

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 & Combined Teleconference Meeting of (1)The Anesthesia Committee and (2) The Anesthesia Sub-Committee

Meeting Date & Time

Wednesday, November 16, 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#: **867 6640 0635**

Zoom Webinar/Meeting Passcode: **793111**

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.

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, Nevada 89014; FAX number (702) 486-7046; e-mail address nsbde@dental.nv.gov**. Written submissions received by the Board on or before **Tuesday, November 15, 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, Nevada 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 Chairman Thompson called the meeting to order at approximately 6:00 p.m. Mr. Dworin conducted roll
5 call. Quorum was met.

6
7 **Anesthesia Sub-Committee Roll Call:**

8 Dr. Todd Thompson (Dr. Thompson) – Present

9 Dr. Tejpaul John (Dr. Johl) – Present

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

11
12 **Anesthesia Committee Roll Call:**

13 Dr. Amanda Okundaye – Present

14 Dr. Brendan Johnson – Present

15 Dr. Edward Gray – Present

16 Dr. Jade Miller – Not Present

17 Dr. Joshua Saxe – Present

18 Dr. Ted Twesme – Present

19 Dr. James Schlesinger - Excused

20
21 **Others Present:** Jason Dworin, Interim Executive Director; Jennifer Leonescu, General Counsel.

22
23 **Public Attendees:** Annette Lincicome; Caryn Solie; Mary Bobbett; Gail Baker Clark;

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

30
31 Members of the public may submit public comment via email to nsbde@dental.nv.gov, or by mailing/faxing messages to the Board
32 office. Written submissions received by the Board on or before **Tuesday, November 15, 2022, by 4:00 p.m.** may be entered into the
33 record during the meeting. Any other written public comment submissions received prior to the adjournment of the meeting will be
34 included in the permanent record.

35
36 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual,
37 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
38 Nevada State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious,
39 slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.

40
41 There was no written public comment.

42
43 ***3. Chairman's Report:** W. Todd Thompson, DMD (For Possible Action)

44
45 ***a. Request to Remove Agenda Item(s)** (For Possible Action)

46
47 There was no request to remove any agenda item(s).

48
49 ***b. Approve Agenda** (For Possible Action)

50
51 Dr. Johl made a motion to approve the agenda. Dr. West seconded the motion. All were in favor. Motion
52 passed.

53
54 ***4. New Business:** (For Possible Action)

55
56 ***a. Discussion, consideration, and possible recommendation to the Board regarding the hiring of**
57 **part-time on-site evaluators/inspectors including raising hourly wages from \$50.00 per hour**
58 **and outreach to potential new evaluators/inspectors– NRS 631.190** (For Possible Action)

59
60 Dr. Thompson introduced the agenda item and noted that there have been employee changes at the
61 Board resulting in issues with scheduling anesthesia evaluations. Dr. Thompson invited the members to
62 review the list of current inspectors, noting there are only 15 inspectors for the state of Nevada. Dr.
63 Twesme recommended reaching out to Dr. Manny Rapp, who had previously been an inspector. Dr.
64 Thompson invited discussion on how to recruit additional inspectors. Dr. Gray shared that he has traveled

1 to remote locations including an overnight stay and has not been paid more than \$150. Dr. Okundaye
2 stated that anesthesia inspectors are giving up a full day of their cases in order to complete inspections
3 but are not paid more than \$150. This makes it very difficult to recruit more anesthesia inspectors. Dr. Gray
4 suggested an incentive for attracting anesthesia evaluators may be to offer continuing education (CE)
5 credits for each evaluation that is completed.
6

7 Dr. West made the recommendation to increase the payment for anesthesia evaluators to \$250 per
8 evaluation, increase the mileage reimbursement, reimburse for hotel/meals, offer CE credits for each
9 evaluation, and waive the Board's inspection fee for their biennial renewal. Mr. Dworin clarified that
10 personal mileage rate is set each year by the IRS and cannot be changed, and the current policy is to pay
11 \$50 per hour of travel time for remote locations. Mr. Dworin, Dr. Thompson and Dr. Okundaye discussed the
12 possibility of providing CE credits for evaluations. Dr. Okundaye suggested scheduling semiannual
13 calibration sessions for the anesthesia inspectors and providing CE credit for their participation.
14

15 Dr. Twesme recommended increasing the fees for initial on-site anesthesia evaluations and annual
16 renewals commensurate to the cost of the evaluations/inspections. Drs. Johnson, Saxe, Twesme, Johl and
17 Thompson discussed the failure rate for initial inspections and 5-year renewal of permits, and the
18 additional costs for re-inspections at sites that fail initial inspection. Only 15 states require an on-site
19 inspection every 5-years. Dr. Johl suggested that renewals can be streamlined and conducted remotely.
20 Dr. Twesme concurred. Dr. Thompson recommended that this discussion be considered and continued at
21 a future meeting.
22

23 Dr. Gray requested reconsideration of the zero-complaint policy for evaluators that have complaints filed
24 against them without merit. Dr. Johl recommended that this be considered on an individual basis.
25

26 Drs. Thompson and Gray discussed the reimbursement for inspections. They recommended that the fee
27 remain a flat fee at \$250 for each inspection. Dr. Gray recommended that the Board also provide 4 CE
28 credits for each inspection in order to attract more inspectors.
29

30 Dr. Thompson made a motion to pay each inspector \$250 per site inspection, the standard personal
31 mileage rate per the IRS, and provide 4 hours CE credit per site inspection. Dr. West seconded the
32 motion. All were in favor. Motion passed.
33

34 ***b. Discussion, consideration, and possible recommendation to the Board to hire the following as**
35 **a part-time on-site evaluator/inspector – NRS 631.190** (For Possible Action)
36

37 (1) Drew D Richards, DDS
38

39 Dr. Thompson introduced the agenda item and reminded the members of the confidential nature of some
40 of the material. Dr. Thompson stated that any dentist licensed in the State of Nevada who holds an
41 anesthesia permit is eligible for the position of anesthesia inspector, and that there is no policy stating that
42 the dentist must not have any complaints filed against them. Mr. Dworin concurred with the eligibility
43 requirements and further stated that the Board considers the applicant's background and experience to
44 determine whether or not to hire them as an examiner. Theoretically, it may be an issue if an applicant has
45 a pending complaint which would create a conflict. Dr. Gray stated that he made a recommendation
46 regarding a past applicant who was denied due to a frivolous complaint. Dr. Thompson stated that the
47 staff at the Board has recently changed, and guidelines need to be reviewed and set by this Committee.
48

49 Dr. Thompson provided a brief review of the Dr. Richard's application. Dr. West noted that the complaint
50 was made in 2006. Dr. West made a motion to approve the application of Dr. Richards. Dr. Johl
51 seconded the motion. Dr. Okundaye interjected that if the complaint is not related to anesthesia, it does
52 not preclude consideration of a dentist as an anesthesia evaluator. She recommended Dr. Richards as
53 an anesthesia evaluator for ages 13 years and older. Dr. Gray stated that there is a real need for
54 additional evaluators in Northern Nevada. Dr. Saxe will recruit evaluators during the upcoming Nevada
55 Academy of Pediatric Dentistry meeting in January.
56

57 Dr. Thompson called for a vote on the motion put forward by Dr. West. All were in favor. None were
58 opposed. Motion passed.

1
2 ***c. Discussion by Board members regarding any new items members may wish to add to future**
3 **agendas for consideration at upcoming meetings**
4

5 Dr. Thompson introduced the agenda item. He reiterated Dr. Okundaye's proposal regarding an annual
6 or semiannual calibration meeting. Dr. Okundaye stated that the meeting could be held either in person
7 or virtually with all current evaluators, and each course could cover different anesthesia topics (e.g.,
8 medical emergencies, updated anesthesia pharmacokinetics, pharmacology, new medical emergency
9 drugs, etc.). The CE Committee could create/approve the course. She shared that other states have a
10 mandated annual calibration meeting that is typically 16 credit hours over a weekend. Dr. Thompson and
11 Dr. Okundaye stated this calibration meeting would exceed the mandated anesthesia CEs for dentists.
12

13 Mr. Dworin stated that the Board is most in need of moderate anesthesia evaluators, and the Board
14 needs to increase outreach to recruit dentists who hold an anesthesia permit. Dr. Gray asked about
15 eligibility of retired dentists. Dr. Twesme and Mr. Dworin responded that the requirement includes an
16 active Nevada license and anesthesia permit.
17

18 Dr. Thompson recapped the agenda items for future meetings, including the possibility of virtual
19 inspections for 5-year renewals. Dr. Johnson noted that he is aware of a few dentists in Nevada who hold
20 a conscious sedation license who are hiring certified registered nurse anesthetists (CRNA) to administer
21 anesthesia. He expressed concern that dentists unable to monitor or supervise anesthesia are having
22 anesthesia administered in their office. He made a call for investigation. Current regulation allows for a
23 dentist with a general anesthesia license to supervise a CRNA; however, an unsupervised CRNA is against
24 regulations. Dr. Thompson clarified that Nevada regulation allows for a CRNA properly licensed by the
25 Medical Board to administer anesthesia in an accredited surgery center. Mr. Dworin requested the
26 members inform the Board of any violations they are aware of. Mr. Dworin and Dr. Johl informed the
27 committee that at the November 8th meeting of the full Board an authorized investigation was approved
28 and opened to investigate a dentist who has employed a CRNA anesthetist at their practice. Dr.
29 Okundaye stated that she is aware of three general dental practices that have CRNAs not under NAC
30 631.224, but using a facility accredited by The Joint Commission under NRS 449.442. It is not clear what a
31 "health center" is defined as. Dr. West recommended working with the Medical Board.
32

33 Dr. Saxe requested follow-up from the April 2021 Anesthesia Committee Meeting. The committee
34 recommended that pediatric sedation scenarios be rewritten, which Dr. Saxe did and sent to the Board
35 for implementation. However, these suggestions have not yet been adopted. He requested that the
36 minutes be revisited to ensure that the recommended changes to the NAC be implemented during the
37 upcoming legislative session. Dr. Johl requested that Dr. Saxe provide a copy of his notes to the current
38 Anesthesia Coordinator, Karla Martinec.
39

40 Dr. Twesme requested clarification that Dr. Richards will be providing both on-site inspections and
41 evaluations. Dr. Thompson confirmed and added the inspections and evaluations will be for moderate
42 sedation for 13 years and older.
43

44 With the recent increased demand in Nevada for oral surgeons and pediatric, periodontist, and dental
45 specialties, Dr. Johl expressed concern regarding surgeons flying to a location for a day or two to perform
46 procedures and then leaving without providing follow-up for their patients. He expressed concern that
47 the surgeons are not assigning local dentists to provide follow-up care for potential complications. These
48 patients need to rely on the Emergency Department and are left without medical information regarding
49 their recent procedure. Dr. Johl has noted a significant increase in surgeons that are part-time and travel
50 to Nevada for a couple days. He is concerned about safety issues for the consumer regarding
51 complications. Dr. Gray shared that he investigated a complaint in the past in which a patient was
52 hospitalized after receiving care in Reno by a surgeon who flew in from Las Vegas. The surgeon's dental
53 office was not comfortable referring the patient to other local oral surgeons, and the patient had to go
54 to the Emergency Room for treatment. He concurred with Dr. Johl and expressed concern that these
55 patients are essentially abandoned. Dr. Johl suggested that the evaluation form include a section
56 regarding assignment and availability of a local on-call physicians in the absence of the surgeon. Dr.
57 Okundaye clarified that the Board cannot regulate a surgeon's postoperative plan. At most, inspectors
58 can ask what the surgeon's postoperative pain management protocol, but the Board cannot mandate

1 the surgeon's postoperative management. There was further discussion, and concern expressed by Dr.
2 Gray and Dr. Johl about patients having to go to the Emergency Department for postoperative
3 complications.

4
5 **5. Public Comment (Live public comment by teleconference):** This public comment period is for any
6 matter that is within the jurisdiction of the public body. No action may be taken upon the matter raised during public comment
7 unless the matter itself has been specifically included on the agenda as an action item. Comments by the public may be
8 limited to three (3) minutes as a reasonable time, place and manner restriction, but may not be limited based upon viewpoint.
9 The Chairperson may allow additional time at his/her discretion.

10
11 Pursuant to Section 2 of Directive 006, and extended by Directives 016, 018, 021, 026, and 029, members of the public may
12 participate in the meeting without being physically present by submitting public comment via email to nsbde@dental.nv.gov,
13 or by mailing/faxing written messages to the Board office. Written submissions should be received by the Board on or before
14 **Tuesday, November 15, 2022, by P.M.** in order to make copies available to members and the public.

15
16 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual,
17 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
18 Nevada State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious,
19 slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.
20

21 There was no public comment.

22
23 **6. Announcements**

24
25 There were no announcements.

26
27 ***7. Adjournment** (For Possible Action)

28
29 Dr. Johl made a motion to adjourn. Dr. West seconded the motion. All were in favor. Motion passed.
30
31

PUBLIC NOTICE POSTING LOCATIONS

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

X 

Jason Dworin
Interim Executive Director