

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 14, 2023
6:00 P.M.

Meeting Location:

Nevada State Board of Dental Examiners
2651 N. Green Valley Pkwy., Suite 104
Henderson, NV 89014

Video Conferencing / Teleconferencing Available

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#: **815 9963 3655**

Zoom Webinar/Meeting Passcode: **251693**

PUBLIC NOTICE:

Public Comment by pre-submitted email/written form, Live Public Comment, and by teleconference is available after roll call (beginning of meeting and 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 **Monday, March 13, 2023 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 p.m. Mr. Blair Parker conducted roll call. Quorum was
5 met.

6
7 Dr. Tejpaull Johl (Dr. Johl) – Present Dr. Todd Thompson (Dr. Thompson) – Present
8 Dr. Ronald West (Dr. West) – Present Dr. David Lee (Dr. Lee) – Present
9 Dr. Adam York (Dr. York) – Present Dr. Lance Kim (Dr. Kim) – Present
10 Dr. Joshua Branco (Dr. Branco) – Present Ms. Yamilka Arias (Ms. Arias) – Present
11 Ms. Kimberly Petrilla (Ms. Petrilla) – Present Ms. Jana McIntyre (Ms. McIntyre) – Present
12 Mr. Michael Pontoni (Mr. Pontoni) – Absent

13
14 **Others Present:** Mr. Blair Parker, General Counsel; Mr. Mark Karris, General Counsel

15
16 **Public Attendees:** A Wade; Annette Lincicome; David Barney; Karla Martinec; Harvey Lee; Ashley; Jeff R;
17 Ralph; Vickie

18
19 **2. Public Comment (Live public comment, by teleconference, and pre-submitted email/written form):**

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

24
25 Members of the public may submit public comment via email to nsbde@dental.nv.gov, or by mailing/faxing messages to the Board
26 office. Written submissions received by the Board on or before **Monday, March 13, 2023, by 4:00 p.m.** may be entered into the record
27 during the meeting. Any other written public comment submissions received prior to the adjournment of the meeting will be included in
28 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 Chair
31 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
32 Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive,
33 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 a modification be made to agenda item 6 (d)
42 (2). He clarified that it is a Pediatric Moderate Sedation rather than just a Moderate Sedation.

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

45
46 Dr. Johl made a motion to approve the amended agenda. Dr. Thompson seconded the motion. All were in
47 favor. Motion 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 – 02/01/2023
54 (2) Anesthesia Committee Meeting – 02/08/2023
55 (3) Board Meeting – 02/14/2023
56 (4) Continuing Education Committee Meeting – 02/28/2023

57
58 Dr. Johl presented the draft minutes for review and requested approval for all 4 items to be grouped together
59 and approved. Dr. Thompson made a motion to approve the minutes. He also commented that agenda
60 item 4 (a) (2) had some minor inaccuracies but was correct overall. Ms. McIntyre seconded the motion. All
61 were in favor. Motion passed.

62
63 ***5. Old Business:** (For Possible Action)

64
65 ***a. Authorized Investigative Complaints – NRS 631.360** (For Possible Action)

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

6 Dr. Lee introduced the above agenda item. Dr. Thompson briefly explained that this item was brought to
7 the Board previously as it was a doctor who aptly self-reported. The case was previously reviewed by the
8 Anesthesia Committee, and it was decided that the committee wanted more information and authorized
9 an investigation into the matter. Following that decision, Dr. Thompson made a motion to approve the
10 opening of an investigation into Dr. Z's allegation. Ms. Arias seconded the motion. Dr. Lee asked if this was
11 submitted anonymously and if no names were redacted. Dr. Thompson verified that it was submitted
12 anonymously. All were in favor. Motion passed.
13

14 ***6. New Business:** (For Possible Action)
15

16 ***a. Discussion, Consideration, and Possible Approval/Rejection of the Recommendation from the**
17 **Employment Committee to Hire Their Selected Applicant Listed for the Unclassified Executive Director**
18 **Position – NRS 631.190; NRS 631.160; NRS 622.220** (For Possible Action)
19

20 Dr. Lee introduced the above agenda item and noted that the Employment Committee has selected
21 two candidates to be reviewed for consideration. Dr. Lee invited candidates Mr. Lance Eliason and Mr.
22 Christopher Bateman to sit with the Board at the table for discussion. Dr. Lee briefly introduced each
23 candidate and thanked them for being here. Mr. Bateman began by introducing himself and gave a
24 brief overview of his career and educational background as it relates to the job interview. Mr. Eliason
25 followed with his introduction and gave a brief overview of his career and education background as it
26 relates to the job interview. The Board thanked both candidates and Dr. Lee clarified for the Board
27 members that Mr. Bateman's personal relations who practice dentistry are not and have never been
28 licensed in the State of Nevada, verifying that there is no conflict of interest. Dr. Johl continued by
29 informing the Board that the Employment Committee had selected two, highly qualified candidates as
30 opposed to one as the votes were split between the two applicants. It was the committee's intention to
31 let the full Board decide together on who they thought the best applicant is.
32

33 A discussion ensued between Dr. Thompson and Dr. Lee about both candidates being present during the
34 interviews. It was decided that due to the Open Meeting Laws regarding public meetings that both Mr.
35 Eliason and Mr. Bateman will remain present during the interviews. A dual interview and discussion began
36 between the Board members and the two candidates. Multiple questions were posed by Board members
37 regarding current job status, management history, 5-year plans for the position, and intentions when
38 applying. Upon finishing the interview, Dr. Lee encouraged nominations from fellow Board members. Dr.
39 West made a motion to nominate Mr. Bateman as the Executive Director. Mr. McIntyre seconded the
40 motion. Dr. Johl made a motion to nominate Mr. Eliason as the Executive Director, but was told that one
41 nomination must happen at a time. Ms. McIntyre relayed the decision made previously by the
42 Employment Committee to bring both candidates to the full Board, but stands strong in her decision to
43 nominate Mr. Bateman due to his managerial and work experience. Dr. Lee continued by taking a roll call
44 vote. All were in favor except Dr. Johl, who expressed a "nay." A majority vote was accepted and the
45 motion to hire Mr. Chris Bateman as the new Executive Director passed.
46

47 ***b. Discussion, Consideration, and Possible Selection and Appointment of an Interim Executive**
48 **Director – NRS 631.160; NRS 631.190** (For Possible Action)
49

50 Dr. Lee introduced the above agenda item and decided to table it as Mr. Bateman was selected during
51 the previous item.
52

53 ***c. Approval/Rejection of Permanent Anesthesia Permit – NAC 631.2235** (For Possible Action)
54

- 55 (1) Justin Durrant, DMD – General Anesthesia
56

57 Dr. Lee introduced the above agenda item. Dr. Thompson made a motion to approve the item stating that
58 he and Dr. Johl viewed the material and decided that everything looked adequate. Ms. McIntyre seconded
59 the motion. All were in favor. Motion passed.
60

1 ***d. Approval/Rejection of Temporary Anesthesia Permit – NAC 631.2254** (For Possible Action)

- 2
3 (1) Thomas J Ostler, DDS – Moderate Sedation
4 (2) Daniel Harvey Lee, DDS – Moderate Sedation
5 (3) Christopher D Viravongsa, DMD – Pediatric Moderate Sedation
6

7 Dr. Lee introduced the above agenda item and Dr. Thompson continued by explaining that a Pediatric
8 Moderate Sedation Permit can only be held by a Pediatric Specialist. He continued saying that the
9 applications have been reviewed and made a motion to approve all applications for a Temporary
10 Anesthesia Permit. Ms. Arias seconded the motion. All were in favor. Motion passed. Dr. Lee then asked Dr.
11 Thompson if the Pediatric Dentist was the only one allowed to monitor the procedure. Dr. Thompson clarified
12 that with that Moderate Sedation Permit they can hire Dental Anesthesiologist to do that job, if they so
13 choose. He then continued by explaining that unlike the Moderate Sedation permit which can be obtained
14 by any dentist, the Pediatric Moderate Sedation permit may only be obtained by someone who went
15 through a Pediatric program.
16

17 ***e. Approval/Rejection of 90-Day Extension of Temporary Anesthesia Permit – NAC 631.2254(2)**
18 (For Possible Action)
19

- 20 (1) Rahul Patel, DMD – Moderate Sedation
21

22 Dr. Thompson introduced the above agenda item and noted that with the backlog, another extension was
23 needed for this case. Dr. Thompson made a motion to approve the extension. Ms. McIntyre seconded the
24 motion. All were in favor. Motion passed.
25

26 ***f. Approval/Rejection of Voluntary Surrender of License – NAC 631.160** (For Possible Action)
27

- 28 (1) Alicia Korn, RDH
29

30 Dr. Lee introduced the above agenda item and asked if there were any pending actions against Ms. Korn.
31 He was told there was not. Dr. Lee made a motion to approve the voluntary surrender of her license. Dr. Johl
32 seconded the motion. All were in favor. Motion passed.
33

34 ***g. Consideration of Application to Reactivate Inactive/Retired License – NAC 631.170** (For Possible Action)
35

- 36 (1) Jeffrey L Mason, DMD – Revoked Non-Renewal
37

38 Dr. Lee introduced the above agenda item. Dr. Johl mentioned that Dr. Mason's license was approved as
39 "Revoked/Non-Renewal" status, but he has since paid fines and back dues and now wants to activate his
40 license. Dr. Johl then asked the Board if verbiage should be changed to ensure that Dr. Mason's record isn't
41 harmed by using the term "Revoked." Dr. Lee and Dr. Thompson both agreed that it was not a disciplinary
42 action and therefore that verbiage is fine. Dr. Lee then made a motion to approve the reactivation of Dr.
43 Mason's license. Dr. Johl seconded the motion. All were in favor. Motion passed.
44

- 45 (2) Cristina S. McCarthy, RDH – Retired
46

47 Dr. Lee introduced the above agenda item. Dr. Johl explained that Ms. McCarthy hasn't practiced in over
48 two years and therefore wants approval of her reactivation pending a Skills Assessment. He continues that
49 once that is successfully completed the Board can begin to process her forms. Dr. Thompson started a
50 conversation regarding the necessity of a Skills Assessment for Ms. McCarthy as she will only work under the
51 supervision of a dentist, rather than working independently. Dr. Lee, Dr. Johl, and Dr. West conversed about
52 the statutes that require that, determining that after two years of non-practice a Skills Assessment may be
53 required if the Board deems it necessary. Dr. Thompson noted that he did not think one was necessary for the
54 aforementioned reason, Dr. Johl encouraged him to make a motion and have the Board vote on it. Dr.
55 Thompson made a motion to approve Ms. McCarthy's reactivation without requiring a Skills Assessment. Dr.
56 West seconded the motion. All were in favor. Motion passed.
57

58
59 ***h. Discussion, Consideration, and Possible Approval/Rejection of the Recommendation from the**
60 **Anesthesia Committee Regarding Setting a Time and Place for the Anesthesia Evaluators**

Calibration Meeting – NRS 631.190 (For Possible Action)

Dr. Lee introduced the above agenda item. Dr. Lee asked Dr. Thompson of the necessity of talking about this agenda item with the Board. Dr. Thompson agreed that he didn't think this should be done by the Board but rather a Secretary or Executive Director. Dr. Thompson explained that the purpose of this was lack of uniformity among evaluators to ensure that each case is treated fairly and by the same processes throughout the state. Also, to promote the healthy evaluation for all. Dr. Lee questioned when and where the meeting will take place as most evaluators are in Las Vegas. One option, suggested by a Dental Anesthesiologist on the sub-committee, was to collaborate with the University of Las Vegas Nevada and hold it at their "Sim" lab. A discussion ensued regarding the budget to bring down the Northern evaluators for the meeting. Dr. Lee made a motion to approve the travel costs, hotel stay, and lunches for the evaluators. Ms. McIntyre seconded the motion. All were in favor. Motion passed.

***i. Discussion, Consideration, and Possible Approval/Rejection of the Recommendation from the Anesthesia Committee Regarding Adoption of Pediatric Algorithms into the Anesthesia Evaluations** (For Possible Action)

Dr. Lee introduced the above agenda item. Dr. Thompson gave context by noting that traditionally, the scenarios introduced in the evaluation were all using adult patients. This change would include pediatric-specific scenarios for these offices. Dr. Johl made a motion to approve the agenda item. Ms. McIntyre seconded the motion. All were in favor. Motion passed.

***j. Discussion, Consideration, and Possible Approval/Rejection of the Recommendation from the Anesthesia Committee Regarding Loma Linda University School of Dentistry's Advanced Dental Education Program in Implant Dentistry Course as a Moderate Sedation Board Approved Course of Study - NRS 631.190 & NAC 631.2213** (For Possible Action)

Dr. Lee introduced the above agenda item. Dr. Thompson informed the Board that the materials sent by Loma Linda University School of Dentistry have been reviewed, but they do not have the 60 hours of didactic classwork that is required by the NRS and NACs. Since they did not meet that classroom requirement, their request was denied by the Anesthesia Committee. Dr. Lee made a motion to approve the rejection of Loma Linda University School of Dentistry's Advanced Dental Education Program in Implant Dentistry Course. Dr. Johl seconded the motion. All were in favor. Motion passed.

***k. Discussion, Consideration, and Possible Approval/Rejections of the Recommendation from the Anesthesia Committee Regarding the Hiring of the Following as Part-Time On-Site Evaluator/Inspector Employees – NRS 631.190** (For Possible Action)

- (1) Kevin M Martin, DDS
- (2) Monica R Ponce, DDS, M.A.G.D

Dr. Lee introduced the above agenda items. Dr. Thompson agreed to group both 6 (k) (1) and 6 (k) (2) together. He continued that the Anesthesia Committee reviewed extensively the two candidates and decided to approve them. Dr. Thompson then made a motion to approve Dr. Martin and Dr. Ponce's hiring as Part-time On-site Evaluators/Inspector Employees. Dr. West seconded the motion. All were in favor. Motion passed.

***l. Request for Advisory Opinion Regarding Clarification of NAC 631.257 and NAC 631.258 Concerning Administration of Botox – NAC 631.279** (For Possible Action)

- (1) Kevin Baldwin, DDS

Dr. Lee introduced the above agenda item. He continued by explaining that his wife, who is a nurse, wants permission to administer Botox under his direction in his office. Dr. Lee asked General Counsel, Mr. Parker for input. Mr. Parker mentioned that because she a nurse, the Board does not have the ability to advise on her administrating of Botox. Mr. Karris, General Counsel, confirmed that this decision does not fall under review from the Board. Item will be tabled.

7. Public Comment (Live public comment and by teleconference): This public comment period is for any matter that is within the jurisdiction of the public body. No action may be taken upon the matter raised during public comment unless the

1 matter itself has been specifically included on the agenda as an action item. Comments by the public may be limited to three (3)
2 minutes as a reasonable time, place and manner restriction, but may not be limited based upon viewpoint. The Chairperson may
3 allow additional time at his/her discretion.

4 Members of the public may submit public comment via email to nsbde@dental.nv.gov or by mailing/faxing messages to the Board
5 office. Written submissions received by the Board on or before **Monday, March 13, 2023 by 4:00 p.m.** may be entered into the record
6 during the meeting. Any other written public comment submissions received prior to the adjournment of the meeting will be included
7 in the permanent record.

8 In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual, the Chair
9 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
10 Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive,
11 inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.
12

13 There was no public comment.
14

15 **8. Announcements**

16
17 Dr. Lee noted that there were no announcements but that he wanted to congratulate both Mr. Bateman
18 and Mr. Karris on their recent hires.
19

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

21
22 Ms. McIntyre made a motion to adjourn. Dr. Johl seconded the motion. All were in favor. Motion passed.
23

24 **PUBLIC NOTICE POSTING LOCATIONS**

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