

Nevada State Board of Dental Examiners



6010 S. Rainbow Blvd., Bldg. A, Ste.1 • Las Vegas, NV 89118 • (702) 486-7044 • (800) DDS-EXAM • Fax (702) 486-7046

NOTICE OF CONTINUANCE OF FORMAL HEARING & AGENDA **ANTONINA CAPURRO, DMD (Day 10)**

Meeting Date & Time

Monday September 13, 2021
6:00 p.m. to 9:00 p.m.

*****The Formal Hearing will continue on to the following dates*****
*****from 6:00 p.m to 9:00 p.m. (unless otherwise noted) or until completed*****
Tuesday, September 14

Public Attendance of This Formal Hearing will be available exclusively through Zoom video/teleconference means only, pursuant to NRS 241.015, as amended by AB 253 (2021)

To access by phone, call Zoom teleconference Phone Number: (669) 900 6833

To access by video webinar, visit www.zoom.com or use the Zoom app

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

Zoom Webinar/Meeting Passcode: **806749**

MINUTES

PUBLIC NOTICE:

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

*****There will be no physical location for this meeting for public attendance*****

The Nevada State Board of Dental Examiners may 1) address agenda items out of sequence to accommodate persons appearing before the Board or to aid the efficiency or effectiveness of the meeting; 2) combine items for consideration by the public body; 3) pull or remove items from the agenda at any time. **The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. See NRS 241.030. Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public comment. See NRS 233B.126.**

Public Comment by pre-submitted email/written form, only, is available after roll call (beginning of meeting); **Live Public Comment by teleconference** is available prior to adjournment (end of meeting). Live Public Comment is limited to three (3) minutes for each individual.

Members of the public may submit public comment in written form to: **Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd, A-1, Las Vegas, Nevada 89118; FAX number (702) 486-7046; e-mail address nsbde@dental.nv.gov**. Written submissions received by the Board on or before **Friday September 10, 2021, by 4:00 p.m.** may be entered into the record during the meeting. Any other written public comment submissions received prior to the adjournment of the meeting will be included in the permanent record.

Persons/facilities who want to be on the mailing list must submit a written request every six (6) months to the Nevada State Board of Dental Examiners at the address listed in the previous paragraph. With regard to any board meeting or telephone conference, it is possible that an amended agenda will be published adding new items to the original agenda. Amended Nevada notices will be posted in compliance with the Open Meeting Law.

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Board, at (702) 486-7044, no later than 48 hours prior to the meeting. Requests for special arrangements made after this time frame cannot be guaranteed.

Pursuant to NRS 241.020(2) you may contact at (702) 486-7044, to request supporting materials for the public body or you may download the supporting materials for the public body from the Board's website at <https://dental.nv.gov> In addition, the supporting materials for the public

body are available at the Board's office located at 6010 S Rainbow Blvd, Ste. A-1, Las Vegas, Nevada.

Note: Asterisks (*) "**For Possible Action**" denotes items on which the Board may take action.
Note: Action by the Board on an item may be to approve, deny, amend, or tabled.

1. Call to Order

- Roll call/Quorum

Mr. DiMaggio conducted roll call.

Dr. Kevin Moore (Dr. Moore)—Present	Dr. Todd Thompson (Dr. Thompson)—Present
Dr. Ronald West (Dr. West)—Present	Dr. Elizabeth Park (Dr. Park) —Present
Dr. Adam York (Dr. York)—Present	Ms. Yamilka Arias (Ms. Arias)—Present
Ms. Gabrielle Cioffi (Ms. Cioffi)—Present	Dr. Ronald Lemon (Dr. Lemon)—Present
Dr. David Lee (Dr. Lee)—Not Present	Ms. Caryn Solie (Ms. Solie)—Present
Ms. Jana McIntyre (Ms. McIntyre)-Not Present	

Others Present: Frank DiMaggio, Executive Director; Phil Su, Board General Counsel; Jason Dworin, Board General Counsel; Rosalie Bordelove, Deputy Attorney General; Ogonna Brown, Counsel for the Nevada State Board of Dental Examiners; Antonina Capurro, DMD; Nadia Ahmed, Counsel for Antonina Capurro, DMD; Crane Pomerantz; Jennifer Hess; R. Michael Sanders, DMD; Kim Farkas, Court Reporter with Oasis Court Reporting

Public Attendees: John Smith; Ralph Capurro

2. Public Comment (By pre-submitted email/written form only): (Public Comment is limited to three (3) minutes for each individual)

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

There was no written public comment.

***3. Approve Agenda and Disclosures** (For Possible Action)

Dr. Thompson made a motion to approve the agenda as written. Dr. Park seconded the motion. All were in favor. Motion passed.

***4. Approval/Rejection of Minutes (NRS 241.035)** (For Possible Action)

- Continuation of Formal Hearing- NSBDE v. Dr. Antonina Capurro (Day 2) – 07/12/21
- Continuation of Formal Hearing- NSBDE v. Dr. Antonina Capurro (Day 3) – 07/13/21
- Continuation of Formal Hearing- NSBDE v. Dr. Antonina Capurro (Day 4) – 07/14/21
- Continuation of Formal Hearing- NSBDE v. Dr. Antonina Capurro (Day 5) – 07/15/21
- Continuation of Formal Hearing- NSBDE v. Dr. Antonina Capurro (Day 6) – 07/27/21
- Continuation of Formal Hearing- NSBDE v. Dr. Antonina Capurro (Day 7) – 07/28/21
- Continuation of Formal Hearing- NSBDE v. Dr. Antonina Capurro (Day 8) – 08/10/21
- Continuation of Formal Hearing- NSBDE v. Dr. Antonina Capurro (Day 9) – 08/11/21

Mr. Su went over the procedure for approving minutes and briefly described the general contents of the minutes. Dr. West made a motion to approve the minutes as set forth above. Dr. Park seconded the motion. All were in favor. Motion passed.

***5. Formal Hearing: Nevada State Board of Dental Examiners v. Antonina Capurro, DMD** (For Possible Action)

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

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2 Anyone desiring supporting material for the hearing is invited to email nsbde@dental.nv.gov.
3 Supporting material will also be available for review at the Board's office at 6010 S. Rainbow Blvd.,
4 Ste. A-1, Las Vegas, Nevada, 89118, and will be posted to the Board's website, <https://dental.nv.gov>,
5 not later than 24 hours after the conclusion of the meeting. (AB 253 (2021)).
6

7 Dr. Moore made a statement regarding the motion to dismiss filed by Antonina Capurro, DMD through her
8 counsel of record and requested the Board to rule on said motion. A roll call was subsequently taken to
9 record each Board member's vote to grant or deny the motion to dismiss as follows:

10
11 Dr. Kevin Moore (Dr. Moore)—Deny
12 Dr. Todd Thompson (Dr. Thompson)—Deny
13 Dr. Ronald West (Dr. West)—Deny
14 Dr. Elizabeth Park (Dr. Park)—Deny
15 Dr. Adam York (Dr. York)—Grant
16 Ms. Yamilka Arias (Ms. Arias)—Deny
17 Ms. Gabrielle Cioffi (Ms. Cioffi)—Deny
18 Dr. Ronald Lemon (Dr. Lemon)—Recuse
19 Dr. David Lee (Dr. Lee)—Recused
20 Ms. Caryn Solie (Ms. Solie)—Granted
21 Ms. Jana McIntyre (Ms. McIntyre)—Recused
22

23 Thereupon, the motion to dismiss was denied and the hearing proceeded. Exhibits 107 and 108 were
24 admitted and disseminated to Board members and staff.

25 Witness R. Michael Sanders, DMD was called, sworn in, and underwent direct examination by Ms. Ahmed.
26 Witness R. Michael Sanders, DMD underwent cross examination by Ms. Brown.

27 Cross examination of the witness was paused for the evening, to be continued during the next session of the
28 continued hearing on September 14, 2021.
29

30 **6. Public Comment (Live public comment by teleconference):** (Public Comment is limited to three (3) minutes
31 for each individual)

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

32
33 There was no public comment.
34

35 **7. Announcements**

36
37 There were no announcements.
38

39 ***8. Adjournment** (For Possible Action)

40
41 Ms. Arias made a motion to adjourn. Dr. Park seconded the motion. All were in favor. Motion passed.
42

PUBLIC NOTICE POSTING LOCATIONS

Nevada State Board of Dental Examiners., 6010 S Rainbow Boulevard, #A-1, Las Vegas, Nevada 89118
Nevada State Board of Dental Examiners website: www.dental.nv.gov
Nevada Public Posting Website: www.notice.nv.gov

X 

Phil Su
General Counsel/Interim Executive Director