

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 FOR BOARD MEETING

Meeting Date & Time

Tuesday, February 2, 2021
6:00 p.m.

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

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, February 1, 2021 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 6:02 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, Board 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, February 1, 2021 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 stated that there was one written public comment from Dr. Cory Pickens on behalf of the ADMA, which he read in to the record.

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

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

There were no requests made.

(b) Approve Agenda (For Possible Action)

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

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

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

- (1) Board Meeting – 12/08/2020
- (2) Board Regulation Workshop – 12/15/2020
- (3) Committee on Dental Hygiene & Dental Therapy and Public Health Dental Hygiene & Dental Therapy Subcommittee Meeting – 12/23/2020

Board Member Lee inquired if anyone had any questions or corrections regarding the minutes for approval. Mr. DiMaggio noted that he reviewed the minutes and made corrections prior to submission.

MOTION: Board Member Moore moved to approve the minutes as amended. Motion seconded by Board Member McIntyre. All were in favor, motion passed.

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

122 **(1) Approval/Rejection of FY 2020 Annual Audit** (For Possible Action)
123

124 Board Member Lee stated that before them they had the 2020 annual audit conducted by the CPA's.
125 Mr. DiMaggio noted that the CPA's with Campbell, Jones, and Cohen were present to answer any
126 questions the Board may have. The Board did not have any questions for the CPA's.
127

128 MOTION: Board Member Moore moved to approve the 2020 annual audit. Motion seconded by
129 Board Member McIntyre. All were in favor, motion passed.
130

131 ***5. General Counsel's Report:** (For Possible Action)
132

133 ***a. Review Panel – NRS 631.3635**
134

135 **(1) Discussion and consideration of proposed findings and recommendations for matters by**
136 **the Review Panel and possible approval/rejection of the same by the Board**
137 (For Possible Action)
138

139 Mr. Su stated that there were 42 complaints that the review panel reviewed and were recommended no
140 further action, and to therefore remand the cases.
141

142 MOTION: Board Member York moved to approve remand of those cases. Motion seconded by
143 Board Member Cioffi. All were in favor, motion passed.
144

145 ***6. Old Business:** (For Possible Action)
146

147 ***a. Discussion, consideration, and possible approval/rejection of the Anesthesia Committee's**
148 **recommendation to deny approval of the Academy of Dental and Medical Anesthesia**
149 **(ADMA) Dental IV Sedation Certification Course/Program** (For Possible Action)
150

151 Mr. DiMaggio, at the request of Board Member Moore, gave a brief synopsis of the Anesthesia
152 Committee's discussion regarding the ADMA. He noted that the Anesthesia Committee's concern
153 regarded patient safety. He noted the issues that were addressed, and stated that based on the
154 information provided to the Anesthesia Committee; the members of the Anesthesia Committee felt they
155 could not recommend approval based on their concerns. Mr. DiMaggio clarified that the course itself
156 was not a concern, but rather the managerial aspects and oversight, as well as public safety, that were
157 of concern.
158

159 MOTION: Board Member Park moved to approve the Anesthesia Committee's recommendation
160 to deny the approval of the ADMA Dental IV Sedation Certification Course/Program.
161 Motion seconded by Board Member McIntyre. Discussion: Board Member West
162 commented for the record that he has never made any derogatory comments
163 regarding any members of ADMA, as Dr. Pickens alleged in his comments, and wanted
164 it known that he did not sit on the Continuing Education Committee as Dr. Pickens also
165 stated. All were in favor, motion passed.
166

167 ***b. Discussion, consideration, and possible approval/rejection of the Continuing Education**
168 **Committee's recommendation to approve the applications for Injection of Neuromodulators,**
169 **Dermal and Soft Tissue Filler Programs – NAC 631.257.** (For Possible Action)
170

171 **(1) Academy of Dental and Medical Anesthesia (ADMA) – ADMA Dental Botox & Filler**
172 **Training – Cosmetic & Therapeutic (24 units)**
173

174 Mr. DiMaggio gave a brief synopsis of the events that transpired in consideration of approving the course
175 noted on the agenda item (6)(b). He stated that the CE committee meeting met on April 23, 2020 to
176 consider the application for the course, which they had recommended approval of at the Board
177 meeting on April 30, 2020. He stated that at the time, the Board was aware of issues concerning the
178 ADMA, which they elected to table consideration of the courses from ADMA until the issues surrounding
179 ADMA could be reviewed and investigated. He noted that the Anesthesia Committee met recently

180 where they reviewed and discussed the matters concerning ADMA. Board Member Solie asked for
181 clarification if the recommendation from the CE Committee was to approve the botox and filler training
182 course. Board Member Moore stated that the CE Committee was recommending approval, however,
183 that due to the Anesthesia Committee's investigation of concerning issues with ADMA, it would be the
184 Anesthesia Committee's recommendation to not approve the botox and filler course previously reviewed
185 by the CE Committee.

186
187 MOTION: Board Member Lee moved to reject the CE Committee's recommendation to approve
188 the botox and filler course by the ADMA. Motion seconded by Board Member Park.
189 Discussion: Board Member Lee stated the Anesthesia Committee found concerning
190 mismanagement issues involving the ADMA. It was clarified that the Anesthesia IV
191 Sedation course was approved years prior, however, that the botox and filler course
192 was a newer course. Board Member Arias asked if the course were to be denied, was
193 there any recourse for ADMA to rectify any concerns the Board may have, and submit
194 their course program for consideration and possible approval in the future. Board
195 Member Moore noted that there was nothing that would preclude the ADMA from
196 reapplying in the future, should the course be denied. All were in favor, motion passed.
197

198 ***7. New Business:** (For Possible Action)

199
200 ***a. Review, discussion, and possible determination requiring Michael Husbands, DDS, to undergo**
201 **remediation training prior to re-taking certain bench tests on his dental skills assessment –**
202 **NAC 631.170** (For Possible Action)

203
204 Mr. DiMaggio noted that previously Dr. Husbands had applied to reactivate his license, which the Board
205 voted to grant the reactivation upon successful complete of a bench test. He noted further that Dr.
206 Husbands had completed the bench test, however, that there were portions of the assessment that he
207 did not pass. Mr. DiMaggio stated that an instructor from the UNLV School of Dental Medicine called and
208 asked if the Board wished to have Dr. Husbands have remediation training prior to re-taking the
209 unsuccessful sections of the bench tests. Discussion ensued regarding the idea of Dr. Husbands
210 completing remediation, which may benefit him. Mr. DiMaggio referred the Board to a letter from the
211 instructor from the UNLV School of Dental Medicine regarding the remediation process.
212

213 MOTION: Board Member Thompson moved to require that Dr. Husbands complete remediation of
214 a minimum of eight hours in the three failed subjects prior to retaking the bench test.
215 Motion seconded by Board Member Arias. All were in favor, motion passed.
216

217 ***b. Discussion, consideration, and possible approval/rejection of the Public Health Dental**
218 **Hygiene Program (to be conducted only via telecommunication technologies at this time)**
219 (For Possible Action)

220
221 (1) Dental Hygiene Direct Public Health Program

222
223 Board Member Moore stated it was his understanding that, for the time being, this program will only be
224 conducting telecommunications services at this time and that the applicant was asking that they not be
225 required to pass an Infection Control inspection. Ms. Spilsbury clarified for the Board that the program
226 documents list the services that are intended to be offered, which she outlined for the record, which they
227 were anticipating to conduct solely using telecommunication technologies. Board Member Arias asked if
228 the person that would be running the program was available to answer questions, which was not known
229 at the time. There was discussion regarding the program.
230

231 MOTION: Board Member Lee moved to reject the Public Health program. Motion seconded by Board
232 Member Cioffi. Discussion: Board Member Solie noted that at a previous Board meeting, the Future Smiles
233 program had sought an advisory opinion from the Board asking for approval under similar circumstances,
234 specifically using telecommunications to instruct parents/guardians to apply fluoride to the children. She
235 noted that the Board voted in favor of the program. There was discussion regarding the program not
236 specifying which services they were looking to offer strictly via telecommunications. Board Member Lee
237 noted that if the program was looking to offer services by telecommunications means only, then he

would be voting in favor of the program, however, that he noted that the program lists many services that would require an in-person visit. Board Member Arias stated that she would like to speak with a representative of the program prior to voting. Ms. Jessica Woods from the Program was invited to speak.

Ms. Woods clarified that the Program would strictly utilize teledentistry and further explained that the program was set up to assist Liberty Dental to do outreach to students who opted for the Program. She added, however, that they have been unable to be treat students in person due to COVID-19 restrictions. Ms. Woods elaborated what they would be doing while utilizing the teledentistry platform. She noted that photos will be taken with the patients utilizing their smart phones. It was clarified that they would only be able to a screening, and that it would not be a comprehensive exam. There was discussion regarding plans the Program anticipates having when schools return to in-person session. It was asked if Ms. Woods would be willing to resubmit her program so that she may clearly outline that all services would be conducted strictly via teledentistry, an outline of materials to be used, as well as the time frame she anticipates the program to run until. Ms. Woods stated that the materials used would be materials that a dental hygienist with a Public Health Endorsement would utilize. Board Member Moore asked Ms. Woods to clarify if she was wanting parents/guardians to apply fluorides to children that a public health endorsed dental hygienist would apply under the special endorsement. Ms. Woods responded affirmatively. Board Member West stated that the concept of the program was great, but addressed the concerns of having unlicensed individuals apply dental materials, such as fluorides, that an educated and licensed person is specifically trained to do. Additional discussion ensued regarding possible avenues of creating a mechanism to get in person care out to students. It was noted that this was a pilot project that Liberty Dental – the dental administrator for Medicaid in Clark County – has already begun to carry out. There was discussion regarding providers that were enrolled to offer services through the Program. There was discussion in regards to how the Program is being run and how Liberty Dental, as the dental administrators for Medicaid in Clark County, is attempting to reach children that are not utilizing their benefits since the onset of COVID-19. Ms. Woods explained how the Program worked. Ms. Woods explained that while Liberty Dental has rolled out the Program, they have not participated as they are waiting for Board approval to do so.

Board Member Moore stated that he would like to table this agenda item until the Board can be furnished with additional information and moved to table this item for consideration at a future Board meeting. Board Member Lee rescinded his original motion and seconded the motion to table agenda item (7)(b). All were in favor, motion passed.

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

- (1) Terry C Meads Jr, DMD – Moderate Sedation (Pediatric Specialty)
- (2) Aaron G Radmall, DMD – Moderate Sedation (Patients 13 years of age & older)

Board Member Moore stated that he reviewed both licensees' applications, that they met the criteria and recommended approval.

MOTION: Board Member Thompson motioned to approve the temporary permits. Board Member West seconded the motion. All were in favor, motion passed.

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

- (1) Noura Rezapour, DMD – Moderate Sedation (Pediatric Specialty)
- (2) Kevin M Nowins, DMD – General Anesthesia

Board Member Moore stated that he reviewed both licensees' applications, that they passed their evaluations and recommended approval.

MOTION: Board Member Thompson motioned to approve the permanent permits. Board Member West seconded the motion. All were in favor, motion passed.

8. Public Comment (Live public comment by teleconference): 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. 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 written messages to the Board office. Written submissions should be received by the Board on or before **Monday, February 1, 2021 by 4:00 p.m.** in order to make copies available to members and the public.

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.

Mr. Mercer Sargeant, course director with the ADMA, commented that he had some questions for the Board. Board Member Moore stated that Mr. Sargeant was welcome to make any comments he wished to make, however, that any questions he may have, to please submit them in writing to the Board's Executive Director and/or General Counsel for a response. Mr. Sargeant stated that he would submit his questions in writing.

Dr. Cory Pickens, CEO of the ADMA, expressed his shock at the Board denying approval of the ADMA's courses. He stated that some of the Board Members were being so analytical, but they failed to outline their specific reasons of concerns, and thus reasoning for denying the courses. He briefly addressed some of the clerical errors that the Anesthesia Committee appeared to have issues with and how they worked to correct those issues within their organization. He expressed his belief for bias and action he anticipates taking in rectifying the matters regarding the Board. Board Member Moore noted for the record that Dr. Pickens was present during the open and closed sessions of the recent Anesthesia Committee Meeting.

Ms. Terri Chandler commented that she was the administrator for the Public Health Endorsed program, Future Smiles, since 2009, and that she believed her program was the longest running Public Health program. Ms. Chandler stated that she was quite intrigued by the Board's advisory opinion regarding telehealth at the October 8, 2020 Board meeting to approve telehealth and the utilization of a fluoride varnish application with a telehealth model. She explained that Ms. Woods was trying to expand that opportunity for other dental hygienists. She explained that concerns they are witnessing in the school programs, and how the decay in children's teeth are at an all-time high. Ms. Chandler explained how the program rolled out by Liberty Dental was attempting to reach those children in need of care, and how the Dental Hygiene Direct Public Health Program was also hoping to do their part to assist the children. She asked that the Board to please reconsider the Dental Hygiene Direct Public Health Program submitted by Ms. Woods.

9. Announcements


No announcements were made.

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

Board Member Moore called for adjournment.

MOTION: Board Member Lee motioned to adjourn the meeting at approximately 7:23 p.m. Board Member McIntyre seconded the motion. All were in favor, motion passed.

Respectfully submitted:


Frank DiMaggio, Executive Director