

NEVADA STATE BOARD
of
DENTAL EXAMINERS



BOARD TELECONFERENCE MEETING

TUESDAY, FEBRUARY 2, 2021

6:00 P.M.

PUBLIC BOOK

Agenda Item (4)(a)(1):

Draft Minutes

Board Meeting - 12/08/2020

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

PUBLIC MEETING NOTICE & BOARD MEETING AGENDA

Meeting Date & Time

Tuesday, December 08, 2020
6:00 p.m.

This meeting was held exclusively through teleconference means, in accordance with Emergency Directives issued by Governor Sisolak

DRAFT MINUTES

PUBLIC NOTICE:

**** This meeting will be held via TELECONFERENCE ONLY, pursuant to Section 1 of the DECLARATION OF EMERGENCY DIRECTIVE 006 ("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****

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.

Pursuant to Section 2 of Directive 006, members of the public may participate in the meeting by submitting 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@nsbde.nv.gov**. Written submissions received by the Board on or before **Monday, December 07, 2020 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.

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.

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 <http://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.

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68 **1. Call to Order**69 - Roll call/Quorum
7071 Board Member Moore called the meeting to order at approximately 6:04 p.m. Mr. Frank DiMaggio
72 conducted the following roll call:
73

Dr. D. Kevin Moore (President)-----	PRESENT	Dr. Ronald West -----	PRESENT
Dr. David Lee (Secretary-Treasurer) ----	PRESENT	Ms. Caryn Solie -----	PRESENT
Dr. Elizabeth Park -----	PRESENT	Ms. Gabrielle Cioffi -----	PRESENT
Dr. W. Todd Thompson -----	PRESENT	Mrs. Jana McIntyre -----	PRESENT
Dr. Ronald Lemon -----	PRESENT	Ms. Yamilka Arias -----	PRESENT
Dr. Adam York -----	PRESENT		

74
75 Others Present: Phil Su, Board General Counsel; Frank DiMaggio, Executive Director; Sandra Spilsbury, Site
76 Inspection – CE Coordinator.
7778 **2. Public Comment (By pre-submitted email/written form):** The public comment period is limited to matters
79 specifically noticed on the agenda. No action may be taken upon the matter raised during public comment unless the
80 matter itself has been specifically included on the agenda as an action item. Comments by the public may be limited to
81 three (3) minutes as a reasonable time, place and manner restriction, but may not be limited based upon viewpoint. The
82 Chairperson may allow additional time at his/her discretion.
8384 Pursuant to Section 2 of Directive 006, and extended by Directives 016, 018, 021, 026, and 029, members of the public may
85 participate in the meeting without being physically present by submitting public comment via email to nsbde@nsbde.nv.gov,
86 or by mailing/faxing messages to the Board office. Written submissions received by the Board on or before **Monday,**
87 **December 07, 2020 by 4:00 p.m.** may be entered into the record during the meeting. Any other written public comment
88 submissions received prior to the adjournment of the meeting will be included in the permanent record.
8990 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual,
91 the Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the authority of, the
92 Nevada State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious,
93 slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.
9495 Mr. DiMaggio read a statement regarding public comment into the record. Mr. DiMaggio stated that
96 there was written public comment, and proceeded to read them into the record.
9798 ***3. President's Report:** (For Possible Action)
99100 Board Member Moore stated that an email was sent to all Board Members with proposed 2021 Board
101 Meeting dates. He asked for Board Members who have not responded, to please respond as soon as
102 possible. Mr. DiMaggio stated that he would resend the email to those Board Members that have not
103 responded.
104105 **(a) Request to remove agenda item(s)** (For Possible Action)
106107 There were no requests made.
108109 **(b) Approve Agenda** (For Possible Action)
110111 MOTION: Board Member Park moved to approve the agenda. Motion seconded by Board Member
112 Lemon. All were in favor, motion passed.
113
114
115116 ***4. Secretary – Treasurer's Report:** (For Possible Action)
117118 ***a. Minutes** (For Possible Action)
119

- 120 (1) Continuing Education Committee Teleconference Meeting – 10/07/2020
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- 121 (2) Board Teleconference Meeting – 10/08/2020
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- 122 (3) Board Teleconference Meeting (Open and Closed Sessions) – 10/20/2020
-
- 123

124 Board Member Lee inquired if anyone had any questions or corrections regarding the minutes for
125 approval. Mr. DiMaggio stated that he had a few corrections to be made to the 10/07/2020 Continuing
126 Education Committee Meeting Minutes. He addressed the corrections to be made. Mr. DiMaggio

127 further noted minor changes/corrections to the 10/20/2020 Board Meeting Open Session minutes, which
 128 he noted. No further changes were noted.

129
 130 MOTION: Board Member Moore moved to approve the minutes as amended. Board Member
 131 Lemon seconded the motion. All were in favor, motion passed.

132
 133 ***b. Financials – NRS 631.180/NRS 631.190** (For Possible Action)

134
 135 **(1) Review Balance Sheet and Statement of Revenues, Expenses and Balances for period**
 136 **November 1, 2019 to June 30, 2020** (For Informational Purposes)

137
 138 **(2) Review Balance Sheet and Statement of Revenues, Expenses, and Balances for period**
 139 **July 1, 2020 to September 30, 2020** (For Informational Purposes)

140
 141 Mr. DiMaggio noted that Mr. Jeffrey Edwards was present to go over the financial reports with the Board.
 142 Mr. Edwards noted to the Board that he is a CPA with BDO, and introduced himself. He addressed the
 143 Board's finances and spoke in regards to the Board's financial assets and reserves.

144
 145 Per an inquiry by Board Member Park, there was brief discussion regarding the Board's desire to move
 146 and the decision by the Board to either purchase a building or lease an office. It was noted that the
 147 Board had a sufficient amount in their reserves to purchase a building should they desire to, so long as the
 148 Board did not dip into their savings or operating accounts. Board Member Park inquired if Mr. Edwards
 149 would be conducting a review of the Board's finances from the previous years. Mr. Edwards noted that
 150 he would only be overseeing the Board's current bookkeeping.

151
 152 The Board thanked Mr. Edwards for his time.

153
 154 Mr. DiMaggio responded to Board Member Parks' inquiry regarding forensics accounting, and noted that
 155 many of the financial documents needed were with the State Archives, which the office had been
 156 closed due to a Governor's directive.

157
 158
 159 ***5. Executive Director's Report:** (For Possible Action)

160
 161 Mr. DiMaggio stated that the American Association of Dental Boards ("AADB") was going to be holding
 162 their mid-winter virtual meeting February 27-28, 2021. Mr. DiMaggio discussed the rates for members
 163 versus non-member rates, and explained the difference. He stated that several board members
 164 expressed interest in attending, however, that he was seeking confirmation from those who would like to
 165 attend so that staff may register them. Board Member Moore noted that there was a separate fee for
 166 the Board to register, which was paid. Mr. DiMaggio noted that the member fee and registration fee
 167 were separate and different fees. Mr. DiMaggio noted what the costs would be if each Board Member
 168 were to attend, which a significant amount.

169
 170 Each Board Member was call upon to see who would be interested in attending the AADB virtual
 171 meeting:

172 Board Member Thompson: No
 173 Board Member York: Yes
 174 Board Member West: No

175
 176 Board Member Lemon inquired what the benefits were to attend, which Board Member Moore explained
 177 what the meetings were.

178
 179 Board Member Lemon: No

180
 181 Board Member Park asked if topics to be discussed at the meeting were known, and whether or not any
 182 of them would be regarding Dental Therapy. Board Member Moore read the list of topics from the AADB
 183 meeting program.

184
 185 Board Member Park: No
 186 Board Member Lee: No

187 Board Member Arias: No

188
189 Board Member Solie noted that if there were going to be any topics covered regarding Dental Hygiene
190 and Dental Therapy that she would be interested in attending if Board Member McIntyre was not
191 interested in attending.

192
193 Board Member Solie: Yes

194 Board Member McIntyre: No

195 Board member Cioffi: No

196
197 Mr. DiMaggio confirmed that Board Members York, Moore and Solie would be attending the AADB virtual
198 meeting.

199
200 ***6. General Counsel's Report:** (For Possible Action)

201
202 **(1) Request for Advisory Opinion from (applicant) Benjamin Abrahams for Board's**
203 **authorization to apply for a general dental license without the requirement to retake the**
204 **Class II portion of the exam on a live patient and other restrictions a temporary license**
205 **may have** (For Possible Action)

206
207 Mr. Su stated that Dr. Benjamin Abrahams was present. Dr. Abrahams clarified that he applied for a
208 temporary license after submitting his request for an Advisory Opinion. He noted that his original
209 application for an unrestricted dental license was rejected because he failed to satisfy all the exam
210 requirements by completing all portions of the exam on a live patient. He then noted that he submitted
211 the addendum to the application to change his application type to a temporary unrestricted dental
212 license. Mr. Su stated that the Board was inclined to grant him a temporary unrestricted license and
213 inquired if that would satisfy Dr. Abrahams' request for an Advisory Opinion. Dr. Abrahams explained
214 his unique situation that he completed 2 portions of the exam on live patients; however, that due to
215 COVID-19, one portion of the exam was manikin based instead of live patient based. He noted that he
216 took portions of exam on three different occasions. The final section happened to take place during the
217 pandemic when live patient exams were not being offered. He asked the Board to consider making an
218 exception for his situation so that he does not have to retake the final portion of the exam on a live
219 patient. Mr. Su read NAC 631.279 into the record. It was clarified that Dr. Abrahams was asking for an
220 exception so that he does not have to retake the third portion of the exam on a live patient. Dr.
221 Abrahams stated his situation is much different than many other students. Board Member Moore noted
222 that with the uncertainty of the pandemic, the Board has agreed that they would revisit the matter
223 regarding live patient exams at a future time. Mr. Su stated that according to the Advisory Opinion
224 regulation, the advisory opinion is for seeking clarification of a statute or a regulation, and not necessarily
225 for seeking exceptions. Board Member West stated that it was unfortunate for the students during these
226 times, however, that the Board is obligated to enforce the NRS and NAC, and that making an exception
227 was not part of the advisory opinion regulation. Dr. Abrahams withdrew his request for an Advisory
228 Opinion.

229
230 **(2) Request for Advisory Opinion from Matthew J. Wilson, DDS for Board's consideration to**
231 **approve his botox and filler certification training completed November 2017 as**
232 **satisfying the requirements for use of neuromodulators and dermal or soft tissue fillers or**
233 **to allow possible supplemental training** (For Possible Action)

234
235 Mr. Su noted that Dr. Matthew Wilson was not present. Mr. Su explained to the Board that the course was
236 completed in 2017, however, that the Board did not accept such a course until 2018. Mr. Su stated that
237 there was slight misrepresentation on Dr. Wilson's letter that he would need to clarify. He read Dr. Wilson's
238 letter where he indicated that his credentials were accepted by the Board for two (2) years prior to him
239 being given notice. Mr. Su clarified that the Board did not accept his credentials, rather he submitted
240 them, and the Board issued him a letter in January of 2020 notifying him that the course certification he
241 provided did not meet the required training as listed in the regulations. Board Member Lee noted that
242 the course was 20 CE hours but that the regulations currently require 24 hours; and therefore, Dr. Wilson
243 would need to complete the remaining 4 hours, if the Board would accept Dr. Wilson's certificate of
244 completion. Mr. Su noted that the regulation states that the course must be approved by the Board and
245 broke down the 24 hours in continuing education requirement. Ms. Spilsbury clarified that currently the

246 course has not been granted Board approval and currently does not meet requirements as it is a 20 hour
 247 course. She noted that the entity requested the CE Provider Application in February 2019, however, that
 248 the completed application was not submitted until early 2020. Furthermore, the program is still pending
 249 approval by the Board. She noted that Continuing Education Committee did review the program;
 250 however, the course they reviewed was for a more recent one, as the criteria submitted with the CE
 251 Provider Application was not the same criteria as the course completed by Dr. Wilson. Ms. Spilsbury
 252 explained that although the CE Committee reviewed and recommend approval of the course, the
 253 Board tabled the item because they wanted to review the entity's other courses.

254
 255 Board Member Park asked Board Member Lemon if he remembered them discussing not allowing retro-
 256 active approval of courses taken prior to a course being approved by the Board. Board Member Lemon
 257 stated that there was discussion and a board vote regarding licensees having completed a course prior
 258 to board approval, and the Board voting to not set a precedent. The Board was provided the
 259 September 15, 2020 board meeting minutes using the screen share feature, and highlighted in the
 260 minutes where the Board agreed not to set a precedent for retroactive approval of continuing
 261 education courses. Mr. Su read the portion of the minutes that indicated that the Board was unwilling to
 262 set a precedent of accepting certificates of completion for courses taken through a program that were
 263 not approved at the time that a licensee completed the courses. Additional discussion ensued
 264 regarding the same.

265
 266 MOTION: Board Member Park motioned to decline the advisory opinion. Board Member West
 267 seconded the motion. Discussion: Board Member Solie asked what the next step would
 268 be, and whether they will notify the licensee that they cannot administer botox and
 269 fillers. Mr. Su noted that a letter was sent to the licensee which already advises him that
 270 he cannot administer neuromodulators in the State of Nevada if the course was not a
 271 Board approved course. Ms. Spilsbury addressed the Board and clarified that the
 272 training requirements for neuromodulators was not adopted until 2018 and that
 273 licensees began uploading their certificates, and upon reviewing the certificates that
 274 were submitted to the Board office, they were reviewed to ensure they met the
 275 requirements. Board Member Thompson made a comment that many licensees
 276 completed courses prior to the Board adopting regulations to permit the administration
 277 of botox and fillers by licensees with the appropriate training. Board Member Lemon
 278 noted that there was currently no grandfathering clause in the regulations or statutes.
 279 All were in favor, motion passed.

280
 281 ***7. Old Business:** (For Possible Action)

282
 283 ***a. Discussion, consideration, and possible approval/rejection of the Infection Control**
 284 **Committee's recommendation to require an Infection Control Inspection for the**
 285 **Senior Smiles Program even though the program is only utilizing single-use disposable**
 286 **instruments and providing only basic oral hygiene care** (For Possible Action)

287
 288 Mr. DiMaggio stated that the request was from Ms. Minnitte regarding her program, which was approved
 289 in April 2020. He stated that the request was for clarification that if she was only used single-use
 290 disposable instruments and would be providing only basic oral hygiene care, would an Infection Control
 291 inspection still be required. Mr. DiMaggio noted that the IC Committee met and upon discussion of the
 292 matter voted to recommend that the Board require in IC inspection for the Senior Smiles program. The
 293 Board noted that Ms. Minnitte was not present, however, that she submitted a letter to the Board the
 294 evening prior via electronic message regarding her ability to provide services to a nursing home that is
 295 located inside a hospital. There was discussion regarding Senior Smiles and the recommendation from
 296 the IC Committee to require an IC Inspection, especially given the extra measure that need to be taken
 297 during the COVID-19 pandemic. Board Member Moore called for a motion to accept or reject the IC
 298 Committee's recommendation to require an IC inspection.

299
 300 MOTION: Board Member Solie motioned to approve the Senior Smiles program upon successful
 301 completion of an Infection Control inspection; and upon the COVID-19 pandemic
 302 being lifted, for the program to be brought before the Board for reconsideration and to
 303 determine if a new Infection Control inspection would be required. Board Member
 304 Arias seconded the motion. Discussion: Board Member Moore asked for clarification if

Board Member Solie's motion was to accept the Infection Control Committee's recommendation to require an infection control inspection for Senior Smiles. Board Member Solie responded affirmatively. Board Member Arias reconfirmed her second to the motion. All were in favor of the motion, motion passed.

***b. Discussion, consideration, and possible approval/rejection of the Infection Control Committee's recommendation to approve the Public Health Dental Hygiene Program upon successfully passing the Board's Infection Control Inspection – NAC 631.210** (For Possible Action)

(1) Heavenly Smiles Mobile Dental Program

Board Member Moore called for a motion.

MOTION: Board Member Park motioned to accept the Infection Control Committee's recommendation to approve the Heavenly Smiles Mobile Dental Program as a Public Health Dental Hygiene Program pending successfully passing an infection control inspection. Board Member Lemon seconded the motion. All were in favor of the motion, motion passed.

***8. New Business:** (For Possible Action)

***a. Discussion, consideration, and possible approval/rejection of Public Health Endorsement applications** (For Possible Action)

(1) Janet E Crosswhite, RDH – Heavenly Smiles Mobile Dental Program

Mr. DiMaggio stated that this agenda item was concerning approval of a public health endorsement for Ms. Janet Crosswhite and Ms. Jessica Woods. Ms. Spilsbury confirmed that the PHE application were both reviewed and approved by Board Member Lee; however, that Ms. Crosswhite's application was approved pending successful infection control inspection of her program, Heavenly Smiles. Board Member Lee asked that the Board review and address each application separately. This matter was reviewed and the board previously voted to require an IC inspection prior to approving the program.

Board Member Moore called for a motion to table (8)(a)(1) pending successful completion of an infection control inspection. Board Member Solie asked if the board had previously approved the Heavenly Smile Mobile Dental Program. Ms. Spilsbury stated that at the October 8, 2020 meeting, the program was on the agenda for approval, however, that the program was referred back to the Infection Control Committee so that they may address how the program anticipated abiding by the CDC's COVID-19 infection control requirements. Board Member Moore noted that the Board can motion to approve the PHE application for Ms. Crosswhite pending successful completion of an IC inspection or they may table the agenda item until a successful IC inspection is completed.

MOTION: Board Member Lee motioned to table (8)(a)(1). Board Member Moore seconded the motion. Discussion: Board Member Solie stated that she would not be in favor of tabling the agenda item since the program and PHE applicant have waited to obtain approval for some time. There was discussion regarding the program and possibility of amending the motion to include that the PHE application is approved contingent upon successful completion of an Infection Control Inspection, and perhaps setting a list of parameters that Ms. Crosswhite would need to have in order to obtain a PHE. Board Member Lee withdrew his motion.

MOTION: Board Member Solie motioned to approve that Ms. Crosswhite's PHE be granted upon her program successfully passing an IC inspection. Board Member Lemon seconded the motion. Discussion: Board Member Moore asked Ms. Spilsbury that if Ms. Crosswhite did not have a van to run her mobile program in, how would Ms. Crosswhite be able to move forward with the Infection Control Inspection? Board Member Solie stated simply, that if there is no van available, then no inspection can be done. There was discussion regarding the mobile program and the utilization of a van. Ms. Crosswhite was given an opportunity to address the Board and addressed Board Member Moore's concerns regarding the van, and noted that the van would be arriving the following week and that she was prepared to equip the

364 van using the infection control inspection list provided by the Board. Ms. Crosswhite added that she
 365 submitted her COVID-19 protocol that she will have in place to ensure that she is taking all precautionary
 366 measures in regards to COVID-19. Board Member Lemon noted that the Board must first approve the
 367 Infection Control Addendum form before they could move forward with this agenda item. Board
 368 Member Moore stated that they would return to this agenda item upon the Board addresses the
 369 addendum form to the infection control inspection.
 370

371 MOTION: Board Member Solie motioned to approve Ms. Crosswhite's PHE application contingent upon
 372 successful completion of an infection control inspection of the Heavenly Smiles Program's mobile van.
 373 Board Member Lemon seconded the motion. All were in favor, motion passed.
 374

375 (2) Jessica L Woods, RDH – State of Nevada Oral Health Program
 376

377 Board Member Lee stated that he reviewed the application and all was in order.
 378

379 MOTION: Board Member Solie motioned to approve the public health endorsement for Ms.
 380 Jessica Woods. Board Member Arias seconded the motion. All were in favor, motion
 381 passed.
 382

383 ***b. Discussion, consideration, and possible approval/rejection of the Infection Control**
 384 **Committee's recommendation to approve hiring part time Infection Control Inspector**
 385 **Employees** (For Possible Action)
 386

387 (1) Lynda K Martinez, DDS
 388 (2) Nicole M Rundle, RDH
 389

390 Board Member Park stated that the Infection Control Committee's recommendation was to hire both
 391 individuals.
 392

393 MOTION: Board Member Thompson motioned to approve Dr. Martinez and Ms. Rundle to be
 394 hired as part-time Infection Control Inspector employees. Board Member McIntyre
 395 seconded the motion. Discussion: Board Member Cioffi asked if these were benefited
 396 positions. Board Member Moore stated that they were not; and noted that the Sunset
 397 Committee found that the Board should have inspectors as employees and not as
 398 independent contractors. He clarified that they are paid hourly for actual time worked.
 399 All were in favor, motion passed.
 400

401 ***c. Discussion, consideration, and possible approval/rejection of the Infection Control**
 402 **Committee's revision recommendation to add an addendum to the Infection Control Survey**
 403 **Form** (For Possible Action)
 404

405 Board Member Moore inquired if there were any questions regarding the form. There was lengthy
 406 discussion regarding the changes and the reasoning behind the changes being proposed. There was
 407 also lengthy discussion regarding adding some additional changes, as well as removing certain
 408 information. After lengthy discussion of possible changes, it was determined to leave the addendum
 409 form as is. It was noted that the main concern was public safety and doing everything necessary to
 410 ensure safety.
 411

412 MOTION: Board Member Thompson motioned to approve Infection Control Committee's
 413 recommendation to add the addendum to the Infection Control Survey Form during
 414 the pandemic. Board Member Park seconded the motion. All were in favor, motion
 415 passed.
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***d. Discussion, consideration, and possible approval/rejection of delegating Board authority to the Chairperson of the Continuing Education Committee to approve Continuing Education courses required pursuant to an approved Stipulation Agreement between the Board and a Licensee – NRS 631.190** (For Possible Action)

Mr. Su stated that this would be delegation of authority to have the Chair of the CE committee to review and approve or reject CE courses submitted by a licensee in completion of an approved stipulation agreement.

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MOTION: Board Member McIntyre motioned to approve delegating the Board's authority to the Chairperson of the CE Committee to approve CE courses required pursuant to an approved stipulation agreement. Board Member Lemon seconded the motion. All were in favor, motion passed.

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***e. Approval/Rejection of Voluntary Surrender of License – NAC 631.160** (For Possible Action)

(1) Can Nguyen, DMD

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Mr. Su stated that Dr. Nguyen was currently not practicing in Nevada.

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MOTION: Board Member Thompson motioned to approve the voluntary surrender of license for Dr. Can Nguyen. Board Member McIntyre seconded the motion. All were in favor, motion passed.

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***f. Approval/rejection of Permanent Anesthesia Permits – NAC 631.2235** (For Possible Action)

(1) Audrey H Nghiem, DDS – Moderate Sedation (pediatric specialty)
(2) Christopher Chan, DDS, MD – General Anesthesia

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454

Ms. Spilsbury stated that both Dr. Audrey Nghiem and Dr. Christopher Chan passed their evaluations.

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456
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MOTION: Board Member West motioned to grant the permanent permits to Dr. Nghiem and Dr. Chan. Board Member Park seconded the motion. All were in favor, motion passed.

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***g. Approval/Rejection of 90-day extension on Temporary Anesthesia Permits – NAC 631.2254**
(For Possible Action)

(1) Christine A Lemon, DDS – General Anesthesia
(2) Kevin M Nowins, DMD – General Anesthesia
(3) David S Stoker, DDS – General Anesthesia
(4) Jordan M Swarbrick, DDS – General Anesthesia
(5) Arlisha J Hicks, DDS – Moderate Sedation (pediatric specialty)
(6) Jacqueline A Alford, DMD – Moderate Sedation (pediatric specialty)

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Board Member Moore stated that the six licensees were requesting an extension of their temporary permits since they have not been able to get their evaluations scheduled.

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MOTION: Board Member Moore motioned to grant the extension of the temporary permits for the six licensees listed above. Board Member Lee seconded the motion. All were in favor, motion passed.

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***h. Discussion, consideration, and possible approval/rejection of attendance at 2021 OSAP virtual Dental Infection Control Boot Camp scheduled for January 25, 2021 – January 28, 2021**
(For Possible Action)

(1) Sandra Spilsbury

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Board Member Moore stated that Ms. Spilsbury would be attending the camp. He stated that he would like for a Board Member to attend. Board Member Park volunteered to attend. Mr. DiMaggio noted that

484 the cost for Ms. Spilsbury to attend is \$298, and noted that her registration was paid for previously,
 485 therefore, the approval be a retroactive approval for Ms. Spilsbury. Further, he noted that the fee for
 486 Board Member Park to attend was \$398 since the early bird rate of \$298 had already passed.
 487

488 MOTION: Board Member Lee motioned to approve for Ms. Spilsbury and Board Member Park to
 489 attend the OSAP meeting. Board Member West seconded the motion. All were in
 490 favor, motion passed.
 491

492 ***i. Discussion, consideration, and possible determination of Board Meeting dates for the**
 493 **calendar year of 2021** (For Possible Action)
 494

495 Board Member Moore, at the beginning of the meeting, asked that the Board Members that had not
 496 responded to administrative staff regarding their availability to please do so, so that the Board could
 497 move forward with presenting a proposed list of Board Meeting dates for 2021.
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 499

500 **9. Public Comment (Live public comment by teleconference):** This public comment period is for any matter
 501 that is within the jurisdiction of the public body. No action may be taken upon the matter raised during public comment unless
 502 the matter itself has been specifically included on the agenda as an action item. Comments by the public may be limited to
 503 three (3) minutes as a reasonable time, place and manner restriction, but may not be limited based upon viewpoint. The
 504 Chairperson may allow additional time at his/her discretion.
 505

506 Pursuant to Section 2 of Directive 006, and extended by Directives 016, 018, 021, 026, and 029, members of the public may
 507 participate in the meeting without being physically present by submitting public comment via email to nsbde@nsbde.nv.gov,
 508 or by mailing/faxing written messages to the Board office. Written submissions should be received by the Board on or before
 509 **Monday, December 07, 2020 by 4:00 p.m.** in order to make copies available to members and the public.
 510

511 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual,
 512 the Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the authority of, the
 513 Nevada State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious,
 514 slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.
 515

516 Mr. DiMaggio read a statement into the record.
 517

518 Dr. Wineman President for NDA asked the Board if there was a mechanism in place to adjust the licensure
 519 fees. Further, he asked if there was a way for the licensees to obtain a copy of the Infection Control
 520 addendum so that they could disseminate it to their members. Board Member Moore asked Dr. Wineman
 521 to submit his questions to the Executive Director for a response.
 522

523
 524 **10. Announcements**
 525

526 Board Member Moore thanked the Board Members for their input and healthy discussions.
 527

528
 529 ***11. Adjournment** (For Possible Action)
 530

531 Board Member Moore called for adjournment.
 532

533 MOTION: Board Member Lee motioned to adjourn the meeting at approximately 8:40 p.m. Board
 534 Member seconded Lemon the motion. All were in favor, motion passed.
 535

536 Respectfully submitted:
 537

538
 539 _____
 540 Frank DiMaggio, Executive Director

Agenda Item (4)(a)(2):

Draft Minutes

Board Regulation Workshop - 12/15/2020

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 AGENDA FOR REGULATION WORKSHOP

Meeting Date & Time

Tuesday, December 15, 2020
6:00 p.m.

**This meeting will be held exclusively through teleconference means,
in accordance with Emergency Directives issued by Governor Sisolak**

DRAFT MINUTES

PUBLIC NOTICE:

**** This meeting will be held via TELECONFERENCE ONLY, pursuant to Section 1 of the DECLARATION OF EMERGENCY DIRECTIVE 006 ("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****

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.

Pursuant to Section 2 of Directive 006, members of the public may participate in the meeting by submitting 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@nsbde.nv.gov**. Written submissions received by the Board on or before **Monday, December 14, 2020 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.

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.

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 <http://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.

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63 **1. Call to Order**

64 - Roll call/Quorum

65
66 Board Member Moore called the meeting to order at approximately 6:00 p.m. Mr. DiMaggio
67 conducted the following roll call:
68

Dr. D. Kevin Moore (President)-----PRESENT	Dr. Ronald West -----PRESENT
Dr. David Lee (Secretary-Treasurer) ----PRESENT	Ms. Caryn Solie ----- PRESENT
Dr. Elizabeth Park ----- PRESENT	Ms. Gabrielle Cioffi ----- PRESENT
Dr. W. Todd Thompson ----- PRESENT	Mrs. Jana McIntyre ----- PRESENT
Dr. Ronald Lemon ----- PRESENT	Ms. Yamilka Arias ----- PRESENT
Dr. Adam York ----- PRESENT	

69 Others Present: Phil Su, General Counsel; Frank DiMaggio, Executive Director.

70
71
72 **2. Public Comment (By pre-submitted email/written form):** The public comment period is limited to matters
73 specifically noticed on the agenda. No action may be taken upon the matter raised during public comment unless
74 the matter itself has been specifically included on the agenda as an action item. Comments by the public may be
75 limited to three (3) minutes as a reasonable time, place and manner restriction, but may not be limited based upon
76 viewpoint. The Chairperson may allow additional time at his/her discretion.
77

78 Pursuant to Section 2 of Directive 006, and extended by Directives 016, 018, 021, 026, and 029, members of the public
79 may participate in the meeting without being physically present by submitting public comment via email to
80 nsbde@nsbde.nv.gov, or by mailing/faxing messages to the Board office. Written submissions received by the Board on
81 or before **Monday, December 14, 2020 by 4:00 p.m.** may be entered into the record during the meeting. Any other
82 written public comment submissions received prior to the adjournment of the meeting will be included in the
83 permanent record.
84

85 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law
86 Manual, the Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the
87 authority of, the Nevada State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being
88 irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering
89 with the rights of other speakers.
90

91 Mr. DiMaggio read a statement into the record regarding public comment. Mr. Su then stated that
92 there were two (2) written public comments submitted. Mr. Su explained that the first public
93 comment submitted by the Nevada Dental Hygienists' Association was a draft revision to the
94 proposed immunization statute and since it was a draft and not a comment it could be viewed on
95 the Board website. Mr. Su stated that the second public comment submitted by the NDHA was a
96 letter to the Board and invited Mr. DiMaggio to read the document. Mr. Su concluded that the
97 letter could also be found on the Board website.
98

99 **3. Presentation and Discussion of Proposed Temporary Regulations:**

100
101 a. Public Workshop and Review of Nevada Administrative Code Chapter 631 related to the
102 practice of dentistry and proposed temporary regulation changes and/or amendments
103 pertaining to the following:
104

- 105 • **Administration of Vaccinations by Licensed Dental Professionals (NAC 631.2562)**
- 106
- 107 • **Licensing (NAC 631.028-220), including Regulations regarding Dental Therapy (NAC**
- 108 **631.205)**
- 109

110 b. Question and Answer Session regarding Proposed Temporary Regulations
111

112 Mr. Su read a prefatory statement into the record regarding workshops. Mr. Su then explained that
113 the public workshop was to discuss temporary regulations. Mr. Su stated that the public workshop
114 was for soliciting public comment and no decisions would be made as to adoptions of regulations.
115 Mr. Su explained the process for adopting temporary regulations and for such regulations to be
116 made permanent. Mr. Su noted that the Committee on Dental Hygiene and Dental Therapy and

117 Subcommittee were supposed to meet prior to the workshop to discuss the temporary regulations
118 but did not due to technical difficulties. Mr. Su stated that despite the Committee and
119 Subcommittee not having met, the Board can still have a productive exchange of ideas and hold
120 a subsequent workshop if needed. Mr. Su then explained the format of the workshop beginning
121 with discussion of the proposed regulations for vaccine administration by dental professionals.
122

123 Mr. Su stated that Assemblyman O'Neill had issued a bill draft request duplicative of what the Board
124 of Dental Examiners is trying to accomplish through temporary regulations. Mr. Su stated that he
125 believes it is still productive to pursue the proposed regulations because it is not guaranteed that
126 the proposed bill will pass. Mr. Su then noted that the Nevada Dental Association and the Nevada
127 Dental Hygienists' Association requested postponement of the workshop. Mr. Su asked Board
128 Member Moore if he would like to consider the request for postponement of the workshop. Board
129 Member Moore called for a motion to postpone the workshop. Board Member Thompson inquired
130 about continuing the workshop and scheduling another workshop since the matters being
131 discussed are not being acted on. Mr. Su stated that that is an option and reiterated that the
132 purpose of the workshop is to allow interested parties to discuss regulations.
133

134 MOTION: No motion was made. Board Member Moore invited Mr. Su to continue hosting the
135 workshop.
136

137 Mr. Su invited Board Members and attendees to discuss the administration of vaccinations by
138 dental professionals. Board Member Arias made a comment stating that she believes it is a great
139 idea to involve dentists and dental hygienists to administer vaccines despite anyone's personal
140 views on the Covid-19 vaccine. Ms. Franco then called on Dr. Mark Funke, President of the Nevada
141 Dental Association. Dr. Funke made a comment thanking the Board for considering the request to
142 postpone the workshop and asked for the Board to take into consideration that dentists are liable
143 for patients receiving the vaccine when adopting the temporary regulation that allows licensed
144 dental professionals to administer vaccines. Dr. Funke also inquired about the purpose of a
145 temporary regulation. Mr. Su replied to Dr. Funke stating that the temporary regulation would end
146 on November 1, 2021 and if the Board wanted to make the regulation permanent the Board could
147 start that process in July 2021 so that the permanent regulation would take effect as soon as the
148 temporary regulation expires. Mr. Su then stated that the purpose of a temporary regulation is to
149 allow the Board to conduct the business necessary to enforce the Nevada Revised Statutes. Mr. Su
150 then noted that in regards to the administration of vaccinations by dental professionals if the Board
151 could not complete the temporary regulation process, the Board could alternatively produce
152 emergency regulations to permit dental professionals to provide vaccinations. Mr. Su stated that an
153 emergency regulation would only last one hundred and twenty (120) days. Board Member Lee
154 asked Mr. Su why the temporary regulation is temporary. Mr. Su explained that regulations passed
155 after August 1 of the preceding year of a legislative session must be temporary. Board Member Park
156 inquired about the availability of supplies for the administration of vaccinations in the event an
157 emergency regulation is passed. Ms. Franco called on Dr. Funke and he replied to Board Member
158 Park's inquiry stating the first shipment of vaccination supplies has arrived in Northern Nevada.
159 Board Member Thompson then shared information he had on the shipment of Pfizer and Moderna
160 to Nevada counties. Ms. Franco then called on Jessica Woods, Interim State Dental Hygienist for the
161 Oral Health Program. Ms. Woods stated that the Oral Health Program is in the process of
162 disseminating a survey to dental professionals and staff about their interest in receiving the Covid-19
163 vaccine.
164

165 Mr. Su invited Board Members and attendees to discuss licensing regulations beginning with the
166 section regarding licensure fees. Board Member Thompson made a comment stating that he does
167 not believe that dental therapy and dental hygiene should share the same line item within the
168 proposed draft regulation. Mr. Su stated that he mirrored the Nevada Revised Statutes when
169 drafting the regulations and that is why dental therapy and dental hygiene share the same line
170 item. Ms. Franco then called on Jessica Woods. Ms. Woods made a comment regarding dual
171 licensure and asked the Board to take into consideration the high licensure fees if licensees have to

172 hold both a dental hygiene license and dental therapy license in order to be licensed in other
173 states. Mr. Su and Mr. DiMaggio explained to Ms. Woods that licensure fees have not increased in
174 multiple years and are based in the statutes. Mr. DiMaggio then recommended an article
175 regarding dual licensure of dental therapy and dental hygiene for any individuals who are
176 interested. Ms. Franco then called on Dr. Mark Funke. Dr. Funke stated that he agreed with Board
177 Member Thompson in that dental therapy and dental hygiene should be separated within line
178 items and that he believes the proposed price of dental therapy licensure within the draft
179 regulation is logical. Board Member Thompson then inquired about why a dental therapist would
180 need to also hold a dental hygiene license. Board Member Arias commented in regards to Board
181 Member Thompson's comment stating that she believes it should be the licensee's decision
182 whether or not to hold two (2) licenses. Board Member Solie commented about how the statute
183 states that a dental therapist must complete dental hygiene education before obtaining dental
184 therapy education and stated that she believes the statute was written that way in order to
185 prevent dental hygiene from not being recognized within a dental therapy license. Board Member
186 Thompson then explained how he understands the law regarding dental therapy and stated that
187 he believes licensees would want to hold both a dental therapy license and dental hygiene license
188 because a dental therapy license is geographically restricted and a dental hygiene license is not.
189 Board Member Thompson stated that the Board should discuss dental therapists being able to work
190 in geographically restricted areas as well as non-geographical restricted areas as dental hygienists.
191 Board Member Lee then stated that he understood Ms. Wood's comment differently in that she was
192 saying dental therapy may be classified differently in other states and therefore dental hygiene
193 would not be recognized in a dental therapy license. Board Member West commented stating he
194 agrees with Board Member Thompson that a dental therapy license should carry dental hygiene
195 within it. Board Member Lee mentioned the license renewal fees and Board Member Thompson
196 stated that dental therapists should be charged one hundred (100) dollars more than dental
197 hygienists. Mr. Su stated that in regards to the license renewal fees, the Board cannot charge over
198 three hundred dollars per the statute. Board Member Lemon then made a recommendation to task
199 a committee with discussing licensure fees pertaining to dental therapy. Board Member Solie made
200 a recommendation to task the Committee on Dental Hygiene and Dental Therapy in conjunction
201 with the Public Health Dental Hygiene and Dental Therapy Subcommittee with discussing dental
202 therapy licensure fees. Board Member Moore then requested that the Board Members and
203 attendees stay on topic and continue forward with subsequent agenda items. Mr. Su then clarified
204 that the maximum the Board can charge dental therapists and dental hygienists for renewal is six
205 hundred (600) dollars, therefore the Board can charge dental therapists one hundred dollars more
206 than dental hygienists. Ms. Franco then called on Antonio Ventura. Mr. Ventura made a comment
207 regarding dental therapy licensure in other states and high licensure fees in Nevada.

208
209 Mr. Su then invited Board Members and attendees to discuss licensing regulations regarding
210 renewal. Board Member Thompson inquired about a blank space in the regulation line item
211 regarding continuing education for vaccines. Mr. Su explained that he left the blank space in order
212 to facilitate discussion as to when would be the proper time to require renewal for vaccination
213 continuing education. Mr. Su then moved to the next item to discuss renewal for practicing public
214 health dental hygiene. Mr. Su suggested that Public Health Dental Hygiene Endorsement be
215 discussed at a future workshop because the Board has to develop regulations for public health
216 endorsement since regulations have not been completely created for such endorsement. Ms.
217 Franco then called on Nena Laxalt. Ms. Laxalt asked for clarification regarding emergency
218 regulations and temporary regulations. Mr. Su explained that the proposed regulations for
219 vaccinations and licensing are temporary. Ms. Franco then called on Terrie Chandler. Ms. Chandler
220 made a comment regarding malpractice insurance. Ms. Franco then called on Antonio Ventura.
221 Mr. Ventura also made a comment regarding malpractice insurance. Mr. Su then moved to the
222 next item to discuss malpractice complaints. No comments were made regarding malpractice
223 complaints. Mr. Su then moved to the next item to discuss voluntary surrender of licensure. No
224 comments were made regarding voluntary surrender of licensure. Mr. Su then moved to the next
225 item to discuss regarding inactive licensure. Board Member Solie inquired if the phrase inactive
226 included retired licenses. Mr. Su and Ms. Stratton explained that retired is distinct from inactive since

227 there is regulation regarding retired license status. Mr. Su then moved to the next item to discuss
 228 continuing education. Mr. Su noted that there is a typographical error written in the statute
 229 regarding continuing education completion hours. Mr. Su also noted that the American Association
 230 of Dental Hygiene was approved by the Board as a continuing education provider. Ms. Franco
 231 then called on Annette Lincicome. Ms. Lincicome made a comment regarding the American
 232 Association of Dental Hygiene. Mr. Su then moved to the next item to discuss continuing education
 233 for dental therapy. Ms. Stratton made a comment regarding adding dental therapists to volunteer
 234 services along with dentists and dental hygienists. Mr. Su noted that current regulations will need to
 235 be revised to include dental therapy and dental therapists by replacing the titles of dentist and
 236 dental hygienist to dental practitioner. Mr. Su then moved to the next item to discuss failure of
 237 continuing education. Ms. Franco then called on Dr. Mark Funke. Dr. Funke inquired about
 238 continuing education for vaccinations. Mr. Su explained the continuing education requirements for
 239 vaccination in the draft regulation. Mr. Su then moved to the next item to discuss infection control
 240 inspection. No comments were made regarding infection control inspection. Mr. Su then moved to
 241 the next item to discuss the inspection of dental records. No comments were made regarding the
 242 inspection of dental records. Mr. Su then moved to the next item to discuss a new dental specialty.
 243 No comments were made regarding the new dental specialty. Mr. Su then moved to the next item
 244 to discuss permissible actions. No comments were made regarding permissible actions. Ms. Franco
 245 then called Dr. Mark Funke. Dr. Funke made a comment stating a second workshop would be
 246 helpful in order for the Nevada Dental Association to gather more information and provide more
 247 comment on the regulations. Ms. Franco then called on Terrie Chandler. Ms. Chandler made a
 248 comment regarding public health endorsement. Ms. Franco then called on Antonio Ventura. Mr.
 249 Ventura made a comment suggesting that another Committee on Dental Hygiene and Dental
 250 Therapy in conjunction with the Public Health Dental Hygiene and Dental Therapy Subcommittee
 251 meeting be held before a follow up workshop.

252
 253 Board Member Moore asked for a motion to end the meeting, allow the Committee on Dental
 254 Hygiene and Dental Therapy and Public Health Dental Hygiene and Dental Therapy Subcommittee
 255 to meet, and then hold a second open forum.

256
 257 MOTION: Board Member Park moved to end the workshop, allow the Committee on Dental
 258 Hygiene and Dental Therapy and Public Health Dental Hygiene and Dental
 259 Therapy Subcommittee to reconvene at another meeting, and have the Board
 260 host a second workshop. Board Member West seconded the motion.
 261 All were in favor, motion passed.

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- 282 **4. Public Comment (Live public comment by teleconference):** This public comment period is for any
 283 matter that is within the jurisdiction of the public body. No action may be taken upon the matter raised during public
 284 comment unless the matter itself has been specifically included on the agenda as an action item. Comments by the
 285 public may be limited to three (3) minutes as a reasonable time, place and manner restriction, but may not be limited
 286 based upon viewpoint. The Chairperson may allow additional time at his/her discretion.

287
 288 Pursuant to Section 2 of Directive 006, and extended by Directives 016, 018, 021, 026, and 029, members of the public
 289 may participate in the meeting without being physically present by submitting public comment via email to
 290 nsbde@nsbde.nv.gov, or by mailing/faxing written messages to the Board office. Written submissions should be
 291 received by the Board on or before **Monday, December 14, 2020 by 4:00 p.m.** in order to make copies available to
 292 members and the public.

293
 294 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law
 295 Manual, the Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the
 296 authority of, the Nevada State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being
 297 irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering
 298 with the rights of other speakers.
 299

300 Mr. DiMaggio read a statement into the record regarding public comment. Ms. Franco then called
 301 on Antonio Ventura. Mr. Ventura made a comment thanking the Board for allowing him to speak
 302 during the workshop and stated that the Public Health Dental Hygiene and Dental Therapy
 303 Subcommittee looks forward to convening at the next Committee on Dental Hygiene and Dental
 304 Therapy meeting.
 305

306 **5. Announcements**

307
 308 No announcements were made.
 309

310 ***6. Adjournment** (For Possible Action)

311
 312 Board Member Moore called for a motion to adjourn.
 313

314 MOTION: Board Member Thompson motioned to adjourn the workshop. Board Member
 315 Lemon seconded the motion. All were in favor, motion passed.
 316
 317

318 Respectfully submitted by:

319
 320 _____
 321 Frank DiMaggio, Executive Director

Agenda Item (4)(a)(3):

Draft Minutes

**Committee on Dental Hygiene & Dental Therapy and
Public Health Dental Hygiene & Dental Therapy
Subcommittee Meeting - 12/23/2020**

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 AGENDA & TELECONFERENCE MEETING for the COMMITTEE on DENTAL HYGIENE & DENTAL THERAPY in conjunction with the PUBLIC HEALTH DENTAL HYGIENE & DENTAL THERAPY SUBCOMMITTEE

(Elizabeth Park, DDS (Chair); Caryn Solie, RDH; Jana McIntyre, RDH; Yamilka Arias; Antonina Capurro, DMD; Lanceette VanGuilder, RDH; Jessica Woods, RDH; Robert Talley, DDS; Ronald West, DMD)

Meeting Date & Time

Wednesday, December 23, 2020
5:30 p.m.

This meeting was held exclusively through teleconference means, in accordance with Emergency Directives issued by Governor Sisolak

DRAFT MINUTES

PUBLIC NOTICE:

***** This meeting will be held via TELECONFERENCE ONLY, pursuant to Section 1 of the DECLARATION OF EMERGENCY DIRECTIVE 006 ("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*****

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.

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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.

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.

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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.

///

64 1. **Call to Order**

65 - Roll call/Quorum

66
67 Committee Member Elizabeth Park called the meeting to order at approximately 5:31 p.m. Mr. Frank
68 DiMaggio conducted the following roll call of the Committee on Dental Hygiene and Dental Therapy:
69

Dr. Park -----	PRESENT
Ms. Solie -----	PRESENT
Ms. Arias -----	PRESENT
Mrs. McIntyre -----	PRESENT

70
71 Roll call of the Public Health Dental Hygiene and Dental Therapy Subcommittee:
72

Dr. Park	PRESENT
Dr. West	PRESENT
Ms. Woods	PRESENT
Ms. VanGuilder	PRESENT
Dr. Talley	PRESENT
Dr. Capurro	PRESENT

73
74 Others Present: Phil Su, General Counsel; Frank DiMaggio, Executive Director.
75

- 76
- 2. Public Comment (By pre-submitted email/written form):**
- The public comment period is limited to matters
-
- 77
- specifically
- noticed on the agenda. No action may be taken upon the matter raised during public comment unless the matter
-
- 78 itself has been specifically included on the agenda as an action item. Comments by the public may be limited to three (3)
-
- 79 minutes as a reasonable time, place and manner restriction, but may not be limited based upon viewpoint. The Chairperson
-
- 80 may allow additional time at his/her discretion.

81
82 Pursuant to Section 2 of Directive 006, and extended by Directives 016, 018, 021, 026, and 029, members of the public may
83 participate in the meeting without being physically present by submitting public comment via email to nsbde@nsbde.nv.gov,
84 or by mailing/faxing messages to the Board office. Written submissions received by the Board on or before **Tuesday, December**
85 **22, 2020 by 4:00 p.m.** may be entered into the record during the meeting. Any other written public comment submissions
86 received prior to the adjournment of the meeting will be included in the permanent record.
8788 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual,
89 the Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the authority of, the
90 Nevada State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious,
91 slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.
9293 Mr. DiMaggio read comments into the record. Mr. DiMaggio noted that Ms. Jessica Woods was now
94 present. Mr. DiMaggio read public comment submitted prior to the meeting into the record.
9596
97 ***3. Chairwoman's Report:** *Elizabeth Park, DDS* (For Possible Action)98 ***a. Request to remove agenda item(s)** (For Possible Action)99
100 There were no requests made.
101102 ***b. Approve Agenda** (For Possible Action)103
104 MOTION: Committee Member McIntyre motioned to approve the agenda. Committee Member Solie
105 seconded the motion. All were in favor, motion passed.
106107
108 ***4. New Business:** (For Possible Action)109
110 ***a. Introduction of the Members of the Committee on Dental Hygiene and Dental Therapy, and**
111 **the Public Health Dental Hygiene and Dental Therapy Subcommittee** (For Possible Action)
112113
114 Committee Member Park stated that she believed this agenda item was covered during roll call.
115116 ///
117

118 ***b. Discussion, consideration, and possible recommendation to the Board regarding**
 119 **appointment of additional members to the Public Health Dental Hygiene and Dental Therapy**
 120 **Subcommittee** (For Possible Action)
 121

122 Committee Member Park asked Mr. DiMaggio if he could check to see if any subcommittee members
 123 were on the phone. Dr. Steven Saxe, Ms. Kelly Taylor and Dr. Michael Moore were on the telephone.
 124 Committee Member Park announced that Dr. Jeff Moxley withdrew his name for consideration for
 125 appointment to the subcommittee.
 126

127 Committee Member Park called for public comment. Committee Member Solie stated that she
 128 understood the excitement held by many regarding dental therapy; however, she expressed her
 129 concern if there was really a need to add more subcommittee members at this time.
 130

131 Committee Member Park stated that the committee should consider individuals with the expertise or
 132 qualifications regarding dental therapy that would best benefit the subcommittee. Committee Member
 133 Solie inquired if they should perhaps review all the resumes prior to appointing additional subcommittee
 134 members.
 135

136 (1) Steven Saxe, DMD
 137

138 MOTION: Committee Member Park motioned to recommend Dr. Saxe to be appointed to the
 139 subcommittee. Discussion: Committee Member Arias inquired the reasons why she believed Dr.
 140 Saxe would make a good appointment to the subcommittee. Committee Member Park stated
 141 that she felt he brought up some good questions that would be relevant when considering
 142 rule-making. Committee Member Arias stated that she believes that the more members on the
 143 subcommittee, the more possibility for ideas that may be brought to the table. Dr. Saxe was
 144 present and addressed the committee. Dr. Saxe gave an overview of his work as it related to
 145 rule-making, in particular dental therapy. Committee Member Arias seconded the motion.
 146 Discussion: Committee Members McIntyre stated that anyone with expertise would be a
 147 beneficial addition to the subcommittee. All were in favor, motion passed.
 148
 149

150 (2) Adam Gatan, DMD
 151

152 Dr. Gatan was not available initially; however, later joined at which time he was given an opportunity to
 153 speak. Dr. Gatan gave a brief history of his background and how he felt he could contribute to dentistry.
 154 Additional discussion ensued regarding his background and the level of expertise he could bring to the
 155 subcommittee.
 156

157 MOTION: Committee Member Park motioned to recommend the appointment of Dr. Gatan to the
 158 subcommittee by the Board. Committee Member McIntyre seconded the motion. All were in
 159 favor, motion passed.
 160

161 (3) Michael Moore, DDS
 162

163 Dr. Michael Moore was called upon to speak. He gave some background information. He spoke in
 164 regards to his experience with working with dental therapists in California. He noted that he held a
 165 Master's degree in Public Health, which he elaborated on how he has applied said degree. Dr. Moore
 166 did disclose that his brother, Dr. D. Kevin Moore currently is a Board Member.
 167

168 MOTION: Committee Member Park motioned to recommend Dr. Michael Moore to be appointed to the
 169 subcommittee by the Board. Committee Member Arias seconded the motion. All were in
 170 favor, motion passed.
 171

172 (4) Kelly Taylor, RDH
 173

174 Committee Member Park called upon Ms. Taylor to introduce herself. Ms. Taylor stated that she recently

175 completed her BS in Dental Hygiene with a focus in Public Health. She spoke on her volunteer and
 176 participation history that was relevant to the work that a dental therapist would provide. Committee
 177 Member Park appreciated the emphasis of Ms. Taylor's work.

178
 179 MOTION: Committee Member Park motioned to recommend the appointment of Ms. Taylor by the
 180 Board. Committee Member Arias seconded the motion. All were in favor, motion passed.

181
 182
 183 (5) Jeff Moxley, DDS

184
 185 Dr. Moxley withdrew his application.

186
 187
 188 *c. **Discussion and consideration of Committee/Sub-Committee mission statement and work**
 189 **group assignments** (For Possible Action)

190
 191 Committee Member Park asked Mr. Su if there were any recommendations on how to assign tasks to
 192 committee and subcommittee members. After light discussion, Committee Member Park stated that she
 193 was tabling this agenda item until they can recall the areas that they would like to make group
 194 assignments for.

195
 196 *d. **Discussion, consideration and possible recommendations to the Board regarding Proposed**
 197 **Temporary Regulations** (For Possible Action)

198
 199 (1) Administration of Vaccinations by Licensed Dental Professionals (NAC 631.2562)

200
 201 Committee Member Park referred the Committee and Subcommittee members to Mr. Su. Mr. Su stated
 202 that, for the sake of time, they would welcome new comments from those that had not already
 203 submitted their comments prior. It was noted that there was a workshop scheduled in January to address
 204 temporary regulations. Mr. Su further noted that the temporary regulations would expire in November
 205 2021. Mr. Su also briefly discussed drafting emergency regulations, and clarified that the emergency
 206 regulations were specific to the administration of vaccinations.

207
 208 There was discussion regarding vaccinations. Committee Member Park commented that the language
 209 for the vaccinations appeared to be drafted already and wanted clarification why they would need to
 210 revisit the language. Mr. Su explained it was still an agenda item and they must permit comments from
 211 the public regarding the language.

212
 213 Ms. VanGuilder stated that it would be helpful for the Committee members to clarify what the roll of the
 214 subcommittee member is, to know when the subcommittee members can and cannot speak; and to
 215 know how they could go about getting items for discussion placed on proposed agendas. Ms.
 216 VanGuilder disclosed that she was working with Assemblyman O'Neill on the statutory language for the
 217 legislative session coming up. She asked what the best approach would be for her to address the
 218 vaccinations now, or if it would be more appropriate to submit her comments in writing for the upcoming
 219 workshop. Committee Member Park asked that Ms. VanGuilder be succinct in what she would like to
 220 provide to the subcommittee, since the committee will be going to the workshop with information
 221 obtained during the committee and subcommittee meeting. Committee Member Park stated that Ms.
 222 VanGuilder could supply anything she would like prior to a meeting. Ms. VanGuilder stated that she
 223 appreciated the work that has been done so far as it related to the and made a few comments
 224 regarding her suggestions for proposed language regarding vaccinations being administered by a
 225 dental hygienist. She stated that they may want to align the language with NAC 631.173.

226
 227 Ms. Jessica Woods commented her recommendation is to move forward with the emergency regulations
 228 for the time being, until such time they are able to prepare to being working on drafting permanent
 229 regulations in July 2021. She noted that the COVID-19 vaccinations were starting to be administered and
 230 the health department is in need of additional hands to help administer the vaccines. She commented
 231 that the dental community was more than qualified and capable of assisting the medical community in
 232 administering vaccinations.

(2) Licensing (NAC 631.028-220), including Dental Therapy (NAC 631.205)

Committee Member Park commented on the reasoning for creating group assignments pulling on the committee and subcommittee members levels of expertise. Committee Member Park asked if any of the committee members had any points that they would like to discuss as it related to dental therapy. Committee Member Arias stated she appreciated the opportunity to speak with subcommittee members and inquired how the group assignments would be set up. Committee Member Park stated that she would break up the information to be researched and collected and would place deadlines for when each committee and subcommittee member to complete their assignment so that when they reconvene, they will have useful information to help guide the committee and subcommittee. Committee Member Solie stated that she did not have any additional comments to add, but expressed her appreciation with the approach of conducting their own research to assist in establishing the appropriate proposed language for dental therapy regulations.

Committee Member Park stated that she would like to address one public comment, and noted that she had Mr. DiMaggio reach out to other states and inquire about the number of licensed dental therapists licensed in each state that were actively practicing. She summarized the responses received from each responsive state. Committee Member Park asked questions regarding the responsibilities that would possibly need to be set in place. Committee Member Solie stated that a dental therapist would be permitted to practice only within their scope; and that the scope of practice would be determined by the legislature and in regulations. Committee Member Solie elaborated on her suggestions. Committee Member Park spoke about practitioners being able to provide specialty dental treatment, and to do so at the level of a specialist, especially when a patient cannot afford to go to one. There was light discussion of possibly requiring dental therapists carry liability insurance; however, Committee Member Solie reminded the committee that the State of Nevada does not mandate liability insurance for any licensee.

Committee Member Park stated that the group assignments would encompass all areas that would pertain to dental therapy and any topics that she believed would need to be addressed when established proposed language for dental therapy regulations.

5. Public Comment (Live public comment by teleconference): This public comment period is for any matter that is within the jurisdiction of the public body. No action may be taken upon the matter raised during public comment unless the matter itself has been specifically included on the agenda as an action item. Comments by the public may be limited to three (3) minutes as a reasonable time, place and manner restriction, but may not be limited based upon viewpoint. The Chairperson may allow additional time at his/her discretion.

Pursuant to Section 2 of Directive 006, and extended by Directives 016, 018, 021, 026, and 029, members of the public may participate in the meeting without being physically present by submitting public comment via email to nsbde@nsbde.nv.gov, or by mailing/faxing written messages to the Board office. Written submissions should be received by the Board on or before **Tuesday, December 22, 2020 by 4:00 p.m.** in order to make copies available to members and the public.

In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual, the Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the authority of, the Nevada State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.

Mr. DiMaggio read a statement into the record.

Subcommittee Member Talley expressed his concern regarding work group assignments and inquired how that would be accomplished in time for the workshop being held in a weeks' time; and therefore, wondered if they would need to remove the discussion from the agenda for January 7, 2021. Subcommittee Member Talley stated that the original subcommittee members proposed were vetted and that their level experience on dental therapy was unequivocal. He noted that the statute regarding dental therapy was very specific, and stated that when he assisted in drafting the language for the statute, the concern of safety was highly regarded. He encouraged reading the statute to understand what the intent of the statute is. Subcommittee Member Talley addressed some of the requirements listed in the statute, and advised the Board to be mindful of requirements and ensure that they license those that meet the requirements.

293 Ms. Woods stated that she would like to echo Dr. Talley's comments. She added that it would be helpful
 294 for the committee members to indicate the timeline they are looking at and to explain how they envision
 295 the process to move forward; as well as clarify the role the subcommittee members will play, since she
 296 was not familiar with the role the subcommittee member plays. Ms. Woods expressed that it would be
 297 beneficial to have some training for the committee and subcommittee members as it pertains to Open
 298 Meeting Law since they are liable for the decisions they make.
 299

300 Ms. VanGuilder commented that she would also like some training on the subcommittee member's roles,
 301 while also following the Board meeting protocols. She thanked Dr. Talley for addressing the work and
 302 commitment that went into passing the dental therapy bill; and noted that the NDA worked assiduously
 303 to design the language with public safety in mind. She encouraged the Committee Chair to give the
 304 committee and subcommittee members a directive to read SB366, which was why she attached it with
 305 her public comment. Ms. VanGuilder elaborated on the bill covering much of the areas that the
 306 committee would like researched, especially as it pertains to safety. She commented on her concerns
 307 with having group assignments around the holidays and be ready for the workshop on January 7, 2021.
 308

309 Ms. Minette Galura-Boquiren, President of the NDHA thanked the Committee for holding a meeting. She
 310 commented that as they start to implement dental therapy that they take into consideration the high
 311 license fees and keep in mind the need for care in the underserved areas. She stated that high licensure
 312 fees may discourage dental therapists from coming to Nevada.
 313

314 Mr. Antonio Ventura, RDH spoke on his behalf. He stated that he would like to echo the comments made
 315 previously regarding content experts; and further, expressed concerns with the additional subcommittee
 316 members being recommended for appointment. He commented that it was his opinion that certain
 317 committee members were not very well versed in NRS 631 and strongly encouraged certain committee
 318 members to take the time to become familiar with the statutes they are charged with implementing and
 319 enforcing as Board Members.
 320

321 **6. Announcements**

322 No announcements were made.
 323
 324

325 ***7. Adjournment** (For Possible Action)

326 Committee Member Park called for a motion to adjourn.
 327
 328

329 MOTION: Committee Member McIntyre motioned to adjourn the meeting at approximately 7:14 p.m.
 330 Committee Member Arias seconded the motion. All were in favor, motion passed.
 331
 332

333 Respectfully Submitted by:

334
 335
 336 _____
 337 Frank DiMaggio, Executive Director

Agenda Item (4)(b)(1):

**FY 2020 Annual Audit
(Draft)**

**NEVADA STATE BOARD
OF DENTAL EXAMINERS**

ANNUAL REPORT

JUNE 30, 2020

Draft

**NEVADA STATE BOARD
OF DENTAL EXAMINERS**

Table of Contents

	<u>Page</u>
Management’s Discussion and Analysis	1 - 3
Independent Auditor’s Report	4 - 5
Financial Statements:	
Balance Sheet	6
Statement of Revenues, Expenses and Fund Balance	7
Statement of Cash Flows	8
Notes to the Financial Statements	9 - 19
Required Supplementary Information:	
Schedule of the Board’s Proportionate Share of the Net Pension Liability	20
Schedule of Board’s Contributions	20
Schedule of Proportionate Share of Net OPEB Liability	21
Schedule of Board Contributions for the Net OPEB Liability	21
Notes to the Required Schedules for the Net OPEB Liability	22

MANAGEMENT'S DISCUSSION AND ANALYSIS

This section of the Nevada State Board of Dental Examiners' (Board) annual financial report presents our discussion and analysis of the Board's financial activities during the fiscal year then ended June 30, 2020. Please read it in conjunction with the Board's financial statements which begin immediately following management's discussion and analysis.

FINANCIAL HIGHLIGHTS

- The Board's assets exceeded its liabilities by \$922,636 (net assets) for the fiscal year reported. The comparison with last year shows an increase of 8.8% when assets exceeded liabilities by \$847,856.
- Total assets include cash, accounts receivable, prepaid expenses, and deferred outflow of resources which represents a decrease of 18.6%.
- Total liabilities, which include deferred revenue of the Board, decreased by 26.4% from \$2,965,923 to \$2,183,786.
- Total net assets are comprised of the following:
 - Unrestricted net assets of \$922,636 represent the portion available to maintain the Board's continuing obligations and operations.
- Operating expenses were \$1,230,604 during the current year.

Overview of the Financial Statements

The annual report consists of three parts - *management's discussion and analysis* (this section), the *basic financial statements* and *notes to the financial statements* which explain some of the information in the financial statements and provide more detailed data.

Board's Financial Statements

The financial report of the general fund uses a reporting method similar to those used by private-sector companies' accrual basis accounting.

The first statement of the basic financial statement is the Balance Sheet. This statement includes all of the Board's assets and liabilities with the difference reported as Fund Balance. Over time, increases or decreases in the Board's Fund Balance are an indicator of whether its financial health is improving or deteriorating, respectively.

The second statement is the Statement of Revenues, Expenses and Fund Balance which reports how the Board's Fund Balance changed during the current fiscal year. Current year revenues are the result of the recognition of previously received cash from licensing activities as well as user fees and charges, and interest income. Expenses are included regardless of when they are paid for in cash. The design of the statement of revenues, expenses and fund balance is intended to show the financial reliance of the Board's activities on revenues generated by the licensing process.

The third statement, Statement of Cash Flows, summarizes the changes in cash balances by category. These changes are derived from the collection of cash receipts and disbursement of cash payments.

The Board's financial statements reflect operations that are primarily supported by business-type activities intended to recover all or a significant portion of their costs through licensing fees and charges. Board activities include the regulation and licensing of dentists and dental hygienists.

The Board has implemented GASB Statement No. 68, *Accounting and Financial Reporting for Pensions*, as amended by GASB Statement No. 71, *Pension Transition for Contributions Made Subsequent to the Measurement Date*.

Financial Analysis of the Board as a Whole

By accumulating year-to-year financial information, changes in fund balances may be observed and used to discuss the changing financial position of the Board as a whole.

Net assets at fiscal year-end are \$922,636 which is an increase of \$74,780 from last year's net assets of \$847,856. The following table provides a summary of the Board's net assets:

	<u>Summary of Net Assets</u>			
	<u>2020</u>	<u>2019</u>	<u>Amount Change</u>	<u>% Change</u>
Current and other assets	\$ 2,693,925	\$ 3,319,509	\$ (625,584)	-19%
Deferred outflows	412,497	494,270	(81,773)	-17%
Total assets and deferred outflows	<u>3,106,422</u>	<u>3,813,779</u>	<u>(707,357)</u>	<u>-19%</u>
Current liabilities	828,749	1,603,711	(774,962)	-48%
Long-term liabilities	1,181,746	1,288,122	(106,376)	-8%
Deferred inflows	173,291	74,090	99,201	134%
Total liabilities and deferred inflows	<u>2,183,786</u>	<u>2,965,923</u>	<u>(782,137)</u>	<u>-26%</u>
Net assets unrestricted	<u>922,636</u>	<u>847,856</u>	<u>74,780</u>	<u>9%</u>
Total net assets	<u>\$ 922,636</u>	<u>\$ 847,856</u>	<u>\$ (287,964)</u>	<u>9%</u>

For the fiscal year ending June 30, 2020, the Board experienced a decrease in total revenue from \$1,362,005 in the prior year to \$1,304,810. This decrease was due in part to a decrease in licensing fee income.

Comparative data is presented below to assist in the analysis of the Board's change in net assets:

	<u>Summary of Changes in Net Assets</u>			
	<u>2020</u>	<u>2019</u>	<u>Amount Change</u>	<u>% Change</u>
Revenues	\$ 1,304,810	\$ 1,362,005	\$ (57,195)	-4%
Expenses-personnel	530,525	457,513	73,012	16%
Operations	<u>700,079</u>	<u>868,378</u>	<u>(168,299)</u>	<u>-19%</u>
Total expenses	1,230,604	1,325,891	(95,287)	-7%
Interest income	574	594	(20)	-3%
Change in net assets	74,780	36,708	38,072	104%
Beginning net assets	847,856	1,135,820	(287,964)	-25%
Prior Period Adjustment		<u>(324,672)</u>	<u>324,672</u>	<u>-100%</u>
Ending net assets	<u>\$ 922,636</u>	<u>\$ 847,856</u>	<u>\$ 74,780</u>	<u>9%</u>

Financial Analysis of the Board's Funds

As the Board completed the year, its general funds (as presented in the balance sheet on page 6) reported a fund balance of \$922,636 which includes applications for licensing of dentists and dental hygienists and receipt of other required fees.

Capital Assets

The Board's purchases of capital assets include computer hardware, communication equipment, and office equipment. In accordance with its charter, the Board does not maintain ownership of the assets but they immediately become the property of the State of Nevada. As such, purchases of capital assets are accounted for in the statement of revenues, expenses and fund balance under the account "Equipment". Purchases for the fiscal year ended June 30, 2020 were \$15,479.

Economic Factors and Next Year's Budgets and Rates

The Board increased its revenue budget for FY 2021 over the FY 2020 actual by 6% to better align with expected income. The Board increased wage/benefit expenses by approximately 9.5% to account for a full-time Legal Secretary, a full-time Receptionist, additional part-time Infection Control Inspectors, additional part-time Anesthesia Evaluators, and part-time Preliminary Screening Consultants as well as for the possible addition of a full-time in-house Deputy General Counsel. Professional and legislative fee expenses for FY 2021 have been decreased by approximately 43% over FY 2020 actual as a result of not renewing those contracts for professional and legislative services. The Board's current office space lease expired in April 2020. With the increase in staff, the Board anticipates leasing office space to better accommodate this increase and has budgeted accordingly. The board continues to maintain cost allocation and recovery for regulatory enforcement and continues to manage negotiated leases, travel expenses, collaboration with other boards for expense savings, and other cost saving measures. Due to the increase in expense for personnel and an office move, the Board's FY 2021 budget anticipates expenses will be higher than revenue.

The Board has maintained a modest reserve account for legal and disciplinary processing and prosecution as well as unanticipated legal contingencies. The Board continues to monitor compliance with existing stipulated agreements and orders. The Board has implemented a new procedure investigating all complaints received as long as the complaint has the required notarized verification form and release of records form attached. The Board no longer utilizes a Disciplinary Screening Officer Coordinator to review complaints to determine if the Board has jurisdiction prior to proceeding with verification of the complaint. The Board has also discontinued the use of Disciplinary Screening Officers (DSO's) whose duties have been assigned to trained staff.

The Board's website offers licensees and the public current information pertaining to board meetings, application and complaint forms, resource links and a section specific to the public. Technical Bulletins noting action taken by the Board regarding unlicensed persons practicing dentistry and/or dental hygiene in the State of Nevada is available on the Board's website. The Board continues to investigate the illegal practice of dentistry and dental hygiene. The Review Panel will be meeting more often due to the number of investigations to be reviewed.

Contacting the Board's Financial Management

This financial report is designed to provide a general overview of the Board's finances and to show the Board's accountability for the money it receives. If you have questions about this report or need additional financial information, contact Frank DiMaggio, Executive Director, Nevada State Board of Dental Examiners, at 6010 South Rainbow Boulevard, Suite A-1, Las Vegas, Nevada 89118.

**NEVADA STATE BOARD
OF DENTAL EXAMINERS**

FINANCIAL STATEMENTS

JUNE 30, 2020

Draft

INDEPENDENT AUDITOR'S REPORT

To the Board of Directors of
Nevada State Board of Dental Examiners
Las Vegas, Nevada

Report on the Financial Statements

We have audited the accompanying financial statements of Nevada State Board of Dental Examiners (a Nevada State Agency) as of and for the year ended June 30, 2020 and the related notes to the financial statements, as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of Nevada State Board of Dental Examiners as of June 30, 2020, and the changes in financial position, and cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis information on pages 1 through 3 be presented to supplement the basic financial statements. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise Nevada State Board of Dental Examiner's basic financial statements. The schedule of the Board's proportionate share of the net pension liability, the schedule of Board contributions, the schedule of proportionate share of net OPEB liability, the schedule of Board contributions for the net OPEB liability, and the notes to the required schedules for the net OPEB liability on pages 20 through 22 are presented for the purposes of additional analysis and are not a required part of the basic financial statements. These schedules are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of the Board's proportionate share of the net pension liability, the schedule of Board contributions, the schedule of proportionate share of net OPEB liability, the schedule of Board contributions for the net OPEB liability, are fairly stated in all material respects in relation to the basic financial statements as a whole.

Campbell Jones Cohen CPAs

Las Vegas, Nevada
February XX, 2021

NEVADA STATE BOARD OF DENTAL EXAMINERS

BALANCE SHEET
JUNE 30, 2020

ASSETS

Current Assets:

Cash	\$ 2,682,715	
Accounts receivable, net	1,705	
Prepaid expense	9,505	
Total current assets		\$ 2,693,925

Deferred Outflow of Resources:

Pensions (Note 5)	405,201	
OPEB related (Note 6)	7,296	
Total deferred outflow of resources		412,497

Total Assets and Deferred Outflow of Resources

	\$ 3,106,422
--	---------------------

LIABILITIES AND FUND BALANCE

Current Liabilities:

Accounts payable	\$ 21,416	
Accrued compensation	64,105	
Deferred revenue	743,228	
Total current liabilities		\$ 828,749

Long-Term Liabilities:

Net pension liability - proportionate share (Note 5)	843,118	
Net OPEB Liability (Note 6)	338,628	
Total long-term liabilities		1,181,746

Deferred Inflow of Resources:

Pensions (Note 5)	152,719	
OPEB related (Note 6)	20,572	
Total deferred inflow of resources		173,291

Fund Balance

	922,636
--	----------------

Total Liabilities, Deferred Inflow and Fund Balance

	\$ 3,106,422
--	---------------------

NEVADA STATE BOARD OF DENTAL EXAMINERS

STATEMENT OF REVENUES, EXPENSES AND FUND BALANCE
FOR THE YEAR ENDED JUNE 30, 2020**Revenues:**

Licensing and permit fees	\$	1,271,719	
Interest income		574	
Other		7,402	
Reimbursed investigation costs		25,689	
Total revenues			\$ 1,305,384

Expenses:

Accounting		15,346	
Legal		128,454	
Rent		80,025	
Payroll		530,525	
Pension and OPEB related		195,810	
Equipment		15,479	
Professional fees		16,306	
Travel		13,550	
Other		235,109	
Total expenses			<u>1,230,604</u>

Net Excess Revenues Over Expenses

74,780

Fund Balance, Beginning847,856**Fund Balance, Ending**\$ 922,636

NEVADA STATE BOARD OF DENTAL EXAMINERS

STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED JUNE 30, 2020

Net Excess Revenues Over Expenses		\$	74,780
Reconciliation of Net Excess Revenues Over Expenses to Net Cash Provided by Operating Activities:			
Changes in Operating Assets and Liabilities:			
Decrease in accounts receivable	\$	(924)	
Increase in prepaid expense		11,132	
Increase in deferred outflow		81,773	
Increase in accounts payable		(39,697)	
Increase in accrued compensation		(34,120)	
Increase in deferred revenue		(701,145)	
Increase in net pension liability		(106,376)	
Increase in deferred inflow		99,201	
Net cash provided by operating activities			<u>(690,156)</u>
Net Change in Cash			(615,376)
Cash, Beginning			<u>3,298,091</u>
Cash, Ending		\$	<u><u>2,682,715</u></u>

The accompanying notes to financial statements are an integral part of these financial statements.

NEVADA STATE BOARD OF DENTAL EXAMINERS**NOTES TO THE FINANCIAL STATEMENTS****NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES****NATURE OF ACTIVITIES**

Nevada State Board of Dental Examiners (the Board) is the licensing and regulatory agency for dentists and dental hygienists in the State of Nevada. The Board was created and is regulated by the Nevada Revised Statutes. The Board is a special revenue fund of the State of Nevada that is used to account for the proceeds of licensing fees that are legally restricted to expenditures for specified purposes. The Board is required to comply with budgeting and reporting requirements in the same manner as other state agencies.

BASIS OF ACCOUNTING

The accompanying financial statements have been prepared on the accrual basis of accounting in accordance with generally accepted accounting principles. This method provides for recognizing expenditures at the time the related liabilities are incurred, while revenues are recorded when earned, measurable and available to finance expenditures of the fiscal period.

ACCOUNTS RECEIVABLE

Accounts receivable primarily consists of stipulated amounts agreed to between the Board and licensees who are subject to the Board's regulatory actions. An allowance for bad debt has been set up, so that accounts receivable are carried at an amount management expects to collect. Bad debts are provided for using the allowance method. Management's review of outstanding balances as of June 30, 2020 indicated that an allowance of \$84,477 was required. Management conducts an annual evaluation of uncollected accounts and the allowance estimate.

CASH AND CASH EQUIVALENTS

The Board's cash consists of cash on deposit with banks. Cash equivalents represent money market funds or short-term investments with original maturities of three months or less from the date of purchase. Cash is maintained in bank accounts in the state of Nevada, as required by statute.

PROPERTY AND EQUIPMENT

The property and equipment of the Board is considered to be general property and equipment of the State of Nevada and, therefore, is not reflected in this balance sheet. Equipment purchases of the Board are charged to expenditures at the time of acquisition.

STATEMENT OF CASH FLOWS

For purposes of the statement of cash flows, the Board considers all highly liquid debt instruments purchased with a maturity of three months or less to be cash equivalents.

INCOME TAXES

The Board is a public agency and is not subject to Federal Income taxes under Code Section 115(7), 1454.R.C.

NEVADA STATE BOARD OF DENTAL EXAMINERS

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

DEFERRED REVENUE AND REVENUE RECOGNITION

By provision of statute, the Board administers its licensing registration on a biennial basis with offsetting years between the dentists and hygienists. Deferred revenue consists of license fees that are generally collected prior to July 1 for the ensuing year. The dental hygienists were due for biennial renewal at July 1, 2020, but the renewal deadline was extended from July 1, 2020 to September 30, 2020 due to COVID-19. At June 30, 2020, deferred revenue consists of two years collected fees for the hygienists and one year for the dentists. License fees are the Board's primary source of revenue. Revenue is recognized using straight-line amortization over the course of the two year license period.

NEW ACCOUNTING PRONOUNCEMENT

The Board has adopted Accounting Standards Update (ASU) No. 2014-09 – Revenue from Contracts with Customers (Topic 606), as amended as management believes the standard improves the usefulness and understandability of the Board's financial reporting. Analysis of various provisions of this standard resulted in no significant changes in the way the Board recognizes revenue, and therefore no changes to the previously issued audited financial statements were required on a retrospective basis. The presentation and disclosures of revenue have been enhanced in accordance with the standard.

ESTIMATES

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

PENSION AND OTHER POSTEMPLOYMENT BENEFIT EXPENSE

Financial reporting information pertaining to the Board's participation in the Public Employees' Retirement System (PERS) is prepared in accordance with Governmental Accounting Standards Board (GASB) Statement No. 68, *Accounting and Financial Reporting for Pensions*, as amended by GASB Statement No. 71, *Pension Transition for Contributions Made Subsequent to the Measurement Date* and GASB Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits other than Pensions*.

The fiduciary net position, as well as additions to and deductions from the fiduciary net position, of PERS have been determined on the same basis as they are reported by PERS. The financial statements were prepared using the accrual basis of accounting. Employer contributions are recognized when due, pursuant to formal commitments and statutory requirements. Benefits and refunds of employee contributions are recognized when due and payable in accordance with the statutes governing PERS. Expenses are recognized when the liability is incurred, regardless of when payment is made. Investments are reported at fair value on a trade date basis. The fiduciary net position is reflected in the measurement of the Board's net pension liability, deferred outflows and inflows of resources related to pensions and other postemployment benefit expense (OPEB), and pension and OPEB expense.

NOTE 2 - CASH DEPOSITS IN EXCESS OF INSURED LIMITS

The Board maintains cash balances with Wells Fargo Bank. Balances are insured by the Federal Deposit Insurance Corporation up to \$250,000. Wells Fargo Bank, NA is collateralizing the balances in excess of \$250,000 as the Board is a participant in the Nevada State Treasurer's Pool Collateral Program in accordance with applicable Nevada Law. No balances are exposed at June 30, 2020.

NEVADA STATE BOARD OF DENTAL EXAMINERS

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

NOTE 3 - CONTRACTS

The Board enters into contracts with various service providers during the course of doing business.

NOTE 4 - LEASE AGREEMENTS

The Nevada State Board of Dental Examiners leases office space and certain equipment on a month to month basis.

Rent expense for the year ended June 30, 2020 for these leases was \$80,025.

NOTE 8 - REVENUE FROM LICENSE FEES

The following table provides information about significant changes in the license fee liabilities for the year ended June 30, 2020:

Deferred license fees, beginning of the year	\$ 1,444,373
Revenue recognized that was included in deferred License fees at the beginning of the year	(762,945)
Increase in deferred revenue due to cash received during the year	<u>61,800</u>
Deferred license fees, end of the year	<u>\$ 743,228</u>

NOTE 5 - DEFINED BENEFIT PENSION PLAN

Plan Description. The Nevada State Board of Dental Examiners contributes to the Public Employee's Retirement System (PERS), a cost-sharing, multiple-employer defined benefit pension plan administered by the State of Nevada. PERS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. The State of Nevada issues a publicly available financial report that includes financial statements and required supplementary information of PERS. That report is available at www.nvpers.org.

Funding Policy. The Board is enrolled in the employer-pay contribution plan. In this plan, the Board is required to contribute all amounts due. The contribution requirements of plan members and the Board are established under Chapter 286 of the Nevada Revised Statutes. The Board's contribution rate for the year ended June 30, 2020 was 29.25%. The Board's contribution to PERS for the year ended June 30, 2020 was \$111,212.

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions. At June 30, 2020 the Board recorded a liability of \$843,118 for their proportionate share of the net pension liability. The net pension liability for the plan in total was measured at June 30, 2019 and determined by an actuarial valuation as of that date. The Board's proportionate share of the total net pension liability was based on the ratio of our actual contributions of \$59,522 paid to PERS for the year ended June 30, 2019 relative to the actual contributions of \$962,664,986 from all participating employers. At June 30, 2019 the Board's proportionate share was .00618%.

NEVADA STATE BOARD OF DENTAL EXAMINERS

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

NOTE 5 - DEFINED BENEFIT PENSION PLAN (CONTINUED)

For the year ended June 30, 2020, the Board recognized a pension expense of \$186,845, their proportionate share of the total pension expense.

At June 30, 2019, the Board reported deferred outflows of the resources and deferred inflows of resources from the following sources related to PERS pension benefits:

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Balance of Deferred Outflows and Inflows Due to:		
Differences between expected and actual experience	\$ 31,616	\$ 24,319
Changes of assumptions	34,311	-
Net difference between projected and actual earnings on pension plan investments	-	41,942
Changes in proportion and differences between employer contributions and proportionate share of contributions	228,062	86,458
Employer contributions subsequent to the measurement date	<u>111,212</u>	<u>-</u>
Total	<u>\$ 405,201</u>	<u>\$ 152,719</u>

\$111,212 reported as deferred outflows of resources to pensions resulting from contributions subsequent to the measurement date will be recognized as a reduction to the net pension liability in the year ended June 30, 2019. Other amounts reported as collective deferred (inflows)/outflows of resources to be recognized in pension expense:

Year ending June 30:	
2020	\$ 2,373
2021	(15,990)
2022	4,393
2023	5,442
2024	3,093
2025	356
And thereafter	-

Actuarial Assumptions

Actuarial valuations of PERS involves estimates of the reported amount and assumptions about probability of occurrence of events far into the future. Examples include assumptions about future employment mortality and future salary increases. Amounts determined regarding the net pension liability are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future. The actuarial assumptions used were based on the results of the experience study for the period July 1, 2012 through June 30, 2016.

NEVADA STATE BOARD OF DENTAL EXAMINERS

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

NOTE 5 - DEFINED BENEFIT PENSION PLAN (CONTINUED)

Actuarial Assumptions(continued)

Significant actuarial assumptions and other inputs used to measure the total pension liability:

Measurement Date	June 30, 2019
Valuation Date	June 30, 2019
Investment Rate of Return	7.50%
Inflation	2.75%
Future Salary increases	Regular: 4.25%-9.15%; Police/Fire 4.55%-13.9%, depending on service. Rates include inflation and productivity increase.
Consumer Price Index	2.75%
Changes in Actuarial Assumptions and Methods	None - same as those used in the June 30, 2019 funding actuarial valuation.
Fiduciary Net Position	PERS issues a publicly available financial report that can be obtained at www.nvpers.org under quick links - publications.
Investment Policy	The System's policies which determine the investment portfolio target asset allocation are established by the Board. The asset allocation is reviewed annually and is designed to meet the future risk and return needs of the System.

The following was the Board adopted policy target asset allocation as of June 30, 2018

<u>Asset Class</u>	<u>Target Allocation</u>	<u>Long-Term Geometric Expected Real Rate of Return*</u>
U.S. Stocks	42%	5.50%
International Stocks	18%	5.75%
U.S. Bonds	28%	0.75%
Private Markets	12%	6.65%

*As of June 30, 2019, PERS' long-term inflation assumption was 2.75%

NEVADA STATE BOARD OF DENTAL EXAMINERS

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

NOTE 5 - DEFINED BENEFIT PENSION PLAN (CONTINUED)

Discount Rate

The discount rate used to measure the total pension liability was 7.5% as of June 30, 2019. The projection of cash flows used to determine the discount rate assumed plan contributions will be made in amounts consistent with statutory provisions and recognizing the plan's current funding policy and cost-sharing mechanism between employers and members. For this purpose, all contributions that are intended to fund benefits for all plan members and their beneficiaries are included, except that projected contributions that are intended to fund the service costs for future plan members and their beneficiaries are not included. Based on those assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments for current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability as of June 30, 2019.

Discount Rate Sensitivity

The following presents the net pension liability of the PERS as of June 30, 2019, calculated using the discount rate of 7.5%, as well as what PERS net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (6.5%) or 1-percentage-point higher (8.5%) than the current discount rate:

<u>Discount Rate</u>	<u>1% Decrease</u> <u>(6.5%)</u>	<u>Current Rate</u> <u>(7.5%)</u>	<u>1% Increase</u> <u>(8.5%)</u>
Proportionate share of the Net Pension Liability / (Asset)	\$ 1,304,823	\$ 843,118	\$ 458,563

NOTE 6 - SYSTEM POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS

In June 2015, the GASB issued Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits other than Pensions*, which requires the liability of employers and non-employers contributing entities to employees for defined benefit other postemployment benefits (OPEB) to be measured as the portion of the present value of projected benefit payments to be provided to current active and inactive employees that is attributed to those employees past periods of service, less the amount of the OPEB plan's fiduciary net position.

NEVADA STATE BOARD OF DENTAL EXAMINERS

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

NOTE 6 - SYSTEM POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS (CONTINUED)

Officers and employees of the Board are provided with OPEB through the Nevada Public Employees' Benefits Program (PEBP) – a cost-sharing multiple-employer defined benefit OPEB plan. The program is administered by the PEBP Board, whose ten members are appointed by the governor. NRS 287.023 provides officers and employees eligible to be covered by any group insurance, plan of benefits or medical and hospital service established pursuant to NRS 287 the option upon retirement to cancel or continue any such coverage. The cost to administer the program is financed through the contributions and investment earnings of the plan. The PEBP Board is granted the authority to establish and amend the benefit terms of the program. (NRS 287.043) PEBP issues a publicly available financial report that includes financial statements and the required supplementary information for the plan. That report may be obtained from Public Employees' Benefits Program, 901 South Stewart Street, Suite 1001, Carson City, Nevada 89701.

Benefits Provided

Benefits other than pensions are provided to eligible retirees and their dependents through the payment of subsidies by the PEBP. Benefits include health, prescription drug, dental, and life insurance coverage. The "base" subsidy rates are set by PEBP and approved by the Legislature and vary depending on the number of dependents and the medical plan selected. These subsidy rates are subtracted from the premium to arrive at the "participant premium". The "years of service" subsidy rates are then used to adjust the "participant premium" based on years of service. The current subsidy rates can be found at pebp.state.nv.us. As required by statute, benefits are determined by the number of years of service at the time of retirement and the individual's initial date of hire. Officers and employees hired after December 31, 2011 are not eligible to receive subsidies to reduce premiums. The following individuals and their dependents are eligible to receive benefits from the Retirees' Fund:

Any PEBP covered retiree with state service whose last employer was the state or a participating local government entity and who:

- Was initially hired by the state prior to January 1, 2010 and has at least five years of public service: or
- Was initially hired by the state on or after January 1, 2010, but before January 1, 2012 and has at least fifteen years of public service: or
- Was initially hired by the state on or after January 1, 2010, but before January 1, 2012 and has at least five years of public service and has a disability: or
- Any PEBP covered retiree with state service whose last employer was not the state or a participating local government entity and who has been continuously covered under PEBP as a retiree since November 30, 2008.

State service is defined as employment with any Nevada State agency, the Nevada System of Higher Education and any State Board or Commission. Participating local government agency is defined as a county, school district, municipal corporation, political subdivision, public corporation or other local governmental agency that has an agreement in effect with PEBP to obtain group insurance.

NEVADA STATE BOARD OF DENTAL EXAMINERS

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

**NOTE 6 - SYSTEM POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS
(CONTINUED)**

Contributions

The State Retirees' Health and Welfare Benefits Fund (Retirees' Fund) was established in 2007 by the Nevada Legislature as an irrevocable trust fund to account for the financial assets designated to offset the portion of current and future costs of health and welfare benefits paid on behalf of state retirees (NRS 287.0436). The money in the Retirees' Fund belongs to the officers, employees and retirees of the State of Nevada in aggregate; neither the State nor the governing body of any county, school district, municipal corporation, political subdivision, public corporation or other local governmental agency of the State, nor any single officer, employee or retiree of any such entity has any right to the money in the Retirees' Fund.

The authority for establishing an assessment to pay for a portion of the cost of premiums or contributions for the program is in statute. The Office of Finance shall establish an assessment that is to be used to pay for a portion of the cost of premiums or contributions for the Program for persons who were initially hired before January 1, 2012 and have retired with state service. The money assessed must be deposited into the Retirees' Fund and must be based upon a base amount approved by the Legislature each session to pay for a portion of the current and future health and welfare benefits for persons who retired before January 1, 1994, or for persons who retire on or after January 1, 1994, as adjusted by the years of service subsidy rates. (NRS 287.046) The required contribution rate for employers (the retired employees group insurance rate), as a percentage of covered payroll, for the fiscal year ended June 30, 2020 was 2.34%. Nevada State Board of Dental Examiners contributions recognized as part of OPEB expense for the current fiscal year ended June 20, 2020 were \$9,949.

OPEB liabilities, OPEB expense, deferred outflows of resources and deferred inflows of resources related to OPEB

At June 30, 2020, Nevada State Board of Dental Examiners reported a liability of \$338,628 for its proportionate share of the collective net OPEB liability. The collective net OPEB liability was measured as of January 1, 2019, and the total OPEB liability used to calculate the collective net OPEB liability was determined by an actuarial valuation based on an experience study for the period July 1, 2017 to June 30, 2018. The Board's proportion of the collective net OPEB liability was based on the Board's share of contributions in the OPEB plan relative to the total contributions of all participating OPEB employers and members. At June 30, 2020, the State's proportion was 0.0243%.

For the year ended June 30, 2020, Nevada State Board of Dental Examiners recognized OPEB expense of \$8,964. At June 30, 2020, the Board reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

NEVADA STATE BOARD OF DENTAL EXAMINERS

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

NOTE 6 - SYSTEM POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS
(CONTINUED)

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Balance of Deferred Outflows and Inflows Due to:		
Differences between expected and actual experience	\$ -	\$ 6,050
Changes of assumptions	7,296	14,465
Net difference between projected and actual investment earnings on OPEB plan investments	-	57
Changes in proportion and differences between State contributions and proportionate share of contributions	-	-
State contributions subsequent to the measurement date	-	-
Total	<u>\$ 7,296</u>	<u>\$ 20,572</u>

Of the total amount reported as deferred outflows of resources related to OPEB, \$7,296 results from Nevada State Board of Dental Examiners contributions subsequent to the measurement date and before the end of the fiscal year which are included as a reduction of the collective net OPEB liability in the year at June 30, 2020. This deferred outflow will be recognized as expense in fiscal 2020. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEB will be recognized in OPEB expense as follows:

Year ended June 30:	
2021	\$ (6,763)
2022	(5,619)
2023	(1,144)
2024	250
Thereafter	-

Actuarial assumptions

The total OPEB liability was determined by an actuarial valuation as of January 1, 2018, using the following actuarial assumptions, applied to all periods included in the measurement, unless otherwise specified:

Inflation	2.75%
Salary increases	Productivity pay increases: 0.50% Promotion and Merit Salary Increases: Dependent upon pension system ranging from 1.00% to 10.65%
Investment rate of return	3.51%, based on Bond Buyer General Obligation 20-Bond Municipal Bond Index

NEVADA STATE BOARD OF DENTAL EXAMINERS

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

**NOTE 6 - SYSTEM POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS
(CONTINUED)**

Healthcare cost trend rates For medical and prescription drug benefits, the current amount is 6.50% and decreases to a 4.50% long-term trend rate after six years. For dental benefits and Part B Premiums, the trend rate is 4.00% and 4.50%, respectively.

Mortality rates were based on the Headcount-weighted RP-2014 Employee table projected to 2020 with Scale MP-2016 for pre-retirement participants, Headcount-weighted RP-2014 Healthy Annuitant table projected to 2020 with Scale MP-2016, set forward one year for spouses and beneficiaries for post-retirement participants and Headcount-weighted RP-2014 Disabled Retiree table, set forward four years for disabled participants.

The actuarial assumptions used in the June 30, 2020 valuation were based census data provided by the State of Nevada at January 1, 2018. As a result of the 2018 actuarial experience study, the expectation of life after disability was adjusted in the January 1, 2018 actuarial valuation to more closely reflect actual experience.

The Nevada Legislature established the Retirement Benefits Investment Fund (RBIF), effective July 1, 2007 with the purpose to invest contributions made by participating public entities, as defined by NRS 355.220 to enable such entities to support financing of OPEB at some time in the future. NRS 355.220(2) requires that any money in RBIF must be invested in the same manner as money in the Public Employees' Retirement System of Nevada Investment Fund is invested. As of June 30, 2020 the net position for other postemployment benefits was \$231,400.

Discount rate

The discount rate used to measure the total OPEB liability was 3.51% which is consistent with a 20-Year Municipal Bond Index. The Bond Buyer General Obligation 20-Bond Municipal Bond Index is used for the determination of the discount rate. The OPEB plan is funded on a pay-as-you-go basis, and therefore the discounted rate is equal to the Bond Buyer General Obligation 20-Year Municipal Bond Index rate of 3.51%.

Sensitivity of the Nevada State Board of Dental Examiner's proportionate share of the collective net OPEB liability to changes in the discount rate

The following presents the Nevada State Board of Dental Examiner's (NSBDE) proportionate share of the collective net OPEB liability, as well as what the Board's proportionate share of the collective net OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (2.51 percent) or 1-percentage-point higher (4.51 percent) than the current discount rate:

	1% Decrease (2.51%)	Current Rate (3.51%)	1% Increase (4.51%)
NSBDE's proportionate share of the collective net OPEB liability	\$ 373,365	\$ 338,628	\$ 308,491

NEVADA STATE BOARD OF DENTAL EXAMINERS

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

**NOTE 6 - SYSTEM POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS
(CONTINUED)****Sensitivity of Nevada State Board of Dental Examiner's proportionate share of the collective net OPEB liability to changes in the healthcare cost trend rates**

The following presents Nevada State Board of Dental Examiner's proportionate share of the collective net OPEB liability, as well as what the Board's proportionate share of the collective net OPEB liability would be if it were calculated using healthcare cost trend rates that are 1-percentage-point lower or 1-percentage-point higher than the current healthcare cost trend rates:

	<u>1% Decrease</u>	<u>Healthcare Cost Trend Rate</u>	<u>1% Increase</u>
NSBDE's proportionate share of the collective net OPEB liability	\$ 314,174	\$ 338,628	\$ 367,677

OPEB plan fiduciary net position

Detailed information about the OPEB plan's fiduciary net position is available in the separately issued PEBP financial report.

NOTE 7 - COMPLIANCE WITH NEVADA REVISED STATUTES AND NEVADA ADMINISTRATIVE CODE

The Board conformed to all significant statutory constraints on its financial administration during the fiscal year.

NOTE 8 - REVIEW OF SUBSEQUENT EVENTS

In December 2019, an outbreak of novel strain of coronavirus (COVID-19) originated in Wuhan, China and has since spread to other countries, including the U.S. On March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic. In addition, multiple jurisdictions in the U.S. have declared a state of emergency. It is anticipated that these impacts will continue for some time. The future effects of this issue are unknown.

The Board has evaluated subsequent events through February XX, 2021, which is the date the financial statements were available to be issued.

NEVADA STATE BOARD OF DENTAL EXAMINERS

REQUIRED SUPPLEMENTARY INFORMATION

Schedule of Proportionate Share of the Net Pension Liability and Related Ratios

<u>Year Ended</u>	<u>Proportion of the Net Pension Liability (Asset)</u>	<u>Proportionate Share of the Net Pension Liability (Asset)</u>	<u>Actual Covered Member Payroll</u>	<u>Net Pension Liability (Asset) as a Percentage of Covered Payroll</u>	<u>Fund Balance as a Percentage of Total Pension Liability</u>
6/30/2016	0.00406%	\$ 465,513	\$ 309,418	150.45%	170.34%
6/30/2017	0.00481%	\$ 647,372	\$ 324,475	199.51%	151.35%
6/30/2018	0.00484%	\$ 644,106	\$ 475,741	135.39%	173.99%
6/30/2019	0.00695%	\$ 947,807	\$ 448,016	211.56%	89.45%
6/30/2020	0.00618%	\$ 843,118	\$ 517,143	163.03%	109.43%

The data provided in the schedule is based as of the measurement date of PERS net pension liability, which is as of the beginning of the Board's fiscal year.

Schedule of Board's Contributions

<u>Year Ended</u>	<u>Statutorily Required Contribution</u>	<u>Actual Employer Contributions</u>	<u>Contribution Excess/(Deficiency) (Deficiency)</u>	<u>Actual Covered Member Payroll</u>	<u>Contributions as a Percentage of Covered Payroll</u>
6/30/2015	\$ 62,350	\$ 62,350	\$ -	\$ 309,418	20.15%
6/30/2016	\$ 86,637	\$ 81,574	\$ (5,063)	\$ 309,418	26.36%
6/30/2017	\$ 90,853	\$ 86,940	\$ (3,913)	\$ 324,475	26.79%
6/30/2018	\$ 133,207	\$ 128,948	\$ (4,259)	\$ 475,741	27.10%
6/30/2019	\$ 131,045	\$ 119,044	\$ (12,001)	\$ 448,016	26.57%
6/30/2020	\$ 151,264	\$ 111,211	\$ (40,053)	\$ 517,143	21.50%

Note: These schedules are intended to show information for ten years. Additional years will be displayed as they become available.

NEVADA STATE BOARD OF DENTAL EXAMINERS

REQUIRED SUPPLEMENTARY INFORMATION

Schedule of Proportionate Share of the Net OPEB Liability

<u>Year Ended</u>	<u>Board's proportion of the Net OPEB Liability</u>	<u>Proportionate Share of the Net OPEB Liability</u>	<u>Actual Covered Member Payroll</u>	<u>Net OPEB Liability as a Percentage of Covered Payroll</u>	<u>Fund Balance as a Percentage of Net OPEB Liability</u>
6/30/2019	0.02570%	\$ 340,315	\$ 448,016	75.96%	249.14%
6/30/2020	0.02430%	\$ 338,628	\$ 517,143	65.48%	272.46%

The data provided in the schedule is based as of the measurement date of Net OPEB Liability, which is as of the beginning of the Board's fiscal year.

Schedule of Board's Contributions for the Net OPEB Liability

<u>Year Ended</u>	<u>Statutorily Required Contribution</u>	<u>Actual Employer Contributions</u>	<u>Contribution Excess/(Deficiency) (Deficiency)</u>	<u>Actual Covered Member Payroll</u>	<u>Contributions as a Percentage of Covered Payroll</u>
6/30/2019	\$ 10,528	\$ 10,194	\$ (334)	\$ 448,016	2.28%
6/30/2020	\$ 12,101	\$ 9,949	\$ (2,152)	\$ 517,143	1.92%

Note: These schedules are intended to show information for ten years. Additional years will be displayed as they become available.

NEVADA STATE BOARD OF DENTAL EXAMINERS

NOTES TO THE REQUIRED SCHEDULES FOR THE NET OPEB LIABILITY

Valuation Date January 1, 2018

Methods and Assumptions used to determine contribution rates:

Actuarial Cost Method Entry Age Normal – Level % of Salary

Asset Valuation Method Market Value of Assets

Retirement Age** 63

Mortality Pre-Retirement: Headcount-weighted RP-2014 Employee table projected to 2020 with Scale MP-2016.
 Post-Retirement: Headcount-weighted RP-2014 Healthy Annuitant table projected to 2020 with Scale MP-2016, set forward one year for spouses and beneficiaries.
 Disabled Mortality: Headcount-weighted RP-2014 Disabled Retiree table, set forward four years.

**Weighted average retirement age based on January 1, 2018 census data and retirement rates provided in the “Actuarial Assumptions and Methods” section of the report.

Agenda Item (6)(b):

**Academy of Dental and Medical Anesthesia (ADMA) -
ADMA Botox & Filler Training: Cosmetic & Therapeutic
Program (24 units)**



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

PROVIDER APPROVAL APPLICATION: INJECTION OF NEUROMODULATORS, DERMAL AND SOFT TISSUE FILLERS CERTIFICATION PROGRAM

Instructor(s) Name: Jeff Hansen, MD, Board Certified Orthopedic Surgeon, Heidi Efinger, NP-C

Leigh-Ann Schuerman, DMD, Cory Pickens, MD, Didactics/Credentialing, Shanetta Sutton, DDS

Program Title and Objectives [Must relate directly to the practice of dentistry]:

ADMA Completed Course Objectives

Upon completion of a course, the dentist was required to:

1. Demonstrate ability to screen and choose appropriate patients for Facial Therapeutic Botox, Facial Cosmetic Botox and Filler as well as list and discuss the advantages and disadvantages of Facial Therapeutic Botox, Facial Cosmetic Botox and Fillers.
2. Demonstrate ability to identify complications associated with Facial Therapeutic Botox, Facial Cosmetic Botox and Fillers. Demonstrate skills necessary to prevent complications associated with Facial Therapeutic Botox, Facial Cosmetic Botox / Fillers and demonstrate a proficient ability to manage complications associated with Facial Therapeutic Botox, Facial Cosmetic Botox and Fillers.
3. Master pharmacology aspects of Facial Therapeutic Botox and Facial Cosmetic Botox for administration. This includes drug classification, dosing, mechanism of action, drug synergy, precautions, indications, contraindications and adverse reactions associated with Facial Therapeutic Botox and Facial Cosmetic Botox.
4. Demonstrate ability to select the appropriate dosing of Facial Therapeutic Botox and Facial Cosmetic Botox based on the patient's pathophysiology and clinical appearance. Create a Facial Therapeutic Botox and Facial Cosmetic Botox plan that includes the patient's:
 - a. Medical profile
 - b. Disease states
 - c. Medications
 - d. Contraindications
 - e. Potential drug interactions
 - f. Drug dose selection of Facial Cosmetic Botox
 - g. Drug dose selection of Facial Therapeutic Botox
 - h. Predicted dose
5. Demonstrate ability to discuss this plan and administer the selected Facial Therapeutic Botox, Facial Cosmetic Botox and Fillers to dental patients in a clinical setting in a safe and effective manner.
6. Outline complications associated with techniques of Facial Therapeutic Botox, Facial Cosmetic Botox and Fillers.

Number of Participants: 20

Hours of Actual Instruction: 24

Registered Facility Name and Address

Good Neighbor House
627 East 1st Street
Dayton, OH 45402

Date(s) of Program: Bimonthly

Entity Submitting Request: Academy of Dental & Medical Anesthesia (ADMA)

Business Address: 2012 Swanson Lane

City, State & Zip: Billings, MT 59102

Business Telephone: 406.698.8538

Date of Request: 01 April 2020

Signature of Person Authorized to Represent Program

PLEASE ATTACH NAME(S) AND CURRICULUM VITAE(S) FOR EACH INSTRUCTOR, THE OUTLINE OF COURSE (including method of presentation), AND A LETTER SIGNED BY THE PERSON(S) WHO HOLD PROPRIETARY RIGHTS TO THE PROGRAM GRANTING THE BOARD PERMISSION TO REVIEW THEIR PROGRAM.

FOR OFFICE USE ONLY - DO NOT WRITE BELOW THIS LINE.

Approved by:

Number of Hours Approved:

Effective Date of Approval:

Disapproved [Explanation]:

PAID
c/c



Agenda Item (7)(b):

Dental Hygiene Direct Public Health Program



DENTAL HYGIENE DIRECT

Dental Public Health Program
Policies and Procedures

Received
JAN 14 2021
NSBDE

Mission:

Dental Hygiene Direct aims to provide preventive and therapeutic services through innovative delivery models that optimize oral health and enable individuals to eat, speak, and socialize without active disease, discomfort, or embarrassment and contribute to general well-being and overall health.

Program Goal(s):

The goal of the program is to expand the reach of the dental home through tele-dentistry by providing preventive dental services to at-risk populations that have barriers to obtaining dental care through traditional delivery models.

Target Group(s) Served:

The program aims to serve at-risk populations who may be uninsured, underinsured, lack access, medically compromised or developmentally disabled, low-income or are enrolled in government health care programs.

Location(s) of Services:

The program will utilize telecommunication technologies to provides the means for a patient to receive services when the patient is in one physical location (usually their home) and the licensed dental practitioner overseeing the delivery of those services is in another location.

Services Offered:

The program will offer the following services by utilizing current evidence-based best practices –

- Review of Medical/Dental History
- Screening/Assessment
- Caries Risk Assessment
- Oral Health Education
- Synchronous Fluoride Application¹
- Care Coordination

Program Requirements

The program requires currently licensed Nevada dental hygienists to receive a public health endorsement from the Nevada State board of Dental Examiners (NSBDE) or practice under the supervision of a Nevada licensed dentist. Affiliates of the program must possess a current CPR card and professional liability insurance.

Infection Control

Patient care will be conducted via telecommunication technologies; therefore, no infection control plan is required at this time.

¹ On October 8, 2020 the Nevada State Board of Dental Examiners authorized an Advisory Opinion which stated that dental health care providers may instruct a parent/guardian to apply single unit dose of fluoride varnish to their child's teeth through a synchronous teledentistry platform.

Received
JAN 14 2021
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Protected Health Information (PHI)

Patient protected health information, to include patient registration, comprehensive medical/dental history, clinical photographs, written notes, and patient-related communication, will be stored in compliance with HIPPA guidelines.

Referral Mechanism

A list of community-based licensed dental practitioners will be provided to patients that require additional services outside the scope of the dental hygienist. Additional care coordination will be provided as needed.

Annual Reporting

The program will submit a report summarizing the services performed by the dental hygienist under the authority of the special endorsement during the immediately preceding biennium.

Received
JAN 14 2021
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