

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

NOTICE OF AGENDA & TELECONFERENCE MEETING FOR THE INFECTION CONTROL COMMITTEE

(Elizabeth Park, DDS (Chair); Ron Lemon, DMD; Caryn Solie, RDH; Adam York, DMD)

Meeting Date & Time

Wednesday, December 2, 2020
6:00 p.m.

**This meeting was 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 **Tuesday, December 01, 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.

55 1. **Call to Order**

56 - Roll call/Quorum

57
58 Chairwoman Park called the meeting to order at approximately 6:00 p.m. and Mr. DiMaggio
59 conducted the following roll call:
60

Dr. Elizabeth Park (Chair) ----- PRESENT

Dr. Ronald Lemon -----PRESENT

Dr. Adam York ----- PRESENT

Ms. Caryn Solie ----- PRESENT

61
62 Executive Staff Present: Phil Su, General Counsel; Frank DiMaggio, Executive Director.
63
64

- 65 2. **Public Comment (By pre-submitted email/written form):** The public comment period is limited to matters
66 specifically noticed on the agenda. No action may be taken upon the matter raised during public comment unless the
67 matter itself has been specifically included on the agenda as an action item. Comments by the public may be limited
68 to three minutes as a reasonable time, place and manner restriction, but may not be limited based upon viewpoint.
69 The Chairperson may allow additional time at his/her discretion.
70

71 Pursuant to Section 2 of Directive 006, and extended by Directives 016, 018, 021, 026, and 029, members of the public
72 may participate in the meeting without being physically present by submitting public comment via email to
73 nsbde@nsbde.nv.gov, or by mailing/faxing messages to the Board office. Written submissions received by the Board on
74 or before **Tuesday, December 01, 2020 by 4:00 p.m.** may be entered into the record during the meeting. Any other
75 written public comment submissions received prior to the adjournment of the meeting will be included in the
76 permanent record.
77

78 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law
79 Manual, the Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the
80 authority of, the Nevada State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being
81 irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with
82 the rights of other speakers.
83

84 There was no public comment received prior to the Board meeting, therefore none was read.
85

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

87
88 **(a) Request to remove agenda item(s)** (For Possible Action)

89
90 Chairwoman Park requested to discuss agenda items (4) and (5) after agenda item (9).
91

92
93 **(b) Approve Agenda** (For Possible Action)

94 MOTION: Board Member Solie moved to adopt the amended agenda. Board
95 Member Lemon seconded the motion. All were in favor, motion passed.
96
97

98 ***4. Review, discussion, and consideration of whether Senior Smiles Program is abiding by Covid-19**
99 **Infection Control requirements and possible recommendation to the Board whether an**
100 **Infection Control Inspection for Senior Smiles Program would be required so long as the**
101 **program is only utilizing single-use disposable instruments and providing only basic oral**
102 **hygiene care** (For Possible Action)
103

104 Chairwoman Park stated that she does not feel that Senior Smiles Program addressed protocols
105 regarding Covid-19. Committee Member Solie stated that she felt that Senior Smiles Program
106 addressed that they would be in compliance with Covid-19 protocols and that she felt comfortable
107 in recommending the program have an Infection Control Inspection so long as they are only
108 utilizing single-use disposable instruments and providing basic oral hygiene. Committee Member

Lemon agreed with Committee Member Solie. Ms. Spilsbury stated that Senior Smiles Program was approved by the Board upon passing an Infection Control Inspection. Ms. Spilsbury also stated that since that approval, Minette Hamrey of Senior Smiles Program submitted clarification to Board since the procedures the program was offering were minimized to only utilizing single-use disposable items and basic oral hygiene and therefore inquired whether an Infection Control Inspection was still necessary. Committee Member Solie restated that she still felt that the program is safe. Chairwoman Park stated that the program is treating the most vulnerable and now with Covid-19 inquired about how the program is going to address environmental infection control. Committee Member Solie stated that the program addresses all the protocols newly recommended for addition to the Infection Control survey form. Committee Member Solie also stated that the letter from Senior Smiles Programs indicates that the program is following the current CDC guidelines. Committee Member York stated that he thinks Chairwoman Park is retroactively asking Senior Smiles Program to address a protocol that was decided in the meeting. Chairwoman Park stated that she would feel more comfortable about the environmental aspect of the program if the program was providing care within a hospital. Mr. DiMaggio stated that the letter from Senior Smiles Program indicates the program will be providing care to nursing-home residents. Ms. Spilsbury stated that the Board is able to schedule Senior Smiles Program for an inspection and the program could have then thirty (30) days to address areas of concern. Chairwoman Park expressed that that is being too lenient with the program. Committee Member Lemon stated that it seems as though the Committee is doing an Infection Control Inspection of the program in the meeting and so the Committee should recommend to the Board that the program receive an inspection and if there are any concerns then the program would be given time to address such concerns.

MOTION: Committee Member Lemon motioned to recommend to the full Board that Senior Smiles Program would be required to undergo an Infection Control Inspection. Committee Member Solie seconded the motion. All were in favor, motion passed.

***5. Review, discussion, and consideration of whether Public Health Dental Hygiene Program is abiding by Covid-19 Infection Control requirements and possible recommendation to the Board to approve/reject the program – NAC 631.210 (For Possible Action)**

(a) Heavenly Smiles Mobile Dental Program

Chairwoman Park commended the program but stated that she is uncomfortable because she is not sure that the vehicle being used for the program is abiding by Covid-19 protocols. Committee Member York and Committee Member Solie stated that they understand it that the mobile van is not yet in use for the Senior Smiles Program but that once the van is received then Senior Smiles Program would notify the Board and request an Infection Control Inspection of the van. Chairwoman Park invited Janet Crosswhite of Heavenly Smiles Mobile Dental Program to speak to the Committee. Ms. Crosswhite introduced herself and explained her program. Chairwoman Park asked if Janet Crosswhite was willing to undergo an inspection. Ms. Crosswhite stated that she is prepared and willing to undergo an inspection.

MOTION: Chairwoman Park made a motion to recommend to the full Board approval of Heavenly Smiles Program upon passing an Infection Control Inspection. Committee Member Solie seconded the motion. All were in favor, motion passed.

///

///

162 ***6. Review, discussion, and possible recommendation to the Board to approve/reject hiring part-**
163 **time Infection Control Inspection Employees** (For Possible Action)
164

165 (a) Lynda K Martinez, DDS
166

167 Chairwoman Park stated that she would like to take action on agenda items (6)(a) through (6)(c)
168 as a group. Mr. DiMaggio stated that there was notation in Chairwoman Park's committee book
169 regarding agenda item (6)(c) Terrie A Johnson, RDH indicating that Ms. Johnson has not held a
170 Nevada license for the five (5) year period which is a requirement for the Infection Control
171 Inspector position. Mr. DiMaggio stated that Ms. Johnson was approved at a Board Meeting for the
172 Preliminary Screening Consultant position. Chairwoman Park stated that the Committee should
173 instead take action on the Infection Control Inspector applicants separately since Ms. Johnson is
174 not qualified by statute to be an Infection Control Inspector. Chairwoman Park read agenda item
175 (6)(a) and inquired about whether Dr. Martinez works in Northern or Southern Nevada. Committee
176 Member Solie stated that Dr. Martinez works in Northern Nevada.
177

178 MOTION: Committee Member Solie moved to recommend to the full Board to
179 approve Lynda K Martinez, DDS for the part-time Infection Control
180 Inspector position. Chairwoman Park seconded the motion. All were in
181 favor, motion passed.
182

183 (b) Nicole M Rundle, RDH

184 Chairwoman Park read agenda item (6)(b) and inquired about whether Ms. Rundle works in
185 Northern or Southern Nevada. Ms. Spilsbury stated that Ms. Rundle works in Northern Nevada.
186 Committee Member Lemon stated that there was a comment on Ms. Rundle's application
187 indicating that she restricts herself to work in the Reno, NV and Sparks, NV areas or within a fifty (50)
188 mile radius and asked if that works for what the Board needs in Northern Nevada. Chairwoman Park
189 stated that the Board is underserved in that area so that restriction would be permissible.
190

191 MOTION: Committee Member Solie moved to recommend to the full Board to
192 approve Nicole M Rundle, RDH for the part-time Infection Control Inspector
193 position. Committee Member Lemon seconded the motion. All were in
194 favor, motion passed.
195

196 (c) Terrie A Johnson, RDH
197

198 Chairwoman Park read agenda item (6)(c) and restated that Ms. Johnson does not meet the
199 requirement of holding a Nevada dental license for five (5) years. Chairwoman Park asked if Mr. Su
200 had any comment about the requirement. Mr. Su restated that holding a Nevada dental license for
201 five (5) years is a requirement and added that Ms. Johnson was on the teleconference call if the
202 Committee would like to entertain comment from her. Chairwoman Park invited Ms. Johnson to
203 speak. Ms. Johnson greeted the Committee Members and asked the Committee to consider her for
204 the Infection Control Inspector position even though she has only been practicing in Nevada for
205 two (2) years. Ms. Johnson asked to the Committee to consider her seventeen (17) years of
206 experience in dental hygiene. Ms. Johnson stated that she feels her two (2) years of experience
207 practicing in Nevada has given her sufficient knowledge of the current Infection Control practices
208 and policies and therefore she can be valuable as an Infection Control Inspector. Chairwoman
209 Park commended Ms. Johnson for volunteering her time and asked Ms. Johnson if working as an
210 Infection Control Inspector would be conflicting with time also working as a Preliminary Screening
211 Consultant. Ms. Johnson stated that she applied for several positions at the Board and she did not
212 know which positions were part-time and full-time and simply applied to positions that interested
213 her. Ms. Johnson stated that she is available to help the Board in different ways since she does not
214 have a home office. Chairwoman Park asked Ms. Johnson what license she holds besides a

215 Nevada license. Ms. Johnson stated she holds an Ohio license. Chairwoman Park asked Ms.
216 Johnson if the remainder of her dental career was in Ohio. Ms. Johnson stated that for fourteen (14)
217 years she practiced in Ohio, she took one (1) year off, and then began practicing in Nevada for (2)
218 years. Chairwoman Park stated that the requirement does not indicate that Ms. Johnson qualifies
219 for the Infection Control Inspection position. Chairwoman Park asked Ms. Johnson if she was a
220 member of the Ohio Board. Ms. Johnson stated that she was not a member of the Ohio Board.
221 Chairwoman Park stated she had no further questions or comments for Ms. Johnson and invited the
222 remainder of the Committee to discuss. Committee Member Solie stated that she wanted to echo
223 Chairwoman Park's compliments for Ms. Johnson's willingness to volunteer but stated that the
224 Board cannot disregard the requirement. Committee Member Solie stated that she strongly
225 encouraged Ms. Johnson to reapply when she meets the position requirement.
226

227
228 MOTION: Chairwoman Park moved to recommend to the full Board to approve
229 Terrie A Johnson, RDH for the part-time Infection Control Inspector
230 position. Committee Member Solie seconded the motion. Committee
231 Member Lemon inquired about what the rationale is behind the
232 requirement that an applicant hold a Nevada license for five (5) years for
233 the position and if the Committee is able to make a recommendation to
234 the Board to amend the requirement. Mr. Su stated that he did not want
235 to raise that issue and take the Committee off track but stated that the
236 requirement is not based off the statute and it is a requirement that the
237 Board had previously agreed upon. Mr. Su explained that the requirement
238 to hold a Nevada license for five (5) years per the statute is for a Board
239 Member. Mr. Su stated that Board agreed upon putting that requirement
240 on the application form and therefore the Board must agree to amend
241 the application form. Mr. Su restated that the requirement was agreed
242 upon by the Board and is not statutory based. Mr. Su concluded that the
243 requirement can be discussed and acted upon at another meeting. There
244 was no further discussion. None were in favor, motion did not pass.
245

246 ***7. Review, discussion, and possible recommendations to the Board regarding possible revisions to**
247 **the Infection Control Survey Form** (For Possible Action)
248

249 Chairwoman Park asked the Committee if any member had comment to what they have read in
250 the Committee Book so far regarding possible revisions to the Infection Control Survey Form.
251 Chairwoman Park made a comment that the Committee can consider an addendum to the form
252 with a Covid-19 calibration and written protocols for employees, PPE, respiratory protection,
253 screening patients, and offices that need to respond in action to positive exposure to Covid-19.
254 Committee Member Solie stated that she liked a suggestion from an Infection Control Inspector
255 recommending that the Covid-19 portion of the survey be a separate sheet instead of integrating
256 that portion into the one hundred and eight (108) questions on the survey form. Committee
257 Member Solie stated that once the pandemic is over it would be easier to remove a separate
258 page than rewrite the whole form. Committee Member Solie stated that she also liked a suggestion
259 from an Infection Control Inspector recommending that there be a date on the bottom of the
260 survey form noting when the form was last revised. Ms. Spilsbury stated that at the top of the survey
261 form there is already a date noting when the form was last revised which was 2016. Chairwoman
262 Park agreed with Committee Member Solie that the Covid-19 portion of the survey form should be
263 a separate page. Chairwoman Park stated that she wanted to present these suggestions to the
264 Board and asked the Committee if any member had comment to the revisions she is
265 recommending to the Board. Committee Member Solie stated that she would like to hear the
266 opinions on aerosol and ventilation from the three (3) doctors in the Committee because a lot of
267 dental hygienists have questions about aerosol and ventilation. Committee Member York stated

that there needs to be written protocols regarding aerosol and ventilation but that a standardized set of rules regulating aerosol and ventilation can be extremely restrictive. Committee Member York stated that he would like to be flexible in creating such rules before cementing them onto the survey form. Chairwoman Park stated that the rules can be generalized and that she agreed with Committee Member York that the regulations should not be restrictive since the Board cannot mandate whether or not doctors can control all parameters of their practice. Chairwoman Park clarified that she wants the Board to acknowledge that there should be aerosol considerations and that she wants the Board to work in unison with entities such as the Occupational Safety and Health Administration in considering respiratory protection. Committee Member York stated he is okay with a statement that indicates aerosol concerns and air quality are being addressed in dental offices. Committee Member Lemon commented that the dental school received statistics indicating that less than 3% of students have been infected by Covid-19 and inquired about what the reasoning is for more regulation when there is not any data showing dental offices are not safe with existing protocols in place. Chairwoman Park stated that the Committee is not recommending regulations to the Board but that the Board needs to address non-compliant offices and ensure that offices have written protocols regarding Covid-19. Committee Member Solie commented for clarification that in theory an Infection Control Inspector would check a box indicating that the dental office is in compliance with the CDC guidelines. Chairwoman Park explained that she wants dental offices to have their own written protocols and not just simply show the CDC guidelines they are supposed to be following.

MOTION: Chairwoman Park motioned to adopt the presentation of a separate sheet considering the Covid-19 regulations and written protocols for the following: all employees' use of PPE; respiratory protection for aerosol generating procedures; patient and employee screening; office action if staff or patient has been exposed to Covid-19; and environmental infection control, to recommend to the Board. Committee Member Lemon seconded the motion. Committee Member Solie inquired about what the scoring format of the separate checklist was going to be. Chairwoman Park stated that the separate checklist would follow the same checkbox and scoring format as the survey form. Ms. Spilsbury asked Chairwoman Park what the levels would be for each protocol since the mandate for such protocols is new and a high level of deficiency could result in office closure. Chairwoman Park stated that the levels for the protocols should be a level one (1) but invited the Committee to share their opinions. Committee Member Lemon stated that he does not agree with level one (1) because that would mean an office has to shut down and dentists need to write such protocols. Committee Member Lemon also asked how much time the Board is going to give offices to write such protocols and when does the mandate of protocols become effective. Chairwoman Park asked Committee Member Lemon if he feels two (2) weeks would be sufficient time for dentists to prepare written protocols. Committee Member Lemon stated that Chairwoman Park should be asking a practicing dentist and asked Committee Member York if two (2) weeks would be sufficient time to prepare written protocols. Committee Member York stated that he is comfortable with a level three (3) which requires offices to take action within thirty (30) days. Chairwoman Park and Committee Member Lemon agreed as they were also comfortable with a level three (3) for written protocols. Chairwoman Park amended her motion to include that the level of critical for each written protocol would be a level three (3). All were in favor, motion passed.

320 ***8. Review, discussion, and possible recommendations to the Board regarding training materials**
321 **and calibration training for Infection Control Inspectors** (For Possible Action)
322

323 MOTION: Chairwoman Park motioned to tabled agenda item (8). Committee
324 Member York seconded the motion. All were in favor, motioned passed.
325

326 ***9. Review, discussion, and possible recommendation to the Board regarding offices found to be**
327 **non-compliant with applicable CDC guidelines and the parameters to be set for non-compliant**
328 **offices – NAC 631.178** (For Possible Action)
329

330 MOTION: Chairwoman Park motioned to table agenda item (9). Committee Member
331 Lemon seconded the motion. All were in favor, motion passed.
332
333

334 **10. Public Comment (live public comment by teleconference):** This public comment period is for any
335 matter that is within the jurisdiction of the public body. No action may be taken upon the matter raised during public comment unless
336 the matter itself has been specifically included on the agenda as an action item. Comments by the public may be limited to three
337 minutes as a reasonable time, place and manner restriction, but may not be limited based upon viewpoint. The Chairperson may allow
338 additional time at his/her discretion.
339

340 Pursuant to Section 2 of Directive 006, and extended by Directives 016, 018, 021, 026, and 029, members of the public may participate in
341 the meeting without being physically present by submitting public comment via email to nsbde@nsbde.nv.gov, or by mailing/faxing
342 written messages to the Board office. Written submissions should be received by the Board on or before **Tuesday, December 01, 2020 by**
343 **4:00 p.m.** in order to make copies available to members and the public.
344

345 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual, the Chair
346 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
347 Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive,
348 inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.
349

350 Ms. Franco called on Dr. Joseph Wineman and he asked Chairwoman Park if the Preliminary
351 Screening Consultant position requires a history of holding a Nevada dental license for five (5) years
352 and how non-compliant offices are being identified. Chairwoman Park asked Dr. Wineman to
353 submit his questions to Mr. DiMaggio.
354
355

356 **11. Announcements**
357

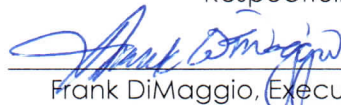
358 There were no announcements.
359
360

361 ***12. Adjournment** (For Possible Action)
362

363 Chairwoman Park called for a motion to adjourn.
364

365 MOTION: Chairwoman Park moved to adjourn the meeting. Committee Member
366 Lemon seconded the motion. All were in favor, motion passed.
367
368

369 Respectfully submitted:
370

371 
372 Frank DiMaggio, Executive Director