

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

Wednesday, September 7, 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#: **890 6865 5242**
Zoom Webinar/Meeting Passcode: **499456**

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**. Written submissions received by the Board on or before **Tuesday, September 6, 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 Mr. Dworin conducted roll call. Quorum is met.

5
6 Dr. Tejpaul John (Dr. Johl) – Present
7 Dr. Ronald West (Dr. West) – Present
8 Dr. Adam York (Dr. York) – Present
9 Mr. Michael Pontoni (Mr. Pontoni) –Present
10 Dr. David Lee (Dr. Lee) – Present
11 Ms. Jana McIntyre (Ms. McIntyre) – Present

Dr. Todd Thompson (Dr. Thompson) – Present
Dr. Elizabeth Park (Dr. Park) – Present
Ms. Yamilka Arias (Ms. Arias) – Present
Dr. Ronald Lemon (Dr. Lemon) – Present
Ms. Kimberly Petrilla (Ms. Petrilla) – Present

12
13 **Others Present:** Jason Dworin, Board General Counsel; Rosalie Bordelove, Deputy Attorney General; Jennifer
14 Hostetler, Esq.

15
16 **Public Attendees:** Shamane Garcia-Vargas; Karla Martinec; Mary Bobbett; Anonymous

17
18 **2. Public Comment (By pre-submitted email/written form only):** The public comment period is limited to matters
19 specifically noticed on the agenda. No action may be taken upon the matter raised during public comment unless the matter itself
20 has been specifically included on the agenda as an action item. Comments by the public may be limited to three (3) minutes as a
21 reasonable time, place and manner restriction, but may not be limited based upon viewpoint. The Chairperson may allow additional
22 time at his/her discretion.

23
24 Members of the public may submit public comment via email to nsbde@dental.nv.gov, or by mailing/faxing messages to the Board
25 office. Written submissions received by the Board on or before **Tuesday, September 6, 2022, by 4:00 p.m.** may be entered into the
26 record during the meeting. Any other written public comment submissions received prior to the adjournment of the meeting will be
27 included in the permanent record.

28
29 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual, the
30 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
31 State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous,
32 offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.

33
34 There was no written public comment.

35
36 ***3. President's Report:** (For Possible Action)

37
38 ***a. Request to remove agenda item(s)** (For Possible Action)

39
40 Dr. Lee introduced the above agenda item and requested to remove agenda item 4(d).

41
42 ***b. Approve Agenda** (For Possible Action)

43
44 Dr. Park made a motion to approve the agenda. Ms. McIntyre seconded the motion. All were in favor.
45 Motion passed.

46
47 ***4. New Business:** (For Possible Action)

48
49 ***a. Discussion and consideration regarding possible decision concerning hiring outside legal counsel to**
50 **represent the Board in future litigation – NRS 631.190** (For Possible Action)

51
52 **(1)** Lewis Roca Rothgerber Christie LLP – Ms. Jennifer K Hostetler, Esq.

53
54 Mr. Dworin introduced the agenda item, stating that the Board interviewed Ms. Jennifer Hostetler
55 regarding possible retention in any potential future litigation matters. Dr. Lee made a motion to retain Ms.
56 Jennifer Hostetler from Lewis Roca Rothgerber Christie LLP. Dr. Johl seconded the motion. All were in favor.
57 Motion passed.

58
59 ///

60 ///

61 ///

62 ***b. Discussion, consideration and possible approval/rejection of delegation of authority by the**
63 **Board to the Board's President and/or Secretary-Treasurer to approve and execute a contract**
64 **to retain legal counsel – NRS 631.160; NRS 631.190** (For Possible Action)
65

66 Ms. Bordelove stated that the contract may need to be submitted to the Board of Examiners for approval
67 if it exceeds the \$10,000 threshold. Ms. Bordelove clarified that the agenda item before the Board is for
68 approval for Dr. Lee to enter into a contract with Lewis Roca for this purpose and to obtain any necessary
69 approval from the BOE. Ms. Bordelove recommended a motion to approve non-material modifications to
70 the contract by putting it in the State format in order to comply with State statutes.

71
72 Dr. Johl made a motion to authorize Dr. Lee to approve non-material changes needed to bring the
73 contract into compliance with State statutes. Dr. Park seconded the motion. No further discussion. All
74 were in favor. Motion passed.

75
76 ***c. Discussion, consideration and approval/rejection of reinstatement of certain board staff –**
77 **NRS 631.190** (For Possible Action)
78

79 (1) Ms. Karla Martinec
80

81 Mr. Dworin stated that Ms. Martinec was notified in advance of the five-day notice that her name would
82 be on the agenda. Mr. Dworin stated that Ms. Martinec is an asset to the Board and recommended that
83 she continue her employment with the Board.

84
85 Dr. Johl made a motion to approve reinstatement of Ms. Martinec. Ms. McIntyre seconded the motion. Dr.
86 Lemon made a recommendation that Ms. Martinec's pay be retroactive with no lapse in benefits. Dr. Johl
87 amended his motion to approve reinstatement of Ms. Martinec to include compensation for the period of
88 time that she was separated. Ms. Arias seconded the motion. There was no further discussion. All were in
89 favor. Motion passed.

90
91 ***d. Discussion, consideration and possible approval/rejection of delegation of temporary authority**
92 **by the Board to the Board's President to hire additional Board staff – NRS 631.160; NRS 631.190**
93 **(For Possible Action)**
94

95 ***e. Discussion, consideration, and possible selection and appointment of part-time Interim**
96 **Executive Director – NRS 631.160; NRS 631.190** (For Possible Action)
97

98 (1) Jason Dworin, Esq.
99

100 Dr. Lee introduced the agenda item. Mr. Dworin is currently acting as part-time General Counsel and is
101 willing to step into the role of part-time interim Executive Director. Dr. Thompson expressed concern
102 regarding the community's perception of recent events and expressed his gratitude to Mr. Dworin for
103 accepting the role of Interim Executive Director and for his dedication to the Board. Dr. Johl also
104 expressed his gratitude and is looking forward to working with Mr. Dworin as Interim Executive Director.

105
106 Dr. Johl made a motion to approve the appointment of Mr. Dworin as part-time Interim Executive Director.
107 Dr Park seconded the motion. There was no further discussion. All were in favor. Motion passed. The Board
108 members welcomed Mr. Dworin.

109
110 **5. Public Comment (Live public comment by teleconference):** This public comment period is for any matter that is
111 within the jurisdiction of the public body. No action may be taken upon the matter raised during public comment unless the matter
112 itself has been specifically included on the agenda as an action item. Comments by the public may be limited to three (3) minutes
113 as a reasonable time, place and manner restriction, but may not be limited based upon viewpoint. The Chairperson may allow
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121 State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous,
122 offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.

123
124 There was no public comment.

125
126 **6. Announcements**

127
128 Dr. Lee introduced Ms. Jennifer Hostetler to the Board members.

129
130 ***7. Adjournment** (For Possible Action)

131
132 Dr. Park made a motion to adjourn. Dr. West seconded the motion. There was no further discussion. All were in
133 favor. Motion passed.
134

135
136 **PUBLIC NOTICE POSTING LOCATIONS**

137 Office of the N.S.B.D.E., 2651 N. Green Valley Pkwy, Ste. 104, Henderson, NV 89014

138 State Board of Dental Examiners website: www.dental.nv.gov

139 Nevada Public Posting Website: www.notice.nv.gov



Jason Dworin
Interim Executive Director