

# 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

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## **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**

Wednesday, February 17, 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#: 959 4098 1504

Teleconference Passcode: 250160

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### **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](mailto:nsbde@nsbde.nv.gov)**. Written submissions received by the Board on or before **Tuesday, February 16, 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.

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**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

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](mailto:nsbde@nsbde.nv.gov), or by mailing/faxing messages to the Board office. Written submissions received by the Board on or before **Tuesday, February 16, 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.

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

- a. Dental Therapy Statutes, including, but not limited to, NRS 631.312-.3124
  - o **NRS 631.312 Dental Therapists: Eligibility to apply for license.**
    - **NRS 631.312(1)(c)(1): Points of discussion:**
      - **What schools of Dental Therapy exists that are accredited by the Commission on Dental Accreditation of the American Dental Association?**
      - **What are the curriculum requirements?**
      - **What if the program loses CODA approval?**
    - **NRS 631.312(2): Points of discussion:**
      - **Good standing in all states without an NPI is challenging to track: What methodology should be used to determine whether a person has good moral character, the Board may consider whether his or her license to practice dental therapy or dental hygiene in another state has been suspended or revoked, or whether he or she is currently involved with any disciplinary action concerning his or her license in another state.**
  - o **NRS 631.3121 Dental Therapists: Examination; issuance of certificate of registration.**
    - **NRS 631.3121(1): Points of discussion:**
      - **What certified examinations are currently available for Dental Therapy?**
  - o **NRS 631.3122 Dental Therapists: Practice Settings; written practice agreement with authorizing dentist required; limitations on provision of services; qualifications of authorizing dentist.**
    - **NRS 631.3122(1)(a-c): Points of discussion:**
      - **Evaluation of liability burden pursuant to written practice agreement; supervised or indirect supervision;**
      - **Specific nature of clinical practice hours: Observation only? Procedure specific? Type of documentation/proof required?**
      - **Is there a moratorium on time frames to complete the required 500/1000/1500 clinical practice hours; do such hours expire outside of a certain time frame or**

- do they persist indefinitely?
    - Safeguards against clinical incompetence by dental therapists; remediation as clinical competency.
  - NRS 631.3122(2): Points of discussion:
    - Points of discussion: What are the outer limits of the written protocols and standing orders? If a dental therapist treats a patient who is not first seen by the supervising dentist, could the supervising dentist be subject to claim of unprofessional conduct?
  - NRS 631.3122(3): Points of discussion:
    - Evaluation of HRSA and the Federal Tort Act;
    - Who will be responsible for maintaining malpractice insurance? Individual or program/workplace? Dentist or therapist?
  - NRS 631.3122(4):
    - Requirements for supervising dentist: active license, actively practicing dentistry by treating patients.
- NRS 631.3123 Dental Therapists: Required provisions of written practice agreement.
    - NRS 631.3123: Points of discussion:
      - Special provisions required for corporate dental settings;
      - Lack of individuation of skill set for dental therapist.
  - NRS 631.3124 Dental Therapists: Authorized services; referral of patient to authorizing dentist for certain purposes; supervision of dental assistants and dental hygienists.
    - NRS 631.3124: Points of discussion:
      - Capabilities of Dental Therapist; Dental Hygiene care.

**4. 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](mailto: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 **Tuesday, February 16, 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.

## 5. Announcements

\*6. Adjournment (For Possible Action)

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**PUBLIC NOTICE POSTED TO:**

Nevada 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)  
 Legislative Counsel Bureau website: [www.leg.state.nv.us](http://www.leg.state.nv.us)