



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 LEGISLATIVE, LEGAL, & DENTAL PRACTICE COMMITTEE

(Kevin Moore, DDS (Chair); David Lee, DMD; Ron West DMD; Ms. McIntyre, RDH; Ms. Cioffi;)

Meeting Date & Time

Tuesday, August 31, 2021
6:00 p.m.

**** This meeting will be held via remote technology system and ****
**** will be accessible to the public via ZOOM VIDEO WEBINAR/TELECONFERENCE ONLY ****
**** There will be no physical location for the meeting ****
**** pursuant to NRS 241.015, as amended by AB 253 (2021) ****

To access by phone, call Zoom teleconference Phone Number: (669) 900 6833
To access by video webinar, visit www.zoom.com or use the Zoom app

Zoom Webinar/Meeting ID#: 862 6082 1266
Zoom Webinar/Meeting Passcode: 891188

MINUTES

PUBLIC NOTICE:

**** This meeting will be held via VIDEO CONFERENCE ****

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.

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@dental.nv.gov**. Written submissions received by the Board on or before **Monday August 30, 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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2 **1. Call to Order**

- 3 - Roll call/Quorum

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5 Mr. DiMaggio conducted roll call.

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Dr. Moore—Present	Dr. Lee—Present
Dr. West—Not Present	Ms. McIntyre—Present
Ms. Cioffi—Present	

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8 **Others Present:** Frank DiMaggio, Executive Director; Phil Su, Board General Counsel; Jason Dworin, Board
9 General Counsel

10 **Public Attendees:** Joe Simms; Kelly Taylor; Michele Reeder

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

17
18 Members of the public may submit public comment via email to nsbde@dental.nv.gov, or by mailing/faxing messages to
19 the Board office. Written submissions received by the Board on or before **Monday August 30, 2021 by 4:00 p.m.** may be
20 entered into the record during the meeting. Any other written public comment submissions received prior to the
21 adjournment of the meeting will be included in the permanent record.

22
23 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual,
24 the Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the authority of,
25 the Nevada State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant,
26 repetitious, slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of
27 other speakers.

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29 There was no written public comment.

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31 ***3. Chairman's Report:** Kevin Moore, DDS (For Possible Action)

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33 Dr. Moore stated that while looking through the agenda, he did not see the NACs to satisfy the audit as
34 promised.

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36 Mr. Su noted that there had been an oversight and the NACs should have been included as item number
37 6, legislation AB438. That would have covered the 2018 audit along with other items. He stated that the
38 Lewis Roca team would be working together with Board counsel to convert the terms of the legislation
39 into regulation.

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41 Dr. Moore asked if the Lewis Roca team was currently working on this item, and Mr. Su confirmed that
42 they were.

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44 Mr. Su noted that under item 4(b), he had included the language "including but not limited to" so that
45 the Committee could opine on any regulatory areas not specifically included in the remainder of the
46 agenda.

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48 Dr. Lee stated that it would be difficult to discuss without having a copy of the NAC language to
49 reference.

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51 Mr. Su agreed, but noted that he believed the purpose of the agenda was to determine if there were
52 any additional bullet points to bring up to the Lewis Roca team to convert to regulations that could then
53 be reviewed by the Board or submitted to the Legislative Counsel Bureau.

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55 Dr. Moore stated that had already been done.

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57 Dr. Lee agreed with Dr. Moore and noted that it had already been to the legislature, then inquired if any
58 additional approval would be required.

Mr. Su responded that he did not believe additional approval would be necessary and that once the language was converted to regulation it could be submitted directly to the Board.

Dr. Moore stated that while the agenda items were important, they were not what he had been expecting. He had expected to see NACs for review for which the Board had given prior approval. He expressed his disappointment and indicated that he was dissatisfied with the agenda as currently set forth.

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

Dr. Moore removed all agenda items until the NACs for the audit could be procured.

(b) Approve Agenda (For Possible Action)

***4. New Business:** (For Possible Action)

~~*a. Discussion, review, and possible recommendations to the Board of proposed changes to amend, add, or repeal the following permanent regulations~~ (For Possible Action)

(1) Licensing: NAC 631.028 through NAC 631.220

This agenda item was removed by the Board President.

~~*b. Discussion, review, and possible recommendations to the Board regarding topics for submission to legislative advisors for drafting proposed permanent regulatory language, including, but not limited to, the following:~~ (For Possible Action)

- (1) Hands-on Amendment to CPR requirements (NAC 631.173)
- (2) Amendments to Continuing Education Audit language (NAC 631.177)
- (3) Previously drafted amendments to Anesthesia regulations (NAC 631.2227 and NAC 631.2231)
- (4) Vaccination Administration by Licensed Dental Professionals
- (5) Dental Therapy

This agenda item was removed by the Board President.

5. 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 August 30, 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.

One public comment was made by Michele Reeder, executive director for the Nevada Dental Association. She inquired whether the Board has an opinion as to whether licensed dental providers will be required to be vaccinated against COVID-19 as a condition of maintaining their license.

Dr. Moore responded that this would constitute an advisory opinion request and noted that it would likely be appropriate to direct this inquiry to Mr. Su.

Mr. Su stated that the best procedure would be to submit a written advisory opinion request via the Board's website for the Board to weigh in on in at a future Board meeting.

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2 **6. Announcements**
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4 There were no announcements.
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6 ***7. Adjournment** (For Possible Action)
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8 Dr. Lee made a motion to adjourn. Ms. McIntyre seconded the motion. All were in favor. Motion passed.
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PUBLIC NOTICE POSTING LOCATIONS

Office of the N.S.B.D.E., 6010 S Rainbow Boulevard, #A-1, LV, NV 89118
Nevada State Board of Dental Examiners website: www.dental.nv.gov
Nevada Public Posting Website: www.notice.nv.gov


X
Phil Su
General Counsel/Interim Executive Director