

Nevada State Board of Dental Examiners



6010 S. Rainbow Blvd., Bldg. A, Ste.1 • Las Vegas, NV 89118 • (702) 486-7044 • (800) DDS-EXAM • Fax (702) 486-7046

PUBLIC MEETING NOTICE & BOARD MEETING AGENDA

Meeting Date & Time

Tuesday, November 10, 2020
6:00 p.m.

This meeting will be held exclusively through teleconference means,
in accordance with Emergency Directives issued by Governor Sisolak

MINUTES

PUBLIC NOTICE:

***** This meeting will be held via TELECONFERENCE ONLY, pursuant to Section 1 of the DECLARATION OF EMERGENCY DIRECTIVE 006 ("DIRECTIVE 006") issued by the State of Nevada Executive Department and as extended by Directives 016, 018, 021, 026, and 029. There will be no physical location for this meeting*****

Public Comment by pre-submitted email/written form, only, is available after roll call (beginning of meeting); Live Public Comment by teleconference is available prior to adjournment (end of meeting). Live Public Comment is limited to three (3) minutes for each individual.

Pursuant to Section 2 of Directive 006, members of the public may participate in the meeting by submitting public comment 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 received by the Board on or before **Monday, November 09, 2020 by 4:00 p.m.** may be entered into the record during the meeting. Any other written public comment submissions received prior to the adjournment of the meeting will be included in the permanent record.

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 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.

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1. **Call to Order**

- Roll call/Quorum

Board Member Moore called the meeting to order at approximately 6:05 p.m. Mr. Frank DiMaggio conducted the following roll call:

| | |
|---|------------------------------------|
| Dr. D. Kevin Moore (President)-----PRESENT | Dr. Ronald West -----PRESENT |
| Dr. David Lee (Secretary-Treasurer) ----PRESENT | Ms. Caryn Solie ----- PRESENT |
| Dr. Elizabeth Park ----- PRESENT | Ms. Gabrielle Cioffi ----- PRESENT |
| Dr. W. Todd Thompson ----- PRESENT | Mrs. Jana McIntyre -----PRESENT |
| Dr. Ronald Lemon ----- PRESENT | Ms. Yamilka Arias ----- PRESENT |
| Dr. Adam York ----- PRESENT | |

Others Present: Phil Su, General Counsel; Frank DiMaggio, Executive Director.

2. **Public Comment (By pre-submitted email/written form):** 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 (3) 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.

Pursuant to Section 2 of Directive 006, and extended by Directives 016, 018, 021, 026, and 029, members of the public may participate in the meeting without being physically present by submitting public comment via email to nsbde@nsbde.nv.gov, or by mailing/faxing messages to the Board office. Written submissions received by the Board on or before **Monday, November 09, 2020 by 4:00 p.m.** may be entered into the record during the meeting. Any other written public comment submissions received prior to the adjournment of the meeting will be included in the permanent record.

In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual, the Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the authority of, the Nevada State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.

Mr. DiMaggio read a statement into the record regarding public comment. There was no public comment submitted for this meeting.

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

Board Member Moore welcomed Dr. York and Ms. Arias to the Board.

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

Board Member Moore requested to remove agenda items (4)(b) and (6)(a). He briefly explained that both were not yet available.

(b) **Approve Agenda** (For Possible Action)

MOTION: Board Member Thompson motioned to approve the amended agenda. Board Member seconded Lemon the motion. All were in favor, motion passed.

*4. **Secretary – Treasurer's Report:** (For Possible Action)

*a. **Minutes** (For Possible Action)

- (1) Infection Control Committee Meeting – 09/23/2020
- (2) Legislative, Legal, and Dental Practice Committee Meeting – 10/05/2020

Board Member Lee stated that the board members should have received a copy of the draft minutes. He inquired if anyone had any amendments. There were no noted amendments.

119 MOTION: Board Member McIntyre motioned to approve the minutes. Board Member Moore
120 seconded the motion. All were in favor, motion passed.

121
122 ***b. Financials – NRS 631.180/NRS 631.190** (For Possible Action)

123
124 (1) **Review Balance Sheet and Statement of Revenues, Expenses and Balances for**
125 **period November 1, 2019 to June 30, 2020** (For Informational Purposes)

126
127 (2) **Review Balance Sheet and Statement of Revenues, Expenses, and Balances for**
128 **period July 1, 2020 to October 31, 2020** (For Informational Purposes)

129
130 Agenda items were removed.

131
132 ***5. Executive Director's Report:** (For Possible Action)

133
134 Mr. DiMaggio welcomed Dr. York and Ms. Arias to the board and offered the assistance of the
135 administrative staff to help them in their duties. He stated that the year has been very busy, and
136 noted that there were some legislative matters that the board is working on and that they need to
137 tend to; and that he and Mr. Phil Su were working on updating and reviewing regulations,
138 particularly regulations pertaining to licensure and dental therapy. He noted that they were also
139 working on drafting regulations for related to the administration of vaccines. He further noted that
140 the regulation process was a lengthy one, and the Mr. Su was working diligently on the regulations
141 in conjunction with the Board's lobbyist, Alfredo Alonso.

142
143 Mr. DiMaggio noted that the Board's lease terminated in April 2020 and that they are currently on a
144 month-to-month tenancy, which was not an optimal situation to be in. He noted that the Board
145 began conducting searches for a potential new office. He stated that interestingly enough, they
146 originally thought they could only lease, but through research found that they could possibly
147 purchase a building, and upon conducting some benefit analysis the idea to purchase a building
148 became economically feasible and a better option for the Board. Mr. DiMaggio noted that they
149 looked into all the legal requirements, and the Board is able to purchase a building. He noted that
150 they looked at several purchasing sites and narrowed down the options to a few sites. He noted
151 that they were working expeditiously to find a new office location and were working with the
152 Division of State Lands.

153
154 ***6. General Counsel's Report:** (For Possible Action)

155
156 ***a. Review Panel – NRS 631.3635** (For Possible Action)

157
158 (1) **Discussion, consideration and possible approval/rejection of proposed findings**
159 **and recommendations for matter by Review Panel** (For Possible Action)

160
161 This agenda item removed.

162
163 ***b. Litigation Update** (For Possible Action)

164
165 Mr. Su stated that he would be invoking a closed session since the discussion was involving potential
166 litigation.

167
168 MOTION: Board Member Lee moved to go into closed session at approximately 6:20 p.m.
169 Board Member McIntyre seconded the motion. All were in favor, motion passed.

170
171 MOTION: Board Member Park motioned to return to open session at approximately 6:58
172 p.m. Board Member Lemon seconded the motion.

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175 Mr. DiMaggio conducted the following roll call:
176

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|--|-----------------------------------|
| Dr. D. Kevin Moore (President)-----PRESENT | Dr. Ronald West -----PRESENT |
| Dr. David Lee (Secretary-Treasurer) ---PRESENT | Ms. Caryn Solie -----PRESENT |
| Dr. Elizabeth Park -----PRESENT | Ms. Gabrielle Cioffi -----PRESENT |
| Dr. W. Todd Thompson -----PRESENT | Mrs. Jana McIntyre -----PRESENT |
| Dr. Ronald Lemon -----PRESENT | Ms. Yamilka Arias -----PRESENT |
| Dr. Adam York -----PRESENT | |

177
178 Quorum maintained.
179

180
181 ***7. New Business:** (For Possible Action)
182

183 ***a. Consideration, discussion and possible approval/rejection of Application to Reactive**
184 **Inactive License – NAC 631.170** (For Possible Action)
185

186 (1) Simone Gennuso, RDH
187

188 Mr. DiMaggio gave overview of reactivation application process. He noted that Ms. Gennuso's
189 license was placed on inactive status in July 2018. Mr. DiMaggio further noted that Ms. Gennuso
190 properly submitted the reactivation application, submitted all necessary documents including the
191 required continuing education certificates, and paid all the necessary fees. For reference, Mr.
192 DiMaggio read NAC 631.170 into the record and noted the options available to the Board in
193 regards to any potential additional requirements they may impose in order to approve the
194 reactivation of licensure application. He clarified that Ms. Gennuso meets all the requirements for
195 reactivation; however, the Board has to decide if they will impose any additional requirements.
196 There was discussion regarding Ms. Gennuso's years of practice prior to her placing her license on
197 inactive status and inquired if there was any history of disciplinary issues, which there was no action
198 in her history as a dental hygienist. There was discussion in favor of reactivating Ms. Gennuso's
199 license without additional requirements to be completed, especially since Ms. Gennuso would be
200 working under the supervision and authorization of a licensed dentist.
201

202 MOTION: Board Member Thompson motioned to reinstate Ms. Gennuso's license with no
203 further stipulations. Board Member West seconded the motion. All were in favor,
204 motion passed.
205

206
207 ***b. Discussion, consideration and possible approval/rejection of the Anesthesia**
208 **Committee's recommendations to approve the proposed draft of the Anesthesia**
209 **Evaluator/Inspector Application form, including, but not limited to, the possibility of**
210 **adding profession liability insurance requirements – NAC 631.2213** (For Possible Action)
211

212 Mr. DiMaggio indicated that there were two forms for this agenda item. The first form was the
213 original application and the second form was the proposed amended application form. Discussion
214 ensued regarding the idea of possibly including a question on the amended form in regards to
215 malpractice insurance. It was noted during the discussion that malpractice insurance was not a
216 requirement for licensees to hold in the State of Nevada. Further, during discussion, it was noted
217 that Evaluators and Inspectors, as part-time employees, are paid under a W2 classification.
218 Lengthy discussion was held regarding the suggestion to add a question to the application asking if
219 the employee holds malpractice insurance, and to possibly require that part-time evaluator
220 employees to carry it.
221

222 MOTION: Board Member Park motioned to accept the proposed draft form as is. Board
223 Member West seconded the motion. All were in favor, motion passed.
224

225 *c. Discussion, consideration and possible approval/rejection of the Anesthesia
226 Committee's recommendation to make no revisions to current Moderate Sedation (for
227 patients 13 years of age & older) Program Provider Application Form – NAC 631.2213
228 (For Possible Action)
229

230 *d. Discussion, consideration and possible approval/rejection of the Anesthesia
231 Committee's recommendation to make no revisions to the Administering Permit
232 Application Forms – NAC 631.2213 (For Possible Action)
233

- 234 (1) General Anesthesia
- 235 (2) Moderate Sedation (pediatric specialty)
- 236 (3) Moderate Sedation (for patients 13 years of age & older)
- 237

238 Board Member Moore indicated that he would like to combine (7)(c) and (7)(d) for consideration.
239

240 MOTION: Board Member Thompson motioned to accept (7)(c) and (7)(d) as written. Board
241 Member West seconded the motion. All were in favor, motion passed.
242
243

244 *e. Review, consideration, and possible approval/rejection of the Employment Committee's
245 recommendation to employ Preliminary Screening Consultants on a temporary part-
246 time basis – NRS 631.190 (For Possible Action)
247

248 (1) Dentists (For Possible Action)
249

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|---|--|
| (a) Kristin Beling, DDS (Endodontist) | (e) R. Bruce Howell, DDS (Pedodontist) |
| (b) Andrek Ingersoll, DMD (Pedodontist) | (f) Salmeh Jafarifar, DDS |
| (c) Karen Kucharski, DMD | (g) James Mah, DDS (Orthodontist) |
| (d) Michael Sherman, DDS | (h) Richard Sullivan, DDS |

250 (2) Dental Hygienists (For Possible Action)
251
252

- 253 (a) Leilani Otuafi, RDH
- 254 (b) Terrie Johnson, RDH
- 255

256 Board Member Lee indicated that the Employment committee met in October to review all 50
257 applications for Preliminary Screening Consultant positions, and were able to narrow down their
258 selections for calibration purposes to start. Board Member Park inquired if a complaint is filed
259 against a specialist, will the complaint be sent to the specialist of the same specialty for review.
260 Board Member Lee stated that it would depend on the complaint itself. There was discussion
261 regarding the review of complaints and it was noted that the duties of the Preliminary Screening
262 Consultant is to gather all the records and make a synopsis to present to the review panel for
263 review. Board Member Lee noted that the specialists be utilized as deemed necessary.
264

265 MOTION: Board Member West motioned to accept the Employment Committee's
266 recommendation to employ the dentists, dental specialists and dental hygienists
267 as listed under (7)(e)(1) and (2). Board Member McIntyre seconded the motion.
268 Discussion: Board Member Moore stated that this group was a preliminary group,
269 there were more applications of qualified licensees, and they will be looking to
270 employ more licensees over time. All were in favor, motion passed.

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278 ***f. Review, consideration, and possible approval/recommendation of the Dental Hygiene**
279 **and Dental Therapy Committee's recommendation to appoint members to the Public**
280 **Health Dental Hygiene and Dental Therapy Subcommittee – NRS 631.205** (For Possible Action)
281

- 282 (1) Elizabeth Park, DDS (Chair)
283 (2) Antonina Capurro, DMD – State Dental Health Officer
284 (3) Robert Talley, DDS – NDA
285 (4) Lancette VanGuilder, RDH – NDHA
286 (5) Jessica Woods, RDH – State Dental Hygiene Health Officer (Interim)
287 (6) Ronald West, DMD
288

289 Board Member Moore indicated that like the Preliminary Screening Consultant position, this was a
290 short list of individuals, and noted that many of those listed were from the previous year. He added
291 that he is hoping to appoint additional persons to the subcommittee. Board Member Lee stated
292 that anyone interested in being on the subcommittee should reach out to the Executive Director.
293 Board Member Park commented that she drafted a mission statement for the subcommittee, which
294 she then read into the record. She further commented that she is looking for a collaborative
295 energy and wants individuals seeking to create more leadership.
296

297 MOTION: Board Member Solie motioned to approve the subcommittee members. Board
298 Member West seconded the motion. All were in favor, motion passed.
299

300
301 ***g. Approval/Rejection of Voluntary Surrender of License – NAC 631.160** (For Possible Action)
302

- 303 (1) Elaine McConnell, RDH
304 (2) Svetlana Puchalsky, RDH
305

306 Mr. Su indicated that there were no pending matters for either licensee.
307

308 MOTION: Board Member Park made a motion to approve the voluntary surrender of licenses
309 for McConnell and Ms. Puchalsky. Board Member Lemon seconded the motion.
310 All were in favor, motion passed.
311

312 ***h. Approval/Rejection of Temporary Anesthesia Permits – NAC 631.2254** (For Possible Action)
313

- 314 **(1) Moderate Sedation (Pediatric Specialty)** (For Possible Action)
315 (a) Noura Rezapour, DMD
316
317

318 Board Member Moore indicated that he and Board Member Lee reviewed the application; the
319 applicant met the criteria, and recommended approval.
320

321 MOTION: Board Member Thompson made a motion to approve the temporary moderate
322 sedation (pediatric specialty) permit for Dr. Rezapour. Board Member Park
323 seconded the motion. All were in favor, motion passed.
324

325 ***i. Approval/Rejection of Permanent Anesthesia Permits – NAC 631.2235** (For Possible Action)
326

- 327 **(1) Moderate Sedation (Pediatric Specialty)** (For Possible Action)
328 (a) Weston J. Milne, DMD
329
330

331 Board Member Moore indicated that he and Board Member Lee reviewed the application; Dr.
332 Milne passed the evaluation and recommended approval.
333

334 MOTION: Board Member Thompson made a motion to approve the permanent moderate
335 sedation (pediatric specialty) permit for Dr. Milne. Board Member Lemon
336 seconded the motion. All were in favor, motion passed.

337 *j. **Appointments of Adam York, DMD and Yamilka Arias, RDH to Board Committees – NRS**
338 **631.190** (For Possible Action)
339

340 Board Member Moore noted that the appointments of Dr. York and Ms. Arias were based on the
341 vacancies the seats filled by previous board members. He noted that they were under no
342 obligation to sit on any particular committee. Board Member Lee asked if Dr. York and Ms. Arias
343 would introduce themselves.
344

345 Dr. York gave a brief introduction of himself.
346

347 Ms. Arias gave a brief introduction of herself.
348

349 **(1) Appointment of Adam York, DMD to the following committees:** (For Possible Action)
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- 351 (a) Budget and Finance Committee
- 352 (b) Continuing Education
- 353 (c) Employment
- 354 (d) Infection Control
- 355

356 **(2) Appointment of Yamilka Arias, RDH to the following committees/panels:**
357 (For Possible Action)
358

- 359 (a) Dental Hygiene and Dental Therapy
- 360 (b) Disciplinary
- 361 (c) Continuing Education
- 362 (d) Dental Hygiene Alternate Review Panel
- 363

364 MOTION: Board Member Lee motioned to appoint both Dr. York and Ms. Arias to the
365 committees and/or review panel as noted. Board Member McIntyre seconded the
366 motion. All were in favor, motion passed.
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369 **8. Public Comment (Live public comment by teleconference):** This public comment period is for any
370 matter that is within the jurisdiction of the public body. No action may be taken upon the matter raised during public
371 comment unless the matter itself has been specifically included on the agenda as an action item. Comments by the
372 public may be limited to three (3) minutes as a reasonable time, place and manner restriction, but may not be limited
373 based upon viewpoint. The Chairperson may allow additional time at his/her discretion.
374

375 Pursuant to Section 2 of Directive 006, and extended by Directives 016, 018, 021, 026, and 029, members of the public
376 may participate in the meeting without being physically present by submitting public comment via email to
377 nsbde@nsbde.nv.gov, or by mailing/faxing written messages to the Board office. Written submissions should be
378 received by the Board on or before **Monday, November 09, 2020 by 4:00 p.m.** in order to make copies available to
379 members and the public.
380

381 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law
382 Manual, the Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the
383 authority of, the Nevada State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being
384 irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering
385 with the rights of other speakers.
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387 Mr. DiMaggio read a statement into the record.
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389 There was no public comment.
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396 **9. Announcements**

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398 No announcements were made.

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400 ***10. Adjournment** (For Possible Action)

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402 Board Member Moore called for a motion to adjourn.

403
404 MOTION: Board Member Lee made motioned to adjourn the Board meeting at
405 approximately 7:57 p.m. Board Member West seconded the motion. All were in
406 favor, motion passed.

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408
409 Respectfully submitted by:

410
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412 _____
Frank DiMaggio, Executive Director