

Nevada State Board of Dental Examiners



2651 N. Green Valley Pkwy, Ste. 104 • Henderson, NV 89014 • (702) 486-7044 • (800) DDS-EXAM • Fax (702) 486-7046

Notice of Agenda & Teleconference Meeting of The Legislative, Legal, & Dental Practice Committee

Meeting Date & Time

Wednesday, January 26, 2022

6:00 p.m.

**** This meeting will be held via remote technology system and ****
**** will be accessible to the public via ZOOM VIDEO WEBINAR/TELECONFERENCE ONLY ****
**** There will be no physical location for the meeting ****
**** pursuant to NRS 241.015, as amended by AB 253 (2021) ****

To access by phone, call Zoom teleconference Phone Number: (669) 900 6833

To access by video webinar, visit www.zoom.com or use the Zoom app

Zoom Webinar/Meeting ID#: **848 0703 8201**

Zoom Webinar/Meeting Passcode: **513940**

MINUTES

PUBLIC NOTICE:

**** This meeting will be held via VIDEO CONFERENCE ****

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, 2651 N. Green Valley Pkwy, Ste. 104, Henderson, NV 89014; e-mail address nsbde@dental.nv.gov**. Written submissions received by the Board on or before **Tuesday, January 25, 2022 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 2651 N. Green Valley Pkwy, Ste. 104, Henderson, NV 89014.

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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1. Call to Order

- Roll call/Quorum

Mr. Su conducted roll call.

Dr. Tejpal Johl (Dr. Johl) — Present	Dr. David Lee (Dr. Lee) — Present
Dr. Ronald West (Dr. West) — Not Present	Dr. Elizabeth Park (Dr. Park) — Present
Ms. Jana McIntyre (Ms. McIntyre) — Present	Mr. Michael Pontoni (Mr. Pontoni) — Not Present

Others Present: Hardeep Sull, Board Executive Director; Phil Su, Board General Counsel; Jason Dworin, Board General Counsel

Public Attendees: Alexandria Cannito; Patrick Silvaroli; Annette; Samantha Sturges; Mary Bobbett; Gail Baker Clark

2. Public Comment (By pre-submitted email/written form): The public comment period is limited to matters specifically noticed on the agenda. 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@dental.nv.gov, or by mailing messages to the Board office. Written submissions received by the Board on or before **Tuesday, January 25, 2022 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.

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.

There was no written public comment.

***3. Chairman's Report:** Tejpal Johl, DDS (For Possible Action)

***a. Request to Remove Agenda Item(s)**

There was no request to move any agenda item(s).

***b. Approve Agenda**

Ms. McIntyre made a motion to approve the agenda. Dr. Lee seconded the motion. All were in favor. Motion passed.

***4. Old Business:** (For Possible Action)

***a. Discussion, Review, and Possible Recommendations to the Board of Proposed Changes to Amend, Add, or Repeal the Following Permanent Regulations—NRS 631.190:**

- (1) Licensing: NAC 631.028 through NAC 631.220

Mr. Su introduced the agenda item and provided an overview of the process and history of the proposed changes to the above-listed regulations. He also provided a summary of the proposed changes. Dr. Park requested clarification regarding dental therapy regulations and Mr. Su noted that the dental therapy regulations were new and that the current meeting was to go over proposed changes to existing regulations. Discussion ensued among Dr. Lee, Dr. Park, and Mr. Su regarding additional clarification for the proposed changes, details regarding additional adjustments, and details regarding the process of drafting. Dr. Park made a motion to approve the proposed draft with the changes and corrections as discussed. Ms. McIntyre seconded the motion. All were in favor. Motion passed.

1 ***b. Discussion, Review, and Possible Recommendations to the Board Regarding Topics for**
2 **Submission to Legislative Advisors for Drafting Proposed Permanent Regulatory Language,**
3 **Including, but not Limited to, the Following—NRS 631.190:**
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- 5 (1) Hands-on Amendment to CPR requirements (NAC 631.173)
6 (2) Amendments to Continuing Education Audit language (NAC 631.177)
7

8 Mr. Su introduced agenda item 4(b)(1) and provided an overview of the proposed changes to the
9 above-listed regulation concerning CPR requirements and the general reasoning behind the
10 adjustments. Dr. Lee requested clarification for the draft and Mr. Su made a note that a draft had not
11 been included in the meeting materials. Discussion ensued among Dr. Lee, Dr. Johl, and Mr. Su regarding
12 options for making adjustments. Dr. Lee made a motion to approve the adjustments as discussed and for
13 a draft to be prepared for review at the next Board meeting. Ms. McIntyre seconded the motion. All were
14 in favor. Motion passed.

15 Mr. Su then introduced agenda item 4(b)(2) and provided an overview of the proposed changes to the
16 above-listed regulation concerning Continuing Education audits and provided background for the
17 adjustments. Discussion ensued among Dr. Lee, Mr. Su, Dr. Johl, Ms. McIntyre, Dr. Park, and Mr. Dworin
18 regarding adjustments to the language, as well as foundational information relating to procedures and
19 practices for Continuing Education audits. Dr. Lee made a motion to approve the adjustments as
20 discussed and for a draft to be prepared for review at the next Board meeting. Ms. McIntyre seconded
21 the motion. All were in favor. Motion passed.
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23 ***5. New Business:** (For Possible Action)
24

25 ***a. Discussion, Review, and Possible Recommendations to the Board Regarding Possible**
26 **Regulatory Changes to address issues raised by proposed legislation, AB 438 (2021)—NRS**
27 **631.190:**
28

- 29 (1) Employment of Board Staff to be at-will
30 (2) Additional Regulations regarding Administration of Board Disciplinary Proceedings
31

32 Mr. Su noted that a representative from the Board's lobbyist was present as an attendee and would be
33 available to answer questions for agenda items 5(a) and 5(b). Mr. Su then provided an overview of the
34 possible regulatory changes as contained in agenda item 5(a), including the history of Assembly Bill 438
35 and whether the Board wishes to adopt items from the Assembly Bill as regulation. Discussion ensued
36 among Dr. Lee, Mr. Dworin, Mr. Su, Ms. Sull, and Ms. McIntyre in relation to agenda item 5(a)(1) regarding
37 specifics of potential adjustments to regulatory language and the necessity of potential adjustments. Ms.
38 Cannito, the lobbyist representative, was also invited to offer additional insight if possible. Dr. Lee made a
39 motion to recommend the adjustments as discussed to the Board at a future meeting with regards to
40 agenda item 5(a)(1). Ms. McIntyre seconded the motion. All were in favor. Motion passed.

41 Mr. Su provided an overview of the language relating to additional regulations regarding administration
42 of Board disciplinary proceedings. Discussion ensued among Dr. Lee, Mr. Su, Mr. Dworin, and Dr. Park in
43 relation to agenda item 5(a)(2) regarding specifics of potential adjustments to regulatory language in
44 order to streamline the disciplinary process. Dr. Lee made a motion to recommend the adjustments as
45 discussed to the Board at a future meeting with regards to agenda item 5(a)(2). Ms. McIntyre seconded
46 the motion. All were in favor. Motion passed.
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48 ***b. Discussion, Review, and Identification of Discussion Points for Board Representative to Present**
49 **at Joint Interim Standing Committee (JISC) on Commerce and Labor's February 1, 2022**
50 **Meeting**
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52 Mr. Su and Ms. Sull introduced the agenda item and provided a brief overview of the upcoming meeting
53 by the Joint Interim Standing Committee (JISC) on Commerce and Labor and summarized the
54 information that would be presented to the JISC. Discussion ensued among Dr. Lee, Dr. Johl, Mr. Su, Dr.
55 Park, Ms. Sull, and Ms. McIntyre regarding information to bring to the JISC and include in the presentation
56 on behalf of the Board.
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1 **c. Summary of presentation at 1/20 meeting of Joint Interim Standing Committee on HHS**
2 **regarding LCB file R035-21P, pertaining to proposed permanent regulations for dental**
3 **licensees to administer immunizations** (For Information Only)
4

5 Mr. Su summarized what was presented to the Joint Interim Standing Committee meeting on January 20,
6 2022 relating to the proposed permanent regulations for dental licensees to administer immunizations as
7 set forth in LCB file R035-21P. Mr. Su provided an overview of the question and answer session held during
8 the meeting, as well as an overview of input provided by attendees. Brief discussion ensued between Dr.
9 Lee, Mr. Su, Dr. Johl, Ms. McIntyre, and Dr. Park regarding the next steps for the LCB file and details
10 contained in the proposed permanent regulations.
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12 **6. Public Comment (Live public comment by teleconference):** This public comment period is for any
13 matter that is within the jurisdiction of the public body. No action may be taken upon the matter raised during public comment
14 unless the matter itself has been specifically included on the agenda as an action item. Comments by the public may be
15 limited to three (3) minutes as a reasonable time, place and manner restriction, but may not be limited based upon viewpoint.
16 The Chairperson may allow additional time at his/her discretion.
17

18 Pursuant to Section 2 of Directive 006, and extended by Directives 016, 018, 021, 026, and 029, members of the public may
19 participate in the meeting without being physically present by submitting public comment via email to nsbde@dental.nv.gov,
20 or by mailing written messages to the Board office. Written submissions should be received by the Board on or before **Tuesday,**
21 **January 25, 2022 by 4:00 p.m.** in order to make copies available to members and the public.
22

23 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual,
24 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
25 Nevada State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious,
26 slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.
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28 There was no public comment.
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30 **7. Announcements**

31 Dr. Johl welcomed Ms. Sull as the new Executive Director for the Board.
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34 ***8. Adjournment** (For Possible Action)
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36 Ms. McIntyre made a motion to adjourn. Dr. Lee seconded the motion. All were in favor. Motion passed.
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PUBLIC NOTICE POSTING LOCATIONS

Office of the N.S.B.D.E., 2651 N. Green Valley Pkwy, Ste. 104, Henderson, NV 89014
Nevada State Board of Dental Examiners website: www.dental.nv.gov
Nevada Public Posting Website: www.notice.nv.gov

X 

Hardeep Sull
Executive Director