



NEVADA STATE BOARD OF DENTAL EXAMINERS



Meeting Location:

Nevada State Board of Dental Examiners
6010 S Rainbow Blvd, Suite A-1
Las Vegas, NV 89118

Zoom Video and Teleconferencing was available for this meeting

Meeting Call-In Number: (669) 900 6833
Meeting ID#: 927 3741 5615
Zoom Video (via app) Password: 902971

Meeting Date & Time

Tuesday, August 4, 2020
5:30 p.m.

MINUTES

NOTICE OF AGENDA & TELECONFERENCE MEETING FOR THE EMPLOYMENT COMMITTEE

(David Lee, DMD, (Chair); Ronald West, DMD; D. Kevin Moore, DDS; Jana McIntyre, RDH)

PUBLIC NOTICE:

The Nevada State Board of Dental Examiners may hold board meetings via video conference or telephone conference call. *****Due to the Governor's Executive Order in response to the COVID-19 pandemic, the Board office will not be open to the general public for this meeting. The general public is encouraged to participate via teleconference*****

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.

Persons wishing to comment may appear at the scheduled meeting/hearing or may address their comments, data, views, arguments in written form to: **Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd, A-1, Las Vegas, Nevada 89118; FAX number (702) 486-7046; e-mail address nsbde@nsbde.nv.gov**. Written submissions should be received by the Board on or before **Monday, August 3, 2020 by 3:00 p.m.** 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.

Persons/facilities who want to be on the mailing list must submit a written request every six (6) months to the Nevada State Board of Dental Examiners at the address listed in the previous paragraph. With regard to any board meeting or telephone conference, it is possible that an amended agenda will be published adding new items to the original agenda. Amended Nevada notices will be posted in compliance with the Open Meeting Law.

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Board, at (702) 486-7044, no later than 48 hours prior to the meeting. Requests for special arrangements made after this time frame cannot be guaranteed.

Pursuant to NRS 241.020(2) you may contact the Board office at (702) 486-7044, to request supporting materials for the public body or you may download the supporting materials for the public body from the Board's website at <http://dental.nv.gov> In addition, the supporting materials for the public body are available at the Board's office located at 6010 S Rainbow Blvd, Ste. A-1, Las Vegas, Nevada.

Note: Asterisks (*) "**For Possible Action**" denotes items on which the Board may take action.

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

1. Call to Order

Roll call/ Quorum

Committee Member Lee called the meeting to order at approximately 5:32 p.m., and Mr. Frank DiMaggio conducted the following roll call:

| | | | |
|-----------------------|-----------------|--------------------------|---------|
| Dr. David Lee ----- | PRESENT (Chair) | Dr. D. Kevin Moore ----- | PRESENT |
| Dr. Ronald West ----- | PRESENT | Mrs. Jana McIntyre ----- | PRESENT |

Executive staff present: Phil Su, Esquire, Board General Counsel; Frank DiMaggio, Executive Director; Angelica Bejar, Public Information-Travel Administrator.

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.

There was no public comment made.

- *3. President's Report:** (For Possible Action)

*a. Request to remove agenda item(s) (For Possible Action)

No requests were made.

*b. Approve Agenda (For Possible Action)

MOTION: Committee Member Moore moved to approve the agenda. Committee Member West seconded the motion. All were in favor, motion passed.

- *4. Discussion and consideration of the minimum job qualifications/requirements for the Dental Review/Preliminary Screening Consultant, with recommendations to be made to the Board for approval** (For Possible Action)

Committee Member Lee opened up the floor for discussion. Committee Member Moore brought up the 'No prior disciplinary history' and noted that the requirements for some of the positions are that they have to be licensed for five (5) years. It was clarified that 'disciplinary action' would refer to anything that was reportable to the National Practitioners Data Bank (NPDB). Committee Member Lee stated that they should clarify that on the list of requirements, and therefore it was suggested that it state "no disciplinary history." There was additional discussion on the same topic and it was agreed upon to change the language to "No prior reportable disciplinary history to the NPDB." There was discussion of possibly running a background check. The committee members were amenable to a background check. There was discussion regarding the reporting requirements that the licensees must abide by. Committee Member Moore stated that he would like to summarize the qualifications as it related to disciplinary action, and discussed with the committee the idea of leaving the requirement of "no pending complaints/ accusations." Committee Member West expressed that he did not favor the idea of listing 'no pending complaints/accusations' due to the fact that if a licensee had a pending complaint and it turned into action, the Board could then determine the kind of action – if any – to impose. Additional discussion ensued regarding actions the Board can take and pending complaints. The Committee further discussed that yearly the Employment Committee could review the consultants to ensure that they do not have any pending complaints or actions, and to ensure that they continue to meet the requirements prior to recommending them for possible reappointment. Mr. Phil Su stated that investigations were confidential and inquired if they would want Board staff check to see if a consultant has any pending matters and present that information to the Committee. Therefore, he was not sure if 'pending complaints/investigations' needed to be included. Upon further discussion, the committee members were amenable to the removal of "No pending complaints/accusations" from the list of requirements. There was discussion regarding the removal of bulleted item four "no complaint history within the last three years."

There was discussion regarding specialty licensure and the minimum requirements and requiring a minimum of five (5) years' experience. They went on to discuss the minimum requirements for a general practitioner and agreed that the minimum requirements should hold the same requirement of them having at least five (5) years of practice experience.

The committee members discussed the current active practice requirement and considered how the term 'active practice' may limit their pool. There was a concern that by limiting the consultants to someone one that is actively practicing, it may create issues. Committee Member Moore stated that he was comfortable with having a seasoned practitioner that was retired to be a consultant. There was discussion of possibly removing the 'active practice' requirement so as to not limit possible candidates. It

was discussed that it should require that they must hold a current active license in good standing, since they will be required to maintain their continuing education requirements. It was agreed upon to remove the 'current active practice' and add to the first requirement to read "Current Active Nevada dental license in good standing." Mr. Su inquired if they would need to have a separate procedure or screening for a dental hygienist consultant when there are complaints related to dental hygiene practice. Committee Member McIntyre stated that she would replicate the requirements for the dental hygiene consultant to match the requirements of the dental consultant. The committee agreed to include dental therapy to the language.

MOTION: Committee Member West moved to recommend approving the minimum job qualifications as discussed, which were: must have a current dental/dental hygiene/dental therapy license in good standing; No prior reportable disciplinary history to the NPDB; a specialist must have a minimum of five (5) years of practice within their specialty; general practitioner dentists, dental hygienists, and dental therapists must have at least five (5) years of practice experience; and must be willing and available to testify at administrative hearings. Committee Member Moore seconded the motion. All were in favor, motion passed.

5. **Public Comment:** This public comment period is for any matter that is within the jurisdiction of the public body. 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. The Chairperson of the Board will impose a time limit of three (3) minutes. The Chairperson may allow additional time at his/her discretion.

Dr. Joseph Wineman inquired if they were eliminating from job description that specialists do not have to be actively practicing. Committee Member West responded that they did change the language to read that they only needed to hold an active license and did not have to be actively practicing which required them to maintain their CE's. Dr. Wineman clarified for his understanding that they must have an active license in good standing and must have a minimum of 5 years of practice experience. Committee Member West responded affirmatively.

Amy Abittan stated that she was concerned with allowing practitioners, who are not actively practicing, to be a consultant; and that they are considering allowing a retired practitioner with an active license. Her concern was that the field is ever-changing and the retired licensed consultant may not be updated on the latest methodologies of practice. Committee Member West stated that the consultant would be gathering and assembling the facts obtained from the supporting materials for the complaint, and that they would not be judging the treatment rendered and in question. She stated that she understood the gathering of facts, however, still questioned the consultants potential lack of knowledge of certain newer methodologies of procedures could hinder their understanding of the materials gathered.

6. **Announcements**

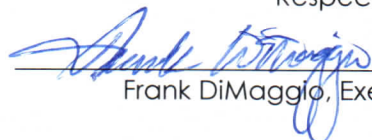
No announcements were made.

*7. **Adjournment** (For Possible Action)

Committee Member Lee called for a motion to adjourn the meeting.

MOTION: Committee Member Moore made a motion to adjourn the meeting at approximately 5:58 p.m. Committee Member West seconded the motion. All were in favor; motion passed.

Respectfully submitted:


Frank DiMaggio, Executive Director