

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

Thursday, April 8, 2021
6:00 p.m.

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

Teleconference Number: (669) 900 6833

Teleconference ID#: 919 6612 1134

Teleconference Passcode: 280626

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 **Wednesday, April 7, 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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51 **1. Call to Order**

52 - Roll call/ Quorum

53 Mr. DiaMaggio conducted roll call.

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Dr. Moore--PRESENT	Dr. Park--PRESENT
Dr. Thompson --PRESENT	Dr. Lee--PRESENT
Dr. West--EXCUSED	Ms. Solie--PRESENT
Dr. York--PRESENT	Ms. McIntyre--PRESENT
Dr. Lemon--PRESENT	Ms. Arias--PRESENT
Ms. Cioffi--PRESENT	

56 Quorum was established.

57

58

59 **2. Public Comment (By pre-submitted email/written form):** The public comment period is limited to matters

60 specifically noticed on the agenda. No action may be taken upon the matter raised during public comment unless the matter

61 itself has been specifically included on the agenda as an action item. Comments by the public may be limited to three (3)

62 minutes as a reasonable time, place and manner restriction, but may not be limited based upon viewpoint. The Chairperson

63 may allow additional time at his/her discretion.

64

65 Pursuant to Section 2 of Directive 006, and extended by Directives 016, 018, 021, 026, and 029, members of the public may

66 participate in the meeting without being physically present by submitting public comment via email to nsbde@nsbde.nv.gov,

67 or by mailing/faxing messages to the Board office. Written submissions received by the Board on or before **Wednesday, April 7,**

68 **2021 by 4:00 p.m.** may be entered into the record during the meeting. Any other written public comment submissions received

69 prior to the adjournment of the meeting will be included in the permanent record.

70

71 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual,

72 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

73 Nevada State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious,

74 slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.

75

76 There was a public comment from Mark Funke, DDS, President of the Nevada Dental Association,

77 regarding agenda item 8(i), concluding that the NDA does not believe NRS 218H.080(2)(c) provides

78 exemption to a state non-employee or similar designee.

79

80 Dr. Moore requested that Dr. Mark Funke provide the results of polling from the entire NDA to come up with

81 this statement. He stated that it sounded like the majority of the NDA members were contacted and that

82 they decided to create this letter and this Board would like to see the polling.

83

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

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

86 Dr. Moore stated that he did not want to remove an agenda item but would like to take agenda item 7(j)

87 first.

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

89 Ms. Cioffi made a motion to approve the agenda as is with the exception of taking agenda item 7 (j) first.

90 Dr. Lemon seconded the motion. All in favor, motion passed.

91

92

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

94

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

96

97 (1) Committee on Dental Hygiene and Dental Therapy in conjunction with the Public Health

98 Dental Hygiene and Dental Therapy Subcommittee Meeting – 02/17/2021

99 Dr. Lee asked Dr. Park if there were any corrections that need to be made to the minutes. She stated that

00

they look good to her. She stated that Dental Therapy has 3 meetings and this was the first of three.
Dr. Lee called for a motion.
Dr. Park asked if there were any questions for her. There were no questions.
Dr. Park made a motion to accept the minutes. Dr. Lemon seconded the motion. There was no further discussion. All were in favor.

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

***a. Legislative Update** (For Possible Action)

Mr. Su stated that in the Public book page 9-10 and 30 pages following and in the Board book from page 13-37 all of the bills that have something to do with the Board are summarized. The hyperlinks are available for all.

***b. Consideration, review, and possible approval/rejection of Stipulation Agreements – NRS 622A.170; 622.330** (For Possible Action)

(1) Sean Yim, DMD

Mr. Su read the stipulation for Dr. Sean Yim, DMD.
Dr. Park made a motion to accept the stipulation.
Dr. Lemon seconded the motion.
There was no discussion. All were in favor. Dr. Lee recused and Ms. McIntyre recused. The motion passed.

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6. //Executive Director's Report: (For Informational Purposes Only)

Mr. DiMaggio made a statement that the staff gets a lot of questions asking how do you get an item on the Board or Committee agenda and he explained the agenda process. The process is anyone can place a request to place an item on an agenda. The process dictates the chair of the committee or of the Board meetings determines the content of the agenda and what order or if they want to take them out of order and also can obtain input from other Board members. Agenda items can be tabled because of time or other circumstances.

a. Update from the January 28, 2021 Executive Budget Audit Committee (EBAC) Meeting regarding the audit report, DIA Report No. 19-04 (June 25, 2019) (For Informational Purposes Only)

Mr. DiMaggio stated that the Audit manager said that this is a good news story. He referenced page 72 in the Board Book and Page 53 in the Public book.

***7. Old Business:** (For Possible Action)

***a. Review, consideration, and discussion of cardiopulmonary resuscitation (CPR), Advanced Cardiovascular Life Support (ACLS), and Pediatric Advanced Life Support (PALS) certification requirement pursuant to NAC 631.173, including, but not limited to, whether such requirement is to be completed through live and/or on-line training** (For Possible Action)

Dr. Moore assigned 7 (a) to the Anesthesia Committee. No action was taken.

56 ***8. New Business:** (For Possible Action)
57

- 58 ***a. Review, consideration, and discussion of whether the Board should adopt and add three (3)**
59 **dental specialties, namely Dental Anesthesiology, Oral Medicine, and Orofacial Pain, by**
60 **amendment or modification to NAC 631.190** (For Possible Action)
61

62 Dr. Moore assigned this agenda item to the Continuing Education Committee.
63

- 64 ***b. Approval/Rejection of Temporary Anesthesia Permit – NAC 631.2254** (For Possible Action)
65

66 (1) Jamison P Metcalf, DDS – General Anesthesia

67 Dr. Moore made a motion to approve Dr. Metcalf for a temporary anesthesia license. Dr. Thompson
68 seconded the motion. There was no further discussion. All were in favor. The motion passed.
69

- 70 ***c. Approval/Rejection of Permanent Anesthesia Permit – NAC 631.2235** (For Possible Action)
71

72 (1) David M Raper, DDS – General Anesthesia

73 Dr. Moore made a motion to grant Dr. Raper his permanent anesthesia license. Dr. Thompson seconded the
74 motion. All were in favor. The motion passed.
75

- 76 ***d. Approval/Rejection of 90-Day Extension of Temporary Anesthesia Permit – NAC 631.2254**
77 (For Possible Action)
78

79 (1) Aaron G Radmall, DMD – Moderate Sedation (patients 13 years of age & older)
80 (2) Terry C Meads Jr, DMD – Moderate Sedation (pediatric specialty)
81

82 Dr. Moore made a motion to grant these 90-day extensions for temporary anesthesia permits. Dr. Thompson
83 seconded the motion. All were in favor. Motion passed.
84

- 85 ***e. Review, consideration, and discussion to extend the expiration date of all temporary licenses,**
86 **both restricted and unrestricted, from the current "ninety (90) days after the Governor rescinds**
87 **the declared state of emergency for COVID-19," due to concerns about access to live-patient**
88 **based ADEX and WREB clinical examinations within that timeframe** (For Possible Action)
89

90 Dr. Moore made a motion to extend the expiration date of all temporary licenses to 12 months after the
91 Nevada Governor rescinds the declared state of emergency for COVID-19. Dr. Thompson seconded the
92 motion. Ms. Solie asked if this superseded the 90 days that was previously put in place. Mr. Su said yes it
93 actually replaces it. All were in favor. The motion passed.
94

- 95 ***f. Review, consideration, and possible approval/rejection of the Infection Control Committee's**
96 **recommendation to hire part-time Infection Control Inspector** (For Possible Action)
97

98 (1) Chi P Wu, RDH

99 Dr. Moore made a motion to approve Chi P. Wu for hiring as a part-time Infection Control Inspector. Ms.
00 Arias seconded the motion. All were in favor except Dr. Lemon was opposed. Motion passed.
01

- 02 ***g. Review, consideration, and possible approval/rejection of the Infection Control Committee's**
03 **recommendation to require (OSAP)-DALE training as part of the Calibration process for Infection**
04 **Control Inspectors** (For Possible Action)
05

06 Dr. Moore sent this back to Infection Control Committee.
07 This Agenda Item was tabled at this time.
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13 ***h. Review, consideration, and possible approval/rejection of the Legislative, Legal, and Dental**
14 **Practice Committee's recommendation regarding Board delegation authorizing a Board member**
15 **to appear before the Nevada Legislature and/or any committee thereof to provide information**
16 **and/or testimony concerning dentistry, including without limitation explanations of the effect of**
17 **any pending bill(s) concerning dentistry, on behalf of the Board regarding any bill(s) pending**
18 **before such Legislature or committee thereof** (For Possible Action)
19

20 Mr. DiMaggio clarified agenda items 8(h) and (i).

21 Dr. Moore asked if this is to approve a Board member or just approve the right to pick a Board member to
22 appear before the Nevada Legislature.

23 Dr. Lee nominated Ms. Cioffi to be the Board representative and Dr. West as the alternate Board
24 representative to appear before the legislature for this current session.

25 Ms. Cioffi said she may not be available due to having a very busy schedule.

26 Dr. Moore said that any statements made have to be board approved.

27 Ms. Cioffi said that she is willing to be the representative.

28 Ms. McIntyre seconded the motion. There was no discussion.

29 All were in favor. Dr. Park abstained. The motion passed.
30

31 ***i. Review, consideration, and possible approval/rejection of the Legislative, Legal, and Dental**
32 **Practice Committee's recommendation regarding Board delegation authorizing the Executive**
33 **Director of his designee to appear before the Nevada Legislature and/or any committee thereof**
34 **to provide information and/or testimony concerning dentistry, including without limitation**
35 **explanations of the effect of any pending bill(s) concerning dentistry, on behalf of the Board**
36 **regarding any bill(s) pending before such Legislature or committee thereof** (For Possible Action)
37

38 Dr. Lee made a motion to approve agenda item 8(i) as stated. Ms. Arias seconded the motion. All were in
39 favor. The motion passed.
40

41 ***j. Review, consideration, and possible approval/rejection of the Legislative, Legal, and Dental**
42 **Practice Committee's recommendation regarding the position of the Board regarding certain**
43 **legislation** (For Possible Action)
44
45

46 (1) AB269

47 (2) AB438

48 (3) SB335

49 (4) SB391

50 Dr. Moore asked Casey Stiteler of Lewis Roca to go over Bills that are currently in the legislature affecting the
51 Board. Casey Stiteler went over AB438 with amendments.

52 There was much discussion among Board members regarding this bill.

53 Dr. Thompson moved that the Board support AB438 as presented. Dr. Lee Seconded the motion. All were in
54 favor, motion passed.
55

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58 Mr. Su read the summary of SB335.

59 Dr. Lee made a motion that the Board oppose SB335. Ms. McIntyre seconded the motion. There was
60 discussion. All were in favor to oppose SB335. Motion passed.
61

62 Mr. Su went over AB269 and SB391 for information only.

63 Mr. Su stated that he received an email regarding SB391 that this bill was subject to additional amendments
64 that had passed out of Health and Human Services meeting.

65 Dr. Lee made a motion that the Board take a neutral stance on AB269 and SB391.

66 Dr. Moore seconded the motion and opened the floor for discussion.

67 Dr. Moore called for a vote. All were in favor. The motion passed without further discussion.

68 Dr. Moore made a motion to take a break and to reconvene at 8:15pm. Dr. Lee seconded the motion. All
69 were in favor. The motion passed.
70

Roll Call was done by Mr. Su

Dr. Moore--PRESENT	Dr. Park--PRESENT
Dr. Thompson --PRESENT	Dr. Lee--PRESENT
Dr. West--EXCUSED	Ms. Solie--PRESENT
Dr. York--PRESENT	Ms. McIntyre--PRESENT
Dr. Lemon--PRESENT	Ms. Arias--PRESENT
Ms. Cioffi--PRESENT	

Dr. Moore made a motion to reconvene the meeting. Ms. McIntyre seconded the motion. All were in favor. The motion passed.

9. 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 **Wednesday, April 7, 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.

Dr. Shanna Kim, a dentist who is board certified in orofacial pain, had a public comment regarding agenda item 8(a). She is requesting the Board to recognize orofacial pain as a specialty to bring Nevada into alignment with the ADA and with other states.

Phone number ending in 8383 made a public comment supporting AB438.

Phone number ending in 9125 made a public comment supporting AB438.

Phone number ending in 9205 made a public comment supporting AB438 and thinks that we have a good Board now. He mentioned that many dentists are behind the Board.

Phone number ending in 6280 made a public comment supporting AB438 and thanked the Board for helping the public.

Phone Number ending in 0736, Dr. Adrian Ruiz, made a public comment supporting AB438 and thanked the Board for all of its hard work.

10. Announcements

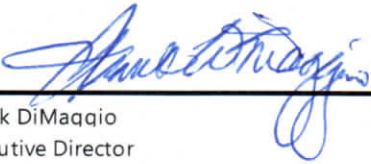
There were no announcements.

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

Dr. Park made a motion to adjourn the meeting. Dr. Thompson seconded the motion. All were in favor. Motion passed. Meeting was adjourned at 9:20 pm.

PUBLIC NOTICE POSTED TO:

Nevada State Board of Dental Examiners website: www.dental.nv.gov
Nevada Public Posting Website: www.notice.nv.gov

X 
Frank DiMaqqio
Executive Director