

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 THE COMMITTEE ON DENTAL HYGIENE AND DENTAL THERAPY in conjunction with THE PUBLIC HEALTH DENTAL HYGIENE AND DENTAL THERAPY SUBCOMMITTEE

Meeting Date & Time

May 5, 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#: 917 1987 5417

Teleconference Passcode: 572072

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 May 4, 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
54 Mr. DiMaggio performed roll call at 6:00pm:

55

Dr. Park--PRESENT	Dr. West--PRESENT
Ms. Solie--PRESENT	Ms. Jessica Woods--PRESENT
Mrs. McIntyre--PRESENT	Ms. Lancette VanGuilder--Excused
Ms. Arias--PRESENT	Dr. Robert Talley--NOT PRESENT
	Dr. Antonina Capurro--PRESENT
	Dr. Steven Saxe--PRESENT
	Dr. Adam Gatan--PRESENT
	Ms. Kelly Taylor--PRESENT
	Dr. Michael Moore--EXCUSED

56
57 Dr. Park requested that Mr. DiMaggio reference previous meetings to obtain the attendance of Committee
58 members and email her the results. She feels that delinquent attendance delays the work of the committee
59 and is sufficient to warrant the dismissal of members and present that to the full Board for possible removal
60 of those members.

61 Mr. DiMaggio said he will send her an email.

- 62
63 **2. Public Comment (By pre-submitted email/written form):** The public comment period is limited to matters,
64 specifically noticed on the agenda. No action may be taken upon the matter raised during public comment unless the
65 matter itself has been specifically included on the agenda as an action item. Comments by the public may be limited to
66 three (3) minutes as a reasonable time, place and manner restriction, but may not be limited based upon viewpoint. The
67 Chairperson may allow additional time at his/her discretion.

68
69 Pursuant to Section 2 of Directive 006, and extended by Directives 016, 018, 021, 026, and 029, members of the public may
70 participate in the meeting without being physically present by submitting public comment via email to nsbde@nsbde.nv.gov,
71 or by mailing/faxing messages to the Board office. Written submissions received by the Board on or before **Tuesday May 4,**
72 **2021 by 4:00 p.m.** may be entered into the record during the meeting. Any other written public comment submissions
73 received prior to the adjournment of the meeting will be included in the permanent record.

74
75 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual,
76 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
77 Nevada State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious,
78 slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.
79

80 Mr. DiMaggio read the written public comment parameters. There was no written public comment.

81
82 ***3. Chairwoman's Report: Elizabeth Park, DDS (For Possible Action)**

83 Dr. Park turned the floor over to Ms. Solie for comment.

84 Ms. Solie thanked everyone for the ongoing process and advised everyone that they are not here to
85 make policy, they are just there to gather thoughts from the stakeholders and expert advice and opinions
86 from those that have experience as well as the committee and subcommittee. Those considerations will
87 be put together by the committee as we move a draft forward. The committee wants to make sure they
88 do their due diligence so that the regulations that come forward are the gold standard as we meet the
89 intentions and purpose of the legislation.

90 Dr. Park stated that if any member of the committee or subcommittee feels unheard, you have an
91 opportunity to present your concerns in a workshop session which the Board will hold after this. There is due
92 process. Dr. Park read an email statement from Ms. Bordelove regarding NRS 281A.420 public
93 officers/employees disclosure.

94
95
96 ***a. Request to add/remove agenda item(s) (For Possible Action)**

97 There were no agenda items to add or remove.

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

99 Mrs. McIntyre made a motion to approve the agenda as it is written. Ms. Arias seconded the motion. All
00 were in favor. Motion passed.

04 ***4. Consideration, Discussion and Review of certain Nevada Revised Statutes (NRS) related to the practice**
05 **of Dental Therapy to Develop Proposed Regulations related to the practice of Dental Therapy:**
06

07 The members noted below were assigned to submit one page reports as follows:

08 ***a. Dental Therapy Statutes, including, but not limited to, NRS 631.3124-631.3128**
09

- 10 ○ **NRS 631.3124 Dental Therapists: Authorized services; referral of patient to**
11 **authorizing dentist for certain purposes; supervision of dental assistants and**
12 **dental hygienists.**

13 Ms. Arias was assigned to this agenda item.
14

- 15 ○ **NRS 631.3125 Dental therapists: Additional authorized care and services.**

- 16 • **NRS 631.3125(1-9): Point of discussion:**
17 • **NPI and Insurance; Direct or Indirect Supervision**

18 Ms. Taylor was assigned to this agenda item.
19

- 20 • **NRS 631.3125(10): Point of discussion:**
21 • **Preparation and placement of direct restoration in**
22 **primary and permanent teeth**

23 Dr. Saxe was assigned this agenda item.
24

- 25 • **NRS 631.3125(11-16): Point of discussion:**
26 • **Hours of training required for proof of proficiency in**
27 **these areas**

28 Ms. Solie was assigned this agenda item.
29

- 30 • **NRS 631.3125(17): Point of discussion:**
31 • **What is considered non-reversible surgical damage;**
32 **liability coverage (i.e. sinus perforation & wrongful**
33 **death) pursuant to written protocol, to include after-**
34 **care plan**
35 • **NPI**

36 Dr. Saxe was assigned this agenda item.
37

- 38 • **NRS 631.3125(18): Point of discussion:**
39 • **What does "other related services and functions"**
40 **entail**

41 Dr. Saxe was assigned this agenda item.
42

- 43 ○ **NRS 631.3126 Arrangements for referrals of patients to other dental or health**
44 **care professionals in certain circumstances.**

- 45 • **NRS 631.3126: Point of discussion:**
46 • **Capabilities of a dental therapist; dental hygiene care**

47 Dr. Gatan was assigned this agenda item.
48

- 49 ○ **NRS 631.3127 Dental Therapists: Prohibition on prescription of certain controlled**
50 **substances.**

- 51 • **NRS 631.3127: Points of discussion:**
52 • **Supervision of administration of Nitrous**

53 Dr. Saxe was assigned this agenda item.
54

- 55 ○ **NRS 631.3128 Dental Therapists: Limitation on number with whom authorizing**
56 **dentist may simultaneously maintain written practice agreements.**

- 57 • **NRS 631.3128: Points of discussion:**

58 Dr. Saxe was assigned this agenda item.
59
60
61

- **NRS 631.313 Assignment of dental hygienist or dental assistant to perform certain intraoral tasks under certain circumstances; exceptions; administration of local anesthesia or nitrous oxide by dental hygienist. (Amended by SB 366(2019))**
 - **NRS 631.313(3)(a) and (b): Point of discussion:**
 - **Written Contract; How is it determined that there is incorrect treatment planning or irremediate alteration of the oral anatomy; what defines that; concerns about practicing out of scope.**

Dr. Saxe was assigned these agenda items.

- **NRS 631.313(3)(c) and (d): Point of discussion:**
 - **For Discipline if there is treatment outside scope of written agreement; disciplinary guidelines**
- **NRS 631.313(4): Point of discussion:**
 - **Nitrous**

Dr. Saxe was assigned this agenda item.

- **NRS 631.3425 Continuing education: Requirements for dental therapists. (Amended by SB 366(2019))**
 - **NRS 631.3425: Point of discussion:**
 - **Validation of type of CE; medical emergency training annualized?**

Ms. Arias was assigned this agenda item.

- **NRS 631.190 Powers and Duties. (Amended by SB 366(2019))**
 - **NRS 631.190(3-6): Point of discussion:**
 - **Fees**

Ms. Solie was assigned this agenda item.

- **NRS 631.215 Persons deemed to be practicing dentistry; regulations regarding clinical practice of dentistry. (Amended by SB 366(2019))**
 - **NRS 631.215(1)(a-b): ADVERTISEMENT/patient consent to disclosure type of professional**

Dr. Saxe stated that the Nevada law states that any person that works in a dental office must wear a name tag. He feels that if the person holds a degree that it should appear on the name tag and it should be displayed on the door or wall like a business license.

Dr. Park agrees and has taken this agenda item.

Dr. West suggested that on the introductory forms that it could state that the patient may be seen by a dental therapist that is being supervised by an overseeing dentist and the patient would therefore sign that they acknowledge this prior to being seen.

Dr. West will collaborate with Dr. Park on this agenda item.

- **NRS 631.271 Limited license to practice dentistry, dental hygiene or dental therapy; permit authorizing certain persons to practice dentistry or dental hygiene; regulations. (Amended by SB 366(2019))**
 - **NRS 631.271(c)(1) and (7): Points of discussion:**
 - **Malpractice and termination of written contract with dentistry program;**
 - **Board to be provided documentation within seven days of termination of contract**
 - **Notifying Board and Insurance Carriers**

Dr. Park was assigned this agenda item.

21
22 **5. Public Comment (Live public comment by teleconference):** This public comment period is for any
23 matter that is within the jurisdiction of the public body. No action may be taken upon the matter raised
24 during public comment unless the matter itself has been specifically included on the agenda as an action item. Comments
25 by the public may be limited to three (3) minutes as a reasonable time, place and manner restriction, but may not be limited
26 based upon viewpoint. The Chairperson may allow additional time at his/her discretion.

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29 participate in the meeting without being physically present by submitting public comment via email to nsbde@nsbde.nv.gov,
30 or by mailing/faxing written messages to the Board office. Written submissions should be received by the Board on or before
31 **Tuesday May 4, 2021 by 4:00 p.m.** in order to make copies available to members and the public.

32
33 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual,
34 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
35 Nevada State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious,
36 slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.

37
38 There was live public comment from Gail Baker Clark, RDH, she has practice in Nevada and Pennsylvania.
39 She gave an overview of Native American Tribal Dental Clinics. She states that she has an NPI, and stated
40 that it pertains to the billing codes and CMS.gov. It also pertains to taxonomy codes.
41 Dr. Park requested that Ms. Baker Clark submit comments in written form to the Board.

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43 **6. Announcements**

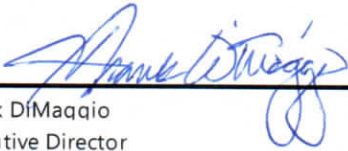
44 Dr. Park made an announcement that she had spoken to Ms. Bordelove and that she would be available in
45 2 weeks and to look for a quorum call.

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

48 Ms. McIntyre made a motion to adjourn the meeting. Ms. Solie seconded the motion. All were in favor,
49 motion passed.
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52 **PUBLIC NOTICE POSTED TO:**

53 Nevada State Board of Dental Examiners website: www.dental.nv.gov
54 Nevada Public Posting Website: www.notice.nv.gov
55

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Frank DiMaqqio
Executive Director