

NEVADA STATE BOARD
of
DENTAL EXAMINERS



COMMITTEE ON DENTAL HYGIENE &
DENTAL THERAPY & SUBCOMMITTEE
TELECONFERENCE MEETING

WEDNESDAY, MAY 5, 2021

6:00 P.M.

PUBLIC BOOK

Agenda Item (4)(a):
NRS 631.3124

NRS 631.3124 Dental therapists: Authorized services; referral of patient to authorizing dentist for certain purposes; supervision of dental assistants and dental hygienists. [Effective January 1, 2020.]

1. In accordance with the written practice agreement required pursuant to [NRS 631.3122](#), a dental therapist may perform the following acts:
 - (a) Expose radiographs.
 - (b) Conduct an assessment of the oral health of the patient through medical and dental histories, radiographs, indices, risk assessments and intraoral and extraoral procedures that analyze and identify the oral health needs and problems of the patient.
 - (c) After conducting an assessment pursuant to paragraph (b), develop a dental hygiene care plan to address the oral health needs and problems of the patient.
 - (d) Take the following types of impressions:
 - (1) Those used for the preparation of diagnostic models;
 - (2) Those used for the fabrication of temporary crowns or bridges; and
 - (3) Those used for the fabrication of temporary removable appliances, provided no missing teeth are replaced by those appliances.
 - (e) Remove stains, deposits and accretions, including dental calculus.
 - (f) Smooth the natural and restored surface of a tooth by using the procedures and instruments commonly used in oral prophylaxis, except that an abrasive stone, disc or bur may be used only to polish a restoration. As used in this paragraph, “oral prophylaxis” means the preventive dental procedure of scaling and polishing which includes the removal of calculus, soft deposits, plaques and stains and the smoothing of unattached tooth surfaces in order to create an environment in which hard and soft tissues can be maintained in good health by the patient.
 - (g) Provide dental hygiene care that includes:
 - (1) Implementation of a dental hygiene care plan to address the oral health needs and problems of patients pursuant to paragraph (c).
 - (2) Evaluation of oral and periodontal health after the implementation of the dental hygiene care plan described in subparagraph (1) in order to identify the subsequent treatment, continued care and referral needs of the patient.
 - (h) Perform subgingival curettage.

- (i) Remove sutures.
 - (j) Place and remove a periodontal pack.
 - (k) Remove excess cement from cemented restorations and orthodontic appliances. A dental therapist may not use a rotary cutting instrument to remove excess cement from restorations or orthodontic appliances.
 - (l) Train and instruct persons in the techniques of oral hygiene and preventive procedures.
 - (m) Recement and repair temporary crowns and bridges.
 - (n) Recement permanent crowns and bridges with nonpermanent material as a palliative treatment.
 - (o) Place a temporary restoration with nonpermanent material as a palliative treatment.
 - (p) Administer local intraoral chemotherapeutic agents in any form except aerosol, including, but not limited to:
 - (1) Antimicrobial agents;
 - (2) Fluoride preparations;
 - (3) Topical antibiotics;
 - (4) Topical anesthetics; and
 - (5) Topical desensitizing agents.
 - (q) Apply pit and fissure sealant to the dentition for the prevention of decay.
2. After performing any of the services set forth in subsection 1, the dental therapist shall refer the patient to the authorizing dentist for follow-up care or any necessary additional procedures that the dental therapist is not authorized to perform.
 3. A dental therapist may supervise dental assistants and dental hygienists to the extent permitted in a written practice agreement.

(Added to NRS by [2019, 3201](#), [3203](#), effective January 1, 2020)

Agenda Item (4)(a):
NRS 631.3125

NRS 631.3125 Dental therapists: Additional authorized care and services. [Effective January 1, 2020.] In accordance with the written practice agreement, a dental therapist may provide any of the following additional care or services:

1. Identifying oral and systemic conditions that require evaluation or treatment by dentists, physicians, or other health care professionals and managing referrals to such persons.
2. Providing oral health instruction and disease prevention education, including nutritional counseling and dietary analysis.
3. Dispensing and administering via the oral or topical route nonnarcotic analgesics and anti-inflammatory and antibiotic medications as prescribed by a health care professional.
4. Pulp and vitality testing.
5. Applying desensitizing medication or resin.
6. Fabricating mouth guards.
7. Changing periodontal dressings.
8. Simple extraction of erupted primary teeth.
9. Emergency palliative treatment of dental pain related to a care or service described in this section.
10. Preparation and placement of direct restoration in primary and permanent teeth.
11. Fabrication and placement of single tooth temporary crowns.
12. Preparation and placement of preformed crowns on primary teeth.
13. Indirect and direct pulp capping on permanent teeth.
14. Suturing and suture removal.
15. Minor adjustments and repairs on removable prostheses.
16. Placement and removal of space maintainers.
17. Nonsurgical extractions of periodontally diseased permanent teeth with tooth mobility. However, a dental therapist shall not extract a tooth for any patient if the tooth is unerupted, impacted, or fractured or needs to be sectioned for removal.
18. Performing other related services and functions authorized and for which the dental therapist is trained. (Added to NRS by [2019, 3203](#), effective January 1, 2020)

Agenda Item (4)(a):
NRS 631.3126

NRS 631.3126 Dental therapists: Arrangements for or referrals of patients to other dental or health care professionals in certain circumstances. [Effective January 1, 2020.] In accordance with the written practice agreement required pursuant to [NRS 631.3122](#):

1. The authorizing dentist shall arrange for another dentist or specialist to provide any services needed by a patient of a dental therapist that exceed the dental therapist's capabilities or the authorized scope of practice of the dental therapist and that the authorizing dentist is unable to provide; and
2. A dental therapist shall refer patients to another qualified dental or health care professional to receive needed services that exceed the scope of practice of the dental therapist.

(Added to NRS by [2019, 3201](#), effective January 1, 2020)

Agenda Item (4)(a):
NRS 631.3127

NRS 631.3127 Dental therapists: Prohibition on prescription of certain controlled substances. [Effective January 1, 2020.] A dental therapist shall not prescribe a controlled substance that is included in schedules II, III, IV or V of the Uniform Controlled Substances Act.

(Added to NRS by [2019, 3203](#), effective January 1, 2020)

Agenda Item (4)(a):
NRS 631.3128

NRS 631.3128 Dental therapists: Limitation on number with whom authorizing dentist may simultaneously maintain written practice agreements. [Effective January 1, 2020.] An authorizing dentist may not simultaneously maintain written practice agreements required pursuant to [NRS 631.3122](#) with more than four full-time or full-time equivalent dental therapists.

(Added to NRS by [2019, 3201](#), effective January 1, 2020)

Agenda Item (4)(a):
NRS 631.313

NRS 631.313 Assignment of dental hygienist, dental therapist, dental assistant or other person to perform certain intraoral tasks under certain circumstances; exceptions; administration of local anesthesia or nitrous oxide by dental hygienist. [Effective January 1, 2020.]

1. Except as otherwise provided in [NRS 454.217](#) and [629.086](#), a licensed dentist may assign to a person in his or her employ who is a dental hygienist, dental therapist, dental assistant or other person directly or indirectly involved in the provision of dental care only such intraoral tasks as may be permitted by a regulation of the Board or by the provisions of this chapter.
2. The performance of these tasks must be:
 - (a) If performed by a dental assistant or a person, other than a dental hygienist or dental therapist, who is directly or indirectly involved in the provision of dental care, under the supervision of the licensed dentist who made the assignment.
 - (b) If performed by a dental hygienist or dental therapist, authorized by the licensed dentist of the patient for whom the tasks will be performed, except as otherwise provided in [NRS 631.287](#).
3. No such assignment is permitted that requires:
 - (a) The diagnosis, treatment planning, prescribing of drugs or medicaments, or authorizing the use of restorative, prosthodontic or orthodontic appliances.
 - (b) Surgery on hard or soft tissues within the oral cavity or any other intraoral procedure that may contribute to or result in an irremediable alteration of the oral anatomy.
 - (c) The administration of general anesthesia, minimal sedation, moderate sedation or deep sedation except as otherwise authorized by regulations adopted by the Board.
 - (d) The performance of a task outside the authorized scope of practice of the employee who is being assigned the task.
4. A dental hygienist may, pursuant to regulations adopted by the Board, administer local anesthesia or nitrous oxide in a health care facility, as defined in [NRS 162A.740](#), if:
 - (a) The dental hygienist is so authorized by the licensed dentist of the patient to whom the local anesthesia or nitrous oxide is administered; and
 - (b) The health care facility has licensed medical personnel and necessary emergency supplies and equipment available when the local anesthesia or nitrous oxide is administered.

(Added to NRS by [1971, 531](#); A [1981, 1975](#); [1983, 1114](#); [1987, 859](#); [1995, 216](#); [2001, 2694](#); [2009, 212](#); [2015, 3877](#); [2017, 1256](#); [2019, 3214](#), effective January 1, 2020)

Agenda Item (4)(a):
NRS 631.3425

NRS [631.3425](#) Continuing education: Requirements for dental therapists. [Effective January 1, 2020.] A dental therapist licensed to practice in this State must annually complete at least 18 hours of instruction in approved courses of continuing education or biennially complete at least 40 hours of instruction in approved courses of continuing education, as applicable, based on the renewal period set forth in [NRS 631.330](#) for the type of license held by the dental therapist. Hours of instruction may not be transferred over from one licensing period to another.

(Added to NRS by [2019, 3203](#), effective January 1, 2020)

Agenda Item (4)(a):
NRS 631.190

NRS 631.190 Powers and duties. [Effective January 1, 2020.] In addition to the powers and duties provided in this chapter, the Board shall:

1. Adopt rules and regulations necessary to carry out the provisions of this chapter.
2. Appoint such committees, review panels, examiners, officers, employees, agents, attorneys, investigators and other professional consultants and define their duties and incur such expense as it may deem proper or necessary to carry out the provisions of this chapter, the expense to be paid as provided in this chapter.
3. Fix the time and place for and conduct examinations for the granting of licenses to practice dentistry, dental hygiene and dental therapy.
4. Examine applicants for licenses to practice dentistry, dental hygiene and dental therapy.
5. Collect and apply fees as provided in this chapter.
6. Keep a register of all dentists, dental hygienists and dental therapists licensed in this State, together with their addresses, license numbers and renewal certificate numbers.
7. Have and use a common seal.
8. Keep such records as may be necessary to report the acts and proceedings of the Board. Except as otherwise provided in [NRS 631.368](#), the records must be open to public inspection.
9. Maintain offices in as many localities in the State as it finds necessary to carry out the provisions of this chapter.
10. Have discretion to examine work authorizations in dental offices or dental laboratories.

[Part 4:152:1951; A [1953, 363](#)] — (NRS A [1963, 150](#); [1967, 865](#); [1993, 2743](#); [2009, 3002](#); [2017, 989, 2848](#); [2019, 3205](#), effective January 1, 2020)

Agenda Item (4)(a):
NRS 631.215

NRS 631.215 Persons deemed to be practicing dentistry; regulations regarding clinical practice of dentistry. [Effective January 1, 2020.]

1. Any person shall be deemed to be practicing dentistry who:
 - (a) Uses words or any letters or title in connection with his or her name which in any way represents the person as engaged in the practice of dentistry, or any branch thereof;
 - (b) Advertises or permits to be advertised by any medium that the person can or will attempt to perform dental operations of any kind;
 - (c) Evaluates or diagnoses, professes to evaluate or diagnose or treats or professes to treat, surgically or nonsurgically, any of the diseases, disorders, conditions or lesions of the oral cavity, maxillofacial area or the adjacent and associated structures and their impact on the human body;
 - (d) Extracts teeth;
 - (e) Corrects malpositions of the teeth or jaws;
 - (f) Takes impressions of the teeth, mouth or gums, unless the person is authorized by the regulations of the Board to engage in such activities without being a licensed dentist;
 - (g) Examines a person for, or supplies artificial teeth as substitutes for natural teeth;
 - (h) Places in the mouth and adjusts or alters artificial teeth;
 - (i) Does any practice included in the clinical dental curricula of accredited dental colleges or a residency program for those colleges;
 - (j) Administers or prescribes such remedies, medicinal or otherwise, as are needed in the treatment of dental or oral diseases;
 - (k) Uses X-ray radiation or laser radiation for dental treatment or dental diagnostic purposes, unless the person is authorized by the regulations of the Board to engage in such activities without being a licensed dentist;
 - (l) Determines:
 - (1) Whether a particular treatment is necessary or advisable; or
 - (2) Which particular treatment is necessary or advisable; or
 - (m) Dispenses tooth whitening agents or undertakes to whiten or bleach teeth by any means or method, unless the person is:

- (1) Dispensing or using a product that may be purchased over the counter for a person's own use; or
 - (2) Authorized by the regulations of the Board to engage in such activities without being a licensed dentist.
2. Nothing in this section:
- (a) Prevents a dental assistant, dental hygienist, dental therapist or qualified technician from making radiograms or X-ray exposures for dental treatment or dental diagnostic purposes upon the direction of a licensed dentist.
 - (b) Prevents a dental hygienist or dental therapist from administering local anesthesia for pain management during treatment or using X-ray radiation or laser radiation for dental treatment or dental diagnostic purposes, upon authorization of a licensed dentist.
 - (c) Prohibits the performance of mechanical work, on inanimate objects only, by any person employed in or operating a dental laboratory upon the written work authorization of a licensed dentist.
 - (d) Prevents students from performing dental procedures that are part of the curricula of an accredited dental school or college or an accredited school of dental hygiene or an accredited school of dental therapy or an accredited school of dental assisting.
 - (e) Prevents a licensed dentist or dental hygienist from another state or country from appearing as a clinician for demonstrating certain methods of technical procedures before a dental society or organization, convention or dental college or an accredited school of dental hygiene or an accredited school of dental assisting.
 - (f) Prohibits the manufacturing of artificial teeth upon receipt of a written authorization from a licensed dentist if the manufacturing does not require direct contact with the patient.
 - (g) Prohibits the following entities from owning or operating a dental office or clinic if the entity complies with the provisions of [NRS 631.3452](#):
 - (1) A nonprofit corporation organized pursuant to the provisions of [chapter 82](#) of NRS to provide dental services to rural areas and medically underserved populations of migrant or homeless persons or persons in rural communities pursuant to the provisions of 42 U.S.C. § 254b or 254c.
 - (2) A federally-qualified health center as defined in 42 U.S.C. § 1396d(1)(2)(B) operating in compliance with other applicable state and federal law.

- (3) A nonprofit charitable corporation as described in section 501(c)(3) of the Internal Revenue Code and determined by the Board to be providing dental services by Volunteer licensed dentists at no charge or at a substantially reduced charge to populations with limited access to dental care.
- (h) Prevents a person who is actively licensed as a dentist in another jurisdiction from treating a patient if:
 - (1) The patient has previously been treated by the dentist in the jurisdiction in which the dentist is licensed;
 - (2) The dentist treats the patient only during a course of continuing education involving live patients which:
 - (I) Is conducted at an institute or organization with a permanent facility registered with the Board for the sole purpose of providing postgraduate continuing education in dentistry; and
 - (II) Meets all applicable requirements for approval as a course of continuing education; and
 - (3) The dentist treats the patient only under the supervision of a person licensed pursuant to [NRS 631.2715](#).
- (i) Prohibits a person from providing goods or services for the support of the business of a dental practice, office or clinic owned or operated by a licensed dentist or any entity not prohibited from owning or operating a dental practice, office or clinic if the person does not:
 - (1) Provide such goods or services in exchange for payments based on a percentage or share of revenues or profits of the dental practice, office or clinic; or
 - (2) Exercise any authority or control over the clinical practice of dentistry.
- 3. The Board shall adopt regulations identifying activities that constitute the exercise of authority or control over the clinical practice of dentistry, including, without limitation, activities which:
 - (a) Exert authority or control over the clinical judgment of a licensed dentist; or
 - (b) Relieve a licensed dentist of responsibility for the clinical aspects of the dental practice.

↳ Such regulations must not prohibit or regulate aspects of the business relationship, other than the clinical practice of dentistry, between a licensed dentist or professional entity organized pursuant to the provisions of [chapter 89](#) of NRS and the person or entity


providing goods or services for the support of the business of a dental practice, office or clinic owned or operated by the licensed dentist or professional entity.

[Part 2:152:1951] — (NRS A [1967, 864](#); [1971, 532](#); [1981, 1971](#); [1983, 1111](#); [1987, 858](#); [1995, 275](#); [2005, 271](#); [2009, 1093](#), [1526, 3003](#); [2013, 995](#); [2019, 3206](#), effective January 1, 2020)

Agenda item (4)(a):
NRS 631.271

NRS 631.271 Limited license to practice dentistry, dental hygiene or dental therapy; permit authorizing certain persons to practice dentistry or dental hygiene; regulations. [Effective January 1, 2020.]

1. The Board shall, without a clinical examination required by [NRS 631.240](#), [631.300](#) or [631.3121](#), issue a limited license to practice dentistry, dental hygiene or dental therapy to a person who:
 - (a) Is qualified for a license to practice dentistry, dental hygiene or dental therapy in this State;
 - (b) Pays the required application fee;
 - (c) Has entered into a contract with:
 - (1) The Nevada System of Higher Education to provide services as a dental intern, dental resident or instructor of dentistry, dental hygiene or dental therapy at an educational or outpatient clinic, hospital or other facility of the Nevada System of Higher Education; or
 - (2) An accredited program of dentistry, dental hygiene or dental therapy of an institution which is accredited by a regional educational accrediting organization that is recognized by the United States Department of Education to provide services as a dental intern, dental resident or instructor of dentistry, dental hygiene or dental therapy at an educational or outpatient clinic, hospital or other facility of the institution and accredited by the Commission on Dental Accreditation of the American Dental Association or its successor specialty accrediting organization;
 - (d) Satisfies the requirements of [NRS 631.230](#), [631.290](#) or [631.312](#), as appropriate; and
 - (e) Satisfies at least one of the following requirements:
 - (1) Has a license to practice dentistry, dental hygiene or dental therapy issued pursuant to the laws of another state or territory of the United States, or the District of Columbia;
 - (2) Presents to the Board a certificate granted by the Western Regional Examining Board which contains a notation that the person has passed, within the 5 years immediately preceding the date of the application, a clinical examination administered by the Western Regional Examining Board;
 - (3) Successfully passes a clinical examination approved by the Board and the American Board of Dental Examiners; or

- (4) Has the educational or outpatient clinic, hospital or other facility where the person will provide services as a dental intern or dental resident in an internship or residency program submit to the Board written confirmation that the person has been appointed to a position in the program. If a person qualifies for a limited license pursuant to this subparagraph, the limited license remains valid only while the person is actively providing services as a dental intern or dental resident in the internship or residency program and is in compliance with all other requirements for the limited license.
2. The Board shall not issue a limited license to a person:
 - (a) Who has been issued a license to practice dentistry, dental hygiene or dental therapy if:
 - (1) The person is involved in a disciplinary action concerning the license; or
 - (2) The license has been revoked or suspended; or
 - (b) Who has been refused a license to practice dentistry, dental hygiene or dental therapy,  in this State, another state or territory of the United States, or the District of Columbia.
3. Except as otherwise provided in subsection 4, a person to whom a limited license is issued pursuant to subsection 1:
 - (a) May practice dentistry, dental hygiene or dental therapy in this State only:
 - (1) At the educational or outpatient clinic, hospital or other facility where the person is employed; and In accordance with the contract required by paragraph (c) of subsection 1.
 - (b) Shall not, for the duration of the limited license, engage in the private practice of dentistry, dental hygiene or dental therapy in this State or accept compensation for the practice of dentistry, dental hygiene or dental therapy except such compensation as may be paid to the person by the Nevada System of Higher Education or an accredited program of dentistry, dental hygiene or dental therapy for services provided as a dental intern, dental resident or instructor of dentistry, dental hygiene or dental therapy pursuant to paragraph (c) of subsection 1.
4. The Board may issue a permit authorizing a person who holds a limited license to engage in the practice of dentistry, dental hygiene or dental therapy in this State and to accept compensation for such practice as may be paid to the person by entities other than the Nevada System of Higher Education or an accredited program of dentistry, dental hygiene or dental therapy with whom the person is under contract pursuant to paragraph (c) of subsection 1. The Board shall, by regulation, prescribe the standards, conditions and other requirements for the issuance of a permit.

5. A limited license expires 1 year after its date of issuance and may be renewed on or before the date of its expiration, unless the holder no longer satisfies the requirements for the limited license. The holder of a limited license may, upon compliance with the applicable requirements set forth in [NRS 631.330](#) and the completion of a review conducted at the discretion of the Board, be granted a renewal certificate that authorizes the continuation of practice pursuant to the limited license for 1 year.
6. A permit issued pursuant to subsection 4 expires on the date that the holder's limited license expires and may be renewed when the limited license is renewed, unless the holder no longer satisfies the requirements for the permit.
7. Within 7 days after the termination of a contract required by paragraph (c) of subsection 1, the holder of a limited license shall notify the Board of the termination, in writing, and surrender the limited license and a permit issued pursuant to this section, if any, to the Board.
8. The Board may revoke a limited license and a permit issued pursuant to this section, if any, at any time if the Board finds, by a preponderance of the evidence, that the holder of the license violated any provision of this chapter or the regulations of the Board.

(Added to NRS by [1999, 1653](#); A [1999, 2849](#); [2001, 907](#); [2003, 1182](#); [2005, 46, 274](#); [2011, 74](#); [2015, 713](#); [2019, 3209, 4273](#), effective January 1, 2020)