

NEVADA STATE BOARD
of
DENTAL EXAMINERS



LEGISLATIVE, LEGAL, AND DENTAL PRACTICE
COMMITTEE TELECONFERENCE MEETING

TUESDAY, APRIL 6, 2021

6:00 P.M.

ADDENDUM PUBLIC BOOK

Agenda Item (4)(a):

Legislative Update Summary

AB 269 – Revises provisions relating to providers of dental care.

- This bill relates to dentists, dental hygienists or dental therapists to administer immunizations generally, or for influenza. They can only do this if they have approval from the Board of Dental Examiners. Furthermore, the bill goes on to describe what an endorsement to administer these immunizations looks like, as well as the information the dental professional must provide to the patient. The bill also sets forth that the Board has authority to impose disciplinary action against dental professionals who are not in compliance with the regulations surrounding this matter. The bill also revises the requirements for serving as State Dental Health Officer to allow a person who is not licensed as a Nevada dentist to serve if they have a masters or doctorate degree in public health or a related field and is a graduate of an dental college or residency program accredited by the Commission on Dental Accreditation of the American Dental Association or its successor organization. Lastly, the bill authorizes the State Dental Hygienist to pursue “another business or vocation with the approval of the Division of Public and Behavioral Health of the Department of Health and Human Services”.

AB 369 – Revises provisions relating to professional and occupational boards.

- This bill provides for the expiration of certain professional and occupational licensing boards unless renewed by the Legislature and requires the Sunset Subcommittee of the Legislative Commission to review such boards every six years to determine if the board should be allowed to expire or be renewed.

AB 438 – Revises provisions relating to dentistry.

- This is the bill brought forth by the Board of Dental Examiners. The language includes changing the employment of board employees to be at will; sets forth additional requirements for the employment of hearing officers; authorizes treatment of patients by out-of-state dentists within context of continuing education; authorizes the issuance of licensure by endorsement; removes the requirement for a specialist to certify to diplomate board status within six (6) years of licensure; updates the possible disciplinary actions the Board may pursue, including limiting fines that the Board may impose and authorizing written warnings; and requires the production of findings and conclusions regardless of whether the investigator finds actionable conduct.

AB 439 – Revises provisions relating to occupational licensing.

- This bill sets forth requirements for regulatory bodies issuing licenses; the conditions in which they can deny an application for expedited licensure by endorsement; and requirements collecting information concerning licensure.

SB 5 – Makes changes relating to telehealth.

- This bill requires the Department of Health and Human Services to establish an electronic tool to analyze certain data concerning access to telehealth. It also requires certain entities to review access to services provided through telehealth and evaluate policies to make such access more equitable, as well as governing services provided through telehealth and insurance coverage of such services.

SB 326 – Revises provisions relating to providers of health care.

- This bill relates to telehealth registration. It sets forth requirements surrounding who is eligible to apply for telehealth services, how someone can become a registrant to provide these service, and states that a registrant can provide virtual services in Nevada without being licensed or certified in this State. Additionally, the bill requires the Commissioner of Insurance to prescribe and make available on the Internet a form on which a physician may apply to be included in the network of providers of any health carrier that provides coverage in Nevada.

SB 335 – Revises provisions relating to professional and occupational licensing.

- This is the hybrid board and commission bill that sets out to abolish the Board of Dental Examiners and certain other boards and transfer its duties and powers to the Division of Occupational Licensing, which would be created in this bill and would fall under the Nevada Department of Business and Industry. All healthcare occupational boards who remain will pay 5% of their annual collected fees to the new Division.

SB 379 – Providers for the collection of certain data concerning providers of health care.

- This bill requires the Director of the Department of Health and Human Services to create and maintain a database of information for health care providers who are registered and licensed in Nevada. It also requires certain professional licensing boards and agencies to certify or registered health care providers to collect information from applicants for the renewal of their license or certificate.

SB 391 – Revises provisions relating to dentistry.

- This bill authorizes the issuance of a permit as a dental responder to a dentist, dental hygienist or dental therapist, and it authorizes a dental responder to perform certain duties during a declared emergency, disaster, public health emergency or other health event.

SB 402 – Revises provisions relating to regulatory bodies.

- This bill requires certain boards to submit an annual report submitted by the Sunset Committee of the Legislative Commission and the Governor. It also gives the Governor authority to suspend the authority of a board or commission to expend funds if they fail to submit such an annual report.

Agenda Item (4)(d):

Assembly Bill 269 Chart

Proposed Bill Section (AB 269)	Dental Board completed? And Date completed	Yet to be completed? Status
Sections 1-9 address NRS 631; NRS 631.310, NRS 631.3122		
Section 1: - Permission to Administer	Yes. - Emergency Regulations approved by SOS 3/8/21 and effective through 7/6/21; - Temporary Regulations approved by Board on 3/16/21, will be submitted to SOS on or about 4/20/21 (35 day waiting period); - Permanent Regulations will be submitted to LCB on or about 7/1/21	n/a
Section 2-3: - Req. NSBDE to issue special endorsement to administer vaccines	N/a. - No specific requirement to provide "endorsement"	- Board would provide a "certification," instead of "endorsement" under its permanent regulation
Section 4: - Standing Order; - Comply w/ Mfg. Orders and Instructions	Yes. - Emergency and Temporary Regulations address these requirements (NAC 631.2273; NAC 631.2280(2)&(3))	- Permanent regulations will follow Temporary regulation language
Section 5: - Provide VIS; - obtain written informed consent; - rely on physician/PAC/ARNP conclusions regarding whether to administer	Yes. - Emergency and Temporary Regulations address these requirements (NAC 631.2275; NAC 631.2280(2)&(6); NAC 631.2284.	- Permanent regulations will follow Temporary regulation language
Section 6: - Maintain vaccination records	Yes. - Emergency and Temporary Regulations address these requirements (NAC 631.2280(3); NAC 631.2285.	- Permanent regulations will follow Temporary regulation language
Section 7: - CE requirements	Yes. - Emergency and Temporary Regulations address these requirements (NAC 631.2282).	- Permanent regulations will follow Temporary regulation language

<p>Section 8: - Authorizes Board discipline for (1) Administering vaccination w/o endorsement; (2) failing to comply with requirements to report information regarding vaccinations</p>	<p>Not specifically. Other portions of NRS 631 address unprofessional conduct generally (NRS 631.346 et seq.; NRS 631.349; NAC 631.230)</p>	<p>- Board can include specific permanent regulations in NAC 631.230 to establish violation of vaccine regulations constitute unprofessional conduct</p>
<p>Sections 9-10 address 439.272; 439.279</p>		
<p>Section 9: - Revise requirements for State Dental Health Officer to allow person who is not a licensed dentist to serve as SDHO if they have a masters or doctorate degree in public health or a related field and is a graduate of an accredited dental college or residency program</p>	<p>No.</p>	<p>n/a</p>
<p>Section 10: - Authorizes State Dental Hygiene Officer to pursue another business or vocation with approval of the DPBH/ DHHS</p>	<p>No.</p>	<p>n/a</p>