time

Friday, September 20, 2019
2:33 p.m.

Minutes

NOTICE OF AGENDA & PUBLIC MEETING FOR THE LEGISLATIVE AND DENTAL PRACTICE COMMITTEE

(Timothy Pinther, DDS, (Chair); D. Kevin Moore, DDS; David Lee, DMD; Joan Shadler, RDH; Gabrielle Cioffi [Public Member])

Note: Asterisks (*) denote items on which the Board may take action.

Note: Action by the Board on an item may be to approve, deny, amend, or table.

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

Committee Member Pinther called the meeting to order and the Executive Director conducted the following roll call:

Dr. Timothy Pinther ----- PRESENT
Dr. D. Kevin Moore ----- PRESENT
Dr. David Lee ----- PRESENT
RDH Joan Shadler ----- PRESENT
Ms. Gabrielle Cioffi ----- PRESENT

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

Public Attendees: Ariana Gaertz, Future Smiles; Maria Merrin, RDH, Future Smiles; Elizabeth Metz, Future Smiles; Xochitl Flores, Future Smiles; Brenda Thomas, Future Smiles; Elizabeth Bruins, Future Smiles; Steven Saxe, DMD, NSSOMS; Neena Laxalt, Nevada Dental Hygienists Association ("NDHA"); Caryn Solie, RDH, NDHA.

2. Public Comment: The public comment period is limited to matters specifically noticed on the agenda. No action may be taken upon the matter raised during public comment unless the matter itself has been specifically included on the agenda as an action item. Comments by the public may be limited to three minutes as a reasonable time, place, and manner restriction, but may not be limited based upon viewpoint. The Chairperson may allow additional time at his/her discretion.

Caryn Solie, RDH is the immediate past president of the NDHA and was speaking on their behalf; she commented in regards to Senate Bill 366 regarding dental therapists and dental hygienist use of laser treatment. The NDHS recommended the board adopt the following three (3) changes to NAC 631.210:

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- NAC 631.210(3)(f) – Laser use and subsequent educational criteria – to proposed section (2)(o) and remove the proposed language limiting the use to only office lesions and herpes labialis
 - Move wording of NAC 631.210 section (4) (a) and (b) regarding local anesthesia, nitrous oxide and its educational criteria to section (2) and title it (2)(p) – Justification: in accordance with S.B. 366 included language that allowed dental therapists and dental hygienists to administer local anesthesia and use of laser under the authorization as stated in section (74)(2)(b) of S.B. 366
 - In existing NAC 631.210(6) change the letter (n) to (p) upon the approval of the 2 previously listed recommended changes – Justification: the scope of practice for the Public Health Dental Hygienist should not differ from that of a dental hygienist in private practice

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***3. Approve Agenda** (For Possible Action)

69 MOTION: Committee Member Cioffi moved that the committee approve the agenda. Motion

70 seconded by Committee Member Lee. No further discussion, motion was unanimously

71 approved.

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***4. New Business:** (For Possible Action)

75 (a) Review, Discuss and Make proposed changes to amend, add or repeal the following regulations:

76 (For Possible Action)

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78 (1) NAC 631.0005 through NAC 631.023 (contains new sections)

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81 (2) NAC 631.028 through NAC 631.2256 (contains new sections)

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84 (3) NAC 631.230 through NAC 631.410 (contains new sections)

85

86 Chairman Pinther advised that the Committee is conducting a review of the administrative codes, to

87 include, amendments/changes, repeal and new sections. Upon review and any changes the

88 Committee proposes will be forwarded to the Board through a Public Workshop.

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90 The Executive Director suggested going through each regulation, discussing the reason for the proposed

91 new section or changes, if any, and potential motion for recommended approval may be helpful to new

92 committee members.

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- NAC 631.____ "Dental Practice Act" defined.

96 There was no concern or discussion with the language of how 'Dental Practice Act' is defined.

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- NAC 631.____ "Certain Method of technical procedures" defined.

100 This proposed regulation is to define "Certain methods of technical procedures." The discussion included

101 examples of why this definition may be needed, it was agreed upon to clearly define that certain

102 methods of technical procedures should read "... procedures that do not involve potential infection

103 control, biohazard or sterilization concerns when performed on live patients."

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106 MOTION: Committee Member Moore moved that they add "when performed on live patients" to

107 the end of the proposed language. Motion seconded by Committee Member Shadler.

108 With no further discussion, motion passed unanimously.

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- NAC 631.____ "Hearing" defined.
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113 This proposed regulation is to define "Hearing". The discussion addressed why it necessary to clarify the

114 difference between a 'Hearing' and an 'Informal Hearing.'" General Counsel explained the two types of

115 hearings. General Counsel believes by defining a 'Hearing' this may avoid confusion in the future.

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117 MOTION: Committee Member Moore motion to recommend the adoption of the regulation to
118 define 'hearing' as proposed. Motion seconded by Committee Member Lee. With no
119 further discussion, vote was unanimous. Motion passed.
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- 121 • NAC 631.____ "Hearing Officer or Panel"
- 122 •

123 The proposed regulation defines "Hearing Officer or Panel." It was noted the Board has not used hearing
124 officers or panel to adjudicate cases on behalf of the Board. The discussion emphasized the importance
125 of defining what each one is to avoid confusion especially with the newly implemented review panel.
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127 MOTION: Committee Member Moore motioned to approve the definitions as proposed. Motion
128 seconded by Committee Member Shadler. With no further discussion, vote was
129 unanimous. Motion passed.
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- 131 (b) Make Recommendations to the Board to conduct a Public Workshop regarding the proposed
132 regulations: (For Possible Action)
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134 Chairman Pinther stated that the committee was short on time and suggested the committee reconvene
135 the meeting with the full board for discussion, review, and potential approval of the proposed changes.
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138 **5. Public Comment:** This public comment period is for any matter that is within the jurisdiction of the public body.
139 No action may be taken upon the matter raised during public comment unless the matter itself has been specifically
140 included on the agenda as an action item. The Chairperson of the Board will impose a time limit of three (3) minutes.
141 The Chairperson may allow additional time at his/her discretion.
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143 Dr. Steven Saxe commented on S.B. 366 and noted some statute conflicts and read the conflict listed
144 under section (2). Dr. Saxe stated there were no teledentistry provisions in Chapter 631 and therefore he
145 believes it creates a conflict and wanted it noted that for the record. Dr. Saxe expressed his concern for
146 patient safety.
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148 ***6. Adjournment** (For Possible Action)
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150 Committee Member Pinther called for adjournment.
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152 Motion to adjourn by Committee member Moore.

153 Motion seconded by Committee member Cioffi.

154 All were in favor, motion passed unanimously.
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156 Meeting adjourned at: 4:37 p.m.
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158 *Minutes approved at the January 18, 2020 Board Meeting*

159 Respectfully Submitted by:
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162 **Candice Stratton, Interim Executive Director**
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