

# 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 BOARD MEETING AND CONTINUANCE OF FORMAL HEARING & AGENDA ANTONINA CAPURRO, DMD (Day 11)**

### **Meeting Date & Time**

**Tuesday September 14, 2021  
6:00 p.m. to 9:00 p.m.**

**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](http://www.zoom.com) or use the Zoom app

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

Zoom Webinar/Meeting Passcode: **806749**

## **MINUTES**

### **PUBLIC NOTICE:**

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

***\*\*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](mailto:nsbde@dental.nv.gov)**. Written submissions received by the Board on or before **Monday, September 13, 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.

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**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)— Present	Ms. Caryn Solie (Ms. Solie)— Present
Ms. Jana McIntyre (Ms. McIntyre)- 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; David Barney; Crane Pomerantz; Jennifer Hess; Michael Sanders, DMD; Debra Shaffer-Kugel; Robert Rourke; Dana Tavaglione, Court Reporter with Oasis Court Reporting

**Public Attendees:** Henry Lichtenberger; Kelly Taylor; Mary Bobbett, RDH; Sandra Chan; Shane Mac; Jack Smith; Nichelle Venable; "AB"; Ralph Capurro; Joe Simms; Nicole Lord; "Henry"

**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.

Ms. Bordelove noted that this agenda included other agenda items for comment besides the continuation of the hearing. There was no written public comment.

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

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

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

**a. Discussion, consideration, and possible approval or rejection of bids for tenant improvements of Board's leased office at to 2651 N. Green Valley Parkway, Ste. 104, and for possible delegation of Board authority to the Board's Secretary-Treasurer and the Executive Director to sign a contract for improvement services. NRS 631.160 and 631.190** (For Possible Action)

1. RDP General Contractors
2. Envy Construction, LLC
3. Creative Builders

Mr. Su introduced the contractor bids and briefly outlined each bid. There was a discussion on the specifics of the design and discussion regarding specifics of the proposed contractors and their respective bids. Dr. Thompson made a motion to approve the bid from Creative Builders and to give the Board Secretary Treasurer authority to sign on the Board's behalf. Dr. Park seconded the motion. Brief discussion was held regarding the correct address of the new location. All were in favor. Motion passed.

Dr. Lee and Ms. McIntyre recused themselves for the remainder of the meeting for purposes of the continued hearing as outlined in agenda item 5.

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

1 The purpose of this hearing is to consider the allegations regarding/related to the investigative  
2 complaint(s) and/or formal complaint(s) filed with the Nevada State Board of Dental Examiners for  
3 alleged violations of NRS 631 and NAC 631. The Board may take such action as they deem  
4 appropriate pursuant to NRS 631.350. (Pursuant to NRS 241.030(1)(a), the board may, by motion, enter closed session  
5 to consider the character, alleged misconduct, professional competence or physical or mental health of a person.)  
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7 Anyone desiring supporting material for the hearing is invited to email [nsbde@dental.nv.gov](mailto:nsbde@dental.nv.gov).  
8 Supporting material will also be available for review at the Board's office at 6010 S. Rainbow Blvd.,  
9 Ste. A-1, Las Vegas, Nevada, 89118, and will be posted to the Board's website, <https://dental.nv.gov>,  
10 not later than 24 hours after the conclusion of the meeting. (AB 253 (2021)).  
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12 Dr. Moore made a statement regarding professional conduct.

13 Recess taken from 6:27pm to 6:29pm.

14 Witness Michael Sanders, DMD was called and underwent continued cross examination by Ms. Brown.

15 There was discussion held among Ms. Brown, Ms. Ahmed, and Dr. Moore regarding the admission of Exhibit  
16 59.

17 Recess taken from 6:34pm to 6:47pm.

18 Discussion continued regarding the admission of Exhibit 59, including proposed redactions. Exhibit 59 was  
19 admitted pursuant to the agreed-upon redactions.

20 Witness Michael Sanders, DMD underwent continued cross examination by Ms. Brown.

21 Recess taken from 7:34pm to 7:39pm.

22 Witness Michael Sanders, DMD underwent continued cross examination by Ms. Brown and the witness was  
23 passed to the Board for questioning. Witness Michael Sanders, DMD responded to questions from Board  
24 members Dr. Park, Dr. Thompson, Dr. West, Ms. Solie, Ms. Cioffi, Ms. Arias, and Dr. Moore, respectively.

25 Examination of witness Michael Sanders, DMD was concluded and the witness was excused.

26 Recess taken from 8:08pm to 8:16pm.

27 Witness Debra Shaffer-Kugel was called, sworn in, and underwent direct examination by Mr. Barney.

28 Recess taken from 8:22pm to 8:26pm.

29 Witness Debra Shaffer-Kugel underwent continued direct examination by Mr. Barney.

30 There was a discussion held among Ms. Brown, Mr. Barney, and Dr. Moore regarding the admission of Exhibit  
31 109.

32 Recess taken from 8:46pm to 8:50pm.

33 Discussion continued regarding the admission of Exhibit 109. Ms. Brown made a statement regarding the  
34 history of disclosures. Mr. Barney moved to strike Ms. Brown's statement, which Dr. Moore noted he could not  
35 grant. There was additional discussion regarding the admission of Exhibit 109 in relation to due process.

36 Dr. Moore noted that the hearing would continue on September 20, 2021.  
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- 38 **6. Public Comment (Live public comment by teleconference):** (Public Comment is limited to three (3) minutes  
39 for each individual)  
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**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.

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44 There was no public comment.  
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46 **7. Announcements**

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48 There were no announcements.  
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- 50 **\*8. Adjournment** (For Possible Action)  
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52 Dr. Park made a motion to adjourn. Dr. West seconded the motion. All were in favor. Motion passed.  
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X 

Phil Su  
General Counsel/Interim Executive Director

55 **PUBLIC NOTICE POSTING LOCATIONS**

56 Nevada State Board of Dental Examiners., 6010 S Rainbow Boulevard, #A-1, Las Vegas, Nevada 89118  
57 Nevada State Board of Dental Examiners website: [www.dental.nv.gov](http://www.dental.nv.gov)  
58 Nevada Public Posting Website: [www.notice.nv.gov](http://www.notice.nv.gov)