

# 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

## PUBLIC MEETING NOTICE & BOARD MEETING AGENDA

### Meeting Date & Time

Tuesday March 15, 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](http://www.zoom.com) or use the Zoom app

Zoom Webinar/Meeting ID#: **817 1929 6739**

Zoom Webinar/Meeting Passcode: **940701**

## MINUTES

### PUBLIC NOTICE:

**\*\* This meeting will be held via VIDEO WEBINAR and TELE-CONFERENCE only \*\***

**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.

Members of the public may submit public comment in written form to: **Nevada State Board of Dental Examiners, 2651 N. Green Valley Pkwy, Ste. 104, Henderson, NV 89014; FAX number (702) 486-7046; e-mail address [nsbde@dental.nv.gov](mailto:nsbde@dental.nv.gov)**. Written submissions received by the Board on or before **Monday, March 14, 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.

1 **1. Call to Order**

2 - Roll call/Quorum

3  
4 Ms. Sull conducted roll call.

Dr. Tejpaul Johl (Dr. Johl) — Present	Dr. Todd Thompson (Dr. Thompson) — Present
Dr. Ronald West (Dr. West) — Present	Dr. Elizabeth Park (Dr. Park) — Present
Dr. Adam York (Dr. York) — Present	Ms. Yamilka Arias (Ms. Arias) — Present
Mr. Michael Pontoni (Mr. Pontoni) — Present	Dr. Ronald Lemon (Dr. Lemon)— Present
Dr. David Lee (Dr. Lee) — Present	Ms. Kimberly Petrilla (Ms. Petrilla) — Not Present
Ms. Jana McIntyre (Ms. McIntyre) — Present	

6  
7 **Others Present:** Hardeep Sull, Board Executive Director; Phil Su, Board General Counsel; Jason Dworin, Board  
8 General Counsel; Sandra Spilsbury, Dental License and Credentialing Specialist and Site Inspection – CE  
9 Coordinator

10  
11 **2. Public Comment (By pre-submitted email/written form only):** The public comment period is limited to matters  
12 specifically noticed on the agenda. No action may be taken upon the matter raised during public comment unless the matter itself  
13 has been specifically included on the agenda as an action item. Comments by the public may be limited to three (3) minutes as a  
14 reasonable time, place and manner restriction, but may not be limited based upon viewpoint. The Chairperson may allow  
15 additional time at his/her discretion.

16  
17 Members of the public may submit public comment via email to [nsbde@dental.nv.gov](mailto:nsbde@dental.nv.gov), or by mailing/faxing messages to the Board  
18 office. Written submissions received by the Board on or before **Monday, March 14, 2022 by 4:00 p.m.** may be entered into the record  
19 during the meeting. Any other written public comment submissions received prior to the adjournment of the meeting will be included  
20 in the permanent record.

21  
22 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General’s Open Meeting Law Manual, the  
23 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  
24 State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous,  
25 offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.

26  
27 There was no written public comment.

28  
29 **\*3. President’s Report:** (For Possible Action)

30  
31 **\*a. Request to remove agenda item(s)** (For Possible Action)

32  
33 There was no request to remove any agenda item(s).

34  
35 **\*b. Approve Agenda** (For Possible Action)

36  
37 Ms. McIntyre made a motion to approve the agenda. Dr. Johl seconded the motion. All were in favor. Motion  
38 passed.

39  
40 **\*4. Secretary – Treasurer’s Report:** (For Possible Action)

41  
42 **\*a. Approval/Rejection of Minutes** (For Possible Action)

- 43 (1) Employment Committee Meeting – 02/03/2022
- 44 (2) Board Meeting – 02/15/2022

45  
46  
47 Ms. McIntyre provided a brief overview of the draft minutes. Dr. Lee made a motion to approve the  
48 minutes as set forth above. Dr. Park seconded the motion. All were in favor. Motion passed.

49  
50 **\*5. General Counsel’s Report:** (For Possible Action)

51  
52 **a. Legal Actions/Litigation Update** (For Informational Purposes Only)

53  
54 Mr. Su provided an update regarding one litigated item, noting that the Board office had received notice of  
55 the Petition for Judicial Review filed by Antonina Capurro, DMD in relation to the recent Board hearing.

1 **b. Regulatory Update** (For Informational Purposes Only)

2  
3 Mr. Su set forth the current status of proposed regulation changes and the status of submission to the  
4 Legislative Counsel Bureau.

5  
6 **\*c. Review Panel – NRS 631.3635** (For Possible Action)

7  
8 **(1) Discussion and consideration of proposed findings and recommendations for matters that**  
9 **have been recommended for remand by the Review Panel, and possible**  
10 **approval/rejection of same by the Board – NRS 631.3635** (For Possible Action)

11  
12 Mr. Dworin briefly outlined the confidential proposed remands.

13 Dr. Thompson made a motion to accept the remands. Dr. Johl seconded the motion. All were in favor.  
14 Motion passed.

15  
16 **(2) Consideration, review, and possible approval/rejection of Stipulation Agreements – NRS**  
17 **631.3635; NRS 622A.170; NRS 622.330** (For Possible Action)

18  
19 (i) Matthew Matteucci, DMD

20  
21 Dr. Lee introduced the stipulation listed above. Ms. McIntyre made a motion to approve the stipulation for  
22 Matthew Matteucci, DMD. Dr. West seconded the motion. All were in favor. Dr. West and Ms. Arias recused  
23 themselves. Motion passed.

24  
25 **\*d. Authorized Investigative Complaints – NRS 631.360** (For Possible Action)

26  
27 **(1) Dr. V – Dr. V may have breached the standard of care by demonstrating professional**  
28 **incompetence in violation of NRS 631.3475**

29  
30 Dr. Lee summarized the alleged issue to open an authorized investigation. A brief discussion followed  
31 between Dr. Park, Mr. Dworin, and Dr. Lee as to the situation. Dr. Thompson made a motion to approve the  
32 opening of an investigation for Drs. V, W, and X, respectively. Ms. McIntyre seconded the motion. All were in  
33 favor. Motion passed.

34  
35 **(2) Dr. W – Dr. W may have breached the standard of care by demonstrating professional**  
36 **incompetence in violation of NRS 631.3475**

37  
38 Dr. Thompson made a motion to approve the opening of an investigation for Drs. V, W, and X, respectively.  
39 Ms. McIntyre seconded the motion. All were in favor. Motion passed.

40  
41 **(3) Dr. X – Dr. X may have breached the standard of care by demonstrating professional**  
42 **incompetence in violation of NRS 631.3475**

43  
44 Dr. Thompson made a motion to approve the opening of an investigation for Drs. V, W, and X, respectively.  
45 Ms. McIntyre seconded the motion. All were in favor. Motion passed.

46  
47 **(4) Dr. Y – The Board received information alleging Dr. Y may have breached the standard of**  
48 **care, thereby potentially violating NRS 631.3475 and may have failed to notify the Board**  
49 **of an unusual incident thereby potentially violating NAC 631.155(2)**

50  
51 Dr. Lee summarized the alleged issue to open an authorized investigation. A brief discussion followed  
52 between Dr. Thompson and Dr. Lee as to whether the situation warranted an investigation with the  
53 information presented. Dr. Park made a motion to open an investigation. Dr. West requested clarification as  
54 to the time set forth for reporting in NAC 631.155. Dr. West then seconded the motion. All were in favor.  
55 Motion passed.

56  
57 ///

1  
2 **(5) Dr. Z – The Board received information alleging Dr. Z may have breached the standard of**  
3 **care, thereby potentially violating NRS 631.3475**  
4

5 Dr. Lee and Mr. Dworin summarized the alleged issue to open an authorized investigation. Dr. Thompson  
6 made a motion to reject the opening of an investigation. Dr. Park seconded the motion. All were in favor.  
7 Motion passed.

8  
9 **\*6. New Business:** (For Possible Action)

10  
11 **\*a. Discussion and Consideration of Possible Decision Regarding the Delegation of Board Authority to**  
12 **the Board's Executive Director to Employ and Terminate All Employees of the Board, Inclusive of All**  
13 **General Counsel Position – NRS 631.160** (For Possible Action)  
14

15 Dr. Lee introduced and provided a brief overview of the above agenda item. Discussion ensued among  
16 Dr. Thompson, Dr. Lee, and Dr. West regarding whether this delegation would dissolve the Employment  
17 Committee. Dr. Lee confirmed the Employment Committee would remain unchanged. Dr. Park made a  
18 motion to approve the delegation of authority to the Board's Executive Director to employ and terminate  
19 all employees of the Board. Ms. McIntyre seconded the motion. All were in favor. Motion passed.

20  
21 **\*b. Request for an Advisory Opinion Regarding Clarification of the Effect of the Mask Mandate Removal on**  
22 **Dental Offices – NAC 631.279** (For Possible Action)  
23

24 (1) William G Pappas, DDS  
25

26 Dr. Lee introduced the foregoing agenda item and invited Dr. Pappas to provide any additional information relating  
27 to his request. Dr. Pappas quickly outlined his request for clarification as to the Board's recommendation regarding  
28 the lifting of the mask mandate. Discussion ensued among Dr. Lee, Ms. Arias, Dr. Thompson, Dr. West, Dr. Johl, Dr.  
29 Park, Ms. McIntyre, Dr. York, Mr. Pontoni, and Dr. Lemon as to their opinions on recommendations for determining  
30 patient masking policy as it relates to Nevada's dental community. Additional discussion occurred among Mr. Su  
31 and Dr. Lee regarding the current CDC recommendations and the use of ultrasonic scalers. Dr. Lee made a motion  
32 to allow for the practice owner and/or dental director of any given practice location to determine patient masking  
33 requirements for that location and that ultrasonic scaling is permitted pursuant to the CDC Interim Infection Control  
34 Settings adopted by the Board. Dr. Park seconded the motion. All were in favor. Motion passed.  
35

36 **\*c. Request for an Advisory Opinion Regarding Clarification of NRS 631.3124(1)(d), NAC 631.210(2)(d), and**  
37 **NAC 631.220(2)(i) Concerning Impressions – NAC 631.279** (For Possible Action)  
38

39 (1) Samantha Sturges, RDH  
40

41 Dr. Lee introduced the foregoing agenda item and invited Ms. Sturges to provide any additional information relating  
42 to her request. Ms. Sturges made a comment regarding the basis for her advisory opinion request. Discussion ensued  
43 among Dr. Lee, Dr. Thompson, Dr. West, Dr. York, Dr. Park, and Dr. Johl as to their opinions regarding impressions with  
44 additional input from Ms. Sturges. Dr. York and Thompson noted that the cited statutes and regulations do not  
45 accurately represent the current state of technology. General Counsel was directed to prepare regulatory changes  
46 to reflect the Board's opinion that dental hygienists, dental assistants, and dental therapists may take final digital  
47 scans. Dr. West made a motion that dental hygienists, dental assistants, and dental therapists are fully permitted to  
48 perform final digital scans until such time as NAC 631 can be updated to so reflect. Dr. Park seconded the motion.  
49 All were in favor. Motion passed.

50  
51 **\*d. Discussion, Consideration, and Possible Decision Regarding Dr. Ronald West's Legislative, Legal, & Dental**  
52 **Practice Committee Position** (For Possible Action)  
53

54 Dr. Lee introduced the above agenda item, noting that Dr. West had requested to be removed from the Legislative,  
55 Legal, & Dental Practice Committee meeting due to time constraints. Dr. Park made a motion to approve Dr. West's  
56 departure from the Legislative, Legal, & Dental Practice Committee. Ms. McIntyre seconded the motion. All were  
57 in favor. Dr. West recused himself. Motion passed.  
58

1           **\*e. Discussion, Consideration, and Possible Approval/Rejection of Recommendation by the Legislative,**  
2           **Legal, & Dental Practice Committee to the Full Board Regarding Possible Changes and/or Additions to**  
3           **Regulations Regarding Administration of Board Disciplinary Proceedings – NRS 631.190** (For Possible Action)  
4

5 Dr. Lee introduced the above agenda item and provided an overview of the process for finalizing regulation  
6 changes and additions. Brief discussion ensued among Dr. Park, Dr. Lee, and Mr. Su regarding language details. Ms.  
7 McIntyre made a motion to approve the language as set forth in the draft. Dr. Johl seconded the motion. All were  
8 in favor. Motion passed.  
9

10           **\*f. Discussion, Consideration, and Possible Approval/Rejection of Council of Interstate Testing**  
11           **Agency (“CITA”) as an Approved Testing Agency for the Administration of the ADEX Exam – NRS**  
12           **631.190** (For Possible Action)  
13

14 Dr. Lee introduced the foregoing agenda item and provided background information for the Board's process  
15 of approving examination for licensure pursuant to NRS 631.240(1)(b)(1). Dr. Lee requested input from  
16 attendee William G Pappas, DDS, who offered information regarding testing. Additional discussion ensued  
17 between Dr. Lee and Mr. Su as to the objective of the agenda item for the Board to approve or reject ADEX  
18 examinations administered by CITA with additional comments and information from Dr. Pappas. Dr. Lee  
19 requested the agenda item to be tabled and noted for the record that the ADEX examination administered  
20 by CITA is approved by the Board.  
21

22           **\*g. Review, Discussion, and Consideration of Updates to CDC Guidance for Dental Settings, and**  
23           **Possible Approval/Rejection of the Same – NAC 631.178** (For Possible Action)  
24

- 25           (1) February 2, 2022 “Interim Infection Prevention and Control Recommendations for Healthcare  
26           Personnel During the Coronavirus Disease 2019 (COVID-19) Pandemic”  
27           <https://www.cdc.gov/coronavirus/2019-ncov/hcp/infection-control-recommendations.html>  
28

29 Dr. Lee and Mr. Su provided an overview of the most recent CDC Interim Infection Prevention and Control  
30 Recommendations and outlined the Board procedure for the review and adoption of CDC guidelines. Dr.  
31 Johl made a motion to adopt the updated CDC guidelines. Dr. York seconded the motion. All were in favor.  
32 Motion passed.  
33

34           **\*h. Approval/Rejection of Temporary Anesthesia Permit – NAC 631.2254** (For Possible Action)  
35

- 36           (1) Keivan Khorshid, DDS – Moderate Sedation (for patients 13 years of age and older)  
37           (2) Adrian R Ruiz, DDS – Moderate Sedation (for patients 13 years of age and older)  
38           (3) Daniel Kim, DMD – Moderate Sedation (Pediatric Specialty)  
39

40 Dr. Thompson introduced the agenda item regarding temporary anesthesia permits and made a  
41 motion to approve temporary permits for all three individuals listed above. Dr. Park seconded the  
42 motion. All were in favor. Ms. McIntyre recused herself. Motion passed.  
43

44           **\*i. Approval/Rejection of Permanent Anesthesia Permit – NAC 631.2235** (For Possible Action)  
45

- 46           (1) Rizza Aurica M Bejasa, DDS – Moderate Sedation (Pediatric Specialty)  
47           (2) Lee E Roundy, DMD – Moderate Sedation (Pediatric Specialty)  
48           (3) Aaron G Radmall, DMD – Moderate Sedation (for patients 13 years of age & older)  
49           (4) Jee Ryang Yoo, DDS – General Anesthesia  
50           (5) Patrick M Gaus, DDS - General Anesthesia  
51

52 Dr. Thompson introduced the agenda item regarding permanent anesthesia permits and made a  
53 motion to approve temporary permits for all five individuals listed above. Dr. McIntyre seconded the  
54 motion. All were in favor. Motion passed.  
55

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

- 2  
3           (1) Jong Min Um, DDS  
4           (2) Nancy Bogan, RDH  
5

6 Dr. Lee introduced the agenda item and requested confirmation regarding the voluntary surrenders for the  
7 foregoing individuals. Mr. Dworin confirmed that the voluntary surrender submissions were in order. Ms.  
8 McIntyre made a motion to approve the voluntary surrenders for both individuals. Ms. Arias seconded the  
9 motion. All were in favor. Motion passed.

10  
11           **\*k. Consideration, Discussion, and Possible Clarification of Cost of Living Adjustment (COLA) and Pay**  
12           **Merit Increases to Board Staff Members Including Salaried Staff – NRS 631.190** (For Possible Action)

13  
14 Dr. Lee and Ms. Sull introduced the agenda item regarding the clarification of the possible COLA increases  
15 for Board staff members. Ms. Sull requested clarification as to whether the COLA increase applied to salaried  
16 employees as well as hourly employees. Discussion ensued regarding specifics of the increase among Dr. Lee,  
17 Ms. Sull, Dr. Thompson, Mr. Su, Ms. Arias, and Dr. York. Dr. Thompson made a motion clarifying a 3% COLA  
18 increase for hourly Board staff members only. Dr. Park seconded the motion. All were in favor. Motion passed.

19  
20           **I. Acknowledgement from the Current Executive Director to the Current Board Members and**  
21           **Recently Retired Board Members Who Have Served the Nevada State Board of Dental Examiners**  
22           (For Informational Purposes Only)

23  
24 Ms. Sull introduced the above agenda item and made a statement acknowledging the work done by the  
25 current Board members as well as the recently retired Board members. She noted that each current Board  
26 member and Board members retired in 2021 would receive a plaque. Dr. Lemon expressed his appreciation  
27 for the gesture especially on behalf of the recently retired Board members.

28  
29           **7. Public Comment (Live public comment by teleconference)**: This public comment period is for any matter that is within  
30 the jurisdiction of the public body. No action may be taken upon the matter raised during public comment unless the matter itself has  
31 been specifically included on the agenda as an action item. Comments by the public may be limited to three (3) minutes as a  
32 reasonable time, place and manner restriction, but may not be limited based upon viewpoint. The Chairperson may allow additional  
33 time at his/her discretion.  
34 Members of the public may submit public comment via email to [nsbde@dental.nv.gov](mailto:nsbde@dental.nv.gov), or by mailing/faxing messages to the Board  
35 office. Written submissions received by the Board on or before **Monday, March 14, 2022 by 4:00 p.m.** may be entered into the record  
36 during the meeting. Any other written public comment submissions received prior to the adjournment of the meeting will be included  
37 in the permanent record.  
38 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual, the Chair  
39 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  
40 of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive,  
41 inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.

42  
43 There was one public comment from Dr. Robin Lobato regarding the advisory opinion request submitted by  
44 Ms. Sturges.

45  
46           **8. Announcements**

47  
48 Dr. Lee made an announcement that General Counsel Jason Dworin would be retiring in May 2022.

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**\*9. Adjournment** (For Possible Action)

Dr. Johl made a motion to adjourn. Dr. West 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

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

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

X *Hardeep Sull*

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Hardeep Sull  
Executive Director