

# 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 AND AGENDA OF COMBINED BOARD MEETING AND CONTINUANCE OF FORMAL HEARING ANTONINA CAPURRO, DMD (DAY 14)**

### **Meeting Date & Time**

Tuesday October 19, 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](http://www.zoom.com) or use the Zoom app

Zoom Webinar/Meeting ID#: **986 8646 0153**  
Zoom Webinar/Meeting Passcode: **806749**

## **MINUTES**

### **PUBLIC NOTICE:**

**\*\* This meeting will be held via VIDEO WEBINAR and TELE-CONFERENCE only \*\***

**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 submit 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](mailto:nsbde@dental.nv.gov)**. Written submissions received by the Board on or before **Monday October 18, 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.

**1. Call to Order**

- Roll call/Quorum

Mr. Su conducted roll call.

Dr. Kevin Moore (Dr. Moore)—Present	Dr. Todd Thompson (Dr. Thompson)— Present
Dr. Ronald West (Dr. West)— Present	Dr. Elizabeth Park (Dr. Park) — Present
Dr. Adam York (Dr. York)— Present	Ms. Yamilka Arias (Ms. Arias)— Present
Ms. Gabrielle Cioffi (Ms. Cioffi)— Present	Dr. Ronald Lemon (Dr. Lemon)— Present
Dr. David Lee (Dr. Lee)— Present	Ms. Jana McIntyre (Ms. McIntyre) — Present

Mr. Su made a brief announcement that Board member Ms. Solie had been notified of her term expiration upon the selection of a new RDH Board member by Governor Sisolak and thanked Ms. Solie for her service to the Board.

**Others Present:** Phil Su, Board General Counsel and Interim Executive Director; Jason Dworin, Board General Counsel; Sandra Spilsbury, Dental License and Credentialing Specialist/Site Inspection – CE Coordinator; Ogonna Brown, Counsel for the Nevada State Board of Dental Examiners; Kim Farkas, Court Reporter with Oasis Court Reporting

**Public Attendees:** "AB;" "Computer;" "Galaxy Tab A7;" GChung; John H. Hastings; Katri Ching; Kelly Taylor; Kimberly; Terri Chandler; William Pappas, ADEX; Ralph Capurro; Todd Sumner; Diborah Berhano; Kim Petrilla; "JP"

**2. Public Comment (By pre-submitted email/written form only):** 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.

Members of the public may submit public comment via email to [nsbde@dental.nv.gov](mailto:nsbde@dental.nv.gov), or by mailing/faxing messages to the Board office. Written submissions received by the Board on or before **Monday, October 18, 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.

**Note: 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 or entertain public comment as to that matter. See NRS 233B.126.**

Mr. Su noted that a written public comment was received by the Board after the cutoff of 4:00pm on October 18, 2021 and therefore would not be read aloud, however, the comment would be posted to the Board website and included in the public record.

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

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

Mr. Su explained that due to Ms. Solie's term expiration and the selection of a new RDH Board member by Governor Sisolak, the deliberations for the Capurro hearing would need to be postponed so that the new

1 RDH Board member could be brought up to speed. Based upon this, Dr. Moore noted that agenda item 4  
2 needed to be removed.

3  
4 **\*b. Approve Agenda** (For Possible Action)

5  
6 Dr. Park made a motion to approve the agenda as written, with the removal of agenda item 4. Brief  
7 discussion was held among Dr. Moore, Ms. Cioffi, and Mr. Su regarding the effect of upcoming term  
8 expirations on quorum for the continued deliberation date. Ms. Arias seconded the motion. All were in favor.  
9 Motion passed.

10  
11 ~~**\*4. Formal Hearing: Nevada State Board of Dental Examiners v. Antonina Capurro, DMD**~~ (For Possible Action)

12  
13 ~~The purpose of this hearing is to consider the allegations regarding/related to the investigative-~~  
14 ~~complaint(s) and/or formal complaint(s) filed with the Nevada State Board of Dental Examiners for~~  
15 ~~alleged violations of NRS 631 and NAC 631. The Board may take such action as they deem~~  
16 ~~appropriate pursuant to NRS 631.350. (Pursuant to NRS 241.030(1)(a), the board may, by motion, enter closed session to~~  
17 ~~consider the character, alleged misconduct, professional competence or physical or mental health of a person.)~~

18  
19 ~~Anyone desiring supporting material for the hearing is invited to email [nsbde@dental.nv.gov](mailto:nsbde@dental.nv.gov).~~  
20 ~~Supporting material will also be available for review at the Board's office at 6010 S. Rainbow Blvd., Ste.~~  
21 ~~A-1, Las Vegas, Nevada, 89118, and will be posted to the Board's website, <https://dental.nv.gov>, not~~  
22 ~~later than 24 hours after the conclusion of the meeting. (AB 253 (2021)).~~

23  
24 This agenda item was removed.

25  
26 **\*5. Secretary – Treasurer's Report:** (For Possible Action)

27  
28 **\*a. Approval/Rejection of Minutes** (For Possible Action)

- 29  
30 (1) Board Meeting – 08/17/2021  
31 (2) Dental Hygiene and Dental Therapy Committee and Sub-Committee Meeting – 08/24/2021  
32 (3) Board Meeting – 09/21/2021

33  
34 Dr. Lee introduced the foregoing minutes for approval or rejection. Mr. Su noted that an amendment  
35 was required to the 09/21/2021 minutes under Agenda Item 7(a), that it should read that Dr. Lee  
36 approved the proposal by Ms. Fluent that did not include OSHA material.

37 Dr. Moore made a motion to approve the minutes as set forth above with the amendment presented  
38 by Mr. Su. Dr. West seconded the motion. All were in favor. Motion passed.

39  
40 **\*6. Executive Director's Report:** (For Possible Action)

41  
42 **\*a. Consideration, Discussion, and Possible Action Regarding Proposed Examination Changes for**  
43 **ADEX Dental and Hygiene Examinations, As Proposed by American Board of Dental Examiners**  
44 **(ADEX) at their September 21, 2021 Annual Meeting – NRS 631.190, 631.240, 631.300:** (For Possible Action)

45  
46 **(1) Report for ADEX 17th Annual Meeting 09-21-2021**

47  
48 Mr. Su introduced William Pappas, who presented a brief overview of the proposed exam changes as  
49 set forth in the report for the annual ADEX Meeting, which took place over August 6, 2021 and August 7,  
50 2021. Mr. Pappas responded to questions from Dr. Lee and Dr. Thompson, with Mr. Su offering further  
51 explanation of the language regarding the exam.

52 Dr. Park made a motion to approve the changes to the exam as proposed by the ADEX. Dr. Lee  
53 seconded the motion. All were in favor. Motion passed.

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1 **\*7. General Counsel's Report:** (For Possible Action)

2  
3 **a. Legal Actions/Litigation Update** (For Informational Purposes Only)

4  
5 There were no legal actions or litigation updates.

6  
7 **b. Regulatory Update** (For Informational Purposes Only)

8  
9 There were no regulatory updates.

10  
11 **\*c. Review Panel – NRS 631.3635**

12  
13 **(1) Discussion and consideration of proposed findings and recommendations for matters that**  
14 **have been recommended for remand by the Review Panel, and possible**  
15 **approval/rejection of same by the Board- NRS 631.3635** (For Possible Action)

16  
17 Mr. Dworin briefly outlined the confidential proposed remands. Dr. West made a motion to accept the  
18 remands. Ms. Arias seconded the motion. All were in favor. Dr. Lee and Ms. McIntyre recused themselves.  
19 Motion passed.

20  
21 **(2) Consideration, review, and possible approval/rejection of Stipulation Agreements – NRS**  
22 **631.3635; NRS 622A.170; NRS 622.330** (For Possible Action)

- 23  
24 (i) Grace H. Chung, DDS\*  
25 (ii) Christopher A. Lim, DMD\*  
26 (iii) John H. Hastings, DDS\*  
27

28 Mr. Dworin introduced and briefly noted the content of the stipulations listed above and answered questions  
29 from Dr. York, Dr. Lemon, and Dr. West regarding the details of the stipulation involving Dr. Chung. Brief  
30 discussion was held among Dr. York, Dr. West, Dr. Lemon, Dr. Park, Mr. Dworin, and Mr. Su regarding the basis  
31 for the provisions within the stipulation.

32 Dr. Thompson made a motion to accept all three stipulations. Dr. West seconded the motion. All were in  
33 favor. Dr. Lee and Ms. McIntyre recused themselves. Motion passed.

34  
35 **\*d. Authorized Investigative Complaints – NRS 631.360** (For Possible Action)

36  
37 **(1) Dr. Z – The Board received information regarding the initiation of a civil malpractice**  
38 **lawsuit, leading to the belief that Dr. Z failed to notify the Board of an unusual incident**  
39 **and thereby potentially violating NAC 631.155(2)**

40  
41 Mr. Dworin summarized the alleged issue to open an authorized investigation. Dr. Park inquired as to the  
42 details of the regulation in question and Mr. Dworin explained the requirements of the regulation in greater  
43 detail. Dr. Lee made a motion to approve the opening of an investigation. Ms. McIntyre seconded the  
44 motion. All were in favor. Motion passed.

45  
46 **\*8. New Business:** (For Possible Action)

47  
48 **\*a. Consideration, Discussion, and Possible Action to Select Board Newsletter Editor – NRS 631.190:** (For  
49 Possible Action)

50  
51 Mr. Su made a brief statement regarding the basis for reinstating the Board Newsletter, the last of which was  
52 published in 2018. Mr. Su answered questions from Dr. Thompson as to the details of the editor's role. Dr.  
53 Thompson accepted the encouragement to volunteer for the position of editor. Dr. Lee made a motion to  
54 nominate and approve Dr. Thompson as editor. Dr. Moore seconded the motion. All were in favor. Motion  
55 passed.

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57 // /

1 **\*b. Approval/Rejection of Temporary Anesthesia Permit – NAC 631.2254** (For Possible Action)

- 2  
3 (1) Rizza Aurica M. Bejasa, DDS – Pediatric Moderate Sedation  
4 (2) Todd E. Sumner, DDS – General Anesthesia  
5

6 Dr. Moore outlined the status of the respective applications submitted by Dr. Bejasa and Dr. Sumner. Ms.  
7 McIntyre made a motion to approve the applications for the temporary anesthesia permits for the individuals  
8 listed above. Dr. Thompson seconded the motion. All were in favor. Motion passed.  
9

10 **\*c. Approval/Rejection of Permanent Anesthesia Permit – NAC 631.2235** (For Possible Action)

- 11  
12 (1) Victoria K. Sullivan, DDS – Pediatric Moderate Sedation  
13 (2) Karina Ma, DDS – Moderate Sedation (patients 13 years of age and older)  
14 (3) Summer H. Lane, DDS – General Anesthesia  
15

16 Dr. Moore outlined the status of the respective applications submitted by Dr. Sullivan, Dr. Ma, and Dr. Lane.  
17 Dr. Moore made a motion to approve the applications for the permanent anesthesia permits for the  
18 individuals listed above. Dr. Park seconded the motion. All were in favor. Motion passed.  
19

20 **\*d. Review, discussion, and consideration of updates to CDC Guidance for Dental Settings, and**  
21 **possible approval/rejection of the same – NAC 631.178** (For Possible Action)

- 22  
23 (1) **September 10, 2021 “Interim Infection Prevention and Control Recommendations for**  
24 **Healthcare Personnel During the Coronavirus Disease 2019 (COVID-19) Pandemic”**  
25 <https://www.cdc.gov/coronavirus/2019-ncov/hcp/infection-control-recommendations.html>  
26

27 Mr. Su provided an overview of the most recent CDC Interim Infection Prevention and Control  
28 Recommendations and outlined the Board procedure for the review and adoption of CDC guidelines. Brief  
29 discussion ensued among Dr. Lee and Mr. Su. Dr. Lee made a motion to adopt the updated CDC guidelines.  
30 Dr. Park seconded the motion. All were in favor. Motion passed.  
31

32 **9. Public Comment (Live public comment by teleconference):** This public comment period is for any matter that is  
33 within the jurisdiction of the public body. No action may be taken upon the matter raised during public comment unless the matter  
34 itself has been specifically included on the agenda as an action item. Comments by the public may be limited to three (3) minutes  
35 as a reasonable time, place and manner restriction, but may not be limited based upon viewpoint. The Chairperson may allow  
36 additional time at his/her discretion.  
37

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40 during the meeting. Any other written public comment submissions received prior to the adjournment of the meeting will be  
41 included in the permanent record.  
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43 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual, the  
44 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  
45 State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous,  
46 offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.  
47

48 **Note: Prior to the commencement and conclusion of a contested case or a quasi-judicial**  
49 **proceeding that may affect the due process rights of an individual, the Board may refuse to**  
50 **consider or entertain public comment as to that matter. See NRS 233B.126.**

51 Ms. Solie made a public comment to thank the Board for the opportunity to serve on the Board.

52 **10. Announcements**

53 Dr. Moore requested that all Board members reply with their availability in response to Mr. Su's quorum call to  
54 set a public workshop.  
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**\*11. Adjournment** (For Possible Action)

Dr. Thompson made a motion to adjourn. Dr. West 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, Las Vegas, NV 89118  
State Board of Dental Examiners website: [www.dental.nv.gov](http://www.dental.nv.gov)  
Nevada Public Posting Website: [www.notice.nv.gov](http://www.notice.nv.gov)

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Phil Su  
General Counsel/Interim Executive Director