

# 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, November 8, 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#: **880 1296 4720**

Zoom Webinar/Meeting Passcode: **005634**

## 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, November 7, 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 Dr. Lee called the meeting to order at approximately 6:00 p.m. Mr. Dworin conducted roll call.  
5 Quorum was met.

6  
7 Dr. Tejpaul John (Dr. Johl) – Present

Dr. Todd Thompson (Dr. Thompson) – Present

8 Dr. Ronald West (Dr. West) – Present

Dr. Joshua Branco (Dr. Branco) – Present

9 Dr. Adam York (Dr. York) – Present

Ms. Yamilka Arias (Ms. Arias) – Present

10 Mr. Michael Pontoni (Mr. Pontoni) – Not Present

Dr. Lance Kim (Dr. Kim) – Present

11 Dr. David Lee (Dr. Lee) – Present

Ms. Kimberly Petrilla (Ms. Petrilla) – Present

12 Ms. Jana McIntyre (Ms. McIntyre) – Present

13  
14 **Others Present:** Jason Dworin, Interim Executive Director; Jennifer Leonescu, General Counsel.

15  
16 **Public Attendees:** Annette Lincicome; Caryn Solie; David Barney Dr. Cole; Jill, Jorge Jimenez-Marquez;  
17 Kanjalia Stidhum; Kelly Taylor; Mary Bobbett; Nichelle Venable; Semaj; Sheronda Barraza; Stephen Falk;  
18 Antonio; Margot; Terri Chandler; Karen; Ledena Brooke

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

25  
26 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  
27 office. Written submissions received by the Board on or before **Monday, November 7, 2022, by 4:00 p.m.** may be entered into the  
28 record during the meeting. Any other written public comment submissions received prior to the adjournment of the meeting will be  
29 included in the permanent record.

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

35  
36 There was no written public comment.

37  
38 **\*3. President's Report:** (For Possible Action)

39  
40 **\*a. Request to remove agenda item(s)** (For Possible Action)

41  
42 Dr. Lee introduced the above agenda item and requested that agenda item 9 be taken after item 3.

43  
44 **\*b. Approve Agenda** (For Possible Action)

45  
46 Ms. McIntyre made a motion to approve the agenda. Dr. Johl seconded the motion. All were in favor. Motion  
47 passed.

48  
49 **\*4. Secretary – Treasurer's Report:** (For Possible Action)

50  
51 **\*a. Approval/Rejection of Minutes** (For Possible Action)

52 (1) Board Meeting – 10/11/2022

53 (2) Continuing Education Committee Meeting – 10/18/2022

54 (3) Board Meeting – 10/26/2022

55  
56  
57 Ms. McIntyre presented the draft minutes for review and approval and requested any corrections if  
58 necessary. Dr. Thompson made a motion to approve the minutes as set forth above. Dr. West seconded the  
59 motion. There was no discussion. All were in favor. Motion passed.

60  
61 **\*5. General Counsel's Report:** (For Possible Action)

62  
63 **a. Legal Actions/Litigation Update** (For Informational Purposes Only)

64  
65 There were no legal actions or litigation updates

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

2  
3 There were no regulatory updates.

4  
5           **\*c. Review Panel – NRS 631.3635**

6  
7           **(1) Discussion and consideration of proposed findings and recommendations for matters that**  
8           **have been recommended for remand by the Review Panel, and possible**  
9           **approval/rejection of same by the Board- NRS 631.3635** (For Possible Action)

10  
11 Mr. Dworin briefly outlined the confidential proposed remands. Dr. Thompson made a motion to accept the  
12 remands. Dr. Johl seconded the motion. Dr. Lee, Dr. Kim, and Ms. McIntyre recused themselves. All were in  
13 favor. Motion passed.

14  
15 Dr. West noted that there is a vacancy on the Review Panel because Dr. Kim has been appointed a Board  
16 member. This will be discussed at an upcoming Employment Committee meeting to discuss the vacancies.  
17 Dr. Lee recommended that Dr. Landron could serve as on both Review Panels until the vacancy is filled.

18  
19           **\*d. Authorized Investigative Complaints – NRS 631.360** (For Possible Action)

- 20  
21           (1) Dr. L – The Board received information that Dr. L may have breached the standard of  
22 care, thereby potentially violating NRS 631.3475

23  
24 Mr. Dworin summarized the alleged issue to open an authorized investigation. Pursuant to NAC 631.155, Dr. L  
25 notified the Board of an unusual occurrence. Dr. Thompson made a motion to reject the opening of an  
26 investigation. Dr. West seconded the motion. All were in favor. Motion passed.

- 27  
28           (2) Dr. M – The Board received information alleging Dr. M may have breached the standard  
29 of care, thereby potentially violating NRS 631.3475

30  
31 Mr. Dworin summarized the alleged issue to open an authorized investigation. Pursuant to NAC 631.155, Dr. M  
32 notified the Board of an unusual occurrence. Dr. Thompson made a motion to reject the opening of an  
33 investigation. Dr. York seconded the motion. All were in favor. Motion passed.

- 34  
35           (3) Dr. N – The Board received correspondence from the State Board of Pharmacy that Dr. N  
36 has not obtained patient utilization reports prior to prescribing controlled substances to  
37 his/her patient(s) as required by NAC 631.045 (4), NAC 631.230 (1)(u), NRS 453.164(7), NRS  
38 639.23507

- 39  
40           (4) Dr. O – The Board received correspondence from the State Board of Pharmacy that Dr. O  
41 has not obtained patient utilization reports prior to prescribing controlled substances to  
42 his/her patient(s) as required by NAC 631.045 (4), NAC 631.230 (1)(u), NRS 453.164(7), NRS  
43 639.23507

- 44  
45           (5) Dr. P – The Board received information alleging Dr. P may have breached the standard of  
46 care, thereby potentially violating NRS 631.3475 and may have failed to notify the Board  
47 of an unusual incident thereby potentially violating NAC 631.155(2)

48  
49 Mr. Dworin summarized the alleged issue to open an authorized investigation. Dr. Lee made a motion to  
50 approve the opening of an investigation for Drs. N, O, and P. Dr. Johl seconded the motion. All were in favor.  
51 Motion passed.

- 52  
53           (6) Dr. Q – The Board received information alleging Dr. Q may have breached the standard  
54 of care, thereby potentially violating NAC 631.224

55  
56 Mr. Dworin summarized the alleged issue to open an authorized investigation. Dr. Lee made a motion to  
57 approve the opening of an investigation. Dr. York seconded the motion. All were in favor. Motion passed.

- 58  
59           (7) Dr. R – The Board received information alleging Dr. R may have breached the standard of  
60 care, thereby potentially violating NRS 631.3475 and may have failed to notify the Board  
61 of an unusual incident and thereby potentially violating NAC 631.155 (2)

- 1 (8) Dr. S – The Board received information alleging Dr. S may have breached the standard of  
2 care, thereby potentially violating NRS 631.3475 and may have failed to notify the Board  
3 of an unusual incident and thereby potentially violating NAC 631.155 (2)  
4  
5 (9) Dr. T – The Board received information alleging Dr. T may have breached the standard of  
6 care, thereby potentially violating NRS 631.3475 and may have failed to notify the Board  
7 of an unusual incident and thereby potentially violating NAC 631.155 (2)  
8  
9 (10) Dr. U – The Board received information alleging Dr. U may have breached the standard of  
10 care, thereby potentially violating NRS 631.3475 and may have failed to notify the Board  
11 of an unusual incident and thereby potentially violating NAC 631.155 (2)  
12  
13 (11) Dr. V – The Board received information alleging Dr. V may have breached the standard of  
14 care, thereby potentially violating NRS 631.3475 and may have failed to notify the Board  
15 of an unusual incident and thereby potentially violating NAC 631.155 (2)  
16  
17 (12) Dr. W – The Board received information alleging Dr. W may have breached the standard  
18 of care, thereby potentially violating NRS 631.3475 and may have failed to notify the  
19 Board of an unusual incident and thereby potentially violating NAC 631.155 (2)  
20

21 Mr. Dworin summarized the alleged issue to open an authorized investigation for the above Drs. R, S, T, U, V,  
22 and W, based on the failure to notify the Board of an event pursuant to NAC 631.155. Dr. Lee made a motion  
23 to approve the opening of an investigation for Drs. R, S, T, U, V, and W. Ms. Arias seconded the motion. All  
24 were in favor. Motion passed.  
25

- 26 (13) Dr. X – The Board received information alleging Dr. X may owe a debt to an agency that  
27 has been assigned to the State Controller - NRS 353C.1965(5)  
28  
29 (14) Dr. Y – The Board received information alleging Dr. Y may owe a debt to an agency that  
30 has been assigned to the State Controller - NRS 353C.1965(5)  
31  
32 (15) Dr. Z - The Board received information alleging Dr. Z may owe a debt to an agency that  
33 has been assigned to the State Controller - NRS 353C.1965(5)  
34

35 Mr. Dworin summarized the alleged issue to open an authorized investigation for the above Drs. X, Y, and Z.  
36 Ms. Arias made a motion to approve the opening of an investigation for Drs. X, Y, and Z. All were in favor.  
37 Motion passed.  
38

39 **\*6. Old Business:** (For Possible Action)

41 **\*a. Discussion, Consideration, and Possible Approval/Rejection of Public Health Program –**  
42 **NAC 631.210** (For Possible Action)

- 43  
44 (1) Exclusively Flossed Program  
45

46 Dr. Lee introduced the above agenda item. Dr. Thompson raised the question regarding how the program  
47 differs from other Public Health Programs (PHP). He expressed concern about the lack of supervision of a  
48 dentist. Dr. Lee also expressed concern regarding taking x-rays and performing scaling and root planing  
49 without a dentist's involvement. Dr. Thompson expressed concern with inconsistencies in her mission  
50 statement and focus, lack of a dentist's involvement, and the status of the program as a for-profit program.  
51 There was discussion among Dr. Lee, Ms. Arias, and Dr. Johl regarding the qualifications of a dental hygienist  
52 who holds a public health endorsement, and whether any additional education is required. Ms. Arias noted  
53 that a similar program was approved in the past.  
54

55 Kanjalia Stidhum, RDH was present and was invited to speak to the program. Ms. Stidhum addressed the  
56 concerns regarding the absence of a dentist. She cited NAC 631.287(2) which states "a dental hygienist who  
57 holds a special endorsement issued pursuant to subsection 1 may provide services without the authorization  
58 or supervision of a dentist only as specified by regulations adopted by the Board." She claimed that  
59 application for a Public Health Endorsement provides her the ability to practice preventative health  
60 screenings and cleanings within the scope of practice as a dental hygienist, and added that she completed

1 a Bachelor in Public Health Dental Hygiene. She provided an overview of the assessment she would provide  
2 to a patient, including x-rays. Dr. Johl and Ms. McIntyre requested clarification regarding reading the x-rays  
3 and providing a diagnosis which is outside the scope of a dental hygienist. Ms. Stidhum stated that she  
4 would refer the patient to a dentist for diagnosis. She claimed that it would be within her scope as a public  
5 health dental hygienist to assess the patient and provide scaling and root planing without a dentist's  
6 diagnosis. Discussion ensued among Dr. Lee, Ms. McIntyre, Dr. Thompson, Dr. York and Dr. Johl regarding  
7 compliance with regulations and statutes, and the necessity for a clearer definition of the scope of practice  
8 of a public health dental hygienist pursuant to NRS 631.3453, and a clearer definition of underserved  
9 populations. Dr. Thompson and Dr. Lee expressed concern that individuals would utilize the public health  
10 endorsed status to serve any population without accountability. Dr. Thompson recommend Ms. Stidhum  
11 change her current business designation to a 501(c)(3) to indicate her intention to provide care to the  
12 underserved populations of Nevada. Dr. Johl expressed concern about providing x-rays to children without  
13 the ability to provide a diagnosis or monitor for unnecessary exposure to radiation.

14  
15 Dr. York expressed his overall concern that there is no clear definition of what a Public Health Program  
16 consists of. He recommended that the Board clarify the parameters so PHPs can be approved to provide  
17 much-needed services to the underserved. Dr. Johl also recommended a clearer definition of "underserved"  
18 and perhaps which geographic areas are considered underserved. Dr. York recommended review of prior  
19 similar programs which have received approval to determine the framework for future public health  
20 programs. Dr. West concurred, and recommended the Board provide a tighter framework for those seeking  
21 approval for future public health programs.

22  
23 Dr. Lee requested clarification on the locations that Ms. Stidhum intends to service. Ms. Stidhum responded  
24 that she intends to donate and volunteer her time to provide care to the underserved, at-risk populations,  
25 and those with limited access to dental care, such as adults with disabilities, children, and seniors. On further  
26 request for clarification from Dr. Lee regarding not charging for services, she stated that she does intend to  
27 charge based on ability to pay, or charging Medicaid. Dr. Thompson stated that there are programs that  
28 already exist that provide service to these populations, such as Senior Smiles. This program has a dentist that  
29 reads the x-rays and provides a diagnosis for care and referral as needed. However, Ms. Stidhum states that  
30 her business does not have a provision for working directly with a dentist.

31  
32 There was further discussion among Dr. Thompson, Dr. Johl, Dr. Lee, Ms. Petrilla and Ms. Arias regarding  
33 concerns about providing x-rays and sealant without a dentist's order or diagnosis. Dr. York commented that  
34 the Board is concerned with the way regulation is currently written, which allows for dental hygienists with a  
35 public endorsement to provide care to the underserved populations.

36  
37 Public attendee, Ms. Terri Chandler, RDH, was present and invited to speak. She introduced herself as the  
38 founder and Executive Director of the public health program, Future Smiles. Ms. Chandler provided an  
39 overview of the program.

40  
41 Dr. Thompson made a motion to approve the program with the stipulation that Ms. Stidhum change her  
42 business designation to a 501(c)(3) within 12 months. Dr. York interjected that pursuant to NAC 631.1785 any  
43 new opening of a clinic requires an inspection for compliance with required CDC guidelines. Dr. York  
44 seconded the motion. No further discussion. All were in favor. Motion passed.

45  
46 **\*7. New Business:** (For Possible Action)

47  
48 **\*a. Discussion of request by Jacqueline Nichols, Marquis Aurbach, to settle the NDA writ of mandamus**  
49 (For Possible Action)

50  
51 Dr. Lee introduced the agenda item. Dr. Johl made a motion to table agenda item 7(a) until additional  
52 information is provided for review. Dr. Lee seconded the motion. All were in favor. Motion passed.

53  
54 **\*b. Discussion, Consideration, and Possible Approval/Rejection of Public Health Endorsement**  
55 **Application – NRS 631.287** (For Possible Action)

56  
57 (1) Kanjalina Stidhum – Exclusively Flossed Program

58  
59 Dr. Lee introduced the agenda item. Dr. Johl made a motion to approve the public health endorsement

1 application. Ms. McIntyre seconded the motion. All were in favor. Motion passed.

2  
3 **\*c. Approval/Rejection of Temporary Anesthesia Permit – NAC 631.2254** (For Possible Action)

- 4  
5 (1) Jorge Jimenez-Marquez, DMD – Moderate Sedation

6  
7 Dr. Lee introduced the agenda item. Dr. Thompson confirmed that the application was reviewed and  
8 approved by Ms. McIntyre and himself and recommended approval. Dr. Thompson made a motion to  
9 approve. Dr. York seconded the motion. All were in favor. Motion passed.

10  
11 **\*d. Approval/Rejection of voluntary surrender of license – NAC 631.160** (For Possible Action)

- 12  
13 (1) Tiffany Ringwood, RDH  
14 (2) Danielle Holt, RDH

15  
16 Dr. Lee introduced the agenda item. Mr. Dworin confirmed there was no disciplinary action pending for  
17 either dental hygienist. Dr. Lee made a motion to approve the voluntary surrender of Ms. Ringwood's and  
18 Ms. Holt's license. Dr. Johl seconded the motion. There was no further discussion. All were in favor. Motion  
19 passed.

20  
21 **\*e. Review, discussion, and possible approval/rejection of the Continuing Education Committee's**  
22 **recommendation for approval of Laser Proficiency Program – NAC 631.033, NAC 631.035** (For Possible  
23 Action)

- 24  
25 (1) Er Cr YSGG All Tissue Laser Training (8 units) – Michael Koceja, DDS

26  
27 Dr. Lee introduced the agenda item. Dr. Lemon was present and invited to speak as Chair of the CE  
28 Committee. The CE Committee recommended approval contingent on the inclusion of a financial  
29 disclosure to be presented during advertisement and at the beginning of the course so participants have  
30 a clear understanding of the relationship the instructors have with Biolase. Dr. Koceja was present and  
31 was invited to speak. Dr. Koceja confirmed that he has included a financial disclosure in the new  
32 presentation. Dr. Johl made a motion to approve the laser proficiency program. Dr. West seconded the  
33 motion. There was no further discussion. All were in favor. Motion passed.

34  
35 **8. Public Comment (Live public comment by teleconference):** This public comment period is for any matter that is  
36 within the jurisdiction of the public body. No action may be taken upon the matter raised during public comment unless the matter itself  
37 has been specifically included on the agenda as an action item. Comments by the public may be limited to three (3) minutes as a  
38 reasonable time, place and manner restriction, but may not be limited based upon viewpoint. The Chairperson may allow additional  
39 time at his/her discretion.

40 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  
41 office. Written submissions received by the Board on or before **Monday, November 7, 2022 by 4:00 p.m.** may be entered into the  
42 record during the meeting. Any other written public comment submissions received prior to the adjournment of the meeting will be  
43 included in the permanent record.

44 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual, the Chair  
45 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  
46 of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive,  
47 inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.

48  
49 Public comment from Antonio. In light of the Governor ending the State of Emergency, Mr. Antonio  
50 requested the Board consider taking live public comment at the beginning of the meeting to provide an  
51 opportunity for those who have missed the deadline to provide written comment. He noted that other  
52 Boards have returned to in-person meetings for the public to attend.

53  
54 **9. Announcements**

55  
56 Dr. Lee announced that Dr. Lemon and Dr. Park's terms have expired, and Ms. McIntyre has been  
57 reappointed for a new term. Dr. Lance Kim and Dr. Joshua Branco have been appointed to the Board. Dr.  
58 Lee welcomed the two new Board members and invited them to introduce themselves.

59  
60 Dr. Lee also introduced Jennifer Leonescu as the new General Counsel to the Board.

1 Dr. Thompson welcomed the new members to the Board.

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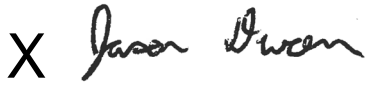
**\*10. Adjournment** (For Possible Action)

Dr. Lee entertained a motion for adjournment. Ms. McIntyre made a motion to adjourn. Dr. Thompson 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)


Jason Dworin Interim Executive Director