

# 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

Friday, December 2, 2022  
5:00 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#: **883 2154 9933**

Zoom Webinar/Meeting Passcode: **375606**

## 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 **Thursday, December 1, 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 5:08 p.m. Mr. Dworin conducted roll call.  
5 Quorum was met.

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

Dr. Todd Thompson (Dr. Thompson) – Excused  
Dr. Joshua Branco (Dr. Branco) – Present  
Ms. Yamilka Arias (Ms. Arias) – Present  
Dr. Lance Kim (Dr. Kim) – Present  
Ms. Kimberly Petrilla (Ms. Petrilla) – Present

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

15  
16 **Public Attendees:** Adam Parikh; Alexandria Cannito; Annette Lincicome; Brandyn Herman; Courtney Lee;  
17 Jill; Rahul; Samantha Sturges

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

24  
25 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  
26 office. Written submissions received by the Board on or before **Thursday, December 1, 2022, by 4:00 p.m.** may be entered into the  
27 record during the meeting. Any other written public comment submissions received prior to the adjournment of the meeting will be  
28 included in the permanent record.

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

34  
35 There was no public comment.

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

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

40  
41 Dr. Lee introduced the above agenda item and requested that numbering be corrected for agenda item 6  
42 be corrected, and numbering for agenda items 8, 9, and 10 be corrected to 7, 8, and 9.

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

45  
46 Dr. West made a motion to approve the agenda. Ms. Arias 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  
53 (1) Board Meeting – 11/8/2022  
54 (2) Anesthesia Committee Meeting – 11/16/2022

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

59  
60 **\*5. General Counsel's Report:** (For Possible Action)

61  
62 **a. Legal Actions/Litigation Update** (For Informational Purposes Only)

63  
64 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 **\*6. New Business:** (For Possible Action)

6  
7 **\*a. Discussion of request by Jacqueline Nichols, Marquis Aurbach, to settle the NDA writ of mandamus** (For  
8 Possible Action)

9  
10 Mr. Dworin presented the above agenda item. At the board meeting scheduled on October 26, 2022, the  
11 Board authorized Dr. Lee to negotiate a settlement agreement with the Nevada Dental Association (NDA).  
12 The matter has been negotiated by Ms. Nichols. The Board is liable for the attorney fees that the NDA  
13 incurred as a result of the Board's failure to provide documents in response to a public records request. The  
14 settlement is based on the legal fees that the NDA incurred as a result of having to file the writ of mandamus.

15  
16 Dr. West made a motion to accept the request by Jacqueline Nichols to settle the NDA writ of mandamus.  
17 Ms. McIntyre seconded the motion. There was no further discussion. All were in favor. Motion passed.

18  
19 **\*b. Discussion, Consideration, and Possible Determination of Board Meeting Dates for Calendar Year of 2023**  
20 **- NRS 631.190** (For Possible Action)

21

Tuesdays at 6:00pm	
January 10, 2023	February 14, 2023
March 14, 2023	April 11, 2023
May 9, 2023	June 13, 2023
July 11, 2023	August 8, 2023
September 12, 2023	October 10, 2023
November 8 7, 2023	December 5, 2022

22  
23 Dr. Lee introduced the agenda item regarding the proposed schedule for Board meeting dates for the  
24 calendar year of 2023. The July meeting will be rescheduled to a Friday to accommodate an in-person  
25 meeting in Reno; the December meeting will be rescheduled to a Friday to accommodate an in-person  
26 meeting in Las Vegas. Ms. Arias made a motion to approve the dates as set forth above with the suggested  
27 rescheduling of the July and December dates. Ms. McIntyre seconded the motion. All were in favor. Motion  
28 passed.

29  
30 **\*c. Approval/Rejection of Permanent Anesthesia Permit – NAC 631.2254** (For Possible Action)

- 31 (1) Preston J Dekker, DDS – General Anesthesia

32  
33 Ms. McIntyre introduced the agenda item regarding permanent anesthesia permits and requested a motion  
34 to approve the permit for Preston Dekker, DDS. Dr. West made a motion to approve. Ms. Petrilla seconded  
35 the motion. All were in favor. Motion passed.

36  
37  
38 **\*d. Approval/Rejection of Temporary Anesthesia Permit – NAC 631.2254** (For Possible Action)

- 39  
40 ~~(2)~~(1) Brandyn M. Herman, DMD – General Anesthesia  
41 ~~(3)~~(2) Rahul Patel, DMD – Moderate Sedation

42  
43 Ms. McIntyre introduced the agenda item regarding temporary anesthesia permits and entertained a  
44 motion to approve permits for both individuals. Dr. West made a motion to approve. Dr. York seconded the  
45 motion. All were in favor. Motion passed.

46  
47 **\*e. Approval/Rejection of 90-Day Extension of Temporary Anesthesia Permit – NAC 631.2254(2)** (For Possible  
48 Action)

- 49  
50 (1) Erik L Nariyoshi, DDS – General Anesthesia  
51 (2) Adam J Parihk, DMD – Moderate Sedation (patients 13 years of age & older)  
52 (3) Keivan Khorshid, DDS – Moderate Sedation (patients 13 years of age & older)

- 1 (4) Adrian Ruiz, DDS – Moderate Sedation (patients 13 years of age & older)
- 2 (5) Dane T Swenson, DMD – Moderate Sedation (patients 13 years of age and older)
- 3 (6) Kim-Vy C Pham, DMD – Moderate Sedation (patients 13 years of age & older)
- 4 (7) Benjamin B Abrahams, DMD – Moderate Sedation (patients 13 years of age & older)
- 5 (8) Grace Chen, DDS – Pediatric Moderate Sedation
- 6

7 Ms. McIntyre introduced the agenda item regarding 90-day extension of temporary anesthesia permits. The  
8 extensions are being requested due to difficulties with scheduling site inspections for the permanent  
9 anesthesia permits. Ms. McIntyre entertained a motion to approve extension for all eight individuals. Dr. West  
10 inquired whether regulation restricts or limits granting additional extensions. Ms. McIntyre answered that  
11 there is no restriction. Dr. Kim, Dr. Lee, Dr. West, and Ms. McIntyre discussed the issue with not having enough  
12 anesthesia inspectors to perform the site inspections. Dr. West made a motion to approve the 90-day  
13 extension for all eight individuals. Dr. Kim seconded the motion. There was no further discussion. All were in  
14 favor. Motion passed.

15  
16 **\*f. Discussion, Consideration, and Possible Approval/Rejection of Recommendations by the Anesthesia**  
17 **Committee to the Board Regarding the Hiring of Part-Time On-Site Evaluators/Inspectors Including**  
18 **Raising Hourly Wages and Outreach to Potential New Evaluators/Inspectors – NRS 631.190** (For Possible  
19 Action)  
20

21 Dr. Lee introduced the agenda item. Dr. West provided a summary of the recommendations of the  
22 Anesthesia Committee and Sub-Committee, including offering a flat rate of \$250 for each site inspection,  
23 and one CE credit for each hour spent conducting the inspection to be used toward fulfillment of CE units  
24 needed for renewal of their dental license. In addition, for site inspections in remote rural areas, in addition to  
25 the above, the Anesthesia Committee recommended to pay \$500 per day of travel, \$50 per hour for drive  
26 time in excess of one hour, and reimbursement for overnight lodging expenses and personal care mileage at  
27 the State mileage reimbursement rate. Each evaluation typically takes two hours to complete. There was  
28 discussion among Dr. Lee, Dr. West, and Dr. Branco regarding requirements for the site inspector position,  
29 and the time commitment for the inspectors. Each site inspection requires two inspectors. Dr. Lee expressed  
30 concern about providing temporary permits and not being able to complete a site inspection timely.  
31 Discussion ensued among Dr. West, Dr. Lee, Dr. Branco, and Mr. Dworin, regarding increasing the fees for  
32 anesthesia site inspections to account for the increased pay for inspectors. Dr. West recommended that an  
33 updated job description be posted on the website.

34  
35 Dr. Lee made a motion to approve an increase in pay for anesthesia evaluators, for \$250 per site  
36 inspection and two CE credits, \$50 per hour drive time, \$500 per day for overnight stays in lieu of the  
37 \$250 flat fee, and reimbursement of hotel and expenses. Dr. West seconded the motion. There was no  
38 further discussion. All were in favor. Motion passed.

39  
40 **\*g. Discussion, Consideration, and Possible Approval/Rejection to Hire a Part-Time On-Site**  
41 **Evaluator/Inspector – NRS 631.190** (For Possible Action)  
42

- 43 (1) Ryan Falke, DDS
- 44

45 Dr. Lee introduced the agenda item. Anesthesia Sub-Committee member, Dr. Gray, recommended  
46 hiring Dr. Ryan Falke as an anesthesia inspector. Dr. West made a motion to hire Dr. Falke as a part-time  
47 on-site anesthesia evaluator/inspector. Ms. McIntyre seconded the motion. There was no further  
48 discussion. All were in favor. Motion passed.

49  
50 **8.7. Public Comment (Live public comment by teleconference):** This public comment period is for any matter that is  
51 within the jurisdiction of the public body. No action may be taken upon the matter raised during public comment unless the matter itself  
52 has been specifically included on the agenda as an action item. Comments by the public may be limited to three (3) minutes as a  
53 reasonable time, place and manner restriction, but may not be limited based upon viewpoint. The Chairperson may allow additional  
54 time at his/her discretion.

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60 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

1 of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive,  
2 inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.  
3

4 There was no public comment.

5  
6 **9.8. Announcements**

7  
8 There were no announcements.

9  
10 **\*10.9. Adjournment** (For Possible Action)

11  
12 Dr. West made a motion to adjourn. Ms. Arias seconded the motion. All were in favor. Motion passed.  
13  
14  
15

16 **PUBLIC NOTICE POSTING LOCATIONS**

17 Office of the N.S.B.D.E., 2651 N. Green Valley Pkwy, Ste. 104, Henderson, NV 89014  
18 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 *Jason Dworin*  
Jason Dworin  
Interim Executive Director