

NEVADA STATE BOARD of DENTAL EXAMINERS



LEGISLATIVE, LEGAL, AND DENTAL
PRACTICE COMMITTEE
TELECONFERENCE MEETING

TUESDAY AUGUST 31, 2021

6:00 P.M.

PUBLIC BOOK

Agenda Item 4(a)(1):
Licensing: NAC 631.028-NAC 631.220

LICENSING

NAC 631.028 Applications for licensure; payment of fees. ([NRS 631.190](#), [631.220](#), [631.345](#))

1. An application for licensure must be filed with the Executive Director on a form furnished by the Board. The application must be sworn to before a notary public or other officer authorized to administer oaths and accompanied by the fee required pursuant to [NAC 631.029](#).

2. All such fees must be paid with an instrument which is immediately negotiable.

(Added to NAC by Bd. of Dental Exam'rs, eff. 10-21-83; A 12-15-87; 4-3-89; 9-6-96; R169-01, 4-5-2002; R026-05, 12-29-2005)

NAC 631.029 Schedule of fees. ([NRS 631.190](#), [631.240](#), [631.345](#)) The Board will charge and collect the following fees:

Application fee for an initial license to practice dentistry if the applicant has successfully passed a clinical examination administered by the Western Regional Examining Board or a clinical examination approved by the Board and the American Board of Dental Examiners and administered by a regional examination organization other than the Board.....	\$1,200
Application fee for an initial license to practice <i>dental therapy or</i> dental hygiene.....	
Application fee for a specialty license by credential.....	600
Application fee for a temporary restricted geographical license to practice dentistry.....	1,200
Application fee for a temporary restricted geographical license to practice <i>dental therapy or</i> dental hygiene.....	600
Application fee for a specialist's license to practice dentistry.....	150
Application fee for a limited license or restricted license to practice dentistry, <i>dental therapy or</i> dental hygiene.....	125
Application and examination fee for a permit to administer general anesthesia, moderate sedation or deep sedation.....	125
Application and examination fee for a site permit to administer general anesthesia, moderate sedation or deep sedation.....	750
Fee for any reinspection required by the Board to maintain a permit to administer general anesthesia, moderate sedation or deep sedation.....	500
Fee for the inspection of a facility required by the Board to ensure compliance with infection control guidelines.....	500
<i>Fee for second or subsequent re-inspection of a facility required by the Board to ensure compliance with infection control guidelines.....</i>	<i>250</i>
Biennial renewal fee for a permit to administer general anesthesia, moderate sedation or deep sedation.....	<i>150</i>
Fee for the inspection of a facility required by the Board to renew a permit to administer general anesthesia, moderate sedation or deep sedation.....	200
Biennial license renewal fee for a general license or specialist's license to practice dentistry.....	350

Biennial license renewal fee for a restricted geographical license to practice dentistry.....	600
Biennial license renewal fee for a restricted geographical license to practice <i>dental therapy or</i> dental hygiene.....	600
Biennial license renewal fee for a general license to practice <i>dental therapy or</i> dental hygiene.....	300
Annual license renewal fee for a limited license to practice dentistry or dental hygiene.....	300
Annual license renewal fee for a restricted license to practice dentistry.....	200
Biennial license renewal fee for an inactive dentist.....	100
Biennial license renewal fee for an inactive <i>dental therapist or</i> dental hygienist.....	200
<i>Fee for second or subsequent audits to ensure compliance with Continuing Education requirements</i>	50
Reinstatement fee for a suspended license to practice dentistry, <i>dental therapy</i> or dental hygiene	<i>200</i>
Reinstatement fee to return an inactive or retired dentist, <i>dental therapist</i> or dental hygienist or a dentist, <i>dental therapist</i> or dental hygienist with a disability to active status.....	500
Fee for the certification of a license.....	300
Fee for the certification of a license to administer nitrous oxide or local anesthesia.....	25
Fee for a duplicate wall certificate.....	25
Fee for a duplicate pocket card receipt.....	25
Application fee for converting a temporary license to a permanent license.....	25
Fee for an application packet for an examination.....	125
Fee for an application packet for licensure by credentials.....	25
	25

(Added to NAC by Bd. of Dental Exam'rs by R026-05, eff. 12-29-2005; A by R159-08, 4-23-2009; R066-11, 2-15-2012; R020-14, 6-23-2014; R119-15, 6-28-2016; R004-17, 5-16-2018))

NAC 631.030 Provision of certain information and documentation by applicant for licensure; provision of certain additional information for licensure by endorsement; requirements for use of laser radiation in practice. ([NRS 622.530](#), [631.190](#), [631.220](#), [631.230](#), [631.255](#), [631.272](#), [631.274](#), [631.290](#))

1. An applicant for licensure must provide the following information and documentation in his or her application:

- (a) The date and place of his or her birth;
- (b) Certification of graduation from an accredited dental school or college, *from an accredited school or college of dental therapy*, or from an accredited school or college of dental hygiene, whichever is applicable;
- (c) Whether he or she has applied for similar licensure in another state or a territory of the United States or the District of Columbia and, if so, the name of the state or territory of the United States or the District of Columbia, the date and the result of his or her application;
- (d) If he or she has practiced dentistry, *dental therapy* or dental hygiene in another state or a territory of the United States or the District of Columbia, certification from the licensing

authority of each state or territory of the United States or the District of Columbia in which he or she has practiced or is practicing that he or she is in good standing and that there are not any disciplinary proceedings affecting his or her standing pending against him or her in the other state or territory of the United States or the District of Columbia;

(e) Whether he or she has terminated or attempted to terminate a license from another state or territory of the United States or the District of Columbia and, if so, the reasons for doing so;

(f) If he or she is not a natural born citizen of the United States, a copy of his or her certificate of naturalization or other document attesting that he or she is legally eligible to reside and work in the United States;

(g) All scores obtained on the examination in which he or she was granted a certificate by the Joint Commission on National Dental Examinations and the date it was issued;

(h) Whether he or she has ever been convicted of a crime involving moral turpitude or has entered a plea of nolo contendere to a charge of such a crime and, if so, the date and place of the conviction or plea and the sentence, if any, which was imposed;

(i) Whether he or she has had any misdemeanor or felony convictions and, if so, any documents relevant to any misdemeanor or felony convictions;

(j) Whether he or she has been held civilly or criminally liable in this State, another state or territory of the United States or the District of Columbia/or misconduct relating to his or her occupation or profession;

(k) Whether he or she has a history of substance abuse and, if so, any documents relevant to the substance abuse;

(l) Whether he or she has been refused permission to take an examination for licensure by this State, any other state or territory of the United States or the District of Columbia, or any regional testing agency recognized by the Board and, if so, any documents relevant to the refusal;

(m) Whether he or she has been denied licensure by this State, any other state or territory of the United States or the District of Columbia and, if so, any documents relevant to the denial;

(n) Whether he or she has had his or her license to practice dentistry, *dental therapy* or dental hygiene suspended, revoked, *been subject to mandatory supervision*, ~~or~~ placed on probation, or has otherwise been disciplined concerning his or her license to practice dentistry, *dental therapy* or dental hygiene, including, without limitation, receiving a public reprimand, in this State, another state or territory of the United States or the District of Columbia and, if so, any documents relevant to the suspension, revocation, *supervision*, probation or other discipline;

(o) A copy of current certification in administering cardiopulmonary resuscitation;

(p) Whether he or she is currently involved in any disciplinary action concerning his or her license to practice dentistry, *dental therapy* or dental hygiene in this State, another state or territory of the United States or the District of Columbia and, if so, any documents relevant to the reprimand or disciplinary action;

(q) Two sets of certified fingerprint cards and an authorization form allowing the Board to submit the fingerprint forms to law enforcement agencies for verification of background information

(r) Whether he or she has any claims against him or her or has committed any actions that would constitute unprofessional conduct pursuant to [NRS 631.3475](#) or [NAC 631.230](#);

(s) An application form that he or she has completed and signed which:

(1) Is furnished by the Board; and

(2) Includes, without limitation, a properly executed request to release information;

- (t) If applicable, the statement and proof required by subsection 3;
- (u) Evidence that he or she is eligible to apply for a license to practice:

- (1) Dentistry pursuant to NRS 631.230;
- (2) Dental hygiene pursuant to NRS 631.290; *or*
- (3) *Dental therapy pursuant to NRS 631.312;*

- (v) The statement required by [NRS 425.520](#); and
- (w) Any other information requested by the Board.

2. An applicant for licensure by endorsement pursuant to [NRS 622.530](#) must provide the following information and documentation with his or her application:

- (a) The information and documentation listed in subsection 1;
- (b) A certificate granted by a nationally recognized, nationally accredited or nationally certified examination or other examination approved by the Board which proves that the applicant has achieved a passing score on such an examination; and
- (c) Proof that the applicant has actively practiced dentistry or dental hygiene for the 5 years immediately preceding the date of submission of the application.

3. An applicant for licensure who wishes to use laser radiation in his or her practice of dentistry, *dental therapy* or dental hygiene must provide to the Board:

- (a) A statement certifying that each laser that will be used by the licensee in the practice of dentistry, *dental therapy* or dental hygiene has been cleared by the Food and Drug Administration for use in dentistry; and

- (b) Proof that he or she has successfully completed a course in laser proficiency that:

- (1) Is at least 6 hours in length; and
- (2) Is based on the *Curriculum Guidelines and Standards for Dental Laser Education*, adopted by reference pursuant to [NAC 631.035](#).

[Bd. of Dental Exam'rs, § III, eff. 7-21-82] — (NAC A 10-21-83; 12-15-87; 4-3-89; 9-6-96; R169-01, 4-5-2002; R139-05, 12-29-2005; R159-08, 4-23-2009; R143-17, 5-16-2018)

NAC 631.033 Use of laser radiation in practice: Documentation required with application for renewal of license. ([NRS 631.190](#), [631.330](#)) Each licensee who uses or wishes to use laser radiation in his or her practice of dentistry, *dental therapy* or dental hygiene must include with the application for renewal of his or her license:

- 1. A statement certifying that each laser used by the licensee in his or her practice of dentistry, *dental therapy* or dental hygiene has been cleared by the Food and Drug Administration for use in dentistry; and

- 2. Proof that he or she has successfully completed a course in laser proficiency that:

- (a) Is at least 6 hours in length; and
- (b) Is based on the *Curriculum Guidelines and Standards for Dental Laser Education*, adopted by reference pursuant to [NAC 631.035](#).

(Added to NAC by Bd. of Dental Exam'rs by R139-05, eff. 12-29-2005)

NAC 631.035 Use of laser radiation in practice: Adoption by reference of *Curriculum Guidelines and Standards for Dental Laser Education*. ([NRS 631.190](#))

- 1. The Board hereby adopts by reference the *Curriculum Guidelines and Standards for Dental Laser Education*, adopted by the Academy of Laser Dentistry. The *Curriculum Guidelines and Standards for Dental Laser Education* is available, free of charge, from the Academy of Laser Dentistry:

- (a) By mail, at P.O. Box 8667, Coral Springs, Florida 33075;

- (b) By telephone, at (954) 346-3776; or
- (c) At the Internet address

http://www.laserdentistry.org/prof/edu_curriculumguidelines.cfm.

2. The Board will periodically review the *Curriculum Guidelines and Standards for Dental Laser Education* and determine within 30 days after the review whether any change made to those guidelines and standards is appropriate for application in this State. If the Board does not disapprove a change to an adopted guideline or standard within 30 days after the review, the change is deemed to be approved by the Board.

(Added to NAC by Bd. of Dental Exam'rs by R139-05, eff. 12-29-2005)

NAC 631.045 Renewal of license: Certified statement required. ([NRS 631.190](#)) A licensed dentist who owns an office or facility where dental treatments are to be performed in this State must, on the application for renewal of his or her license, execute a certified statement that includes:

1. The location of each office or facility owned by the licensed dentist where dental treatments are to be performed;
2. The name and address of each employee, other than a licensed dentist, *dental therapist* or dental hygienist, who assists at the office or facility in procedures for infection control and the date the employee began to assist in procedures for infection control at the office or facility;
3. A statement that each employee identified in subsection 2:
 - (a) Has received adequate instruction concerning procedures for infection control; and
 - (b) Is qualified to:
 - (1) Operate sterilization equipment and other equipment in compliance with the guidelines adopted by reference in [NAC 631.178](#); and
 - (2) Perform all other applicable activities in compliance with the guidelines adopted by reference in [NAC 631.178](#); and
4. If the licensed dentist is registered to dispense controlled substances with the State Board of Pharmacy pursuant to [chapter 453](#) of NRS, an attestation that the licensed dentist has conducted annually a minimum of one self-query regarding the issuance of controlled substances through the Prescription Monitoring Program of the State Board of Pharmacy.

(Added to NAC by Bd. of Dental Exam'rs by R201-09, eff. 8-13-2010; A by R020-14, 6-23-2014)

NAC 631.050 Rejection and return of application; reconsideration; petition for review by Board. ([NRS 631.160](#), [631.190](#), [631.230](#), [631.260](#), [631.290](#))

1. If the Executive Director or Secretary-Treasurer finds that:
 - (a) An application is:
 - (1) Deficient; or
 - (2) Not in the proper form; or
 - (b) The applicant has:
 - (1) Provided incorrect information;
 - (2) Not attained the scores required by [chapter 631](#) of NRS; or
 - (3) Not submitted the required fee,

↪ the Executive Director or Secretary-Treasurer shall reject the application and return it to the applicant with the reasons for its rejection.
2. If the Executive Director or Secretary-Treasurer finds that an applicant has:
 - (a) A felony conviction;

- (b) A misdemeanor conviction;
 - (c) Been held civilly or criminally liable in this State, another state or territory of the United States or the District of Columbia for misconduct relating to his or her occupation or profession;
 - (d) A history of substance abuse;
 - (e) Been refused permission to take an examination for licensure by this State, any other state or territory of the United States or the District of Columbia;
 - (f) Been denied licensure by this State, any other state or territory of the United States or the District of Columbia;
 - (g) Had his or her license to practice dentistry, *dental therapy* or dental hygiene suspended, revoked, *subject to mandatory supervision*, ~~or~~ placed on probation or has otherwise been disciplined concerning his or her license to practice dentistry or dental hygiene, including, without limitation, receiving a public reprimand, in this State, another state or territory of the United States or the District of Columbia;
 - (h) Not actively practiced dentistry, *dental therapy* or dental hygiene, as applicable, for 2 years or more before the date of the application to the Board; or
 - (i) Is currently involved in any disciplinary action concerning his or her license to practice dentistry, *dental therapy* or dental hygiene in this State, another state or territory of the United States or the District of Columbia,
- ↪ the Executive Director or Secretary-Treasurer may reject the application. If rejected, the application must be returned to the applicant with the reasons for its rejection.

3. If an application is rejected pursuant to subsection 2, the applicant may furnish additional relevant information to the Executive Director or Secretary-Treasurer, and request that the application be reconsidered. If an application is rejected following reconsideration by the Executive Director or Secretary-Treasurer, the applicant may petition the Board for a review of the application at the next regularly scheduled meeting of the Board.

[Bd. of Dental Exam'rs, § V, eff. 7-21-82] — (NAC A 4-3-89; 9-6-96; R003-99, 4-3-2000; R169-01, 4-5-2002; R158-08, 12-17-2008; R159-08, 4-23-2009; R143-17, 5-16-2018)

NAC 631.070 Reconsideration of application following request for postponement of action. ([NRS 631.190](#), [631.220](#))

1. If an applicant requests that the Board postpone its action on his or her application for licensure, he or she may later request the Board to reconsider the application. The request for reconsideration must be made on a form furnished by the Board.

2. If an applicant requests the Board to reconsider the application within 1 year after filing the original application for licensure, the Board will not require the applicant to submit another application for licensure unless the information contained in the original application has changed. The applicant must update the information in the original application by furnishing the Board with a supplement when subsequent changes have taken place.

[Bd. of Dental Exam'rs, § XI, eff. 7-21-82] — (NAC A 4-3-89; R169-01, 4-5-2002)

NAC 631.090 Examination for license to practice dentistry. ([NRS 631.190](#), [631.240](#))
 Except as otherwise provided in [NRS 622.090](#), in fulfillment of the statutory requirements of paragraph (b) of subsection 1 of [NRS 631.240](#), an applicant taking the clinical examination approved by the Board and the American Board of Dental Examiners or the clinical examination administered by the Western Regional Examining Board must:

- 1. Pass the Dental Simulated Clinical Examination or a comparable examination administered by the Western Regional Examining Board, as applicable;

2. Demonstrate proficiency in endodontics as the organization administering the clinical examination requires;
3. Demonstrate proficiency in fixed prosthodontics as the organization administering the clinical examination requires;
4. Demonstrate proficiency in restorative dentistry as the organization administering the clinical examination requires;
5. Demonstrate proficiency in periodontics as the organization administering the clinical examination requires; and
6. Perform such other procedures as the Board requires.

[Bd. of Dental Exam'rs, § XII, eff. 7-21-82] — (NAC A 12-15-87; R169-01, 4-5-2002; R159-08, 4-23-2009; R143-17, 5-16-2018)

NAC 631.140 Reexaminations; completion of failed clinical demonstration. ([NRS 631.190](#), [631.220](#), [631.240](#), [631.280](#), [631.300](#))

1. Except as otherwise provided in [NRS 622.090](#), an applicant who does not pass all sections of the clinical examination approved by the Board and the American Board of Dental Examiners or the clinical examination administered by the Western Regional Examining Board may apply for a reexamination. The application must be made on a form furnished by the Board.

2. An applicant who does not pass the examination may not take another examination without completing such additional professional training as is required by the Board.

3. An applicant who does not pass the examination solely because he or she fails one of the demonstrations required pursuant to [NAC 631.090](#) may, at the next scheduled examination, complete the remaining demonstration. If the applicant does not successfully complete the remaining demonstration at the next scheduled examination or within the timeline approved by the American Board of Dental Examiners or by the Western Regional Examining Board for a person who takes the examination as part of an integrated curriculum, he or she must retake the entire examination.

4. For the purposes of [NRS 631.280](#), an applicant who attempts to complete successfully a demonstration pursuant to subsection 3 shall not be deemed to have failed the examination twice if he or she fails to complete that demonstration successfully.

[Bd. of Dental Exam'rs, § X, eff. 7-21-82] — (NAC A 4-3-89; 9-6-96; R169-01, 4-5-2002; R159-08, 4-23-2009; R143-17, 5-16-2018)

NAC 631.145 Dental hygienists: Renewal of special endorsement of license to practice public health dental hygiene. ([NRS 631.190](#), [631.287](#))

1. A special endorsement of a license that allows a dental hygienist to practice public health dental hygiene issued by the Board may be renewed biennially in accordance with [NRS 631.287](#).

2. A dental hygienist may apply to renew the special endorsement upon the renewal of his or her license by submitting a report summarizing the services performed by the dental hygienist under the authority of the special endorsement during the immediately preceding biennium.

(Added to NAC by Bd. of Dental Exam'rs by R231-03, eff. 5-25-2004; A by R020-14, 6-23-2014)

NAC 631.150 Filing of addresses of licensee; notice of change; display of license. ([NRS 631.190](#), [631.350](#))

1. Each licensee shall file with the Board the addresses of his or her permanent residence and the office or offices where he or she conducts his or her practice, including, without limitation, any electronic mail address for that practice.

2. Within 30 days after any change occurs in any of these addresses, the licensee shall give the Board a written notice of the change. The Board will impose a fine of \$50 if a licensee does not report such a change within 30 days after it occurs.

3. The licensee shall display his or her license and any permit issued by the Board, or a copy thereof, at each place where he or she practices.

[Bd. of Dental Exam'rs, § XVI, eff. 7-21-82] — (NAC A 9-6-96; R066-11, 2-15-2012; R119-15, 6-28-2016)

NAC 631.155 Licensee to notify Board of certain events. ([NRS 631.190](#)) Each licensee shall, within 30 days after the occurrence of the event, notify the Board in writing by certified mail of:

1. The death of a patient during the performance of any dental procedure;
2. Any unusual incident occurring in his or her dental practice which results in permanent physical or mental injury to a patient or requires the hospitalization of a patient;
3. The suspension or revocation of his or her license to practice dentistry or the imposition of a fine or other disciplinary action against him or her by any agency of another state authorized to regulate the practice of dentistry in that state;
4. The conviction of any felony or misdemeanor involving moral turpitude or which relates to the practice of dentistry in this State or the conviction of any violation of [chapter 631](#) of NRS;

~~or~~

5. *The filing and service upon him or her of any claim or complaint of malpractice; or*
~~5.6.~~ Being held civilly or criminally liable in this State, another state or territory of the United States or the District of Columbia for misconduct relating to his or her occupation or profession.

(Added to NAC by Bd. of Dental Exam'rs, eff. 9-16-85; A by R143-17, 5-16-2018)

NAC 631.160 Voluntary surrender of license. ([NRS 631.190](#))

1. If a licensee desires voluntarily to surrender his or her license, he or she may submit to the Board a sworn written surrender of the license accompanied by delivery to the Board of the certificate of registration previously issued to him or her. The Board may accept or reject the surrender of the license. If the Board accepts the surrender of the license, the surrender is absolute and irrevocable. The Board will notify any agency or person of the surrender as it deems appropriate.

2. The voluntary surrender of a license does not preclude the Board from hearing a complaint for disciplinary action filed against the licensee.

3. If, following a voluntary surrender of license pursuant to this section, the former licensee wishes to again practice in Nevada, he or she must re-apply for a license pursuant to this chapter and NRS 631, and must meet all criteria required for licensure as of the date of his or her reapplication.

4. If a licensee voluntarily surrenders his or her license with discipline or during a pending investigation, the Board may require the dentist or hygienist to complete any terms of discipline or corrective action not completed as a result of the surrender, and/or may require additional terms as a condition of licensure as deemed necessary and appropriate by the Board.

[Bd. of Dental Exam'rs, § XX, eff. 7-21-82]

NAC 631.170 Placement of license on inactive, retired or disabled status; reinstatement. ([NRS 631.190](#), [631.335](#))

1. A licensee may request the Board to place his or her license in an inactive or retired status. Such a request must be made in writing and before the license expires.

2. The Secretary-Treasurer may reinstate an inactive license upon the written request of an inactive licensee who has maintained an active license and practice outside this State during the time his or her Nevada license was inactive. To reinstate the license, such an inactive licensee must:

- (a) Pay the appropriate renewal fees;
- (b) Provide a list of his or her employment during the time the license was inactive;
- (c) Report all claims of unprofessional conduct or professional incompetence against him or her or any violation of the law which he or she may have committed, including administrative disciplinary charges brought by any other jurisdiction;
- (d) Report whether he or she has been held civilly or criminally liable in this State, another state or territory of the United States or the District of Columbia for misconduct relating to his or her occupation or profession;
- (e) Report any appearance he or she may have made before a peer review committee;
- (f) Submit proof of his or her completion of an amount of continuing education, prorated as necessary, for the year in which the license is restored to active status;
- (g) Provide certification from each jurisdiction in which he or she currently practices that his or her license is in good standing and that no proceedings which may affect that standing are pending;

- (h) Satisfy the Secretary-Treasurer that he or she is of good moral character; and
- (i) Provide any other information which the Secretary-Treasurer may require,
 ➤ before the license may be reinstated. In determining whether the licensee is of good moral character, the Secretary-Treasurer may consider whether the license to practice dentistry in another state has been suspended or revoked or whether the licensee is currently involved in any disciplinary action concerning the license in that state.

3. If a person whose license has been on inactive status for less than 2 years has not maintained an active license or practice outside this State, or if a person's license has been on retired status for less than 2 years, he or she must submit to the Board:

- (a) Payment of the appropriate renewal fees;
- (b) A written petition for reinstatement that has been signed and notarized;
- (c) Proof of his or her completion of an amount of continuing education, prorated as necessary, for the year in which the license is restored to active status; and
- (d) A list of his or her employment, if any, during the time the license was on inactive or retired status,
 ➤ before the license may be reinstated.

4. If a person whose license has been on inactive status for 2 years or more has not maintained an active license or practice outside this State, or if a person's license has been on retired status for 2 years or more, he or she must:

- (a) Satisfy the requirements set forth in paragraphs (a) to (d), inclusive, of subsection 3; and
- (b) Pass such additional examinations for licensure as the Board may prescribe,
 ➤ before the license may be reinstated.

5. If the license of a person has been placed on disabled status, the person must:

- (a) Satisfy the requirements of paragraphs (a), (b) and (c) of subsection 3;
- (b) Submit to the Board a list of his or her employment, if any, during the time the license was on disabled status;
- (c) Pass such additional examinations for licensure as the Board may prescribe; and
- (d) Submit to the Board a statement signed by a licensed physician setting forth that the person is able, mentally and physically, to practice dentistry,
 ➔ before the license may be reinstated.

6. For purposes of the requirement for an examination as the Board may prescribe following two years of inactivity, "inactive" as used in subsections 3 and 4 of this section may refer to voluntary placement of a license on inactive status or to inactivity due to voluntary surrender of a license, and/or suspension or revocation of a license or other order by the Board of this State, another state or territory of the United States or the District of Columbia.

[Bd. of Dental Exam'rs, § XV, eff. 7-21-82] — (NAC A 4-3-89; 11-28-90; 9-6-96; R004-99, 4-3-2000; R143-17, 5-16-2018)

NAC 631.173 Continuing education: Required hours; types of courses and activities; approval of provider or instructor. (NRS 631.190, 631.342, SB366 (2019))

1. Each dentist licensed to practice in this State must annually complete at least 20 hours of instruction in approved courses of continuing education or biennially complete at least 40 hours of instruction in approved courses of continuing education, as applicable, based on the renewal period set forth in [NRS 631.330](#) for the type of license held by the dentist. Hours of instruction may not be transferred or carried over from one licensing period to another.

2. Each dental hygienist licensed to practice in this State must annually complete at least 15 hours of instruction in approved courses of continuing education or biennially complete at least 30 hours of instruction in approved courses of continuing education, as applicable, based on the renewal period set forth in [NRS 631.330](#) for the type of license held by the dental hygienist. Hours of instruction may not be transferred or carried over from one licensing period to another.

3. Each dental therapist licensed to practice in this State must annually complete at least 18 hours of instruction in approved courses of continuing education or biennially complete at least 40 hours of instruction in approved courses of continuing education, as applicable, based on the renewal period set forth in [NRS 631.330](#) for the type of license held by the dental therapist. Hours of instruction may not be transferred or carried over from one licensing period to another.

4. In addition to the hours of instruction prescribed in subsections 1 and 2, each dentist, *dental therapist* and dental hygienist must maintain current certification in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life. Any course taken pursuant to this subsection must be taught by a certified instructor.

~~4.~~ 5. Any provider of or instructor for a course in continuing education relating to the practice of dentistry, *dental therapy* or dental hygiene which meets the requirements of this section must be approved by the Board, unless the course is for training in cardiopulmonary resuscitation or is approved by:

- (a) The American Dental Association or the societies which are a part of it;
- (b) The American Dental Hygienists' Association or the societies which are a part of it;
- (c) The Academy of General Dentistry;
- (d) Any nationally recognized association of dental or medical specialists;
- (e) Any university, college or community college, whether located in or out of Nevada; or

(f) Any hospital accredited by The Joint Commission.

~~5-6~~. To be approved as a provider of a course in continuing education, the instructor of the course must complete a form provided by the Board and submit it to the Board for review by a committee appointed by the Board not later than 45 days before the beginning date of the course. Upon receipt of the form, the committee shall, within 10 days after receiving the form, approve or disapprove the application and inform the applicant of its decision.

~~6~~. **7**. Study by group may be approved for continuing education if the organizer of the group complies with the requirements of subsection ~~5~~ **6** and furnishes the Board with a complete list of all members of the group, a synopsis of the subject to be studied, the time, place and duration of the meetings of the group, and the method by which attendance is recorded and authenticated.

~~7~~. **8**. Credit may be allowed for attendance at a meeting or a convention of a dental and dental hygiene society.

~~8~~. **9**. Credit may be allowed for courses completed via home study, on-line study, self-study or journal study which are taught through correspondence, webinar, compact disc or digital video disc.

~~9~~. **10**. Credit may be allowed for dental and dental hygiene services provided on a voluntary basis to nonprofit agencies and organizations approved by the Board.

(Added to NAC by Bd. of Dental Exam'rs, eff. 9-16-85; A 12-15-87; 9-6-96; R231-03, 5-25-2004; R063-05, 12-29-2005; R159-08, 4-23-2009; R020-14, 6-23-2014)

NAC 631.175 Continuing education: Approved subjects; minimum requirements for clinical subjects; minimum requirements for dentists registered to dispense controlled substances; maximum credit for certain types of courses and activities. ([NRS 631.190](#), [631.342](#), [631.344](#))

1. Approved subjects for continuing education in dentistry, *dental therapy* and dental hygiene are:

(a) Clinical subjects, including, without limitation:

- (1) Dental and medical health;
- (2) Preventive services;
- (3) Dental diagnosis and treatment planning; and
- (4) Dental clinical procedures, including corrective and restorative oral health procedures and basic dental sciences, dental research and new concepts in dentistry; and

(b) Nonclinical subjects, including, without limitation:

- (1) Dental practice organization and management;
- (2) Patient management skills;
- (3) Methods of health care delivery; and
- (4) Teaching methodology.

2. In completing the hours of continuing education required pursuant to [NAC 631.173](#), a dentist must annually complete at least 15 hours in clinical subjects approved pursuant to subsection 1 or biennially complete at least 30 hours in clinical subjects approved pursuant to subsection 1, as applicable, based on the renewal period set forth in [NRS 631.330](#) for the type of license held by the dentist.

3. In completing the hours of continuing education required pursuant to [NAC 631.173](#), a dental therapist must annually complete at least 15 hours in clinical subjects approved pursuant to subsection 1 or biennially complete at least 30 hours in clinical subjects approved pursuant to subsection 1, as applicable, based on the renewal period set forth in [NRS 631.330](#) for the type of license held by the dental therapist.

~~3-~~ 4. In completing the hours of continuing education required pursuant to [NAC 631.173](#), a dental hygienist must annually complete at least 12 hours in clinical subjects approved pursuant to subsection 1 or biennially complete at least 24 hours in clinical subjects approved pursuant to subsection 1, as applicable, based on the renewal period set forth in [NRS 631.330](#) for the type of license held by the dental hygienist.

~~4-~~ 5. In completing the hours of continuing education required pursuant to [NAC 631.173](#), a dentist, *dental therapist* or dental hygienist must annually complete at least 2 hours in the clinical subject of infection control in accordance with the provisions of the guidelines adopted by reference in [NAC 631.178](#) or biennially complete at least 4 hours in the clinical subject of infection control in accordance with the provisions of the guidelines adopted by reference in [NAC 631.178](#), as applicable, based on the renewal period set forth in [NRS 631.330](#) for the type of license held by the dentist, *dental therapist* or dental hygienist.

~~5-~~ 6. In completing the hours of continuing education required pursuant to [NAC 631.173](#), a dentist who is registered to dispense controlled substances pursuant to [NRS 453.231](#) must complete at least 2 hours of training relating specifically to the misuse and abuse of controlled substances, the prescribing of opioids or addiction during each period of licensure.

~~6-~~ 7. The Board will credit, as a maximum in any one year of an annual or biennial licensing period, the following number of hours of instruction for the following types of courses or activities:

- (a) For approved study by a group, 3 hours.
- (b) For attendance at a meeting or convention of a dental, *dental therapy* or dental hygiene society, 1 hour for each meeting, but not more than 3 hours, exclusive of hours of continuing education offered in conjunction with the meeting.
- (c) For courses completed via home study, on-line study, self-study or journal study through correspondence, webinar, compact disc or digital video disc, not more than 50 percent of the number of hours of continuing education required by subsection 1 or 2 of [NAC 631.173](#), as applicable.
- (d) For all other courses conducted by an approved instructor, the number of hours completed by the dentist or dental hygienist.
- (e) For approved dental, *dental therapy* or dental hygiene services provided in approved nonprofit settings, 6 hours, except that not more than 3 hours will be allowed for any day of volunteer services provided.

(Added to NAC by Bd. of Dental Exam'rs, eff. 9-16-85; A 12-15-87; 4-3-89; 9-6-96; R231-03, 5-25-2004; R063-05, 12-29-2005; R149-06, 9-18-2006; R159-08, 4-23-2009; R201-09, 8-13-2010; R020-14, 6-23-2014; R044-17, 5-16-2018)

NAC 631.177 Continuing education: Renewal or reinstatement of license; records; unprofessional conduct; audits. ([NRS 631.190](#), [631.330](#), [631.335](#), [631.342](#), [SB 366 \(2019\)](#))

1. When requesting a renewal or reinstatement of his or her license, each:

(a) Dentist shall submit a signed, written statement in substantially the following language for each year since his or her last renewal:

I,, hereby certify to the Board of Dental Examiners of Nevada that I have obtained at least 20 approved hours of instruction in continuing education during the period July 1,, through and including June 30, I also certify to the Board of Dental Examiners of Nevada that I am currently certified in administering cardiopulmonary

resuscitation or another medically acceptable means of maintaining basic bodily functions which support life.

Dated this (day) of (month) of (year)

.....
Signature of Dentist

(b) Dental hygienist shall submit a signed, written statement in substantially the following language for each year since his or her last renewal:

I,, hereby certify to the Board of Dental Examiners of Nevada that I have obtained at least 15 approved hours of instruction in continuing education during the period July 1,, through and including June 30, I also certify to the Board of Dental Examiners of Nevada that I am currently certified in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life.

Dated this (day) of (month) of (year)

.....
Signature of Dental Hygienist

(c) *Dental therapist shall submit a signed, written statement in substantially the following language for each year since his or her last renewal:*

I,, hereby certify to the Board of Dental Examiners of Nevada that I have obtained at least 18 approved hours of instruction in continuing education during the period July 1,, through and including June 30, I also certify to the Board of Dental Examiners of Nevada that I am currently certified in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life.

Dated this (day) of (month) of (year)

.....
Signature of Dental Therapist

(d) Dentist, *dental therapist* or dental hygienist shall submit proof of his or her current certification in administering cardiopulmonary resuscitation or other medically acceptable means of maintaining basic bodily functions which support life.

2. Legible copies of all receipts, records of attendance, certificates and other evidence of attendance by a dentist, *dental therapist* or dental hygienist at an approved course in continuing education must be retained by the dentist, *dental therapist* or dental hygienist and made available to the Board for inspection or copying for 3 years after attendance at the course is submitted to meet the continuing education requirements of the Board. Proof of attendance and completion of the required credit hours of instruction must be complete enough to enable the Board to verify the attendance and completion of the course by the dentist, *dental therapist* or dental hygienist and must include at least the following information:

- (a) The name and location of the course;
- (b) The date of attendance;
- (c) The name, address and telephone number of its instructor;
- (d) A synopsis of its contents; and
- (e) For courses designed for home study, the number assigned to the provider by the Board at the time the course was approved and the name, address and telephone number of the producer or author of the course.

3. The ~~third~~ *second* or subsequent failure of a dentist, *dental therapist* ~~and or~~ dental hygienist to obtain or file proof of completion of the credit hours of instruction required by this section and [NAC 631.173](#) and [631.175](#) is unprofessional conduct.

4. The Board will conduct random *initial* audits of dentists, *dental therapists*, or dental hygienists, *and additional follow-up audits as necessary* to ensure compliance with the requirements of this section and [NAC 631.173](#) and [631.175](#).

(Added to NAC by Bd. of Dental Exam'rs, eff. 9-16-85; A 12-15-87; 4-3-89; 9-6-96; R231-03, 5-25-2004; R159-08, 4-23-2009)

NAC 631.178 Adoption by reference of certain guidelines; compliance with guidelines required. (NRS 631.190)

1. Each person who is licensed pursuant to the provisions of [chapter 631](#) of NRS shall comply with:

(a) The provisions of the *Guidelines for Infection Control in Dental Health-Care Settings-2003* adopted by the Centers for Disease Control and Prevention which is hereby adopted by reference. The publication is available, free of charge, from the Centers for Disease Control and Prevention at the Internet address <http://www.cdc.gov/mmwr/preview/mmwrhtml/rr5217a1.htm>; and

(b) As applicable to the practice of dentistry, the provisions of the *Guideline for Disinfection and Sterilization in Healthcare Facilities, 2008*, adopted by the Centers for Disease Control and Prevention which is hereby adopted by reference. The publication is available, free of charge, from the Centers for Disease Control and Prevention at the Internet address http://www.cdc.gov/ncidod/dhqp/pdf/guidelines/Disinfection_Nov_2008.pdf.

2. The Board will periodically review the guidelines adopted by reference in this section and determine within 30 days after the review whether any change made to the guidelines is appropriate for application in this State. If the Board does not disapprove a change to the guidelines within 30 days after the review, the change is deemed to be approved by the Board.

(Added to NAC by Bd. of Dental Exam'rs, eff. 9-6-96; A by R025-05, 11-17-2005; R201-09, 8-13-2010)

NAC 631.1785 Inspection of office or facility. (NRS 631.190, 631.363)

1. Not later than 30 days after a licensed dentist becomes the owner of an office or facility in this State where dental treatments are to be performed, other than a medical facility as defined in [NRS 449.0151](#), the licensed dentist must request in writing that the Board conduct an initial inspection of the office or facility to ensure compliance with the guidelines adopted by reference in [NAC 631.178](#).

2. Not later than 90 days after receiving a written request pursuant to subsection 1:

- (a) The Executive Director shall assign agents of the Board to conduct the inspection; and
- (b) The agents shall conduct the inspection.

3. Not later than 30 days after agents of the Board have completed the initial inspection of an office or facility pursuant to subsection 2, the agents shall issue a report to the Executive Director indicating whether the office or facility is equipped in compliance with the guidelines adopted by reference in [NAC 631.178](#). If the report indicates that the office or facility:

(a) Is equipped in compliance with the guidelines adopted by reference in [NAC 631.178](#), the Executive Director shall, without any further action by the Board, issue a written notice of the agents' findings to the licensed dentist who owns the office or facility.

(b) Is not equipped in compliance with the guidelines adopted by reference in [NAC 631.178](#), the Executive Director shall, without any further action by the Board, issue a written notice which identifies critical deficiencies to the licensed dentist who owns the office or facility.

4. Not later than 72 hours after issuing a written notice of deficiencies pursuant to paragraph (b) of subsection 3:

(a) The Executive Director shall assign agents of the Board to conduct a reinspection of the office or facility to determine if the licensed dentist and the personnel supervised by the dentist have taken corrective measures; and

(b) The agents assigned pursuant to paragraph (a) shall conduct the reinspection and issue a report to the Executive Director indicating whether the licensed dentist and the personnel supervised by the dentist are in compliance with the guidelines adopted by reference in [NAC 631.178](#). If the report indicates that the licensed dentist and the personnel supervised by the dentist:

(1) Are in compliance with the guidelines adopted by reference in [NAC 631.178](#), the Executive Director shall, without any further action by the Board, issue a written notice of the agents' findings to the licensed dentist who owns the office or facility.

(2) Are not in compliance with the guidelines adopted by reference in [NAC 631.178](#), the Executive Director may, without any further action by the Board, issue an order to the licensed dentist who owns the office or facility and all other licensees employed at the office or facility that any or all of those licensees or personnel must immediately cease and desist from performing dental treatments and that some or all dental treatments must cease to be performed at the office or facility until a hearing is held before the Board. The hearing before the Board must be convened not later than 30 days after the Executive Director issues the order to cease and desist.

5. Not later than 72 hours after receiving material evidencing critical deficiencies by a licensed dentist who owns an office or facility in this State where dental treatments are to be performed, other than a medical facility as defined in [NRS 449.0151](#), the Executive Director may assign agents of the Board to conduct an inspection of an office or facility to ensure that the licensed dentist and the personnel supervised by the dentist are in compliance with the guidelines adopted by reference in [NAC 631.178](#). An inspection conducted pursuant to this subsection may be conducted during normal business hours with notice to the licensed dentist who owns the office or facility.

6. Not later than 3 days after a dentist receives a written notice pursuant to subsection 5:

(a) The Executive Director shall assign agents of the Board to conduct the inspection; and

(b) The agents shall conduct the inspection.

7. Not later than 72 hours after agents of the Board have completed the inspection of an office or facility pursuant to subsection 6, the agents shall issue a report to the Executive Director indicating whether the office or facility is equipped in compliance with the guidelines adopted by reference in [NAC 631.178](#). If the report indicates that the office or facility:

(a) Is equipped in compliance with the guidelines adopted by reference in [NAC 631.178](#), the Executive Director shall, without any further action by the Board, issue a written notice of the agents' findings to the licensed dentist who owns the office or facility.

(b) Is not equipped in compliance with the guidelines adopted by reference in [NAC 631.178](#), the Executive Director shall, without any further action by the Board, issue a written notice which identifies all critical deficiencies to the licensed dentist who owns the office or facility.

8. Not later than 72 hours after issuing a written notice of deficiencies pursuant to paragraph (b) of subsection 7:

(a) The Executive Director shall assign agents of the Board to conduct a reinspection of the office or facility to determine if the licensed dentist and the personnel supervised by the dentist have taken corrective measures; and

(b) The agents assigned pursuant to paragraph (a) shall conduct the reinspection and issue a report to the Executive Director indicating whether the licensed dentist and the personnel supervised by the dentist are in compliance with the guidelines adopted by reference in [NAC 631.178](#). If the report indicates that the licensed dentist and the personnel supervised by the dentist:

(1) Are in compliance with the guidelines adopted by reference in [NAC 631.178](#), the Executive Director shall, without any further action by the Board, issue a written notice of the agents' findings to the licensed dentist who owns the office or facility.

(2) Are not in compliance with the guidelines adopted by reference in [NAC 631.178](#), the Executive Director may, without any further action by the Board, issue an order to the licensed dentist who owns the office or facility and all other licensees employed at the office or facility that any or all of those licensees or personnel must immediately cease and desist from performing dental treatments and that some or all dental treatments must cease to be performed at the office or facility until a hearing is held before the Board. The hearing before the Board must be convened not later than 30 days after the Executive Director issues the order to cease and desist.

9. Pursuant to subsection 3 of [NRS 233B.127](#), if an initial inspection of an office or facility conducted pursuant to this section indicates that the public health, safety or welfare imperatively requires emergency action, the President of the Board may, without any further action by the Board, issue an order of summary suspension of the license of the licensed dentist who owns the office or facility and the licenses of any or all of the other licensees employed at the office or facility pending proceedings for revocation or other action. An order of summary suspension issued by the President of the Board must contain findings of the exigent circumstances which warrant the issuance of the order of summary suspension. The President of the Board shall not participate in any further proceedings relating to the order.

(Added to NAC by Bd. of Dental Exam'rs by R201-09, eff. 8-13-2010; A by R020-14, 6-23-2014; R119-15, 6-28-2016)

NAC 631.179 Random inspection of office or facility; subsequent action by Executive Director. ([NRS 631.190](#), [631.363](#))

1. The Executive Director may assign agents of the Board to conduct a random inspection of an office or facility in this State where dental treatments are to be performed to ensure that the licensed dentist and the personnel supervised by the dentist are in compliance with the guidelines adopted by reference in [NAC 631.178](#). Random inspections conducted pursuant to this subsection may be conducted during normal business hours without notice to the licensed dentist who owns the office or facility to be inspected.

2. Not later than 30 days after agents of the Board have completed a random inspection of an office or facility in this State where dental treatments are to be performed to ensure compliance with the guidelines adopted by reference in [NAC 631.178](#), the agents shall issue a report to the Executive Director indicating whether the licensed dentist and the personnel supervised by the dentist are in compliance with the guidelines adopted by reference in [NAC 631.178](#). If the report indicates that the licensed dentist and the personnel supervised by the dentist:

(a) Are in compliance with the guidelines adopted by reference in [NAC 631.178](#), the Executive Director shall, without any further action by the Board, issue a written notice of the agents' findings to the licensed dentist who owns the office or facility.

(b) Are not in compliance with the guidelines adopted by reference in [NAC 631.178](#), the Executive Director shall, without any further action by the Board, issue a written notice which identifies deficiencies to the licensed dentist who owns the office or facility.

3. Not later than 72 hours after a licensed dentist receives a written notice of deficiencies issued pursuant to paragraph (b) of subsection 2:

(a) The Executive Director shall assign agents of the Board to conduct a reinspection of the office or facility to determine if the licensed dentist and the personnel supervised by the dentist have taken corrective measures; and

(b) The agents assigned pursuant to paragraph (a) shall conduct the reinspection and issue a report to the Executive Director indicating whether the licensed dentist and the personnel supervised by the dentist are in compliance with the guidelines adopted by reference in [NAC 631.178](#). If the report indicates that the licensed dentist and the personnel supervised by the dentist:

(1) Are in compliance with the guidelines adopted by reference in [NAC 631.178](#), the Executive Director shall, without any further action by the Board, issue a written notice of the agents' findings to the licensed dentist who owns the office or facility.

(2) Are not in compliance with the guidelines adopted by reference in [NAC 631.178](#), the Executive Director may, without any further action by the Board, issue an order to the licensed dentist who owns the office or facility and all other licensees employed at the office or facility that any or all of those licensees or personnel must immediately cease and desist from performing dental treatments and that some or all dental treatments must cease to be performed at the office or facility until a hearing is held before the Board. The hearing before the Board must be convened not later than 30 days after the Executive Director issues the order to cease and desist.

4. Pursuant to subsection 3 of [NRS 233B.127](#), if a random inspection of an office or facility conducted pursuant to this section indicates that the public health, safety or welfare imperatively requires emergency action, the President of the Board may, without any further action by the Board, issue an order of summary suspension of the license of the licensed dentist who owns the office or facility and the licenses of any or all of the other licensees employed at the office or facility pending proceedings for revocation or other action. An order for summary suspension issued by the President of the Board must contain findings of the exigent circumstances which warrant the issuance of the order for summary suspension. The President of the Board shall not participate in any further proceedings relating to the order.

(Added to NAC by Bd. of Dental Exam'rs by R201-09, eff. 8-13-2010)

NAC 631.1795 Provisions governing inspections do not preclude Board from initiating disciplinary proceedings. ([NRS 631.190](#)) Nothing in [NAC 631.1785](#) and [631.179](#) prevents the

Board from initiating disciplinary proceedings or additional disciplinary proceedings against a licensed dentist who owns an office or facility in this State where dental treatments are to be performed or against other licensees or personnel of the office or facility for failure to comply with the guidelines adopted by reference in [NAC 631.178](#).

(Added to NAC by Bd. of Dental Exam'rs by R201-09, eff. 8-13-2010)

NAC 631.190 Specialties. ([NRS 631.190](#), [631.250](#), [631.255](#)) The only specialties for which the Board will issue licenses are:

1. Oral and maxillofacial pathology;
2. Oral and maxillofacial surgery;
3. Orthodontia;
4. Periodontia;
5. Prosthodontia;
6. Pediatric dentistry;
7. Endodontia;
8. Public health; ~~and~~
9. Oral and maxillofacial radiology;
10. *Dental Anesthesiology;*
11. *Oral Medicine; and*
12. *Orofacial Pain.*

[Bd. of Dental Exam'rs, § XXI, eff. 7-21-82] — (NAC A 10-7-85; R158-08, 12-17-2008)

NAC 631.200 Delegation of duty to supervise dental hygienists and dental assistants. ([NRS 631.190](#), [631.313](#)) The supervisory duties prescribed in [NRS 631.313](#) may be delegated by one licensed dentist to another.

[Bd. of Dental Exam'rs, § XXIV, eff. 7-21-82] — (NAC A 12-15-87)

NAC 631.210 Dental hygienists: Authorization to perform certain services; referral of patient to authorizing dentist for certain purposes. ([NRS 631.190](#), [631.310](#), [631.313](#), [631.317](#))

1. A dentist who is licensed in this State may authorize a dental hygienist in his or her employ and under his or her supervision to:

- (a) Place and secure orthodontic ligatures.
- (b) Fabricate and place temporary crowns and bridges.
- (c) Fit orthodontic bands and prepare teeth for orthodontic bands if the bands are cemented or bonded, or both, into the patient's mouth by the dentist who authorized the dental hygienist to perform this procedure.
- (d) Perform nonsurgical cytologic testing.
- (e) Apply and activate agents for bleaching teeth with a light source.
- (f) Use a laser that has been cleared by the Food and Drug Administration to perform intrasulcular periodontal procedures or tooth whitening procedures if:
 - (1) The use of such a laser for those purposes is within the scope of the education, experience and training of the dental hygienist;
 - (2) Before operating the laser, the dental hygienist has provided proof to the supervising dentist that the dental hygienist has successfully completed a course in laser proficiency that:
 - (I) Is at least 6 hours in length; and

(II) Is based on the *Curriculum Guidelines and Standards for Dental Laser Education*, adopted by reference pursuant to [NAC 631.035](#); and

(3) The supervising dentist has successfully completed a course in laser proficiency that:

(I) Is at least 6 hours in length; and

(II) Is based on the *Curriculum Guidelines and Standards for Dental Laser Education*, adopted by reference pursuant to [NAC 631.035](#).

↪ The dental hygienist must obtain authorization from the licensed dentist of the patient on whom the services authorized pursuant to this subsection are to be performed.

4. If a dentist who is licensed in this State has in his or her employ and under his or her supervision a dental hygienist who has:

(a) Successfully completed a course of continuing education in the administering of local anesthetics or nitrous oxide-oxygen analgesia, or both, which has been approved by the Board; or

(b) Graduated from an accredited program of dental hygiene which includes the administering of local anesthetics or nitrous oxide-oxygen analgesia, or both, in its curriculum,

↪ the dentist may authorize the dental hygienist to administer local anesthetics or nitrous oxide-oxygen analgesia, or both, as appropriate, if the dental hygienist has received from the Board a certificate or permit certifying the hygienist for this level of administration. The dental hygienist must obtain the authorization from the licensed dentist of the patient on whom the services are to be performed.

5. A dental hygienist in a health care facility may administer local intraoral chemotherapeutic agents and, if he or she has complied with paragraph (a) or (b) of subsection 4, may administer local anesthetics or nitrous oxide-oxygen analgesia, or both, as appropriate, if he or she first:

(a) Obtains written authorization from the licensed dentist of the patient to whom the local anesthetics, nitrous oxide-oxygen analgesia or local intraoral chemotherapeutic agents are to be administered; and

(b) Submits to the Secretary-Treasurer a written confirmation from the director of the health care facility that the facility has licensed medical personnel and necessary emergency supplies and equipment that will be available when the local anesthetics, nitrous oxide-oxygen analgesia or local intraoral chemotherapeutic agents are administered.

6. The Board may authorize a dental hygienist to perform the services set forth in subsection 1 and paragraphs (a) to (n), inclusive, of subsection 2 without supervision by a dentist and without authorization from the licensed dentist of the patient on whom the services are to be performed, at a health facility, a school or a place in this State approved by the Board after the Board:

(a) Issues a special endorsement of the dental hygienist's license.

(b) Approves the treatment protocol submitted by the dental hygienist which includes an explanation of the methods that the dental hygienist will use to:

(1) Treat patients; and

(2) Refer patients to a dentist for:

(I) Follow-up care;

(II) Diagnostic services; and

(III) Any service that the dental hygienist is not authorized to perform.

7. The Board may revoke the authorization described in subsection 6 if the:

(a) Dental hygienist fails to renew his or her license or it is cancelled, suspended or revoked;

(b) Board receives a complaint filed against the dental hygienist;

- (c) Dental hygienist commits an act which constitutes a cause for disciplinary action; or
- (d) Dental hygienist violates any provision of this chapter or [chapter 631](#) of NRS.

↪ Nothing in this subsection prohibits a dental hygienist from reapplying for authorization to perform the services described in subsection 6 if the Board revokes the authorization pursuant to this subsection.

8. As used in this section:

- (a) “Health care facility” has the meaning ascribed to it in [NRS 162A.740](#).
- (b) “Health facility” has the meaning ascribed to it in subsection 6 of [NRS 449.260](#).
- (c) “School” means an elementary, secondary or postsecondary educational facility, public or private, in this State.

[Bd. of Dental Exam’rs, § XXIII, eff. 7-21-82] — (NAC A 7-30-84; 4-3-89; 3-11-96; R154-97, 1-14-98; R217-99, 4-3-2000; R231-03, 5-25-2004; R139-05, 12-29-2005; R066-11, 2-15-2012; R119-15, 6-28-2016)

NAC 631.220 Dental assistants: Authorization to perform certain services; supervision by dental hygienist for certain purposes. ([NRS 631.190](#), [631.313](#), [631.317](#))

1. A dentist who is licensed in the State of Nevada may authorize a dental assistant in his or her employ and under his or her supervision to perform the following procedures before the patient is examined by the dentist:

- (a) Expose radiographs; and
- (b) Take impressions for the preparation of diagnostic models.

2. A dentist who is licensed in the State of Nevada may authorize a dental assistant in his or her employ and under his or her supervision only to do one or more of the following procedures after the patient has been examined by the dentist:

- (a) Retract a patient’s cheek, tongue or other tissue during a dental operation.
- (b) Remove the debris that normally accumulates during or after a cleaning or operation by the dentist by using mouthwash, water, compressed air or suction.
- (c) Place or remove a rubber dam and accessories used for its placement.
- (d) Place and secure an orthodontic ligature.
- (e) Remove sutures.
- (f) Place and remove a periodontal pack.
- (g) Remove excess cement from cemented restorations and orthodontic appliances. A dental assistant may not use a rotary cutting instrument to remove excess cement from restorations or orthodontic appliances.
- (h) Administer a topical anesthetic in any form except aerosol.
- (i) Train and instruct persons in the techniques of oral hygiene and preventive procedures.
- (j) Take the following types of impressions:
 - (1) Those used for the preparation of counter or opposing models;
 - (2) Those used for the fabrication of temporary crowns or bridges; and
 - (3) Those used for the fabrication of temporary removable appliances, provided no missing teeth are replaced by those appliances.
- (k) Fabricate and place temporary crowns and bridges. This procedure must be checked and approved by the supervising dentist before dismissal of the patient from the office of the dentist.
- (l) Retract gingival tissue if the retraction cord contains no medicaments that have potential systemic side effects.
- (m) Remove soft plaque and stain from exposed tooth surfaces, utilizing an appropriate rotary instrument with a rubber cup or brush and a suitable polishing agent. A licensed dentist or

dental hygienist shall determine that the teeth to be polished are free of calculus or other extraneous material.

(n) Administer a topical fluoride.

(o) Apply pit and fissure sealant to the dentition for the prevention of decay. This procedure must be checked and approved by the supervising dentist before dismissal of the patient from the office of the dentist.

(p) Fit orthodontic bands and prepare teeth for orthodontic bands if the bands are cemented or bonded, or both, into the patient's mouth by the dentist who authorized the dental assistant to perform this procedure.

3. A dentist who is licensed in the State of Nevada may authorize a dental hygienist to supervise a dental assistant in the assistance of the hygienist's performance of one or more of the following:

(a) Retract a patient's cheek, tongue or other tissue during a dental operation.

(b) Remove the debris that normally accumulates during or after a cleaning or operation by the dental hygienist by using mouthwash, water, compressed air or suction.

(c) Train and instruct persons in the techniques of oral hygiene and preventive procedures.

(d) Remove soft plaque and stain from exposed tooth surfaces, utilizing an appropriate rotary instrument with a rubber cup or brush and a suitable polishing agent. A licensed dentist or dental hygienist shall determine that the teeth to be polished are free of calculus or other extraneous material.

(e) Administer a topical fluoride.

4. A dental hygienist, who is authorized by the Board to perform the services described in subsection 6 of [NAC 631.210](#), may authorize a dental assistant under his or her supervision to assist the hygienist in the performance of the services described in paragraphs (a) to (e), inclusive, of subsection 3.

[Bd. of Dental Exam'rs, § XXII, eff. 7-21-82] — (NAC A 10-21-83; 10-7-85; 4-3-89; 3-11-96; R051-04, 8-25-2004; R119-15, 6-28-2016)

Agenda Item 4(b)(3):

**Previously drafted amendments to Anesthesia regulations
(NAC 631.2227 and NAC 631.2231)**

NEVADA STATE BOARD of DENTAL EXAMINERS



PUBLIC WORKSHOP : PROPOSED
REGULATION CHANGES

SEPTEMBER 14, 2018

9:00 A.M.

PUBLIC BOOK

History of Draft Proposed Regulations NAC 631.2227 and NAC 631.2231

History of Draft Proposed Regulation Changes Anesthesia NAC 631.2227 and NAC 631.2231

08/06/2014: First Draft of Proposed Regulations

NAC 631.2227 Inspections and evaluations: Physical facilities and equipment. ([NRS 631.190](#), [631.265](#)) A dentist's office inspected or evaluated for the issuance or renewal of a general anesthesia permit, ~~conscious sedation permit~~ *deep sedation, minimal or moderate sedation permit* or certificate of site approval must meet the following minimum standards with regard to physical facilities and equipment:

1. The operating theater must be large enough to accommodate the patient adequately on a table or in a dental chair and to allow an operating team consisting of at least three persons to move freely about the patient.

2. The operating table or dental chair must:

(a) Allow the patient to be placed in a position such that the operating team can maintain the airway;

(b) Allow the operating team to alter the patient's position quickly in an emergency; and

(c) Provide a firm platform for the management of cardiopulmonary resuscitation.

3. The lighting system must be adequate to allow an evaluation of the patient's skin and mucosal color. An alternate lighting system must derive its power from batteries and must be sufficiently intense to allow completion of any procedure underway at the time of a general power failure.

4. Suction equipment must be available that allows aspiration of the oral and pharyngeal cavities. An alternate suction device that will function effectively during a general power failure must be available.

5. A system for delivering oxygen must have adequate full-face masks and appropriate connectors, and be capable of delivering oxygen to the patient under positive pressure. An adequate alternate system for delivering oxygen is also required.

6. A recovery area must be provided that has available oxygen, adequate lighting, suction and electrical outlets. The recovery area may be the operating theater. A member of the staff must be able to observe the patient at all times during the recovery.

7. Except as otherwise provided in this subsection, ancillary equipment must include:

(a) A laryngoscope complete with an adequate selection of blades and spare batteries and bulbs;

(b) Endotracheal tubes and appropriate connectors;

(c) Oral airways;

(d) A tonsillar or pharyngeal suction tip adaptable to all office suction outlets;

(e) An endotracheal tube type forcep;

(f) A sphygmomanometer and stethoscope;

(g) An electrocardioscope and defibrillator;

- (h) Adequate equipment for the establishment of an intravenous infusion; and
- (i) A pulse oximeter.

8. When administering anesthesia or sedation to pediatric patients the dentist's office must meet the following minimum standards with regard to physical facilities and equipment:

- (a) Pediatric Size Ambu Bag and Masks*
- (b) Pediatric BP Cuffs*
- (c) Laryngoscope with appropriate size blades*
- (d) Intubation tubes multiple sizes*
- (e) Aed with Peds paddles*
- (f) Braselow Tape*
- (g) Small Oral Air Ways*
- (h) Pediatric Bite Block*

➡ A dentist's office inspected or evaluated for the issuance or renewal of a ~~conscious sedation~~ *minimal or moderate sedation* permit is not required to have the ancillary equipment described in paragraphs (a), (b), (e) and (g)

NAC 631.2231 Inspections and evaluations: Emergency drugs. ([NRS 631.190](#), [631.265](#))
Except as otherwise provided in this section, a dentist's office inspected or evaluated for the issuance or renewal of a general anesthesia permit, ~~conscious sedation permit~~ *deep sedation, minimal or moderate sedation permit* or certificate of site approval must maintain emergency drugs of the following categories which must be immediately available for use on the patient:

1. Vasopressor;
2. Corticosteroid;
3. Bronchodilator;
4. Muscle relaxant;
5. Intravenous medication for the treatment of cardiopulmonary arrest;
6. Appropriate drug antagonist;
7. Antihistaminic;
8. Anticholinergic;
9. Antiarrhythmic;
10. Coronary artery vasodilator;
11. Anti-hypertensive; and
12. Anti-convulsive.

When administering anesthesia or sedation to pediatric patients the dentist's office must meet the following minimum standards with regard to pediatric emergency drugs:

- (a) Epi Pen Jr*
- (b) Adenosine*
- (c) Aminodarone*
- (d) Magnesium Sulfate*
- (e) Procainamide*

↪ A dentist's office that is inspected or evaluated for the issuance or renewal of a ~~conscious sedation~~ *minimal or moderate sedation* permit is not required to maintain the emergency drugs described in subsections 4, 5, 9 and 11.

07/29/2015: Revised Proposed Regulations

NAC 631.2227 Inspections and evaluations: Physical facilities and equipment. ([NRS 631.190](#), [631.265](#)) A dentist's office inspected or evaluated for the issuance or renewal of a general anesthesia permit, ~~conscious sedation permit~~ *deep sedation, minimal or moderate sedation permit* or certificate of site approval must meet the following minimum standards with regard to physical facilities and equipment:

1. The operating theater must be large enough to accommodate the patient adequately on a table or in a dental chair and to allow an operating team consisting of at least three persons to move freely about the patient.

2. The operating table or dental chair must:

(a) Allow the patient to be placed in a position such that the operating team can maintain the airway;

(b) Allow the operating team to alter the patient's position quickly in an emergency; and

(c) Provide a firm platform for the management of cardiopulmonary resuscitation.

3. The lighting system must be adequate to allow an evaluation of the patient's skin and mucosal color. An alternate lighting system must derive its power from batteries and must be sufficiently intense to allow completion of any procedure underway at the time of a general power failure.

4. Suction equipment must be available that allows aspiration of the oral and pharyngeal cavities. An alternate suction device that will function effectively during a general power failure must be available.

5. A system for delivering oxygen must have adequate full-face masks and appropriate connectors, and be capable of delivering oxygen to the patient under positive pressure. An adequate alternate system for delivering oxygen is also required.

6. A recovery area must be provided that has available oxygen, adequate lighting, suction and electrical outlets. The recovery area may be the operating theater. A member of the staff must be able to observe the patient at all times during the recovery.

7. Except as otherwise provided in this subsection, ancillary equipment must include:

(a) A laryngoscope complete with an adequate selection of blades and spare batteries and bulbs;

(b) Endotracheal tubes and appropriate connectors;

(c) Oral airways;

(d) A tonsillar or pharyngeal suction tip adaptable to all office suction outlets;

(e) An endotracheal tube type forcep;

(f) A sphygmomanometer and stethoscope;

(g) An electrocardioscope and defibrillator;

(h) Adequate equipment for the establishment of an intravenous infusion; and

(i) A pulse oximeter.

(j) *carnography*

8. When administering anesthesia or sedation to pediatric patients the dentist's office must meet the following minimum standards with regard to physical facilities and equipment:

- (i) Pediatric Size Ambu Bag and Masks*
- (j) Pediatric BP Cuffs*
- (k) Laryngoscope with appropriate size blades*
- (l) Intubation tubes multiple sizes*
- (m) Aed with Peds paddles*
- (n) Braselow Tape*
- (o) Small Oral Air Ways*
- (p) Pediatric Bite Block*

➡ A dentist's office inspected or evaluated for the issuance or renewal of a ~~conscious sedation~~ *minimal or moderate sedation* permit is not required to have the ancillary equipment described in paragraphs (a), (b), (e) and (g)

NAC 631.2231 Inspections and evaluations: Emergency drugs. ([NRS 631.190](#), [631.265](#))
 Except as otherwise provided in this section, a dentist's office inspected or evaluated for the issuance or renewal of a general anesthesia permit, ~~conscious sedation permit~~ *deep sedation, minimal or moderate sedation permit* or certificate of site approval must maintain emergency drugs of the following categories which must be immediately available for use on the patient:

1. Vasopressor;
2. Corticosteroid;
3. Bronchodilator;
4. Muscle relaxant;
5. Intravenous medication for the treatment of cardiopulmonary arrest;
6. Appropriate drug antagonist;
7. Antihistaminic;
8. Anticholinergic;
9. Antiarrhythmic;
10. Coronary artery vasodilator;
11. Anti-hypertensive; and
12. Anti-convulsive.

When administering anesthesia or sedation to pediatric patients the dentist's office must meet the following minimum standards with regard to pediatric emergency drugs:

- (f) Epi Pen Jr*
- (g) Adenosine*
- (h) Aminodarone*
- (i) Magnesium Sulfate*
- (j) Procainamide*

➡ A dentist's office that is inspected or evaluated for the issuance or renewal of a ~~conscious sedation~~ *minimal or moderate sedation* permit is not required to maintain the emergency drugs described in subsections 4, 5, 9 and 11.

04/27/2016: Revised Proposed Regulations:

NAC 631.2227 Inspections and evaluations: Physical facilities and equipment. ([NRS 631.190](#), [631.265](#)) A dentist's office inspected or evaluated for the issuance or renewal of a general anesthesia permit, ~~conscious sedation permit~~ *deep sedation, moderate sedation permit, or pediatric moderate sedation* or certificate of site for the administration of general anesthesia permit, *deep sedation, moderate sedation, or pediatric moderate sedation* approval must meet the following minimum standards with regard to physical facilities and equipment:

1. The operating theater must be large enough to accommodate the patient adequately on a table or in a dental chair and to allow an operating team consisting of at least three persons to move freely about the patient.

2. The operating table or dental chair must:

(a) Allow the patient to be placed in a position such that the operating team can maintain the airway;

(b) Allow the operating team to alter the patient's position quickly in an emergency; and

(c) Provide a firm platform for the management of cardiopulmonary resuscitation.

3. The lighting system must be adequate to allow an evaluation of the patient's skin and mucosal color. An alternate lighting system must derive its power from batteries and must be sufficiently intense to allow completion of any procedure underway at the time of a general power failure.

4. Suction equipment must be available that allows aspiration of the oral and pharyngeal cavities. An alternate suction device that will function effectively during a general power failure must be available.

5. A system for delivering oxygen must have adequate full-face masks and appropriate connectors, and be capable of delivering oxygen to the patient under positive pressure. An adequate alternate system for delivering oxygen is also required.

6. A recovery area must be provided that has available oxygen, adequate lighting, suction and electrical outlets. The recovery area may be the operating theater. A member of the staff must be able to observe the patient at all times during the recovery.

7. Except as otherwise provided in this subsection, ancillary equipment must include:

(a) A laryngoscope complete with an adequate selection of blades and spare batteries and bulbs;

(b) Endotracheal tubes and appropriate connectors;

(c) Oral airways;

(d) A tonsillar or pharyngeal suction tip adaptable to all office suction outlets;

(e) An endotracheal tube type forcep;

(f) A sphygmomanometer and stethoscope;

(g) An electrocardioscope and defibrillator;

(h) Adequate equipment for the establishment of an intravenous infusion; and

(i) A pulse oximeter.

(j) capnography monitor

8. *When administering anesthesia or sedation to pediatric patients as set forth in NAC 631.004, the dentist's office must meet the following minimum standards with regard to physical facilities and equipment:*

- (q) Pediatric Size Ambu Bag and Masks*
- (r) Pediatric BP Cuffs*
- (s) Laryngoscope with appropriate size blades*
- (t) Intubation tubes multiple sizes*
- (u) Aed with Peds paddles*
- (v) Braselow Tape*
- (w) Small Oral Air Ways*
- (x) Pediatric Bite Block*

➡ A dentist's office inspected or evaluated for the issuance or renewal of a ~~conscious sedation moderate sedation, or pediatric moderate sedation~~ permit is not required to have the ancillary equipment described in paragraphs 7 (a), (b), (e) and (g), *or (j)*.

NAC 631.2231 Inspections and evaluations: Emergency drugs. ([NRS 631.190](#), [631.265](#))
Except as otherwise provided in this section, a dentist's office inspected or evaluated for the issuance or renewal of a general anesthesia permit, ~~conscious sedation permit~~ ~~deep sedation, moderate sedation or pediatric moderate sedation permit~~ or certificate of site approval for ~~deep sedation, moderate sedation or pediatric moderate sedation permit~~ must maintain emergency drugs of the following categories which must be immediately available for use on the patient:

1. Vasopressor;
2. Corticosteroid;
3. Bronchodilator;
4. Muscle relaxant;
5. Intravenous medication for the treatment of cardiopulmonary arrest;
6. Appropriate drug antagonist;
7. Antihistaminic;
8. Anticholinergic;
9. Antiarrhythmic;
10. Coronary artery vasodilator;
11. Anti-hypertensive; and
12. Anti-convulsive.

2. *When administering anesthesia or sedation to pediatric patients as set forth in NAC 631.004, the dentist's office must meet the following minimum standards with regard to pediatric emergency drugs:*

- (k) Epi Pen Jr*
- (l) Adenosine*
- (m) Aminodarone*
- (n) Magnesium Sulfate*
- (o) Procainamide*

➡ A dentist's office that is inspected or evaluated for the issuance or renewal of a ~~conscious sedation~~ *moderate sedation, or pediatric moderate sedation* permit is not required to maintain the emergency drugs described in subsections 4, 5, 9 and 11.

05/18/2016-FINAL REVISED Proposed Regulations

NAC 631.2227 Inspections and evaluations *general anesthesia; deep sedation*: Physical facilities and equipment. ([NRS 631.190](#), [631.265](#)) A dentist's office inspected or evaluated for the issuance or renewal of a general anesthesia permit ~~conscious-sedation-permit~~ or *deep sedation* or certificate of site for the administration of general anesthesia permit, *deep sedation* approval must meet the following minimum standards with regard to physical facilities and equipment:

1. The operating theater must be large enough to accommodate the patient adequately on a table or in a dental chair and to allow an operating team consisting of at least three persons to move freely about the patient.
2. The operating table or dental chair must:
 - (a) Allow the patient to be placed in a position such that the operating team can maintain the airway;
 - (b) Allow the operating team to alter the patient's position quickly in an emergency; and
 - (c) Provide a firm platform for the management of cardiopulmonary resuscitation.
3. The lighting system must be adequate to allow an evaluation of the patient's skin and mucosal color. An alternate lighting system must derive its power from batteries and must be sufficiently intense to allow completion of any procedure underway at the time of a general power failure.
4. Suction equipment must be available that allows aspiration of the oral and pharyngeal cavities. An alternate suction device that will function effectively during a general power failure must be available.
5. A system for delivering oxygen must have adequate full-face masks and appropriate connectors, and be capable of delivering oxygen to the patient under positive pressure. An adequate alternate system for delivering oxygen is also required.
6. A recovery area must be provided that has available oxygen, adequate lighting, suction and electrical outlets. The recovery area may be the operating theater. A member of the staff must be able to observe the patient at all times during the recovery.
7. Except as otherwise provided in this subsection, ancillary equipment must include:
 - (a) A laryngoscope complete with an adequate selection of blades and spare batteries and bulbs;
 - (b) Endotracheal tubes and appropriate connectors;
 - (c) Oral airways;
 - (d) A tonsillar or pharyngeal suction tip adaptable to all office suction outlets;
 - (e) An endotracheal tube type forcep;
 - (f) A sphygmomanometer and stethoscope;
 - (g) An electrocardioscope and defibrillator;
 - (h) Adequate equipment for the establishment of an intravenous infusion; and
 - (i) A pulse oximeter.
 - (j) capnography monitor*

(h) A pulse oximeter.

8. When administering moderate sedation to pediatric patients as set forth in NAC 631.004, the dentist's office must meet the following additional standards with regard to physical facilities and equipment:

- (ee) Pediatric size ambu bag and masks*
- (ff) Pediatric blood pressure cuffs*
- (gg) Laryngeal Mask Airways*
- (hh) An defibrillator with Peds pads or AED*
- (ii) Appropriate oral air ways or nasal airways*

NAC 631.2231 Inspections and evaluations; *general anesthesia and deep sedation*:
Emergency drugs. ([NRS 631.190](#), [631.265](#)) Except as otherwise provided in this section, a dentist's office inspected or evaluated for the issuance or renewal of a general anesthesia permit, ~~conscious sedation permit~~, *deep sedation*, or certificate of site approval for *general anesthesia or deep sedation permit* must maintain emergency drugs of the following categories which must be immediately available for use on the patient:

1. Vasopressor;
2. Corticosteroid;
3. Bronchodilator;
4. Muscle relaxant;
5. Intravenous medication for the treatment of cardiopulmonary arrest;
6. Appropriate drug antagonist;
7. Antihistaminic;
8. Anticholinergic;
9. Antiarrhythmic;
10. Coronary artery vasodilator;
11. Anti-hypertensive; and
12. Anti-convulsive.

2. When administering general anesthesia or deep sedation to pediatric patients as set forth in NAC 631.004, the dentist's office must meet the additional minimum standards with regard to pediatric emergency drugs:

- (p) Pediatric Auto-injector Epinephrine or appropriate dosages of epinephrine*
- (q) Adenosine*
- (r) Aminodarone*
- (s) Magnesium Sulfate*
- (t) Procainamide*

NEW REGULATION

Inspections and evaluations: moderate sedation or pediatric moderate; Emergency drugs. ([NRS 631.190](#), [631.265](#)) Except as otherwise provided in this section, a dentist's office inspected or evaluated for the issuance or renewal of a moderate sedation permit, ~~conscious sedation permit~~—or pediatric moderate sedation, or certificate of site approval for moderate

8. *When administering general anesthesia or deep sedation to pediatric patients as set forth in NAC 631.004, the dentist's office must meet the additional minimum standards with regard to physical facilities and equipment:*

- (y) Pediatric size ambu bag and masks*
- (z) Pediatric blood pressure cuffs*
- (aa) Laryngoscope with appropriate size blades*
- (bb) Intubation tubes multiple sizes*
- (cc) An electrocardioscope and defibrillator with Peds pads*
- (dd) Small oral air ways or nasal airways*

New Regulations:

Inspections and evaluations; moderate sedation; pediatric moderate sedation: Physical facilities and equipment. (NRS 631.190, 631.265) A dentist's office inspected or evaluated for the issuance or renewal of a moderate sedation, pediatric moderate sedation permit or certificate of site for the administration of moderate sedation or pediatric moderate sedation approval must meet the following minimum standards with regard to physical facilities and equipment:

1. The operating theater must be large enough to accommodate the patient adequately on a table or in a dental chair and to allow an operating team consisting of at least three persons to move freely about the patient.

2. The operating table or dental chair must:

(a) Allow the patient to be placed in a position such that the operating team can maintain the airway;

(b) Allow the operating team to alter the patient's position quickly in an emergency; and

(c) Provide a firm platform for the management of cardiopulmonary resuscitation.

3. The lighting system must be adequate to allow an evaluation of the patient's skin and mucosal color. An alternate lighting system must derive its power from batteries and must be sufficiently intense to allow completion of any procedure underway at the time of a general power failure.

4. Suction equipment must be available that allows aspiration of the oral and pharyngeal cavities. An alternate suction device that will function effectively during a general power failure must be available.

5. A system for delivering oxygen must have adequate full-face masks and appropriate connectors, and be capable of delivering oxygen to the patient under positive pressure. An adequate alternate system for delivering oxygen is also required.

6. A recovery area must be provided that has available oxygen, adequate lighting, suction and electrical outlets. The recovery area may be the operating theater. A member of the staff must be able to observe the patient at all times during the recovery.

7. Except as otherwise provided in this subsection, ancillary equipment must include:

(a) Laryngeal Mask Airways

(b) Oral airways;

(c) A tonsillar or pharyngeal suction tip adaptable to all office suction outlets

(d) An endotracheal tube type forcep

(e) A sphygmomanometer and stethoscope;

(f) An defibrillator or AED;

(g) Adequate equipment for the establishment of an intravenous infusion; and/or IO

sedation permit or pediatric moderate sedation must maintain emergency drugs of the following categories which must be immediately available for use on the patient:

- 1. Vasopressor;*
- 2. Corticosteroid;*
- 3. Bronchodilator;*
- 4. Appropriate drug antagonist;*
- 5. Antihistaminic;*
- 6. Anticholinergic;*
- 7. Coronary artery vasodilator;*
- 8. Anti-convulsive.*

2. When administering moderate sedation to pediatric patients as set forth in NAC 631.004, the dentist's office must meet the following additional standards with regard to pediatric emergency drugs:

(a) Pediatric Auto-injector Epinephrine or appropriate dosages of epinephrine

Proposed Amended Regulation Language

**Proposed Regulation Language
(NAC 631.2227 & NAC 631.2231)**

NAC 631.2227-Amend

7. Except as otherwise provided in this subsection, ancillary equipment must include:

- (a) A laryngoscope complete with an adequate selection of blades and spare batteries and bulbs;
- (b) Endotracheal tubes and appropriate connectors;
- (c) Oral airways;
- (d) A tonsillar or pharyngeal suction tip adaptable to all office suction outlets;
- (e) An endotracheal tube type forcep;
- (f) A sphygmomanometer and stethoscope;
- (g) An electrocardioscope ~~and defibrillator~~;
- (h) Adequate equipment for the establishment of an intravenous infusion; and
- (i) A pulse oximeter; ~~and~~
- (j) A capnography monitor; *and*
- (k) A defibrillator*

8. In addition to the requirements of subsection 7, if general anesthesia, deep sedation or moderate sedation is administered at the dentist's office to a patient 12 years of age or younger, the following equipment must be available at the dentist's office:

- (a) A pediatric size ambu bag and masks;
- (b) Pediatric blood pressure cuffs;
- (c) A laryngoscope complete with an adequate selection of blades for use on pediatric patients;
- (d) Appropriately sized endotracheal tubes and appropriate connectors
- (e) An electrocardioscope; ~~and defibrillator~~;

- (f) Pediatric-pads for use with the electrocardioscope; ~~and defibrillator; and~~
- (g) Small oral and nasal airways
- (h) A defibrillator; and*
- (i) Pediatric –pads for use with the defibrillator*

(After Section 8) A dentist's office inspected or evaluated for the issuance or renewal of a moderate sedation permit for the administration of moderate sedation to a patient 12 years of age or younger is not required to have the ancillary equipment described in paragraphs (c), (d), (e), (f) of subsection 8.

NAC 631.2231 – Emergency Drugs

2. In addition to the requirements of subsection 1, ~~if general anesthesia, deep sedation or moderate sedation is administered at a dentist's office to a patient 12 years of age or younger~~, a dentist's office where sedation or anesthesia is administered to a patient 12 years of age or younger, the dentist's office must maintain the following emergency drugs:

(a) *For the administration of general anesthesia or deep sedation:*

- ~~(a)~~ (1) Appropriate dosages of epinephrine or pediatric epinephrine auto-injector
- ~~(b)~~ (2) Adenosine;
- ~~(c)~~ (3) Aminodarone;
- ~~(d)~~ (4) Magnesium sulfate; and
- ~~(e)~~ (5) Procainamide

(b) *For the administration of moderate sedation::*

- (1) *Appropriate dosages of epinephrine or pediatric epinephrine auto-injector*

Current Regulation Language for
NAC 631.2227
NAC 631.2231

15. Hyperventilation syndrome; and

16. Syncope.

Sec. 12. NAC 631.2227 is hereby amended to read as follows:

631.2227 A dentist's office inspected or evaluated for the issuance or renewal of a general anesthesia permit, ~~conscious~~ *moderate* sedation permit or certificate of site approval must meet the following minimum standards with regard to physical facilities and equipment:

1. The operating theater must be large enough to accommodate the patient adequately on a table or in a dental chair and to allow an operating team consisting of at least three persons to move freely about the patient.

2. The operating table or dental chair must:

(a) Allow the patient to be placed in a position such that the operating team can maintain the airway;

(b) Allow the operating team to alter the patient's position quickly in an emergency; and

(c) Provide a firm platform for the management of cardiopulmonary resuscitation.

3. The lighting system must be adequate to allow an evaluation of the patient's skin and mucosal color. An alternate lighting system must derive its power from batteries and must be sufficiently intense to allow completion of any procedure underway at the time of a general power failure.

4. Suction equipment must be available that allows aspiration of the oral and pharyngeal cavities. An alternate suction device that will function effectively during a general power failure must be available.

5. A system for delivering oxygen must have adequate full-face masks and appropriate connectors, and be capable of delivering oxygen to the patient under positive pressure. An adequate alternate system for delivering oxygen is also required.

6. A recovery area must be provided that has available oxygen, adequate lighting, suction and electrical outlets. The recovery area may be the operating theater. A member of the staff must be able to observe the patient at all times during the recovery.

7. Except as otherwise provided in this subsection, ancillary equipment must include:

(a) A laryngoscope complete with an adequate selection of blades and spare batteries and bulbs;

(b) Endotracheal tubes and appropriate connectors;

(c) Oral airways;

(d) A tonsillar or pharyngeal suction tip adaptable to all office suction outlets;

(e) An endotracheal tube type forcep;

(f) A sphygmomanometer and stethoscope;

(g) An electrocardioscope and defibrillator;

(h) Adequate equipment for the establishment of an intravenous infusion; ~~and~~

(i) A pulse oximeter ~~and~~; *and*

(j) A capnography monitor.

➔ ~~[A]~~ *Except as otherwise provided in subsection 8, a* dentist's office inspected or evaluated for the issuance or renewal of a ~~conscious~~ *moderate* sedation permit is not required to have the ancillary equipment described in paragraphs (a), (b), (e), ~~and~~ (g) ~~and~~ *(j)*.

8. In addition to the requirements of subsection 7, if general anesthesia, deep sedation or moderate sedation is administered at the dentist's office to a patient 12 years of age or younger, the following equipment must be available at the dentist's office:

- (a) A pediatric size ambu bag and masks;*
- (b) Pediatric blood pressure cuffs;*
- (c) A laryngoscope complete with an adequate selection of blades for use on pediatric patients;*
- (d) Appropriately sized endotracheal tubes and appropriate connectors;*
- (e) An electrocardioscope and defibrillator;*
- (f) Pediatric pads for use with an electrocardioscope and defibrillator; and*
- (g) Small oral and nasal airways.*

Sec. 13. NAC 631.2229 is hereby amended to read as follows:

631.2229 A dentist's office inspected or evaluated for the issuance or renewal of a general anesthesia permit, ~~{conscious}~~ *moderate* sedation permit or certificate of site approval must meet the following minimum standards with regard to the records of patients:

1. Adequate medical history , ~~{and}~~ records of physical evaluation ~~{}~~ *and American Society of Anesthesiologists acuity classification.*
2. Records of the administration of anesthesia must include:
 - (a) The patient's ~~{blood pressure and pulse;}~~ *vital signs;*
 - (b) The names of the drugs and the amounts *and times* administered;
 - (c) The length of the procedure; and
 - (d) Any complications of anesthesia.

Sec. 14. NAC 631.2231 is hereby amended to read as follows:

631.2231 *1.* Except as otherwise provided in this section, a dentist's office inspected or evaluated for the issuance or renewal of a general anesthesia permit, ~~conscious~~ *moderate* sedation permit or certificate of site approval must maintain emergency drugs of the following categories which must be immediately available for use on the patient:

- ~~{1.}~~ *(a)* Vasopressor;
 - ~~{2.}~~ *(b)* Corticosteroid;
 - ~~{3.}~~ *(c)* Bronchodilator;
 - ~~{4.}~~ *(d)* Muscle relaxant;
 - ~~{5.}~~ *(e)* Intravenous medication for the treatment of cardiopulmonary arrest;
 - ~~{6.}~~ *(f)* Appropriate drug antagonist;
 - ~~{7.}~~ *(g)* Antihistaminic;
 - ~~{8.}~~ *(h)* Anticholinergic;
 - ~~{9.}~~ *(i)* Antiarrhythmic;
 - ~~{10.}~~ *(j)* Coronary artery vasodilator;
 - ~~{11.}~~ *(k)* Anti-hypertensive; and
 - ~~{12.}~~ *(l)* Anti-convulsive.
- ~~{A.}~~

2. In addition to the requirements of subsection 1, if general anesthesia, deep sedation or moderate sedation is administered at a dentist's office to a patient 12 years of age or younger, the dentist's office must maintain the following emergency drugs:

- (a) Appropriate dosages of epinephrine or a pediatric epinephrine auto-injector;*
- (b) Adenosine;*
- (c) Aminodarone;*

(d) Magnesium sulfate; and

(e) Procainamide.

3. *Except as otherwise provided in subsection 2, a dentist's office that is inspected or evaluated for the issuance or renewal of a ~~{conscious}~~ moderate sedation permit is not required to maintain the emergency drugs described in ~~{subsections 4, 5, 9}~~ paragraphs (d), (e), (i) and ~~{11}~~ (k) of subsection 1.*

Sec. 15. NAC 631.2235 is hereby amended to read as follows:

631.2235 1. ~~{A dentist whose office}~~ *The persons performing an inspection or evaluation of a dentist and his or her office for the ~~{Board determines has failed the inspection or evaluation is not entitled to have}~~ issuance or renewal of a general anesthesia permit or ~~{conscious}~~ moderate sedation permit ~~{issued}~~ shall grade the dentist as passing or ~~{renewed}~~ failing to meet the requirements set forth in NAC 631.2219 to 631.2231, inclusive. Within 72 hours after completing the inspection or evaluation, each evaluator shall report his or her recommendation for passing or failing to the Executive Director, setting forth the details supporting his or her conclusion.*

2. *If the dentist meets the requirements set forth in NAC 631.2219 to 631.2231, inclusive, the Board will issue the general anesthesia permit or moderate sedation permit, as applicable.*

3. *If the dentist does not meet the requirements set forth in NAC 631.2219 to 631.2231, inclusive, the Executive Director shall issue a written notice to the dentist that identifies the reasons he or she failed the inspection or evaluation.*

4. *A dentist who has received a notice of failure from the Board ~~{may}~~ pursuant to subsection 3:*

Agenda Item 4(b)(4):

Vaccination Administration by Licensed Dental Professionals

IMMUNIZATION BY LICENSED DENTAL PRACTITIONER

NAC 631.2270 Definitions. ([NRS 631.190](#)) As used in NAC 631.2271 to 631.2285, inclusive, unless the context otherwise requires, the words and terms defined in NAC 631.2271 to 631.2275, inclusive, have the meanings ascribed to them in those sections.

NAC 631.2271 “Immunization Information System” defined. ([NRS 631.190](#)) Immunization Information System means the informational collection system concerning the immunization of children in this State, as administered by the Nevada State Board of Health and outlined in NRS 439.265.

NAC 631.2272 “Licensed Dental Practitioner” defined. ([NRS 631.190](#)) A Licensed Dental Practitioner means a dentist, dental hygienist, dental hygienist with a public health endorsement, or dental therapist who is licensed pursuant to Chapter 631 of NRS.

NAC 631.2273 “Model Standing Orders” defined. ([NRS 631.190](#)) Model standing orders means prewritten orders and specific instructions for administration and frequency of a given medication (vaccines) to a person in clearly defined circumstances by the Nevada Department of Health and Human Services.

NAC 631.2274 “Vaccine Adverse Event Reporting System (VAERS)” defined. ([NRS 631.190](#)) The National Childhood Vaccine Injury Act of 1986 requires an immunizing health care provider (including, but not limited to, licensed dental practitioners) to report adverse vaccine events to the Vaccine Adverse Event Reporting System (VAERS).

NAC 631.2275 “Vaccine Information Statement” (VIS) defined. ([NRS 631.190](#)) Vaccine Information Statement (VIS) means vaccine information statement developed and maintained by the Centers for Disease Control and Prevention. Current versions can be found at: <https://www.cdc.gov/vaccines/hcp/vis/current-vis.html>

NAC 631.2280 Authorization; administration of vaccines ([NRS 631.190](#))

1. A licensed dental practitioner shall be deemed to be practicing dentistry, dental therapy, and/or dental hygiene pursuant to their respective license(s), while participating in the prescription and administration of vaccines according to this section.
2. A licensed dental practitioner may administer immunizations by an intranasal, intramuscular or subcutaneous injection only:
 - (a) To a patient of record;
 - (b) If the licensed dental practitioner has completed an immunization certification program approved by the Board;
 - (c) If the vaccines are administered in accordance with the “Model Standing Orders” approved by the Nevada Department of Health and Human Services;
 - (d) If the dental office maintains and follows written policies and procedures for handling and disposal of used or contaminated equipment and supplies;
 - (e) If the licensed dental practitioner has immediate access to emergency response equipment, including, but not limited to, oxygen administration equipment, epinephrine, and other allergic reaction response equipment;
 - (f) If the licensed dental practitioner has, along with each dose of vaccine administered, provided the appropriate written Vaccine Information Statement (VIS) to the patient or patient’s legal representative, discussed the information provided in

the VIS with the patient or patient's legal representative, and has obtained written informed consent from the patient or patient's legal representative prior to administering the vaccine. The VIS given to the patient must be the most current statement.

3. The licensed dental practitioner must document in the patient record:
 - (a) The date and site of the administration of the vaccine;
 - (b) The brand name, or national drug code (NDC) number, or other acceptable standardized vaccine code set, dose, manufacturer, lot number, and expiration date of the vaccine;
 - (c) The name or identifiable initials of the administering licensed dental practitioner;
 - (d) The address of the office where the vaccine(s) was administered unless automatically embedded in the electronic report provided to the Immunization Information System according to NRS 439.265;
 - (e) The date of publication of the VIS; and
 - (f) The date the VIS was provided to the patient.
4. If providing vaccines pursuant to state or federal funded programs, including, but not limited to, the "Vaccines for Children" (VFC) program, the vaccine eligibility code must be reported to the Immunization Information System.
5. A licensed dental practitioner who administers any vaccine must report the information from Sections (3) and (4) of this rule, if applicable, to the Immunization Information System within 14 days of administration.
6. The licensed dental practitioner must report any adverse event resulting from administration of the vaccine according to the VAERS Table of Reportable Events. Reports of the adverse event must be made to each of the following:
 - (a) VAERS;
 - (b) the Nevada State Board of Dental Examiners; and
 - (c) to the primary care provider, if any, as identified by the patient.
7. A licensed dental practitioner who administers any vaccine will follow storage and handling guidance from the vaccine manufacturer and the Centers for Disease Control and Prevention (CDC).
8. Any licensed dental practitioner administering immunizations by an intranasal, intramuscular or subcutaneous injection under this section shall comply with guidelines established by the federal Advisory Committee on Immunization Practices (ACIP) relating to vaccines and immunizations, which includes, but is not limited to, vaccine storage and handling, vaccine administration and documentation, and vaccine contraindications and precautions.

NAC 631.2281 Training and certification to administer immunizations. ([NRS 631.190](#))

1. Before a licensed dental practitioner may administer an immunization, the licensed dental practitioner must be trained and board endorsed to administer immunizations by completing an immunization certification program approved by the Nevada State Board of Dental Examiners that includes:

- (a) Education and practical training, including, without limitation, written study materials regarding techniques for administering immunizations;
- (b) Evaluation of the knowledge and technique of the licensed dental practitioner in administering immunizations;
- (c) Instruction consistent with the current training guidelines of the Centers for Disease Control and Prevention; and
- (d) Except as otherwise provided in subsection 2, instruction and practical training concerning:
 - (1) The standards for pediatric, adolescent and adult immunization practices recommended and approved by the United States Public Health Service Advisory Committee on Immunization Practices;
 - (2) Basic immunology, and vaccine and immunization protection;
 - (3) Diseases that are preventable through vaccination and immunization;

- (4) Recommended immunization schedules;
- (5) Vaccine and immunization storage and management;
- (6) Informed consent;
- (7) Physiology and techniques for administration of immunizations;
- (8) Preimmunization and postimmunization assessment and counseling;
- (9) Immunization reporting and records management; and
- (10) Identification, response, documentation and reporting of adverse events.

2. In lieu of complying with the requirements of paragraph (d) of subsection 1, a licensed dental practitioner who administers immunizations consisting exclusively of live attenuated influenza vaccine through the nasal passages of a person may complete a certification program of instruction which is approved by the Nevada State Board of Dental Examiners, and which includes instruction pertaining to:

- (a) The epidemiology of influenza;
- (b) The pathophysiology, clinical presentation, diagnosis, prevention and treatment of influenza;
- (c) The administration, storage and handling of influenza vaccines; and
- (d) The counseling of patients who will be immunized with the vaccine.

NAC 631.2282 Continuing education required. ([NRS 631.190](#); [NRS 631.342](#))

Each licensed dental professional who administers immunizations must annually complete at least 2 hours of instruction or biennially complete at least 4 hours of instruction, as applicable. that:

- (a) Addresses the life cycle of diseases, drugs and administration of immunizations;
- (b) Constitute a training course provided by the Centers for Disease Control and Prevention regarding epidemiology and prevention of diseases which are preventable through immunization;
- (c) Constitute a training course provided by Immunize Nevada or its successor organization; or
- (d) Any other course regarding immunizations offered by a teaching entity approved by the Board.

This training will be credited toward any continuing education required by NAC 631.173.

NAC 631.2283 Reporting of certain information concerning immunizations. ([NRS 631.190](#))

A licensed dental professional who administers immunizations shall, pursuant to [NRS 439.265](#) and the regulations adopted pursuant thereto by the Department of Health and Human Services (NAC 439.870 to NAC 439.897), report all such information required for inclusion in the Immunization Information System concerning any administered immunizations.

NAC 631.2284 Written informed consent; review of medical history of patient prior to administration of immunizations. ([NRS 631.190](#))

1. Written informed consent of the patient must be obtained before the administration of immunizations by an intranasal, intramuscular or subcutaneous injection. If the patient is a minor, the consent must be obtained from the minor's parent or legal guardian.

2. Each licensed dental professional who administers immunizations must review the patient's medical history before the administration of immunizations by an intranasal, intramuscular or subcutaneous injection.

3. The medical history review includes asking the patient to describe any current medical conditions or treatments, including, without limitation, medications, drug allergies, impending or past operations and pregnancy, and to provide any other information that may be helpful to the person administering immunizations by an intranasal, intramuscular or subcutaneous injection.

4. If the licensed dental practitioner identifies an issue that may prevent the safe administration of the immunization, they must consult with a physician for an examination, evaluation and diagnosis. The licensed dental practitioner can only proceed with administering the immunization if they can rely upon that physician's evaluation and diagnosis.

5. The medical history review must be memorialized in writing and signed by the patient prior to administration of immunization, and must be documented in the patient record.

NAC 631.2285 Confidentiality of records. (NRS 631.190)

1. A licensed dental professional who administers immunizations shall provide adequate security to prevent unauthorized access to confidential records of immunizations. If confidential health information is not transmitted directly between a licensed dental practitioner and a physician, but is transmitted through a data communication device, the confidential health information must not be viewed or used by the operator of the data communication device unless the operator is specifically authorized to obtain confidential information pursuant to this subsection.

2. Except as otherwise provided in NRS 49.245, the confidential records of immunizations are privileged and may be released only to:

(a) The patient or the authorized agent of the patient;

(b) Physicians, licensed dental practitioners, and pharmacists, when, in the professional judgment of the licensed dental practitioner, such release is necessary to protect the health and well-being of the patient;

(c) The Board or other federal, state or local agencies authorized by law to receive such information;

(d) A law enforcement agency engaged in the investigation of a suspected violation involving a controlled substance or dangerous drug;

(e) A person employed by any state agency that licenses a physician if such a person is engaged in the performance of his or her official duties; or

(f) An insurance carrier or other third-party payor authorized by a patient to receive such information.

3. The provisions of this section must not be construed to affect or alter the provisions of NRS 49.215 to 49.245, inclusive, relating to the confidentiality of communications between a doctor and a patient.