

# 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 INTENT TO ACT UPON TEMPORARY REGULATIONS

### **Notice of Public Hearing for the Adoption of Proposed Temporary Regulations of the Nevada State Board of Dental Examiners**

The Nevada State Board of Dental Examiners will hold a Hearing on Tuesday, March 16, 2021 at 6:00 p.m. during a regularly scheduled meeting of the Board at the offices of the Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd, Suite A· 1, Las Vegas, Nevada 89118.

**\*\* This meeting will be held via TELECONFERENCE ONLY, pursuant to Section 1 of the DECLARATION OF EMERGENCY DIRECTIVE 006 issued by the State of Nevada Executive Department and as extended by Directives 016, 018, 021, 026, and 029. There will be no physical location for this meeting\*\***

The purpose of the Hearing is to receive comments from all interested persons regarding the adoption of the following proposed temporary regulations that pertain to Chapter 631 of the Nevada Administrative Code. The topics and revisions are regarding the following:

- Administration of Vaccinations by Licensed Dental Professionals (NAC 631.2270, et seq.)

Pursuant to the requirements of NRS 233B.0603, the following information is provided:

- (1) A statement of the need for and purpose of the proposed regulation.
- (2) If the proposed regulation is a temporary regulation, either the terms or substance of the proposed regulation or a description of the subjects and issues involved.

#### **1. STATEMENT FOR THE NEED AND PURPOSE OF THE PROPOSED TEMPORARY REGULATION.**

*The Nevada State Board of Dental Examiners approved similar emergency regulations pertaining to administration of vaccinations at its January 12, 2021 Board meeting, which were endorsed by the Governor on January 22, 2021 and which submitted for filing with the Secretary of State on or about January 25, 2021. Those emergency*

*regulations are set to expire 120 days after filing with the Secretary of State, on or about May 25, 2021.*

*This proposed temporary regulation will serve as a bridge between the expiration date of the emergency regulations and the Board's anticipated adoption of future permanent regulations governing administration of vaccinations by licensed dental professionals.*

2. THE TERMS OR SUBSTANCE OF THE PROPOSED TEMPORARY REGULATION OR A DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED.

*Pursuant to the Governor's Declaration of Emergency issued March 12, 2020, Nevada is in an emergency status due to the ongoing COVID-19 pandemic. This proposed temporary regulation will authorize Licensed Dental Practitioners under Chapter NRS 631, who have obtained appropriate training, to administer immunizations, both for COVID-19 and in general. The proposed temporary regulation will allow Licensed Dental Professionals to bring their pre-existing experience and training in the use of drugs, anesthetic agents and physical evaluation to bear upon the increased demand for vaccine services in this state, and to expand the State's capacity to expediently treat Nevada's population with approved vaccines, including for COVID-19. The proposed temporary regulation will also ensure the availability of Nevada's other healthcare providers to attend to other urgent, frontline healthcare needs. The proposed regulations are necessary for the protection, health and safety of the public.*

3. ESTIMATED ECONOMIC EFFECT OF THE REGULATION ON THE BUSINESS WHICH IT IS TO REGULATE AND ON THE PUBLIC. THESE MUST BE STATED SEPARATELY, AND IN EACH CASE MUST INCLUDE:

- A) BOTH ADVERSE AND BENEFICIAL EFFECTS.
- B) BOTH IMMEDIATE AND LONG TERM EFFECTS.

Estimated economic effect of the regulation on businesses:

*The Board of Dental Examiners does not anticipate any adverse economic impact from this temporary regulation on regulated businesses. The beneficial economic effects of the temporary regulation include the increased ability for licensees to apply their training and knowledge to provide an additional service to their community, in the form of safe administration of vaccinations. The Board of Dental Examiners anticipates that both the immediate and long-term economic effects on regulated businesses will be beneficial, because the temporary regulation will, again, provide licensees to provide an additional service to their community.*

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Estimated economic effect of the regulation on the public:

*The Board of Dental Examiners does not anticipate any adverse economic impact on the public. The beneficial economic effects of the temporary regulation include: the rapid activation of a large and adequately trained workforce to safely administer vaccinations, and relieving the state's other trained healthcare workforce of vaccination responsibilities so they can attend to other pandemic-related healthcare needs.*

*The Board of Dental Examiners anticipates that both the immediate and long-term economic effects on the public will be beneficial, because this temporary regulation will increase the State's capacity to effectively and efficiently deploy vaccine, both for the current pandemic and future wide-spread health emergencies.*

4. METHOD UTILIZED TO DETERMINE ECONOMIC EFFECT

*Upon holding two (2) Public Workshops, on December 15, 2020, and on January 7, 2021, where licensees, members of local associations and societies, and members of the public were in attendance and allowed to offer public comment, the attendees did not object to the introduction of these temporary regulations to allow for the administration of vaccinations by licensees.*

5. THE ESTIMATED COST TO THE AGENCY FOR ENFORCEMENT OF THE PROPOSED REGULATION

*There will be no additional or special costs incurred by the Board of Dental Examiners for enforcement of this regulation.*

6. A DESCRIPTION OF ANY DUPLICATION OR OVERLAPPING REGULATIONS OF OTHER STATE OR GOVERNMENT AGENCIES

*The Board of Dental Examiners is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.*

7. IF THE REGULATION IS REQUIRED PURSUANT TO FEDERAL LAW, A CITATION AND DESCRIPTION OF THE FEDERAL LAW

*Not applicable.*

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8. IF THE REGULATION INCLUDES PROVISIONS WHICH ARE MORE STRINGENT THAN A FEDERAL REGULATION THAT REGULATES THE SAME ACTIVITY, A SUMMARY OF SUCH PROVISIONS.

*Not applicable.*

Persons wishing to comment may appear by teleconference at the scheduled hearing or may address their **comments, data, views, arguments or small business impact in written form** to:

Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd, A-1, Las Vegas, Nevada 89118, Attn: Frank DiMaggio, Executive Director; Fax number (702) 486-7046; e-mail address [nsbde@nsbde.nv.gov](mailto:nsbde@nsbde.nv.gov). Written submissions received by the Board on or before **Monday, March 15, 2021 by 4:00 p.m.** may be entered into the record during the meeting. Any other written public comment received prior to the adjournment of the meeting will be included in the permanent record.

Pursuant to NRS 233B.064(2), “upon adoption of any regulation, the Board, if requested to do so by an interested person, either before adoption or within thirty (30) days thereafter, shall issue a concise statement of the principal reason for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.”

**PUBLIC NOTICE POSTED TO:**

Nevada State Board of Dental Examiners website: [www.dental.nv.gov](http://www.dental.nv.gov)

Nevada Public Posting website: [www.notice.nv.gov](http://www.notice.nv.gov)

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