

NEVADA STATE BOARD of DENTAL EXAMINERS



LEGISLATIVE, LEGAL, & DENTAL
PRACTICE COMMITTEE MEETING

WEDNESDAY, MAY 3RD, 2023

6:00 P.M.

PUBLIC BOOK

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 Public Meeting and Agenda for The Legislative, Legal, & Dental Practice Committee

Meeting Date & Time

Wednesday, May 3, 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: **829 8485 6987**

Zoom Webinar/Meeting Passcode: **122274**

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 **Tuesday, May 2, 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. Call to Order

- Roll call/Quorum

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

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

Pursuant to Section 2 of Directive 006, and extended by Directives 016, 018, 021, 026, and 029, members of the public may participate in the meeting without being physically present by submitting public comment via email to nsbde@dental.nv.gov, or by mailing messages to the Board office. Written submissions received by the Board on or before **Tuesday, May 2, 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.

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

***3. Chairman's Report:** Tejpaal Johl, DDS (For Possible Action)

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

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

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

***a. In Accordance with NRS 631.190, Review of Executive Order 2023-004:**

1. Board to identify existing regulations

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

Pursuant to Section 2 of Directive 006, and extended by Directives 016, 018, 021, 026, and 029, members of the public may participate in the meeting without being physically present by submitting public comment via email to nsbde@dental.nv.gov, or by mailing written messages to the Board office. Written submissions should be received by the Board on or before **Tuesday, May 2, 2023, by 4:00 P.M.** in order to make copies available to members and the public.

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

6. Announcements***7. Adjournment** (For Possible Action)

PUBLIC NOTICE POSTING LOCATIONS

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

Agenda Item 4(a):

**In Accordance with NRS 631.190, Review of Executive
Order 2023-004**

NRS 631.190 Powers and duties. [Effective January 1, 2020.] In addition to the powers and duties provided in this chapter, the Board shall:

1. Adopt rules and regulations necessary to carry out the provisions of this chapter.
2. Appoint such committees, review panels, examiners, officers, employees, agents, attorneys, investigators and other professional consultants and define their duties and incur such expense as it may deem proper or necessary to carry out the provisions of this chapter, the expense to be paid as provided in this chapter.
3. Fix the time and place for and conduct examinations for the granting of licenses to practice dentistry, dental hygiene and dental therapy.
4. Examine applicants for licenses to practice dentistry, dental hygiene and dental therapy.
5. Collect and apply fees as provided in this chapter.
6. Keep a register of all dentists, dental hygienists and dental therapists licensed in this State, together with their addresses, license numbers and renewal certificate numbers.
7. Have and use a common seal.
8. Keep such records as may be necessary to report the acts and proceedings of the Board. Except as otherwise provided in [NRS 631.368](#), the records must be open to public inspection.
9. Maintain offices in as many localities in the State as it finds necessary to carry out the provisions of this chapter.
10. Have discretion to examine work authorizations in dental offices or dental laboratories.

[Part 4:152:1951; A [1953, 363](#)] — (NRS A [1963, 150](#); [1967, 865](#); [1993, 2743](#); [2009, 3002](#); [2017, 989, 2848](#); [2019, 3205](#), effective January 1, 2020)

Agenda Item 4(a)(1):
Board to identify existing regulations



EXECUTIVE ORDER 2023-004

Order Directing All Nevada Occupational and Professional Licensing Boards to Suspend the Issuance of Any New Regulations, Show Cause for All Occupational Licensing Requirements and to Provide a Recommended Pathway for Facilitating Licensure Reciprocity

WHEREAS, Nevada's economic growth and vitality is dependent upon the depth and quality of the State's workforce; and

WHEREAS, Nevada currently has 1.7 job openings for every unemployed person actively looking for work and there are acute shortages of employees in core sectors of the economy, including, without limitation, education, health care and technology; and

WHEREAS, Nevada has been identified nationally as having among the nation's most onerous occupational licensing requirements, and it is in the State's best long-term economic interest to have a fair, open, competitive and inclusive economy; and

WHEREAS, the Sunset Subcommittee of the Nevada State Legislature identified financial disparities and expressed concerns with practices of Nevada's occupational and professional licensing boards including, without limitation, those involving hearing officers, training, operating reserves, fines and fee structures, electronic access and payments, use of outside counsel and lobbyists and centralized coordination of expenditures; and

WHEREAS, The State Division of Internal Audits concluded that the current composition and actions of Nevada occupational and professional licensing Boards may expose the State to anti-trust liability; and

WHEREAS, it is in the best interest of Nevada that its occupational and professional licensing boards are seeking opportunities to attract and retain qualified workers to the State and not create unnecessary barriers to entry; and

WHEREAS, Nevada's occupational and professional licensing boards are subject to oversight by both the legislative and executive branch of government; and

WHEREAS, Article 5, Section 1 of the Nevada Constitution provides: "The supreme executive power of this State, shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada."

NOW, THEREFORE by the authority vested in me as Governor by the Constitution and laws of the State of Nevada and the United States, it is hereby ordered as follows:

SECTION 1:

Effective immediately and until the suspension of this order, all Nevada occupational and professional licensing boards shall suspend the creation of any new regulations that limit or otherwise impact the ability persons to enter any occupation or profession in Nevada.

SECTION 2:

Before April 1, 2023, all Nevada occupational and professional licensing boards shall provide a report to the Office of the Governor and the Director of the Legislative Counsel Bureau detailing all regulations that restrict entry into any occupation or profession regulated by the board. Section 1 of the report shall include, at a minimum, all pertinent regulations, fees and other costs, examinations and any other requirements for entry into any occupation or profession regulated by the board. Section 2 of the report shall include, at a minimum, the board's justification for the regulations, fees and other costs, examinations and other requirements set forth in Section 1 of the report. Section 2 shall also include an analysis of the number of states that currently license

each profession or occupation regulated by the board. Section 3 of the report shall provide, at a minimum, any recommended revisions to the current regulatory construct that would expedite licensure for new workers. Finally, Section 4 of the report shall identify state compacts or any other pathways to professional licensure reciprocity that exist regionally, nationally or internationally. Section 4 shall also include a summary of states currently providing reciprocity for each profession or occupation regulated by the board to include those states that do not license the profession or occupation, and therefore, do not require reciprocity. To the extent Nevada does not currently participate in any identified reciprocity opportunity, the board's report shall provide a justification as to why Nevada does not currently participate and shall set forth an action plan should the state decide it should participate in such a reciprocity program.

SECTION 3:

To the extent an occupation or profession is currently licensed in Nevada but is not subject to licensure requirements in the majority of states (26 or more), licensure shall be presumed to be unnecessary and that board shall provide a recommendation for phasing out such a licensing requirement by July 1, 2023.

SECTION 4:


To the extent an occupation or profession that is currently licensed in Nevada allows for licensing reciprocity in the majority of states (26 or more), reciprocity shall be presumed to be possible and appropriate, and the board shall provide a recommendation for implementing a program for reciprocity participation by July 1, 2023.

SECTION 5:


Failure for any board to fully comply with the provisions of this order shall trigger an immediate operational and financial audit of the board by the Division of Internal Audits as well as recommendation to the Legislature that the board be subject to sanctions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 12th day of January, in the year two thousand twentythree.






 Governor



 Secretary of State



 Deputy

NAC: 631

NAC 631.030 Provision of certain information and documentation by applicant for licensure; provision of certain additional information for licensure by endorsement; requirements for use of laser radiation in practice. ([NRS 622.530](#), [631.190](#), [631.220](#), [631.230](#), [631.255](#), [631.272](#), [631.274](#), [631.290](#))

1. An applicant for licensure must provide the following information and documentation in his or her application:

- (a) The date and place of his or her birth;
- (b) Certification of graduation from an accredited dental school or college or from an accredited school or college of dental hygiene, whichever is applicable;
- (c) Whether he or she has applied for similar licensure in another state or a territory of the United States or the District of Columbia and, if so, the name of the state or territory of the United States or the District of Columbia, the date and the result of his or her application;
- (d) If he or she has practiced dentistry or dental hygiene in another state or a territory of the United States or the District of Columbia, certification from the licensing authority of each state or territory of the United States or the District of Columbia in which he or she has practiced or is practicing that he or she is in good standing and that there are not any disciplinary proceedings affecting his or her standing pending against him or her in the other state or territory of the United States or the District of Columbia;
- (e) Whether he or she has terminated or attempted to terminate a license from another state or territory of the United States or the District of Columbia and, if so, the reasons for doing so;
- (f) If he or she is not a natural born citizen of the United States, a copy of his or her certificate of naturalization or other document attesting that he or she is legally eligible to reside and work in the United States;
- (g) All scores obtained on the examination in which he or she was granted a certificate by the Joint Commission on National Dental Examinations and the date it was issued;
- (h) Whether he or she has ever been convicted of a crime involving moral turpitude or has entered a plea of nolo contendere to a charge of such a crime and, if so, the date and place of the conviction or plea and the sentence, if any, which was imposed;
- (i) Whether he or she has had any misdemeanor or felony convictions and, if so, any documents relevant to any misdemeanor or felony convictions;
- (j) Whether he or she has been held civilly or criminally liable in this State, another state or territory of the United States or the District of Columbia for misconduct relating to his or her occupation or profession;
- (k) Whether he or she has a history of substance abuse and, if so, any documents relevant to the substance abuse;
- (l) Whether he or she has been refused permission to take an examination for licensure by this State, any other state or territory of the United States or the District of Columbia, or any regional testing agency recognized by the Board and, if so, any documents relevant to the refusal;
- (m) Whether he or she has been denied licensure by this State, any other state or territory of the United States or the District of Columbia and, if so, any documents relevant to the denial;
- (n) Whether he or she has had his or her license to practice dentistry or dental hygiene suspended, revoked or placed on probation, or has otherwise been disciplined concerning his or her license to practice dentistry or dental hygiene, including, without limitation, receiving a public reprimand, in this State, another state or territory of the United States or the District of Columbia and, if so, any documents relevant to the suspension, revocation, probation or other discipline;
- (o) A copy of current certification in administering cardiopulmonary resuscitation;
- (p) Whether he or she is currently involved in any disciplinary action concerning his or her license to practice dentistry or dental hygiene in this State, another state or territory of the United States or the District of Columbia and, if so, any documents relevant to the reprimand or disciplinary action;

(q) Two sets of certified fingerprint cards and an authorization form allowing the Board to submit the fingerprint forms to law enforcement agencies for verification of background information;

(r) Whether he or she has any claims against him or her or has committed any actions that would constitute unprofessional conduct pursuant to [NRS 631.3475](#) or [NAC 631.230](#);

(s) An application form that he or she has completed and signed which:

(1) Is furnished by the Board; and

(2) Includes, without limitation, a properly executed request to release information;

(t) If applicable, the statement and proof required by subsection 3;

(u) Evidence that he or she is eligible to apply for a license to practice:

(1) Dentistry pursuant to [NRS 631.230](#); or

(2) Dental hygiene pursuant to [NRS 631.290](#);

(v) The statement required by [NRS 425.520](#); and

(w) Any other information requested by the Board.

2. An applicant for licensure by endorsement pursuant to [NRS 622.530](#) must provide the following information and documentation with his or her application:

(a) The information and documentation listed in subsection 1;

(b) A certificate granted by a nationally recognized, nationally accredited or nationally certified examination or other examination approved by the Board which proves that the applicant has achieved a passing score on such an examination; and

(c) Proof that the applicant has actively practiced dentistry or dental hygiene for the 5 years immediately preceding the date of submission of the application.

3. An applicant for licensure who wishes to use laser radiation in his or her practice of dentistry or dental hygiene must provide to the Board:

(a) A statement certifying that each laser that will be used by the licensee in the practice of dentistry or dental hygiene has been cleared by the Food and Drug Administration for use in dentistry; and

(b) Proof that he or she has successfully completed a course in laser proficiency that:

(1) Is at least 6 hours in length; and

(2) Is based on the *Curriculum Guidelines and Standards for Dental Laser Education*, adopted by reference pursuant to [NAC 631.035](#).

[Bd. of Dental Exam'rs, § III, eff. 7-21-82] — (NAC A 10-21-83; 12-15-87; 4-3-89; 9-6-96; R169-01, 4-5-2002; R139-05, 12-29-2005; R159-08, 4-23-2009; R143-17, 5-16-2018)

NAC 631.033 Use of laser radiation in practice: Documentation required with application for renewal of license. ([NRS 631.190](#), [631.330](#)) Each licensee who uses or wishes to use laser radiation in his or her practice of dentistry or dental hygiene must include with the application for renewal of his or her license:

1. A statement certifying that each laser used by the licensee in his or her practice of dentistry or dental hygiene has been cleared by the Food and Drug Administration for use in dentistry; and

2. Proof that he or she has successfully completed a course in laser proficiency that:

(a) Is at least 6 hours in length; and

(b) Is based on the *Curriculum Guidelines and Standards for Dental Laser Education*, adopted by reference pursuant to [NAC 631.035](#).

NAC 631.045 Renewal of license: Certified statement required. (NRS 631.190) A licensed dentist who owns an office or facility where dental treatments are to be performed in this State must, on the application for renewal of his or her license, execute a certified statement that includes:

1. The location of each office or facility owned by the licensed dentist where dental treatments are to be performed;
2. The name and address of each employee, other than a licensed dentist or dental hygienist, who assists at the office or facility in procedures for infection control and the date the employee began to assist in procedures for infection control at the office or facility;
3. A statement that each employee identified in subsection 2:
 - (a) Has received adequate instruction concerning procedures for infection control; and
 - (b) Is qualified to:
 - (1) Operate sterilization equipment and other equipment in compliance with the guidelines adopted by reference in [NAC 631.178](#); and
 - (2) Perform all other applicable activities in compliance with the guidelines adopted by reference in [NAC 631.178](#); and
4. If the licensed dentist is registered to dispense controlled substances with the State Board of Pharmacy pursuant to [chapter 453](#) of NRS, an attestation that the licensed dentist has conducted annually a minimum of one self-query regarding the issuance of controlled substances through the Prescription Monitoring Program of the State Board of Pharmacy.

(Added to NAC by Bd. of Dental Exam'rs by R201-09, eff. 8-13-2010; A by R020-14, 6-23-2014)

NAC 631.145 Dental hygienists: Renewal of special endorsement of license to practice public health dental hygiene. (NRS 631.190, 631.287)

1. A special endorsement of a license that allows a dental hygienist to practice public health dental hygiene issued by the Board may be renewed biennially in accordance with [NRS 631.287](#).
2. A dental hygienist may apply to renew the special endorsement upon the renewal of his or her license by submitting a report summarizing the services performed by the dental hygienist under the authority of the special endorsement during the immediately preceding biennium.

(Added to NAC by Bd. of Dental Exam'rs by R231-03, eff. 5-25-2004; A by R020-14, 6-23-2014)

NAC 631.177 Continuing education: Renewal or reinstatement of license; records; unprofessional conduct; audits. (NRS 631.190, 631.330, 631.335, 631.342)

1. When requesting a renewal or reinstatement of his or her license, each:
 - (a) Dentist shall submit a signed, written statement in substantially the following language for each year since his or her last renewal:

I,, hereby certify to the Board of Dental Examiners of Nevada that I have obtained at least 20 approved hours of instruction in continuing education during the period July 1,, through and including June 30,, I also certify to the Board of Dental Examiners of Nevada that I am currently certified in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life.

Dated this (day) of (month) of (year)

.....
Signature of Dentist

(b) Dental hygienist shall submit a signed, written statement in substantially the following language for each year since his or her last renewal:

I,, hereby certify to the Board of Dental Examiners of Nevada that I have obtained at least 15 approved hours of instruction in continuing education during the period July 1,, through and including June 30,, I also certify to the Board of Dental Examiners of Nevada that I am currently certified in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life.

Dated this (day) of (month) of (year)

.....
Signature of Dental Hygienist

(c) Dentist or dental hygienist shall submit proof of his or her current certification in administering cardiopulmonary resuscitation or other medically acceptable means of maintaining basic bodily functions which support life.

2. Legible copies of all receipts, records of attendance, certificates and other evidence of attendance by a dentist or dental hygienist at an approved course in continuing education must be retained by the dentist or dental hygienist and made available to the Board for inspection or copying for 3 years after attendance at the course is submitted to meet the continuing education requirements of the Board. Proof of attendance and completion of the required credit hours of instruction must be complete enough to enable the Board to verify the attendance and completion of the course by the dentist or dental hygienist and must include at least the following information:

- (a) The name and location of the course;
- (b) The date of attendance;
- (c) The name, address and telephone number of its instructor;
- (d) A synopsis of its contents; and
- (e) For courses designed for home study, the number assigned to the provider by the Board at the time the course was approved and the name, address and telephone number of the producer or author of the course.

3. The third or subsequent failure of a dentist and dental hygienist to obtain or file proof of completion of the credit hours of instruction required by this section and [NAC 631.173](#) and [631.175](#) is unprofessional conduct.

4. The Board will conduct random audits of dentists or dental hygienists to ensure compliance with the requirements of this section and [NAC 631.173](#) and [631.175](#).

(Added to NAC by Bd. of Dental Exam'rs, eff. 9-16-85; A 12-15-87; 4-3-89; 9-6-96; R231-03, 5-25-2004; R159-08, 4-23-2009)

NRS 631

NRS 631.330 Renewal of license: Requirements; issuance of renewal certificate; automatic suspension or revocation; reinstatement.

1. Licenses issued pursuant to [NRS 631.271](#), [631.2715](#) and [631.275](#) must be renewed annually. All other licenses must be renewed biennially.
2. Except as otherwise provided in [NRS 631.271](#), [631.2715](#) and [631.275](#):
 - (a) Each holder of a license to practice dentistry, dental hygiene or dental therapy must, upon:
 - (1) Payment of the required fee;
 - (2) Submission of proof of completion of the required continuing education; and
 - (3) Submission of all information required to complete the renewal,
 be granted a renewal certificate which will authorize continuation of the practice for 2 years.
 - (b) A licensee must comply with the provisions of this subsection and subsection 1 on or before June 30. Failure to comply with those provisions by June 30 every 2 years automatically suspends the license, and it may be reinstated only upon payment of the fee for reinstatement and compliance with the requirements of this subsection.
3. If a license suspended pursuant to this section is not reinstated within 12 months after suspension, it is automatically revoked.

NRS 631.332 Renewal of license: Duty of Board to make data request concerning demographic and practice information available to applicants for voluntary completion and electronic submission; confidentiality of information provided.

1. The Board shall:
 - (a) Make the data request developed by the Director of the Department of Health and Human Services pursuant to [NRS 439A.116](#) available to applicants for the renewal of a license pursuant to this chapter through a link on the electronic application for the renewal of a license; and
 - (b) Request each applicant to complete and electronically submit the data request to the Director.
 2. The information provided by an applicant for the renewal of a license pursuant to subsection 1 is confidential and, except as required by subsection 1, must not be disclosed to any person or entity.
 3. An applicant for the renewal of a license is not required to complete a data request pursuant to subsection 1 and is not subject to disciplinary action, including, without limitation, refusal to renew the license, for failure to do so.
- (Added to NRS by [2021, 802](#))

NRS 631.335 Inactive or other nonpracticing status of license; reinstatement.

1. The license of a person who does not actively practice in this State for 1 year automatically reverts to inactive status at the time the license renewal fee is next payable. If a person whose license has reverted to inactive status:
 - (a) Continues to practice actively outside this State, the license may be reinstated to active status by the Secretary-Treasurer if the person pays the required reinstatement fee and complies with the conditions prescribed by the regulations of the Board.
 - (b) Does not continue to practice, the license may be reinstated to active status only upon the motion of the Board, submission of the required reinstatement fee and proof of continuing education, and compliance with the conditions prescribed by the regulations of the Board.
2. A licensee who has a disability and cannot practice, or who is retired must be issued a license which reflects that status when the fee to renew the license is next payable. The license may be reinstated to active

status only upon the motion of the Board, submission of the required reinstatement fee and proof of continuing education, and compliance with the conditions prescribed by the regulations of the Board.

(Added to NRS by [1981, 1974](#); A [1985, 381](#); [1989, 1740](#); [1995, 277](#); [1999, 1656, 2849](#))

NRS 631.340 Restoration of license.

1. Any person who has obtained from the Board a license certificate to practice dental hygiene, dental therapy or dentistry or any special branch of dentistry in this State, and who fails to obtain a renewal certificate, must, before resuming the practice in which he or she was licensed, make application to the Secretary-Treasurer, under such rules as the Board may prescribe, for the restoration of the license to practice.

2. Upon application being made, the Secretary-Treasurer shall determine whether the applicant possesses the qualifications prescribed for the granting of a license to practice in his or her particular profession, and whether the applicant continues to possess a good moral character and is not otherwise disqualified to practice in this State. If the Secretary-Treasurer so determines, the Secretary-Treasurer shall thereupon issue the license, and thereafter the person may make application annually for a renewal certificate, as provided in this chapter.

[9:152:1951]—(NRS A [1967, 867](#); [1981, 1976](#); [1995, 278](#); [2019, 3215](#))

NRS 622

NRS 622.085 Development and implementation of process for preliminary determination of whether person's criminal history will disqualify person from obtaining license; fee; posting of requirements and list of disqualifying crimes for licensure on Internet website; request for criminal history record; prohibition on submission of false or misleading information.

1. Except as otherwise provided in [chapters 624](#) and [648](#) of NRS, a regulatory body shall develop and implement a process by which a person with a criminal history may petition the regulatory body to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license from the regulatory body.

2. Not later than 90 days after a petition is submitted to a regulatory body pursuant to subsection 1, a regulatory body shall inform the person of the determination of the regulatory body of whether the person's criminal history will disqualify the person from obtaining a license. A regulatory body is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. A regulatory body may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the regulatory body at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license from the regulatory body.

5. A person may submit a new petition to the regulatory body not earlier than 2 years after the final determination of the initial petition submitted to the regulatory body.

6. A regulatory body may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. A regulatory body may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. A regulatory body may post on its Internet website:

- (a) The requirements to obtain a license from the regulatory body; and
- (b) A list of crimes, if any, that would disqualify a person from obtaining a license from the regulatory body.

8. A regulatory body may request the criminal history record of a person who petitions the regulatory body for a determination pursuant to subsection 1. To the extent consistent with federal law, if the regulatory body makes such a request of a person, the regulatory body shall require the person to submit his or her criminal history record which includes a report from:

- (a) The Central Repository for Nevada Records of Criminal History; and
- (b) The Federal Bureau of Investigation.

9. A person who petitions a regulatory body for a determination pursuant to subsection 1 shall not submit false or misleading information to the regulatory body.

(Added to NRS by [2019, 2901](#))

NRS 622.510 Regulatory body to develop opportunities for reciprocity for qualified active member of Armed Forces, member's spouse, veteran or veteran's surviving spouse. A regulatory body shall develop opportunities for reciprocity of licensure for any person who:

- 1. Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran; and
- 2. Holds a valid and unrestricted license to practice his or her profession that is not recognized by this State.

NRS 622.520 Authority of certain regulatory bodies to enter into reciprocal licensing agreements; restrictions; annual report. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. A regulatory body that regulates a profession pursuant to [chapters 630, 630A, 632 to 641D](#), inclusive, [644A](#) or [653](#) of NRS in this State may enter into a reciprocal agreement with the corresponding regulatory authority of the District of Columbia or any other state or territory of the United States for the purposes of:

- (a) Authorizing a qualified person licensed in the profession in that state or territory to practice concurrently in this State and one or more other states or territories of the United States; and
- (b) Regulating the practice of such a person.

2. A regulatory body may enter into a reciprocal agreement pursuant to subsection 1 only if the regulatory body determines that:

- (a) The corresponding regulatory authority is authorized by law to enter into such an agreement with the regulatory body; and
- (b) The applicable provisions of law governing the practice of the respective profession in the state or territory on whose behalf the corresponding regulatory authority would execute the reciprocal agreement are substantially similar to the corresponding provisions of law in this State.

3. A reciprocal agreement entered into pursuant to subsection 1 must not authorize a person to practice his or her profession concurrently in this State unless the person:

- (a) Has an active license to practice his or her profession in another state or territory of the United States.

(b) Has been in practice for at least the 5 years immediately preceding the date on which the person submits an application for the issuance of a license pursuant to a reciprocal agreement entered into pursuant to subsection 1.

(c) Has not had his or her license suspended or revoked in any state or territory of the United States.

(d) Has not been refused a license to practice in any state or territory of the United States for any reason.

(e) Is not involved in and does not have pending any disciplinary action concerning his or her license or practice in any state or territory of the United States.

(f) Pays any applicable fees for the issuance of a license that are otherwise required for a person to obtain a license in this State.

(g) Submits to the applicable regulatory body the statement required by [NRS 425.520](#).

4. If the regulatory body enters into a reciprocal agreement pursuant to subsection 1, the regulatory body must prepare an annual report before January 31 of each year outlining the progress of the regulatory body as it relates to the reciprocal agreement and submit the report to the Director of the Legislative Counsel Bureau for transmittal to the next session of the Legislature in odd-numbered years or to the Joint Interim Standing Committee on Health and Human Services in even-numbered years.

(Added to NRS by [2015, 3865](#); A [2019, 2733](#); [2021, 1592](#))

NRS 622.520 Authority of certain regulatory bodies to enter into reciprocal licensing agreements; restrictions; annual report. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. A regulatory body that regulates a profession pursuant to [chapters 630, 630A, 632](#) to [641D](#), inclusive, [644A](#) or [653](#) of NRS in this State may enter into a reciprocal agreement with the corresponding regulatory authority of the District of Columbia or any other state or territory of the United States for the purposes of:

(a) Authorizing a qualified person licensed in the profession in that state or territory to practice concurrently in this State and one or more other states or territories of the United States; and

(b) Regulating the practice of such a person.

2. A regulatory body may enter into a reciprocal agreement pursuant to subsection 1 only if the regulatory body determines that:

(a) The corresponding regulatory authority is authorized by law to enter into such an agreement with the regulatory body; and

(b) The applicable provisions of law governing the practice of the respective profession in the state or territory on whose behalf the corresponding regulatory authority would execute the reciprocal agreement are substantially similar to the corresponding provisions of law in this State.

3. A reciprocal agreement entered into pursuant to subsection 1 must not authorize a person to practice his or her profession concurrently in this State unless the person:

(a) Has an active license to practice his or her profession in another state or territory of the United States.

(b) Has been in practice for at least the 5 years immediately preceding the date on which the person submits an application for the issuance of a license pursuant to a reciprocal agreement entered into pursuant to subsection 1.

(c) Has not had his or her license suspended or revoked in any state or territory of the United States.

(d) Has not been refused a license to practice in any state or territory of the United States for any reason.

(e) Is not involved in and does not have pending any disciplinary action concerning his or her license or practice in any state or territory of the United States.

(f) Pays any applicable fees for the issuance of a license that are otherwise required for a person to obtain a license in this State.

4. If the regulatory body enters into a reciprocal agreement pursuant to subsection 1, the regulatory body must prepare an annual report before January 31 of each year outlining the progress of the regulatory body as it relates to the reciprocal agreement and submit the report to the Director of the Legislative Counsel Bureau for transmittal to the next session of the Legislature in odd-numbered years or to the Joint Interim Standing Committee on Health and Human Services in even-numbered years.

(Added to NRS by [2015, 3865](#); A [2015, 3922](#); [2019, 2733](#); [2021, 1592](#), effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

NRS 622.530 Regulatory body to adopt regulations for license by endorsement for qualified persons; restrictions; issuance of license by endorsement; conflicts with other license by endorsement provisions. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. Except as otherwise provided by specific statute relating to the issuance of a license by endorsement, a regulatory body shall adopt regulations providing for the issuance of a license by endorsement to engage in an occupation or profession in this State to any natural person who:

(a) Holds a corresponding valid and unrestricted license to engage in that occupation or profession in the District of Columbia or any state or territory of the United States;

(b) Possesses qualifications that are substantially similar to the qualifications required for issuance of a license to engage in that occupation or profession in this State; and

(c) Satisfies the requirements of this section and the regulations adopted pursuant thereto.

2. The regulations adopted pursuant to subsection 1 must not allow the issuance of a license by endorsement to engage in an occupation or profession in this State to a natural person unless such a person:

(a) Has not been disciplined by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to engage in an occupation or profession;

(b) Has not been held civilly or criminally liable in the District of Columbia or any state or territory of the United States for misconduct relating to his or her occupation or profession;

(c) Has not had a license to engage in an occupation or profession suspended or revoked in the District of Columbia or any state or territory of the United States;

(d) Has not been refused a license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States for any reason;

(e) Does not have pending any disciplinary action concerning his or her license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States;

(f) Pays any applicable fees for the issuance of a license that are otherwise required for a natural person to obtain a license in this State;

(g) Submits to the regulatory body a complete set of his or her fingerprints and written permission authorizing the regulatory body to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report or proof that the applicant has previously passed a comparable criminal background check; and

(h) Submits to the regulatory body the statement required by [NRS 425.520](#).

3. A regulatory body may, by regulation, require an applicant for issuance of a license by endorsement to engage in an occupation or profession in this State to submit with his or her application:

(a) Proof satisfactory to the regulatory body that the applicant:

(1) Has achieved a passing score on a nationally recognized, nationally accredited or nationally certified examination or other examination approved by the regulatory body;

(2) Has completed the requirements of an appropriate vocational, academic or professional program of study in the occupation or profession for which the applicant is seeking a license by endorsement in this State;

(3) Has engaged in the occupation or profession for which the applicant is seeking a license by endorsement in this State pursuant to the applicant's existing licensure for the period determined by the regulatory body preceding the date of the application; and

(4) Possesses a sufficient degree of competency in the occupation or profession for which he or she is seeking licensure by endorsement in this State;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and complete; and

(c) Any other information required by the regulatory body.

4. Not later than 21 business days after receiving an application for a license by endorsement to engage in an occupation or profession pursuant to this section, the regulatory body shall provide written notice to the applicant of any additional information required by the regulatory body to consider the application. Unless the regulatory body denies the application for good cause, the regulatory body shall approve the application and issue a license by endorsement to engage in the occupation or profession to the applicant not later than:

(a) Sixty days after receiving the application;

(b) If the regulatory body requires an applicant to submit fingerprints and authorize the preparation of a report on the applicant's background based on the submission of the applicant's fingerprints, 15 days after the regulatory body receives the report; or

(c) If the regulatory body requires the filing and maintenance of a bond as a requirement for the issuance of a license, 15 days after the filing of the bond with the regulatory body,
 Æ whichever occurs later.

5. A license by endorsement to engage in an occupation or profession in this State issued pursuant to this section may be issued at a meeting of the regulatory body or between its meetings by the presiding member of the regulatory body and the executive head of the regulatory body. Such an action shall be deemed to be an action of the regulatory body.

6. A regulatory body may deny an application for licensure by endorsement if:

(a) An applicant willfully fails to comply with the provisions of paragraph (g) of subsection 2; or

(b) The report from the Federal Bureau of Investigation indicates that the applicant has been convicted of a crime that would be grounds for taking disciplinary action against the applicant as a licensee and the regulatory body has not previously taken disciplinary action against the licensee based on that conviction.

7. The provisions of this section are intended to supplement other provisions of statute governing licensure by endorsement. If any provision of statute conflicts with this section, the other provision of statute prevails over this section to the extent that the other provisions provide more specific requirements relating to licensure by endorsement.

(Added to NRS by [2017, 3510](#); A [2019, 4257](#))

NRS 622.530 Regulatory body to adopt regulations for license by endorsement for qualified persons; restrictions; issuance of license by endorsement; conflicts with other license by endorsement provisions. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. Except as otherwise provided by specific statute relating to the issuance of a license by endorsement, a regulatory body shall adopt regulations providing for the issuance of a license by endorsement to engage in an occupation or profession in this State to any natural person who:

- (a) Holds a corresponding valid and unrestricted license to engage in that occupation or profession in the District of Columbia or any state or territory of the United States;
- (b) Possesses qualifications that are substantially similar to the qualifications required for issuance of a license to engage in that occupation or profession in this State; and
- (c) Satisfies the requirements of this section and the regulations adopted pursuant thereto.

2. The regulations adopted pursuant to subsection 1 must not allow the issuance of a license by endorsement to engage in an occupation or profession in this State to a natural person unless such a person:

- (a) Has not been disciplined by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to engage in an occupation or profession;
- (b) Has not been held civilly or criminally liable in the District of Columbia or any state or territory of the United States for misconduct relating to his or her occupation or profession;
- (c) Has not had a license to engage in an occupation or profession suspended or revoked in the District of Columbia or any state or territory of the United States;
- (d) Has not been refused a license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States for any reason;
- (e) Does not have pending any disciplinary action concerning his or her license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States;
- (f) Pays any applicable fees for the issuance of a license that are otherwise required for a natural person to obtain a license in this State; and
- (g) Submits to the regulatory body a complete set of his or her fingerprints and written permission authorizing the regulatory body to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report or proof that the applicant has previously passed a comparable criminal background check.

3. A regulatory body may, by regulation, require an applicant for issuance of a license by endorsement to engage in an occupation or profession in this State to submit with his or her application:

- (a) Proof satisfactory to the regulatory body that the applicant:
 - (1) Has achieved a passing score on a nationally recognized, nationally accredited or nationally certified examination or other examination approved by the regulatory body;
 - (2) Has completed the requirements of an appropriate vocational, academic or professional program of study in the occupation or profession for which the applicant is seeking a license by endorsement in this State;
 - (3) Has engaged in the occupation or profession for which the applicant is seeking a license by endorsement in this State pursuant to the applicant's existing licensure for the period determined by the regulatory body preceding the date of the application; and
 - (4) Possesses a sufficient degree of competency in the occupation or profession for which he or she is seeking licensure by endorsement in this State;
- (b) An affidavit stating that the information contained in the application and any accompanying material is true and complete; and
- (c) Any other information required by the regulatory body.

4. Not later than 21 business days after receiving an application for a license by endorsement to engage in an occupation or profession pursuant to this section, the regulatory body shall provide written notice to the applicant of any additional information required by the regulatory body to consider the application. Unless the regulatory body denies the application for good cause, the regulatory body shall approve the application and issue a license by endorsement to engage in the occupation or profession to the applicant not later than:

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(b) If the regulatory body requires an applicant to submit fingerprints and authorize the preparation of a report on the applicant's background based on the submission of the applicant's fingerprints, 15 days after the regulatory body receives the report; or

(c) If the regulatory body requires the filing and maintenance of a bond as a requirement for the issuance of a license, 15 days after the filing of the bond with the regulatory body,
 Ê whichever occurs later.

5. A license by endorsement to engage in an occupation or profession in this State issued pursuant to this section may be issued at a meeting of the regulatory body or between its meetings by the presiding member of the regulatory body and the executive head of the regulatory body. Such an action shall be deemed to be an action of the regulatory body.

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(a) An applicant willfully fails to comply with the provisions of paragraph (g) of subsection 2; or

(b) The report from the Federal Bureau of Investigation indicates that the applicant has been convicted of a crime that would be grounds for taking disciplinary action against the applicant as a licensee and the regulatory body has not previously taken disciplinary action against the licensee based on that conviction.

7. The provisions of this section are intended to supplement other provisions of statute governing licensure by endorsement. If any provision of statute conflicts with this section, the other provision of statute prevails over this section to the extent that the other provisions provide more specific requirements relating to licensure by endorsement.

(Added to NRS by [2017, 3510, 3514](#); A [2019, 4257](#), effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

DISCIPLINARY ACTION

NAC 631.230 Unprofessional conduct. (NRS 631.190, 631.346, 631.347, 631.350)

1. In addition to those specified by statute and subsection 3 of NAC 631.177, the following acts constitute unprofessional conduct:

- (a) The falsification of records of health care or medical records.
- (b) Writing prescriptions for controlled substances in such excessive amounts as to constitute a departure from prevailing standards of acceptable dental practice.
- (c) The consistent use of dental procedures, services or treatments which constitute a departure from prevailing standards of acceptable dental practice ~~even though if the use does not constitute~~ malpractice or gross malpractice.
- (d) The acquisition of any controlled substances from any pharmacy or other source by misrepresentation, fraud, deception or subterfuge.
- (e) ~~Making an unreasonable additional charge for laboratory tests, radiology services or other testing services which are ordered by the dentist and performed outside his or her own office.~~
- (f) The failure to report to the Board as required in NAC 631.155. ~~or to sign any affidavit required by the Board.~~
- (g) Employing any person in violation of NAC 631.260 or failing to ~~attest report~~ to the Board as required by that section.
- (h) The failure of a dentist who is administering or directly supervising the administration of general anesthesia, deep sedation or moderate sedation to be physically present while a patient is under general anesthesia, deep sedation or moderate sedation.
- (i) Administering moderate sedation to more than one patient at a time, unless each patient is directly supervised by a person authorized by the Board to administer moderate sedation.
- (j) Administering general anesthesia or deep sedation to more than one patient at a time.
- (k) The failure to have any patient who is undergoing general anesthesia, deep sedation or moderate sedation monitored with a pulse oximeter or similar equipment required by the Board.
- (l) Allowing a person who is not certified in basic cardiopulmonary resuscitation to care for any patient who is undergoing general anesthesia, deep sedation or moderate sedation.
- (m) The failure to obtain a patient's written, informed consent before administering general anesthesia, deep sedation or moderate sedation to the patient or, if the patient is a minor, the failure to obtain his or her parent's or guardian's consent unless the dentist determines that an emergency situation exists in which delaying the procedure to obtain the consent would likely cause permanent injury to the patient.

(n) The failure to maintain a record of all written, informed consents given for the administration of general anesthesia, deep sedation or moderate sedation.

(o) The failure to report to the Board, in writing, the death or emergency hospitalization of any patient to whom general anesthesia, deep sedation or moderate sedation was administered. The report must be made within 30 days after the event.

(p) Allowing a person to administer general anesthesia, deep sedation or moderate sedation to a patient if the person does not hold a permit to administer such anesthesia or sedation unless the anesthesia or sedation is administered in a facility for which a permit is held as required by NRS 449.442.

(q) The failure of a dentist who owns a dental practice to provide copies of the records of a patient to a dentist, dental therapist, or dental hygienist who provided the services as an employee or independent contractor of the dentist when the records are the basis of a complaint before the Board. Nothing in this paragraph relieves the treating dentist, dental therapist, or dental hygienist from the obligation to provide records of the patient to the Board.

(r) The failure of a dentist who owns a dental practice to verify the license of a dentist, dental therapist, or dental hygienist before offering employment or contracting for services with the dentist, dental therapist, or dental hygienist as an independent contractor unless the employee or independent contractor fraudulently misrepresents credentials.

~~(s) The failure of a dentist who owns a dental practice and participates in the diagnosis and treatment of any patient to ensure that the services rendered by a dentist or dental hygienist who is an employee or independent contractor of that dentist meet the prevailing standards of acceptable dental practice. If a dentist or dental hygienist who is an employee or independent contractor of the dentist is found by substantial evidence to have provided services below the prevailing standards of acceptable dental practice, the dentist who owns the dental practice may be required to reimburse the patient to whom the services were provided pursuant to paragraph (l) of subsection 1 of NRS 631.350.~~

~~(t) The failure of a dentist who owns a dental practice to record the name of the dentist, dental therapist, or dental hygienist who provided the services in the records of a patient each time the services are rendered.~~

(u) The failure of a dentist who is registered to dispense controlled substances with the State Board of Pharmacy pursuant to chapter 453 of NRS to conduct annually a minimum of one self-query regarding the issuance of controlled substances through the Prescription Monitoring Program of the State Board of Pharmacy.

(v) If the Board takes action pursuant to NRS 631.350 (l) the person required to reimburse is defined as the licensee subject to the action.

~~2. For purposes of NRS 631.347, a plan or practice requiring a patient to select a dentist from a specific group does not provide the patient with a reasonable opportunity to select a dentist of his or her own choice, and constitutes unprofessional conduct on —~~

the part of any dentist participating in such a plan or practice, unless it, or another plan concurrently available to the patient, allows the patient to:

(a) Have an annual opportunity, lasting for a minimum of 30 days, to select a dentist of his or her own choice for all dental work to be performed during the subsequent 12 months. Any new patient added to the plan or practice must immediately be given an initial opportunity, lasting at least 30 days, to select the coverage supplied by the plan or practice or a dentist of his or her own choice.

(b) Receive the allowance for a procedure performed by a dentist of his or her own choice in substantially the same amount as he or she would if he or she used the services of one of the group of dentists specified by the plan or practice.

[Bd. of Dental Exam'rs, § XXVII, eff. 7-21-82] — (NAC A 10-21-83; 7-30-84; 9-13-85; 9-16-85; 4-3-89; 11-28-90; R005-99, 9-7-2000; R023-06, 9-18-2006; R159-08, 4-23-2009; R020-14, 6-23-2014; R004-17, 5-16-2018)

NAC 631.235 “Insurer” defined for purposes of NRS 631.348. (NRS 631.190, 631.348) For the purposes of NRS 631.348, “insurer” includes any entity licensed or required to be licensed by the Commissioner of Insurance pursuant to title 57 of NRS, Medicare, Medicaid or any third party payor.

(Added to NAC by Bd. of Dental Exam'rs, eff. 7-30-84)

NAC 631.240 Complaints against licensees. (NRS 631.190)

1. Any aggrieved person may file a complaint with the Board against a licensee. The complaint must:

— (a) Be submitted on the public complaints form on the Nevada State Dental Examiners website written;

— (b) Be attested to signed and verified by the complainant; and

— (c) Contain specific charges. Must qualify as violations of NRS 631 or NAC 631 which are listed specifically on the public complaints form.

2. The Board will send a notice and a copy of the complaint to the licensee. The licensee may must file a response to the complaint within 30 15 days after receiving the notice and copy of the complaint.

— [Bd. of Dental Exam'rs, § XVII, eff. 7-21-82] — (NAC A 4-3-89)

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1. A complaint filed by an aggrieved person must be:

— (a) **Verified by Declaration under the penalty of perjury and filed on a form prescribed on the Board website.**

(b) Submitted with sufficient evidence to support the allegations in order to make a determination of whether the Board has jurisdiction in the matter and whether there is sufficient evidence to support the allegation of a violation. The complaint form shall list each violation of unprofessional conduct under Chapter 631. The complainant shall indicate on the complaint form, the specific violation that correlates with the allegation and shall provide sufficient evidence to support the allegation of the violation. Allegations involving financial disputes do not qualify as violations of professional misconduct. The complaint form shall contain the authorization for use/disclosure of protected health information of the complainant.

(c) The complaint form shall be redacted by an independent third-party of any information identifying the accused person before it is reviewed for jurisdiction by the Board Counsel.

(d) Upon receipt of a redacted complaint filed pursuant to paragraph (a), (b) and (c) the Board Counsel shall make a determination whether to accept jurisdiction in the matter and whether the evidence submitted with the redacted complaint is sufficient to warrant an investigation pursuant to NRS 631.360 in the matter. This determination shall be made within 30 days after receiving the redacted complaint. Board Counsel shall attest on the document for the determination:

- (i) have no knowledge of the identity of the accused person and
- (ii) had no communication with any person with regard to the subject matter of the redacted complaint; and
- (iii) have not been unduly influenced in making the determination

(e) If the Board Counsel determines the Board does not have jurisdiction in the matter or the redacted complainant fails to submit sufficient evidence in the matter, the redacted complaint will be referred to the Review Panel with a recommendation to dismiss the complaint. Upon receiving a recommendation from the Board counsel, the Review Panel will within 45 days:

- (i) reject the recommendation without prejudice and instruct the Executive Director to assign the matter to an Nevada licensed investigator; or
- (ii) accept the recommendation and recommend the Board dismiss the redacted complaint. The Board counsel's recommendation shall be presented, with the redacted complaint, to the Board for dismissal.

(f) Each member of the Review Panel shall attest on the document of their recommendation:

- (i) have no knowledge of the identity of the accused person; and
- (ii) had no communication with any person with regard to the subject matter of the complaint
- (iii) have not been unduly influenced in making the recommendation

(g) If the Board receives a recommendation of the Review Panel to dismiss the redacted complaint the Board will within 60 days:

- (i) reject the recommendation without prejudice and instruct the Executive Director to assign the matter to an **Nevada licensed** investigator; or
- (ii) accept the recommendation and dismiss the complaint.
- (iii) the Executive Director shall, in writing, obtain the identity of the licensee and notify the complainant and the accused person of the dismissal within ten days.

(h) If the Board counsel determines that the Board has jurisdiction in the matter to investigate all or a portion of the complaint, the Executive Director shall assign the redacted complaint to an **Nevada licensed** investigator. The Executive Director shall notify the licensee that the matter has been forwarded to a **Nevada licensed** investigator.

(i) The Executive Director and the **Nevada licensed** investigator shall attest on the notice of complaint that they:

- (i) have knowledge of the identity of the accused person; and
- (ii) will maintain the identity of the accused person confidential from the Board Dental Expert and the Review Panel.

NAC 631 Authorized Board Investigation upon its own motion:

1. If the Board receives information that leads the Executive Director and Board counsel to reasonably conclude that a licensee may have committed a violation under the jurisdiction of chapter 631, the Executive Director and Board counsel may make a recommendation to the Board that the Board initiate a complaint upon its own motion.

2. A recommendation from the Executive Director and Board counsel pursuant to subsection 1 must:

- (a) contain a written statement setting forth the information that supports the recommendation; and

- (b) list the specific violation of unprofessional conduct under Chapter 631,
- (c) Include any reliable and competent form of proof, including, without limitation, statements of witnesses, public or private records, audio or visual recordings, documents, exhibits, concrete objects or another form of proof, that supports the recommendation.
- (d) redact the identifying information of the accused person

3. The Executive Director and the Board counsel shall attest on the recommendation of the authorized investigation that they:

- (i) have knowledge of the identity of the accused person; and
- (ii) will maintain the identity of the accused person confidential from the Board Dental Expert and the Review Panel.

4. Upon receiving a recommendation from the Executive Director and General Counsel pursuant to subsection 1, the Board will:

- (a) Reject the recommendation without prejudice; or
- (b) Accept the recommendation and initiate a notice of complaint upon its own motion pursuant to NRS 631.360

Such a motion shall:

- (1) be a determination by the Board that it has jurisdiction in the matter and the evidence is sufficient to warrant an investigation in the matter; and
- (2) will direct the Executive Director to investigate the complaint as required pursuant to NRS 631.360

5. The notice of complaint shall contain:

- (a) contain a written statement setting forth the information that supports the recommendation; and
- (b) list the specific violation of unprofessional conduct under Chapter 631; and
- (c) Include any reliable and competent form of proof, including, without limitation, statements of witnesses, public or private records, audio or visual recordings, documents, exhibits, concrete objects or another form of proof, that supports the recommendation.

NAC 631.250 Investigation by Board. (NRS 631.190, 631.360, 631.363)

1. If the Board conducts an investigation upon a complaint against a licensee, the Board will ~~not~~ limit the scope of its investigation to the matters set forth in the public complaints form and ~~but~~ will not extend the investigation to any additional matters beyond the complaint, which appear to constitute a violation of any provision of chapter 631 of NRS or of this chapter.

2. If, the investigation deems that there is no violation of NRS 631 or NAC 631 after its investigation, the Board shall ~~dismisses~~ the complaint, The complaint shall not be remanded over the licensee to be used in the dismissal does not operate as a limitation on or a detriment to any subsequent complaints or investigations or other action by the Board unless the Board receives additional information from the complainant relevant to that complaint.

3. Whenever the Board directs that an investigation be conducted into a disciplinary matter, the results of the investigation or any information relating to the investigation will not be examined by and must not be disclosed to, the members of the disciplinary committee of the Board before the Board's hearing on the matter.

[Bd. of Dental Exam'rs, § XVIII, eff. 7-21-82]

4. The Nevada licensed investigator shall forward the notice of complaint to the accused person to the addresses on file at the Board via certified registered U.S. Mail and electronic mail.

5. The accused person shall have thirty (30) days upon receipt of the notice of complaint to provide all records for the patient within the past 5 years.

6. The Executive Director may grant reasonable requests for extensions as needed by the licensee.

7. Failure to provide requested records pertaining to the notice of complaint may be deemed unprofessional conduct pursuant to NAC 631.230.

NAC 631... Assignment of matter to Board Dental Expert

1. Upon receipt of the records and/or written response including any expert opinions from the accused person the Nevada licensed investigator shall redact any identifying information of the accused person from the records and response and forward to a Board Dental Expert.

2. The Board shall retain a Board Dental Expert to review the redacted complaint and records. The complaint and the dental records shall be redacted of any identifying information about the accused person.

3. A Board Dental Expert shall be a licensed dental professionals with no board action within the past ten (10) years and a minimum of five (5) years actively practicing dentistry, dental hygiene and/or dental therapy in Nevada. Redacted Complaints against licensed dentists or specialists shall be sent to Board Dental Expert dentists or specialists. Redacted Complaints against dental therapists shall be sent to Board Dental Expert dentists or Board Dental Expert dental therapists. Redacted Complaints against registered dental hygienists shall be sent to Board Dental Expert dentists, Board Dental Expert dental therapists or Board Dental Expert registered dental hygienists. Redacted Complaints shall be assigned to Board Dental Expert's with expertise in the relevant subject matter of the complaint.

4. The Board Dental Expert shall include in their expert opinion and attest to the Nevada licensed investigator within 45 days of receipt of the records;

- (a) whether there was a breach of the standard of care under Chapter 631; and
- (b) provide sufficient evidence that supports the specific violation which correlates with the allegation;
- (c) have no knowledge of the identity of the accused person; and

(d) had no communication with any person with regard to the subject matter of the complaint; and

(e) have not been unduly influenced in making the determination.

5. The Executive Director may grant reasonable extensions to the Board Dental Expert as needed to

complete the expert opinion.

6. The Board Dental Expert's opinion shall be deemed confidential, except from the licensee,

pursuant to NRS 631.368.

7. The Board may retain other expert opinions from dental professionals who have experienced no board action within the past ten (10) years and a minimum of five (5) years actively practicing outside the state of Nevada. The Executive Director must submit, in writing, a reasonable reason for using an out of state Board Dental Expert.

8. The Nevada licensed investigator shall forward a copy of the Board Dental Expert opinion to the accused person within fifteen (15) days of receipt of the opinion.

9. The accused person shall have thirty (30) days upon receipt of the Board Dental Expert opinion to provide a written response including any expert opinions.

10. A complainant may withdraw their complaint;

(a) at any time before the Nevada licensed investigator forwards the matter to the Board Dental Expert; or

(b) With the consent of the Board, after the Nevada licensed investigator forwards the matter to the Board Dental Expert.

NAC 631..... Assignment of file to Review Panel

1. Pursuant to NRS 631.3635, the Nevada licensed investigator shall forward the redacted complaint, Board Dental Expert opinion and accused person's redacted records and response including any expert opinions relating to the investigation to a Review Panel appointed by the Board pursuant to NRS 641.3635.

2. The Review Panel shall conduct a review of an investigation or informal hearing conducted pursuant to NRS 631.363, review and consider, without limitation:

(a) All files and records collected or produced by the investigator, Board, and/or Board Dental Expert.

(b) Any written findings of fact and conclusions prepared by the investigator; and

(c) Any other information deemed necessary by the review panel.

3. The Review panel may:

(i) make a recommendation to dismiss the complaint; or

(ii) request the Board Dental Expert, Nevada licensed investigator or licensee to respond to any other questions presented by the Review Panel. They shall have sixty (60) days to respond to the Review Panel; or

(iii) make a recommendation for an informal disposition by stipulation. If an informal disposition is made, the parties may waive the requirement for findings of fact and conclusions of law;

(iv) make a recommendation for an informal hearing; or

(v) make a recommendation for a formal hearing.

4. The Review Panel shall present their findings and recommendations to a Hearing Panel delegated by the Board to conduct a formal hearing pursuant to NRS 631.350(3).

NAC 631.....Board Delegation to a Hearing Panel

1. Pursuant to NRS 631.350 (3) and NRS 622a.170 (2) the Board shall designate a Hearing Panel to take

any disciplinary action pursuant to NRS 631.350.

2. The Hearing Panel may retain the services of a Hearing Advisor who is an

independent contractor retained by the Board to attend hearings and advise the hearing panel. The Hearing Advisor may advise the Hearing Panel regarding

any aspects of the hearing as well as the admissibility of any evidence

produced during administrative proceedings.

3. The Hearing Panel shall have three (3) members of the Nevada State

Board of Dental Examiners Disciplinary Committee to preside over any formal hearing conducted pursuant to NRS 631.350 (3) and NRS 622a.170 (2). One member shall be named the Chair for the formal hearing.

4. Each member of the Hearing Panel shall have one vote as to the verdict of any formal hearing conducted by the Panel.

5. Any disciplinary action taken by the Hearing Panel is subject to the same procedural requirements which apply to disciplinary actions taken by the Board, and the Hearing Panel has those powers and duties given to the Board in relation thereto. Before taking any disciplinary action the Hearing Panel shall review and consider the findings of a review panel pursuant to NRS 631.365

6. The Hearing Advisor may advise the Hearing Panel in reviewing the Order and findings of fact and conclusions of law within thirty (30) days after the conclusion of any disciplinary hearing. All members of the Hearing Panel must attach their signature on the Findings within forty five (45) days after the conclusion of the hearing.

7. Failure to comply with the above timetable is not grounds for dismissal of the underlying charges

NAC 631..... Board Approval of Hearing Panel actions.

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1. The Board shall consider the actions taken by the Hearing Panel at the first Board meeting after the Findings have been adopted by the Hearing Panel.

2. The Board may either adopt the Findings as presented or they may reject the findings and schedule a subsequent hearing where the full Board may

consider the matter.

Commented [ADM1]: Violates NRS 631.355 (2) Hearing panel decision is final.

NAC 631.255 Record of hearing conducted by investigator or hearing officer or panel. (NRS 631.190, 631.350, 631.360, 631.363) If the Board has delegated its responsibility pursuant to the provisions of subsection 3 of NRS 631.350 or NRS 631.363, the informal or formal hearing conducted as a result of that delegation of authority must be recorded and transcribed in permanent form by a shorthand reporter licensed to do business in this State.

(Added to NAC by Bd. of Dental Exam'rs, eff. 4-3-89)

CONFLICTS

NAC 631..... Any complaints received by the Board involving Board members and/or employees of the Board shall be referred to the Attorney General's office for resolution.

- (a) Board members as used in this regulation shall include all active members of the Nevada State Board of Dental Examiners as well as former Board members for five (5) years after the Board member leaves the service of the Nevada State Board of Dental Examiners.
- (b) Employees shall include sub-committee members, Preliminary Screening Experts, Infection Control Inspectors, Anesthesia Evaluators, and any other Dentist, Dental Hygienists, or Dental Therapists who receive compensation for employment derived from services rendered to the Board. Cases involving employees of the Board shall only be referred to the Attorney General's Office for incidents occurring while the Dentist, Dental Hygienist, or Dental Therapist at issue in the complaint was employed by the Board or serving on one of the Board's sub-committees.

NAC 631 . . . Upon receipt of a redacted complaint removing the identifying information of the accused, the Board's General Counsel shall review the complaint for jurisdiction. Upon verification of jurisdiction and upon receiving an unredacted complaint thereafter, the Board shall gather all records from the treating Dentist, Dental Hygienist, or Dental Therapist, and forward to a Board Preliminary Screening Expert who shall certify that they have no knowledge of the incident as well as certifying they can fairly evaluate the matter and are not biased.

NAC 631... Upon receipt of the report from the Preliminary Screening Expert, the Board shall refer the matter to the Attorney General's Office for further investigation.

NAC 631... The Attorney General's office shall, subsequent to any further investigation they deem necessary, request that the Office of the Governor appoint independent Board Members and/or Review Panelists who are neither current sitting members or member who sat on the Board five (5) years after they left service, to review the investigation pursuant to NRS 631.3635. This Panel must be consistent with the requirements outlined in NRS 631.3635. The Board General Counsel shall be permitted to attend the review of the Board Member or employee complained of to ensure consistency and fairness in the process.

ADDENDUM TO PROPOSED REGS RE REVIEW PANEL INVESTIGATIVE POWERS

NAC 631.....Assignment of file to Review Panel

1. Pursuant to NRS 631.3635, the ~~Nevada-licensed~~ investigator shall forward the ~~redacted~~ complaint, Board Dental Expert opinion and accused person's ~~redacted~~ records and response including any expert opinions relating to the investigation to a Review Panel appointed by the Board pursuant to NRS 641.3635.

2. The Review Panel shall conduct a review of an investigation or informal hearing conducted pursuant to NRS 631.363, review and consider, without limitation:

- (a) All files and records collected or produced by the investigator, Board, and/or Board Dental Expert.
- (b) Any written findings of fact and conclusions prepared by the investigator; and
- (c) Any other information deemed necessary by the review panel.

3. The Review panel may:

4.

(i) make a recommendation to dismiss the complaint; ~~or~~

(ii) The Review Panel may compel the attendance of witnesses or the production of documents or objects by subpoena. The Review Panel may authorize the Executive Director to issue a subpoena to compel the attendance of witnesses or the production of documents or objects pursuant to NRS 631.360(4). The authorization to the Executive Director to issue a subpoena from the Review Panel must be in writing and state the reasons and necessity of the documents or objects under subpoena to ascertain the allegations being investigated. Any person who is subpoenaed pursuant to this subsection may request the Review Panel to modify the terms of the subpoena or grant additional time for compliance.

(iii)

request the Board Dental Expert, ~~Nevada-licensed~~ investigator or licensee to respond to any other questions presented by the Review Panel. They shall have ~~sixty~~ (60) days to respond to the Review Panel; ~~or~~

(iv) make a recommendation for an informal disposition by stipulation. If an informal disposition is made, the parties may waive the requirement for findings of fact and conclusions of law;

(v) make a recommendation for an informal hearing; ~~or~~

(v) make a recommendation for a formal hearing.

5. The Review Panel shall present their findings and recommendations to a Hearing Panel delegated by the Board to conduct a formal hearing pursuant to NRS 631.350(3).

**PROPOSED REGULATION OF THE
BOARD OF DENTAL EXAMINERS OF NEVADA**

LCB File No. R072-22

August 30, 2022

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§ 1, 2, 11, 15, 16, 21, 25, 26 and 28, NRS 631.190; § 3, NRS 631.190 and 631.312; § 4, NRS 631.190 and 631.3121; § 5, NRS 631.190, 631.3122 and 631.3123; § 6, NRS 631.190 and 631.3124; § 7, NRS 631.190 and 631.350; § 8, NRS 631.190 and 631.345; § 9, NRS 622.530, 631.190 631.220, 631.255, 631.272, 631.274, 631.290 and 631.312; §§ 10 and 12, NRS 631.190 and 631.330; § 13, NRS 631.160, 631.190, 631.260, 631.290 and 631.312; § 14, NRS 631.190 and 631.240; § 17, NRS 631.190 and 631.335; § 18 and 19, NRS 631.190 and 631.342; § 20, NRS 631.190, 631.330, 631.335 and 631.342; § 22, NRS 631.190, 631.250 and 631.255; § 23, NRS 631.190, 631.313 and 631.317; § 24, NRS 631.190, 631.346 and 631.350; § 27, NRS 631.190 and 631.215.

A REGULATION relating to oral health; prescribing certain qualifications for licensure as a dental therapist; prescribing certain requirements governing the practice of a dental therapist; authorizing the summary suspension of authorization for a dentist to supervise a dental therapist under certain circumstances; making various provisions relating to providers of oral healthcare also applicable to dental therapists; prescribing certain fees; providing that mandatory supervision constitutes discipline for certain purposes; authorizing the Board of Dental Examiners of Nevada to require certain persons to pass an examination before the issuance or reinstatement of a license to practice dentistry, dental therapy or dental hygiene; requiring a licensee to notify the Board of certain information; prescribing certain requirements relating to an applicant for a license who has previously voluntarily surrendered his or her license; prescribing continuing education requirements for dental therapists; expanding the circumstances under which the failure to provide proof of continuing education constitutes unprofessional conduct; revising provisions governing audits of compliance with continuing education requirements; expanding the specialties for which the Board may issue a specialist's license; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Senate Bill No. 366 of the 2019 Legislative Session enacted provisions to authorize the practice of dental therapy by licensed dental therapists in this State. (Chapter 532, Statutes of Nevada 2019, at page 3198) Existing law requires the Board of Dental Examiners of Nevada to adopt rules and regulations necessary to carry out the provisions relating to the profession and

practice of dental therapy and the examination of applicants for licensure as dental therapists. (NRS 631.190)

Existing law requires a person who applies for a license to practice dental therapy to be a graduate of a program of dental therapy that: (1) is accredited by a regional education accrediting organization; (2) is accredited by the Commission on Dental Accreditation of the American Dental Association; and (3) includes not less than 2 years of academic instruction. (NRS 631.312) **Section 3** of this regulation additionally requires such a program of dental therapy to include: (1) at least 500 hours of clinical practice; and (2) at least 3 years of academic instruction.

Existing law requires an applicant for a license to practice dental therapy to have passed certain clinical examinations. (NRS 631.3121) **Section 4** of this regulation prescribes the required contents of those clinical examinations.

Existing law requires a dental therapist to practice under the authorization and supervision of a dentist. A dental therapist is only authorized to perform the services that are within the scope of his or her supervising dentist, authorized by the dentist and provided according to written practices and protocols. (NRS 631.3122) Existing law further requires: (1) a dental therapist to enter into a written practice agreement with his or her authorizing dentist; and (2) such a written practice agreement to include certain provisions. (NRS 631.3122, 631.3123) **Section 5** of this regulation additionally requires a written practice agreement to include certain provisions regarding the maintenance of records and responding to medical emergencies.

Existing law authorizes the Board to discipline a person who engages in unprofessional conduct or violates any regulation adopted by the Board. (NRS 631.350) **Section 7** of this regulation authorizes the Board to summarily suspend a dentist from supervising a dental therapist if an investigation reasonably finds that the safety, health or welfare of the public or a patient is at risk. **Section 7** requires a hearing to be held and a decision made concerning the summary suspension not later than 60 days after the issuance of the order unless the dentist and the Board agree to a longer time period.

Existing law authorizes a dental therapist to perform certain procedures. (NRS 631.3124) **Section 6** of this regulation prescribes the procedures that a dental therapist is authorized to perform: (1) under the direct supervision of the authorizing dentist; (2) under the indirect supervision of the authorizing dentist; and (3) without the authorizing dentist examining the patient before the procedure. **Sections 2 and 6** of this regulation defines the terms “direct supervision” and “indirect supervision,” respectively, for those purposes.

Sections 8-10, 12, 13, 15, 17, 21 and 23-28 of this regulation add references to dental therapy and dental therapists to certain provisions governing licensing and standards of practice for providers of oral health care. **Sections 18-20** of this regulation prescribe continuing education requirements for dental therapists.

Existing law requires the Board to establish by regulation fees associated with the performance of its duties. (NRS 631.345) Existing regulations establish a fee for the inspection of a facility required by the Board to ensure compliance with infection control guidelines. (NAC 631.029) **Section 8** of this regulation adds a reduced fee for a second or subsequent inspection of a facility to ensure compliance with infection control guidelines. **Section 8** also imposes a fee for a second or subsequent audit of a licensee to ensure compliance with continuing education requirements.

Existing regulations: (1) require an applicant for licensure as a dentist, dental therapist or dental hygienist to provide to the Board information concerning discipline imposed against the

applicant in another jurisdiction; and (2) authorize the Executive Director or Secretary-Treasurer of the Board to reject an application for licensure if the applicant has been subject to such discipline. (NAC 631.030, 631.050) **Sections 9 and 13** of this regulation clarify that being subject to mandatory supervision constitutes discipline for those purposes.

Existing law provides that the term “substance abuse” is a term disfavored for use in the Nevada Revised Statutes and the Nevada Administrative Code. (NRS 220.125, 233B.062) **Sections 9 and 13** replace the term “substance abuse” with terminology that is preferred by the Legislature.

Section 11 of this regulation removes an obsolete reference to an Internet website from a provision adopting by reference certain standards relating to the use of laser radiation in the practice of dentistry. **Section 21** of this regulation updates a reference to an Internet website with the correct address for guidelines relating to disinfection and sterilization. **Section 27** of this regulation updates a statutory reference to reflect technical changes made during the 2019 Legislative Session.

Existing regulations provide that the Board may require a licensee whose license has been placed on inactive status for 2 years or more and who is not actively practicing in another state to pass such examinations for licensure as the Board may prescribe before his or her license is reinstated. (NAC 631.170) **Section 14** of this regulation provides that the Board may similarly require a former licensee who has not held a license in this State for 2 years or more and has not maintained an active practice outside this State to pass such examinations before issuing a new license to the applicant. **Section 17** of this regulation provides that the Board may require a licensee whose license has been suspended for 2 years or more and who has not maintained an active practice outside this State to pass such examinations before reinstating his or her license. **Sections 14 and 17** further clarify that a licensee or former licensee is not maintaining an active practice outside this State if he or she is not practicing because of disciplinary action in another jurisdiction.

Existing law authorizes the Board to discipline a licensee for certain conduct, including malpractice, disciplinary action imposed against the licensee in another jurisdiction or conviction of certain crimes. (NRS 631.3475, 631.350) Existing regulations require a licensee to notify the Board if he or she receives such discipline or is convicted of such crimes. (NAC 631.155) **Section 15** of this regulation similarly requires a licensee to notify the Board of any claim or complaint of malpractice served and filed on the licensee.

Existing regulations authorize the Board to accept the voluntary surrender of a license by a licensee. (NAC 631.160) **Section 16** of this regulation prescribes certain requirements that a licensee who has voluntarily surrendered his or her license must satisfy before applying for a new license.

Existing regulations: (1) require a licensee to provide proof of his or her continuing education credits; and (2) provide that the third or subsequent failure of a licensee to provide such proof constitutes unprofessional conduct, which is grounds for discipline under existing law. (NAC 631.177) **Section 20** of this regulation instead provides that the second or subsequent such failure constitutes unprofessional conduct.

Existing regulations provide that the Board will conduct audits of providers of oral health care to ensure compliance with continuing education requirements. (NAC 631.177) **Section 20** clarifies that the Board may conduct follow-up audits after an initial audit.

Existing law authorizes the Board to issue a specialist’s license, which authorizes a dentist to hold himself or herself out as a specialist in a special area of dentistry. (NRS 631.250)

Section 22 of this regulation adds dental anesthesiology, oral medicine and orofacial pain to the list of specialties for which the Board may issue a specialist license.

Section 1. Chapter 631 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this regulation.

Sec. 2. *For the purposes of this chapter and NRS 631.3122, the Board will interpret “direct supervision” to mean supervision by a dentist where the dentist:*

- 1. Documents in the record of the patient the name of the dental therapist providing care to the patient;*
- 2. Examines the patient before the dental therapist performs the procedure;*
- 3. Provides instructions for treating the patient before the dental therapist begins treating the patient; and*
- 4. Examines the patient upon completion of the procedures performed by the dental therapist.*

Sec. 3. *1. In addition to the requirements set forth in NRS 631.312, a program of dental therapy completed pursuant to paragraph (c) of subsection 1 of NRS 631.312 must include, without limitation:*

- (a) At least 500 hours of clinical practice, including, without limitation, practice hours in extractions and restorations; and*
 - (b) At least 3 years of academic instruction in dental therapy or its academic equivalent.*
- 2. The hours of clinical practice required by subsection 1 may not be used to fulfill the hours of clinical practice required pursuant to NRS 631.3122.*

Sec. 4. *Except as otherwise provided in NRS 622.090, in fulfillment of the requirements of paragraph (b) of subsection 1 of NRS 631.3121, an applicant taking the clinical*

examination approved by the Board and the American Board of Dental Examiners or the clinical examination administered by the Western Regional Examining Board must:

- 1. Pass a simulated clinical examination in dental therapy or a comparable examination administered by the Western Regional Examining Board, as applicable;*
- 2. Demonstrate proficiency in endodontics on a simulated mannequin as the organization administering the clinical examination requires;*
- 3. Demonstrate proficiency in the preparation and placement of pre-formed crowns on a simulated mannequin as the organization administering the clinical examination requires;*
and
- 4. Demonstrate proficiency in restorative dentistry on a live patient as the organization administering the clinical examination requires.*

Sec. 5. In addition to the items required by NRS 631.3123, a written practice agreement between a dentist and a dental therapist must include, without limitation:

- 1. Procedures for the duplication, maintenance and storage of the records of the patients of the dental therapist by the authorizing dentist;*
- 2. Specific procedures for the management of medical emergencies, including, without limitation:*
 - (a) A requirement that the dental therapist may be certified in the administration of cardiopulmonary resuscitation in accordance with NAC 631.173; and*
 - (b) Procedures for the administration of first aid, an automated external defibrillator and supplemental oxygen;*
- 3. The tasks every staff member is required to perform when a medical emergency occurs;*
and

4. Procedures for the maintenance of a written log to document the monthly review of the records of patients which must include, without limitation:

(a) Evaluations of each referral of a patient made by the dental therapist to an authorizing dentist or an appropriate dental specialist and any follow-up of such a referral;

(b) The demographic information of the authorizing dentist and dental therapist, with any personally identifying information removed; and

(c) Procedures for making the written log available to the Board for review and examination upon request.

Sec. 6. 1. A dental therapist may provide the following services to a patient under the indirect supervision or direct supervisor of the authorizing dentist:

(a) Making and exposing cone-beam radiographs;

(b) Application of topical preventive or prophylactic agents, including, without limitation, fluoride varnishes and pit and fissure sealants when a radiograph was obtained not less than 6 months ago;

(c) Removal of excess cement from cemented restorations or orthodontic appliances without rotary;

(d) Re-cementing permanent crowns and bridges with nonpermanent material as a palliative treatment;

(e) Administering local intraoral chemotherapeutic agents in any form except aerosol including, without limitation, antimicrobial agents, fluoride preparations, topical anesthetics and topical desensitizing agents;

(f) Minor adjustments and repairs of removable partial dentures; and

(g) Placement and removal of space maintainers.

2. A dental therapist may provide the following services to a patient only under the direct supervision of a dentist:

- (a) Cavity preparation;*
 - (b) Restoration of primary and permanent teeth;*
 - (c) Extractions of primary teeth and permanent teeth with grade three plus mobility with recorded periodontal charting;*
 - (d) Preparation and placement of preformed crowns on primary teeth;*
 - (e) Indirect and direct pulp capping of permanent teeth;*
 - (f) Administration of local anesthetic;*
 - (g) Sub-gingival curettage;*
 - (h) Fabricating mouth guards for temporomandibular joint dysfunction or sleep disorders;*
- and*
- (i) Definitive charting of the oral cavity.*

3. A dental therapist may provide the following services to a patient who has not first seen a dentist for examination:

- (a) Making a radiograph through periapical, bitewing or panorex;*
- (b) Mechanical polishing;*
- (c) Application of desensitizing medication or resin;*
- (d) Preliminary charting of an oral cavity;*
- (e) Removal of sutures;*
- (f) Instruction and education on oral health and disease prevention, including, without limitation, nutritional counseling and dietary analysis; and*
- (g) Fabricating mouth guards for use in sports protection.*

4. As used in this section, “indirect supervision” means that the dentist:

(a) Documents in the record of the patient the name of the dental therapist providing care to the patient;

(b) Examines the patient before the dental therapist performs the procedure;

(c) Provides instructions for treatment of the patient before the dental therapist begins treating the patient; and

(d) Is not on the premises of the dental office when the procedure occurs.

Sec. 7. 1. If an investigation by the Board regarding the supervision by an authorizing dentist of a dental therapist reasonably determines that the health, safety or welfare of the public or any patient served by the dentist or dental therapist is placed at risk of imminent or continued harm by the continued supervision by the authorizing dentist of the dental therapist, the Board may summarily suspend the dentist from supervising any dental therapist pending the conclusion of a hearing to consider a formal complaint against the dentist or dental therapist.

2. The order of summary suspension may be issued only by the Board, the President of the Board, the presiding officer of an investigative committee convened by the Board to investigate the dentist or dental therapist or the member, employee, investigator or other agent of the Board who conducted the investigation.

3. If the Board, the President of the Board, the presiding officer of an investigative committee convened by the Board to investigate the dentist or dental therapist or a member, employee, investigator or other agent of the Board issues an order to summarily suspend a dentist from supervising a dental therapist pursuant to subsection 1, the Board must hold a hearing to consider the formal complaint against the dentist or dental therapist. The Board

must hold the hearing and render a decision concerning the formal complaint not later than 60 days after the date of issuance of the order, unless the Board and the dentist or dental therapist agree to a longer period of time.

Sec. 8. NAC 631.029 is hereby amended to read as follows:

631.029 The Board will charge and collect the following fees:

Application fee for an initial license to practice dentistry if the applicant has successfully passed a clinical examination administered by the Western Regional Examining Board or a clinical examination approved by the Board and the American Board of Dental Examiners and administered by a regional examination organization other than the Board	\$1,200
Application fee for an initial license to practice <i>dental therapy or</i> dental hygiene	600
Application fee for a specialty license by credential.....	1,200
Application fee for a temporary restricted geographical license to practice dentistry	600
Application fee for a temporary restricted geographical license to practice <i>dental therapy or</i> dental hygiene	150
Application fee for a specialist's license to practice dentistry	125
Application fee for a limited license or restricted license to practice dentistry , <i>dental therapy</i> or dental hygiene.....	125
Application and examination fee for a permit to administer general anesthesia, moderate sedation or deep sedation	750

Application and examination fee for a site permit to administer general anesthesia, moderate sedation or deep sedation	500
Fee for any reinspection required by the Board to maintain a permit to administer general anesthesia, moderate sedation or deep sedation.....	500
Fee for the inspection of a facility required by the Board to ensure compliance with infection control guidelines.....	250
<i>Fee for a second or subsequent inspection of a facility required by the Board to ensure compliance with infection control guidelines</i>	<i>150</i>
Biennial renewal fee for a permit to administer general anesthesia, moderate sedation or deep sedation.....	200
Fee for the inspection of a facility required by the Board to renew a permit to administer general anesthesia, moderate sedation or deep sedation.....	350
Biennial license renewal fee for a general license or specialist's license to practice dentistry	600
Biennial license renewal fee for a restricted geographical license to practice dentistry	600
Biennial license renewal fee for a restricted geographical license to practice <i>dental therapy or</i> dental hygiene	300
Biennial license renewal fee for a general license to practice <i>dental therapy or</i> dental hygiene	300
Annual license renewal fee for a limited license to practice dentistry , <i>dental therapy</i> or dental hygiene	200
Annual license renewal fee for a restricted license to practice dentistry	100

Biennial license renewal fee for an inactive dentist	200
Biennial license renewal fee for an inactive <i>dental therapist or</i> dental hygienist	50
<i>Fee for a second or subsequent audit to ensure compliance with continuing education requirements</i>	<i>200</i>
Reinstatement fee for a suspended license to practice dentistry , <i>dental therapy</i> or dental hygiene	300
Reinstatement fee for a revoked license to practice dentistry , <i>dental therapy</i> or dental hygiene	500
Reinstatement fee to return an inactive or retired dentist , <i>dental therapist</i> or dental hygienist or a dentist , <i>dental therapist</i> or dental hygienist with a disability to active status	300
Fee for the certification of a license	25
Fee for the certification of a license to administer nitrous oxide or local anesthesia.....	25
Fee for a duplicate wall certificate	25
Fee for a duplicate pocket card receipt.....	25
Application fee for converting a temporary license to a permanent license	125
Fee for an application packet for an examination	25
Fee for an application packet for licensure by credentials	25

Sec. 9. NAC 631.030 is hereby amended to read as follows:

631.030 1. An applicant for licensure must provide the following information and documentation in his or her application:

- (a) The date and place of his or her birth;
- (b) Certification of graduation from an accredited dental school or college , *from an accredited school or college of dental therapy* or from an accredited school or college of dental hygiene, whichever is applicable;
- (c) Whether he or she has applied for similar licensure in another state or a territory of the United States or the District of Columbia and, if so, the name of the state or territory of the United States or the District of Columbia, the date and the result of his or her application;
- (d) If he or she has practiced dentistry , *dental therapy* or dental hygiene in another state or a territory of the United States or the District of Columbia, certification from the licensing authority of each state or territory of the United States or the District of Columbia in which he or she has practiced or is practicing that he or she is in good standing and that there are not any disciplinary proceedings affecting his or her standing pending against him or her in the other state or territory of the United States or the District of Columbia;
- (e) Whether he or she has terminated or attempted to terminate a license from another state or territory of the United States or the District of Columbia and, if so, the reasons for doing so;
- (f) If he or she is not a natural born citizen of the United States, a copy of his or her certificate of naturalization or other document attesting that he or she is legally eligible to reside and work in the United States;
- (g) All scores obtained on the examination in which he or she was granted a certificate by the Joint Commission on National Dental Examinations and the date it was issued;

(h) Whether he or she has ever been convicted of a crime involving moral turpitude or has entered a plea of nolo contendere to a charge of such a crime and, if so, the date and place of the conviction or plea and the sentence, if any, which was imposed;

(i) Whether he or she has had any misdemeanor or felony convictions and, if so, any documents relevant to any misdemeanor or felony convictions;

(j) Whether he or she has been held civilly or criminally liable in this State, another state or territory of the United States or the District of Columbia for misconduct relating to his or her occupation or profession;

(k) Whether he or she has a history of substance ~~abuse;~~ *misuse or substance use disorder* and, if so, any documents relevant to the substance ~~abuse;~~ *misuse or substance use disorder*;

(l) Whether he or she has been refused permission to take an examination for licensure by this State, any other state or territory of the United States or the District of Columbia, or any regional testing agency recognized by the Board and, if so, any documents relevant to the refusal;

(m) Whether he or she has been denied licensure by this State, any other state or territory of the United States or the District of Columbia and, if so, any documents relevant to the denial;

(n) Whether he or she has had his or her license to practice dentistry, *dental therapy* or dental hygiene suspended, revoked or placed on probation, or has otherwise been disciplined concerning his or her license to practice dentistry, *dental therapy* or dental hygiene, including, without limitation, *being subject to mandatory supervision or* receiving a public reprimand, in this State, another state or territory of the United States or the District of Columbia and, if so, any documents relevant to the suspension, revocation, probation or other discipline;

(o) A copy of current certification in administering cardiopulmonary resuscitation;

(p) Whether he or she is currently involved in any disciplinary action concerning his or her license to practice dentistry , *dental therapy* or dental hygiene in this State, another state or territory of the United States or the District of Columbia and, if so, any documents relevant to the reprimand or disciplinary action;

(q) Two sets of certified fingerprint cards and an authorization form allowing the Board to submit the fingerprint forms to law enforcement agencies for verification of background information;

(r) Whether he or she has any claims against him or her or has committed any actions that would constitute unprofessional conduct pursuant to NRS 631.3475 or NAC 631.230;

(s) An application form that he or she has completed and signed which:

(1) Is furnished by the Board; and

(2) Includes, without limitation, a properly executed request to release information;

(t) If applicable, the statement and proof required by subsection 3;

(u) Evidence that he or she is eligible to apply for a license to practice:

(1) Dentistry pursuant to NRS 631.230; ~~for~~

(2) Dental hygiene pursuant to NRS 631.290; *or*

(3) Dental therapy pursuant to NRS 631.312;

(v) The statement required by NRS 425.520; and

(w) Any other information requested by the Board.

2. An applicant for licensure by endorsement pursuant to NRS 622.530 must provide the following information and documentation with his or her application:

(a) The information and documentation listed in subsection 1;

(b) A certificate granted by a nationally recognized, nationally accredited or nationally certified examination or other examination approved by the Board which proves that the applicant has achieved a passing score on such an examination; and

(c) Proof that the applicant has actively practiced dentistry , *dental therapy* or dental hygiene for the 5 years immediately preceding the date of submission of the application.

3. An applicant for licensure who wishes to use laser radiation in his or her practice of dentistry , *dental therapy* or dental hygiene must provide to the Board:

(a) A statement certifying that each laser that will be used by the licensee in the practice of dentistry , *dental therapy* or dental hygiene has been cleared by the Food and Drug Administration for use in dentistry; and

(b) Proof that he or she has successfully completed a course in laser proficiency that:

(1) Is at least 6 hours in length; and

(2) Is based on the *Curriculum Guidelines and Standards for Dental Laser Education*, adopted by reference pursuant to NAC 631.035.

Sec. 10. NAC 631.033 is hereby amended to read as follows:

631.033 Each licensee who uses or wishes to use laser radiation in his or her practice of dentistry , *dental therapy* or dental hygiene must include with the application for renewal of his or her license:

1. A statement certifying that each laser used by the licensee in his or her practice of dentistry , *dental therapy* or dental hygiene has been cleared by the Food and Drug Administration for use in dentistry; and

2. Proof that he or she has successfully completed a course in laser proficiency that:

(a) Is at least 6 hours in length; and

(b) Is based on the *Curriculum Guidelines and Standards for Dental Laser Education*, adopted by reference pursuant to NAC 631.035.

Sec. 11. NAC 631.035 is hereby amended to read as follows:

631.035 1. The Board hereby adopts by reference the *Curriculum Guidelines and Standards for Dental Laser Education*, adopted by the Academy of Laser Dentistry. The *Curriculum Guidelines and Standards for Dental Laser Education* is available, free of charge, from the Academy of Laser Dentistry:

- (a) By mail, at P.O. Box 8667, Coral Springs, Florida 33075;
- (b) By telephone, at (954) 346-3776; or
- (c) At the Internet address

~~http://www.laserdentistry.org/prof/edu_curriculumguidelines.cfm~~

<http://www.laserdentistry.org/certification#curriculum-guidelines>.

2. The Board will periodically review the *Curriculum Guidelines and Standards for Dental Laser Education* and determine within 30 days after the review whether any change made to those guidelines and standards is appropriate for application in this State. If the Board does not disapprove a change to an adopted guideline or standard within 30 days after the review, the change is deemed to be approved by the Board.

Sec. 12. NAC 631.045 is hereby amended to read as follows:

631.045 A licensed dentist who owns an office or facility where dental treatments are to be performed in this State must, on the application for renewal of his or her license, execute a certified statement that includes:

- 1. The location of each office or facility owned by the licensed dentist where dental treatments are to be performed;

2. The name and address of each employee, other than a licensed dentist , *dental therapist* or dental hygienist, who assists at the office or facility in procedures for infection control and the date the employee began to assist in procedures for infection control at the office or facility;

3. A statement that each employee identified in subsection 2:

(a) Has received adequate instruction concerning procedures for infection control; and

(b) Is qualified to:

(1) Operate sterilization equipment and other equipment in compliance with the guidelines adopted by reference in NAC 631.178; and

(2) Perform all other applicable activities in compliance with the guidelines adopted by reference in NAC 631.178; and

4. If the licensed dentist is registered to dispense controlled substances with the State Board of Pharmacy pursuant to chapter 453 of NRS, an attestation that the licensed dentist has conducted annually a minimum of one self-query regarding the issuance of controlled substances through the Prescription Monitoring Program of the State Board of Pharmacy.

Sec. 13. NAC 631.050 is hereby amended to read as follows:

631.050 1. If the Executive Director or Secretary-Treasurer finds that:

(a) An application is:

(1) Deficient; or

(2) Not in the proper form; or

(b) The applicant has:

(1) Provided incorrect information;

(2) Not attained the scores required by chapter 631 of NRS; or

(3) Not submitted the required fee,

↪ the Executive Director or Secretary-Treasurer shall reject the application and return it to the applicant with the reasons for its rejection.

2. If the Executive Director or Secretary-Treasurer finds that an applicant has:

- (a) A felony conviction;
- (b) A misdemeanor conviction;
- (c) Been held civilly or criminally liable in this State, another state or territory of the United States or the District of Columbia for misconduct relating to his or her occupation or profession;
- (d) A history of substance ~~abuse;~~ *misuse or substance use disorder;*
- (e) Been refused permission to take an examination for licensure by this State, any other state or territory of the United States or the District of Columbia;
- (f) Been denied licensure by this State, any other state or territory of the United States or the District of Columbia;
- (g) Had his or her license to practice dentistry , *dental therapy* or dental hygiene suspended, revoked or placed on probation, or has otherwise been disciplined concerning his or her license to practice dentistry , *dental therapy* or dental hygiene, including, without limitation, *being subject to mandatory supervision or* receiving a public reprimand, in this State, another state or territory of the United States or the District of Columbia;
- (h) Not actively practiced dentistry , *dental therapy* or dental hygiene, as applicable, for 2 years or more before the date of the application to the Board; or
- (i) Is currently involved in any disciplinary action concerning his or her license to practice dentistry , *dental therapy* or dental hygiene in this State, another state or territory of the United States or the District of Columbia,

↪ the Executive Director or Secretary-Treasurer may reject the application. If rejected, the application must be returned to the applicant with the reasons for its rejection.

3. If an application is rejected pursuant to subsection 2, the applicant may furnish additional relevant information to the Executive Director or Secretary-Treasurer, and request that the application be reconsidered. If an application is rejected following reconsideration by the Executive Director or Secretary-Treasurer, the applicant may petition the Board for a review of the application at the next regularly scheduled meeting of the Board.

Sec. 14. NAC 631.090 is hereby amended to read as follows:

631.090 **1.** Except as otherwise provided in NRS 622.090, in fulfillment of the statutory requirements of paragraph (b) of subsection 1 of NRS 631.240, an applicant taking the clinical examination approved by the Board and the American Board of Dental Examiners or the clinical examination administered by the Western Regional Examining Board must:

~~1-1~~ **(a)** Pass the Dental Simulated Clinical Examination or a comparable examination administered by the Western Regional Examining Board, as applicable;

~~1-2~~ **(b)** Demonstrate proficiency in endodontics as the organization administering the clinical examination requires;

~~1-3~~ **(c)** Demonstrate proficiency in fixed prosthodontics as the organization administering the clinical examination requires;

~~1-4~~ **(d)** Demonstrate proficiency in restorative dentistry as the organization administering the clinical examination requires;

~~1-5~~ **(e)** Demonstrate proficiency in periodontics as the organization administering the clinical examination requires; and

~~1-6~~ **(f)** Perform such other procedures as the Board requires.

2. The Board may require an applicant for licensure to practice dentistry, dental hygiene or dental therapy to pass such additional examinations for licensure as the Board may prescribe if the applicant:

(a) Has been previously licensed in this State and has not held such a license for 2 years or more, including, without limitation, because the license was revoked or voluntarily surrendered; and

(b) Has not maintained an active practice outside of this State, including, without limitation, because his or her license to practice in another jurisdiction has been suspended, revoked, surrendered or because of any other order by a competent authority of another jurisdiction.

Sec. 15. NAC 631.155 is hereby amended to read as follows:

631.155 Each licensee shall, within 30 days after the occurrence of the event, notify the Board in writing by certified mail of:

1. The death of a patient during the performance of any dental procedure;
2. Any unusual incident occurring in his or her dental practice which results in permanent physical or mental injury to a patient or requires the hospitalization of a patient;
3. The suspension or revocation of his or her license to practice dentistry , *dental therapy or dental hygiene* or the imposition of a fine or other disciplinary action against him or her by any agency of another state authorized to regulate the practice of dentistry , *dental therapy or dental hygiene, as applicable*, in that state;
4. The conviction of any felony or misdemeanor involving moral turpitude or which relates to the practice of dentistry , *dental therapy or dental hygiene, as applicable*, in this State or the conviction of any violation of chapter 631 of NRS; ~~for~~

5. *The filing and service of any claim or complaint of malpractice against the licensee; or*

6. Being held civilly or criminally liable in this State, another state or territory of the United States or the District of Columbia for misconduct relating to his or her occupation or profession.

Sec. 16. NAC 631.160 is hereby amended to read as follows:

631.160 1. If a licensee desires voluntarily to surrender his or her license, he or she may submit to the Board a sworn written surrender of the license accompanied by delivery to the Board of the certificate of registration previously issued to him or her. The Board may accept or reject the surrender of the license. If the Board accepts the surrender of the license, the surrender is absolute and irrevocable. The Board will notify any agency or person of the surrender as it deems appropriate.

2. The voluntary surrender of a license does not preclude the Board from hearing a complaint for disciplinary action filed against the licensee.

3. A former licensee who has voluntarily surrendered his or her license may apply for a new license if he or she meets all criteria required for licensure by this chapter and chapter 631 of NRS. If a former licensee surrendered his or her license voluntarily while being disciplined by the Board or during a pending investigation, the Board may require the former licensee to complete any terms of discipline or corrective action not completed as a result of the surrender and require additional terms be completed before issuing a new license.

Sec. 17. NAC 631.170 is hereby amended to read as follows:

631.170 1. A licensee may request the Board to place his or her license in an inactive or retired status. Such a request must be made in writing and before the license expires.

2. The Secretary-Treasurer may reinstate an inactive license upon the written request of an inactive licensee who has maintained an active license and practice outside this State during the

time his or her Nevada license was inactive. To reinstate the license, such an inactive licensee must:

- (a) Pay the appropriate renewal fees;
 - (b) Provide a list of his or her employment during the time the license was inactive;
 - (c) Report all claims of unprofessional conduct or professional incompetence against him or her or any violation of the law which he or she may have committed, including administrative disciplinary charges brought by any other jurisdiction;
 - (d) Report whether he or she has been held civilly or criminally liable in this State, another state or territory of the United States or the District of Columbia for misconduct relating to his or her occupation or profession;
 - (e) Report any appearance he or she may have made before a peer review committee;
 - (f) Submit proof of his or her completion of an amount of continuing education, prorated as necessary, for the year in which the license is restored to active status;
 - (g) Provide certification from each jurisdiction in which he or she currently practices that his or her license is in good standing and that no proceedings which may affect that standing are pending;
 - (h) Satisfy the Secretary-Treasurer that he or she is of good moral character; and
 - (i) Provide any other information which the Secretary-Treasurer may require,
- ➔ before the license may be reinstated. In determining whether the licensee is of good moral character, the Secretary-Treasurer may consider whether the license to practice dentistry , *dental therapy or dental hygiene* in another state has been suspended or revoked or whether the licensee is currently involved in any disciplinary action concerning the license in that state.

3. If a person whose license has been on inactive status for less than 2 years has not maintained an active license or practice outside this State, *including, without limitation, because his or her license to practice in another jurisdiction has been suspended, revoked or surrendered or because of any other order by a competent authority of another jurisdiction*, or if a person's license has been on retired status for less than 2 years, he or she must submit to the Board:

- (a) Payment of the appropriate renewal fees;
 - (b) A written petition for reinstatement that has been signed and notarized;
 - (c) Proof of his or her completion of an amount of continuing education, prorated as necessary, for the year in which the license is restored to active status; and
 - (d) A list of his or her employment, if any, during the time the license was on inactive or retired status,
- ↪ before the license may be reinstated.

4. If a person whose license has been on inactive status for 2 years or more has not maintained an active license or practice outside this State, *including, without limitation, because his or her license to practice in another jurisdiction has been suspended, revoked or surrendered or because of any other order by a competent authority of another jurisdiction*, or if a person's license has been on retired status for 2 years or more, he or she must:

- (a) Satisfy the requirements set forth in paragraphs (a) to (d), inclusive, of subsection 3; and
 - (b) Pass such additional examinations for licensure as the Board may prescribe,
- ↪ before the license may be reinstated.

5. If the license of a person has been placed on disabled status, the person must:

- (a) Satisfy the requirements of paragraphs (a), (b) and (c) of subsection 3;

(b) Submit to the Board a list of his or her employment, if any, during the time the license was on disabled status;

(c) Pass such additional examinations for licensure as the Board may prescribe; and

(d) Submit to the Board a statement signed by a licensed physician setting forth that the person is able, mentally and physically, to practice dentistry, *dental therapy or dental hygiene, as applicable,*

↪ before the license may be reinstated.

6. If the license of a person has been suspended for 2 years or more and the person has not maintained an active practice outside of this State, including, without limitation, because his or her license to practice in another jurisdiction has been suspended, revoked or surrendered or because of any other order by a competent authority of another jurisdiction, the Board may require the person to pass such examinations for licensure as the Board may prescribe before reinstating the license.

Sec. 18. NAC 631.173 is hereby amended to read as follows:

631.173 1. Each dentist licensed to practice in this State must annually complete at least 20 hours of instruction in approved courses of continuing education or biennially complete at least 40 hours of instruction in approved courses of continuing education, as applicable, based on the renewal period set forth in NRS 631.330 for the type of license held by the dentist. Hours of instruction may not be transferred or carried over from one licensing period to another.

2. Each dental therapist licensed to practice in this State must annually complete at least 18 hours of instruction in approved courses of continuing education or biennially complete at least 40 hours of instruction in approved courses of continuing education, as applicable, based on the renewal period set forth in NRS 631.330 for the type of license held by the dental

therapist. Hours of instruction may not be transferred or carried over from one licensing period to another.

3. Each dental hygienist licensed to practice in this State must annually complete at least 15 hours of instruction in approved courses of continuing education or biennially complete at least 30 hours of instruction in approved courses of continuing education, as applicable, based on the renewal period set forth in NRS 631.330 for the type of license held by the dental hygienist. Hours of instruction may not be transferred or carried over from one licensing period to another.

~~3.4~~ 4. In addition to the hours of instruction prescribed in subsections 1, ~~and~~ 2 ~~and~~ 3, each dentist, *dental therapist* and dental hygienist must maintain current certification in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life. Any course taken pursuant to this subsection must be taught by a certified instructor.

~~4.4~~ 5. Any provider of or instructor for a course in continuing education relating to the practice of dentistry, *dental therapy* or dental hygiene which meets the requirements of this section must be approved by the Board, unless the course is for training in cardiopulmonary resuscitation or is approved by:

- (a) The American Dental Association or the societies which are a part of it;
- (b) The American Dental Hygienists' Association or the societies which are a part of it;
- (c) The Academy of General Dentistry;
- (d) Any nationally recognized association of dental or medical specialists;
- (e) Any university, college or community college, whether located in or out of Nevada; or
- (f) Any hospital accredited by The Joint Commission.

~~15.1~~ 6. To be approved as a provider of a course in continuing education, the instructor of the course must complete a form provided by the Board and submit it to the Board for review by a committee appointed by the Board not later than 45 days before the beginning date of the course. Upon receipt of the form, the committee shall, within 10 days after receiving the form, approve or disapprove the application and inform the applicant of its decision.

~~16.1~~ 7. Study by group may be approved for continuing education if the organizer of the group complies with the requirements of subsection ~~15.1~~ 6 and furnishes the Board with a complete list of all members of the group, a synopsis of the subject to be studied, the time, place and duration of the meetings of the group, and the method by which attendance is recorded and authenticated.

~~17.1~~ 8. Credit may be allowed for attendance at a meeting or a convention of a dental ~~hand~~, *dental therapy or* dental hygiene society.

~~18.1~~ 9. Credit may be allowed for courses completed via home study, on-line study, self-study or journal study which are taught through correspondence, webinar, compact disc or digital video disc.

~~19.1~~ 10. Credit may be allowed for dental , *dental therapy* and dental hygiene services provided on a voluntary basis to nonprofit agencies and organizations approved by the Board.

Sec. 19. NAC 631.175 is hereby amended to read as follows:

631.175 1. Approved subjects for continuing education in dentistry , *dental therapy* and dental hygiene are:

(a) Clinical subjects, including, without limitation:

- (1) Dental and medical health;
- (2) Preventive services;

- (3) Dental diagnosis and treatment planning; and
- (4) Dental clinical procedures, including corrective and restorative oral health procedures and basic dental sciences, dental research and new concepts in dentistry; and

(b) Nonclinical subjects, including, without limitation:

- (1) Dental practice organization and management;
- (2) Patient management skills;
- (3) Methods of health care delivery; and
- (4) Teaching methodology.

2. In completing the hours of continuing education required pursuant to NAC 631.173, a dentist *or dental therapist* must annually complete at least 15 hours in clinical subjects approved pursuant to subsection 1 or biennially complete at least 30 hours in clinical subjects approved pursuant to subsection 1, as applicable, based on the renewal period set forth in NRS 631.330 for the type of license held by the dentist ~~or~~ *or dental therapist, as applicable.*

3. In completing the hours of continuing education required pursuant to NAC 631.173, a dental hygienist must annually complete at least 12 hours in clinical subjects approved pursuant to subsection 1 or biennially complete at least 24 hours in clinical subjects approved pursuant to subsection 1, as applicable, based on the renewal period set forth in NRS 631.330 for the type of license held by the dental hygienist.

4. In completing the hours of continuing education required pursuant to NAC 631.173, a dentist, *dental therapist* or dental hygienist must annually complete at least 2 hours in the clinical subject of infection control in accordance with the provisions of the guidelines adopted by reference in NAC 631.178 or biennially complete at least 4 hours in the clinical subject of infection control in accordance with the provisions of the guidelines adopted by reference in

NAC 631.178, as applicable, based on the renewal period set forth in NRS 631.330 for the type of license held by the dentist , *dental therapist* or dental hygienist.

5. In completing the hours of continuing education required pursuant to NAC 631.173, a dentist who is registered to dispense controlled substances pursuant to NRS 453.231 must complete at least 2 hours of training relating specifically to the misuse and abuse of controlled substances, the prescribing of opioids or addiction during each period of licensure.

6. The Board will credit, as a maximum in any one year of an annual or biennial licensing period, the following number of hours of instruction for the following types of courses or activities:

- (a) For approved study by a group, 3 hours.
- (b) For attendance at a meeting or convention of a dental , *dental therapy* or dental hygiene society, 1 hour for each meeting, but not more than 3 hours, exclusive of hours of continuing education offered in conjunction with the meeting.
- (c) For courses completed via home study, on-line study, self-study or journal study through correspondence, webinar, compact disc or digital video disc, not more than 50 percent of the number of hours of continuing education required by subsection 1 , ~~for~~ 2 *or* 3 of NAC 631.173, as applicable.
- (d) For all other courses conducted by an approved instructor, the number of hours completed by the dentist , *dental therapist* or dental hygienist.
- (e) For approved dental , *dental therapy* or dental hygiene services provided in approved nonprofit settings, 6 hours, except that not more than 3 hours will be allowed for any day of volunteer services provided.

Sec. 20. NAC 631.177 is hereby amended to read as follows:

631.177 1. When requesting a renewal or reinstatement of his or her license, each:

(a) Dentist shall submit a signed, written statement in substantially the following language for each year since his or her last renewal:

I,, hereby certify to the Board of Dental Examiners of Nevada that I have obtained at least 20 approved hours of instruction in continuing education during the period July 1,, through and including June 30,, I also certify to the Board of Dental Examiners of Nevada that I am currently certified in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life.

Dated this (day) of (month) of (year)

.....

Signature of Dentist

(b) *Dental therapist shall submit a signed, written statement in substantially the following language for each year since his or her last renewal:*

I,, hereby certify to the Board of Dental Examiners of Nevada that I have obtained at least 18 approved hours of instruction in continuing education during the period July 1,, through and including June 30,, I also certify to the Board of Dental Examiners of Nevada that I am currently certified in administering

cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life.

Dated this (day) of (month) of (year)

.....
Signature of Dental Therapist

(c) Dental hygienist shall submit a signed, written statement in substantially the following language for each year since his or her last renewal:

I,, hereby certify to the Board of Dental Examiners of Nevada that I have obtained at least 15 approved hours of instruction in continuing education during the period July 1,, through and including June 30,, I also certify to the Board of Dental Examiners of Nevada that I am currently certified in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life.

Dated this (day) of (month) of (year)

.....
Signature of Dental Hygienist

~~†(e)†~~ (d) Dentist , *dental therapist* or dental hygienist shall submit proof of his or her current certification in administering cardiopulmonary resuscitation or other medically acceptable means of maintaining basic bodily functions which support life.

2. Legible copies of all receipts, records of attendance, certificates and other evidence of attendance by a dentist , *dental therapist* or dental hygienist at an approved course in continuing education must be retained by the dentist , *dental therapist* or dental hygienist and made available to the Board for inspection or copying for 3 years after attendance at the course is submitted to meet the continuing education requirements of the Board. Proof of attendance and completion of the required credit hours of instruction must be complete enough to enable the Board to verify the attendance and completion of the course by the dentist , *dental therapist* or dental hygienist and must include at least the following information:

- (a) The name and location of the course;
- (b) The date of attendance;
- (c) The name, address and telephone number of its instructor;
- (d) A synopsis of its contents; and
- (e) For courses designed for home study, the number assigned to the provider by the Board at the time the course was approved and the name, address and telephone number of the producer or author of the course.

3. The ~~†third†~~ *second* or subsequent failure of a dentist ~~†and†~~ , *dental therapist or* dental hygienist to obtain or file proof of completion of the credit hours of instruction required by this section and NAC 631.173 and 631.175 is unprofessional conduct.

4. The Board will conduct random *initial* audits of dentists , *dental therapists* or dental hygienists *and additional follow-up audits, as necessary*, to ensure compliance with the requirements of this section and NAC 631.173 and 631.175.

Sec. 21. NAC 631.178 is hereby amended to read as follows:

631.178 1. Each person who is licensed pursuant to the provisions of chapter 631 of NRS shall comply with:

(a) The provisions of the *Guidelines for Infection Control in Dental Health-Care Settings-2003* adopted by the Centers for Disease Control and Prevention which is hereby adopted by reference. The publication is available, free of charge, from the Centers for Disease Control and Prevention at the Internet address

<http://www.cdc.gov/mmwr/preview/mmwrhtml/rr5217a1.htm>; and

(b) As applicable to the practice of dentistry, *dental therapy and dental hygiene*, the provisions of the *Guideline for Disinfection and Sterilization in Healthcare Facilities, 2008*, adopted by the Centers for Disease Control and Prevention which is hereby adopted by reference. The publication is available, free of charge, from the Centers for Disease Control and Prevention at the Internet address

~~http://www.cdc.gov/ncidod/dhqp/pdf/guidelines/Disinfection_Nov_2008.pdf~~

<http://www.cdc.gov/infectioncontrol/pdf/guidelines/disinfection-guidelines-H.pdf>

2. The Board will periodically review the guidelines adopted by reference in this section and determine within 30 days after the review whether any change made to the guidelines is appropriate for application in this State. If the Board does not disapprove a change to the guidelines within 30 days after the review, the change is deemed to be approved by the Board.

Sec. 22. NAC 631.190 is hereby amended to read as follows:

631.190 The only specialties for which the Board will issue licenses are:

1. Oral and maxillofacial pathology;
2. Oral and maxillofacial surgery;
3. Orthodontia;
4. Periodontia;
5. Prosthodontia;
6. Pediatric dentistry;
7. Endodontia;
8. Public health; ~~and~~
9. Oral and maxillofacial radiology ~~H~~;

10. Dental anesthesiology;

11. Oral medicine; and

12. Orofacial pain.

Sec. 23. NAC 631.220 is hereby amended to read as follows:

631.220 1. A dentist who is licensed in the State of Nevada may authorize a dental assistant in his or her employ and under his or her supervision to perform the following procedures before the patient is examined by the dentist:

- (a) Expose radiographs; and
- (b) Take impressions for the preparation of diagnostic models.

2. A dentist who is licensed in the State of Nevada may authorize a dental assistant in his or her employ and under his or her supervision only to do one or more of the following procedures after the patient has been examined by the dentist:

- (a) Retract a patient's cheek, tongue or other tissue during a dental operation.

(b) Remove the debris that normally accumulates during or after a cleaning or operation by the dentist by using mouthwash, water, compressed air or suction.

(c) Place or remove a rubber dam and accessories used for its placement.

(d) Place and secure an orthodontic ligature.

(e) Remove sutures.

(f) Place and remove a periodontal pack.

(g) Remove excess cement from cemented restorations and orthodontic appliances. A dental assistant may not use a rotary cutting instrument to remove excess cement from restorations or orthodontic appliances.

(h) Administer a topical anesthetic in any form except aerosol.

(i) Train and instruct persons in the techniques of oral hygiene and preventive procedures.

(j) Take the following types of impressions:

(1) Those used for the preparation of counter or opposing models;

(2) Those used for the fabrication of temporary crowns or bridges; and

(3) Those used for the fabrication of temporary removable appliances, provided no missing teeth are replaced by those appliances.

(k) Fabricate and place temporary crowns and bridges. This procedure must be checked and approved by the supervising dentist before dismissal of the patient from the office of the dentist.

(l) Retract gingival tissue if the retraction cord contains no medicaments that have potential systemic side effects.

(m) Remove soft plaque and stain from exposed tooth surfaces, utilizing an appropriate rotary instrument with a rubber cup or brush and a suitable polishing agent. A licensed dentist, *dental*

therapist or dental hygienist shall determine that the teeth to be polished are free of calculus or other extraneous material.

(n) Administer a topical fluoride.

(o) Apply pit and fissure sealant to the dentition for the prevention of decay. This procedure must be checked and approved by the supervising dentist before dismissal of the patient from the office of the dentist.

(p) Fit orthodontic bands and prepare teeth for orthodontic bands if the bands are cemented or bonded, or both, into the patient's mouth by the dentist who authorized the dental assistant to perform this procedure.

3. A dentist who is licensed in the State of Nevada may authorize a *dental therapist or* dental hygienist to supervise a dental assistant in the assistance of the ~~hygienist's~~ performance of *the dental therapist or dental hygienist of* one or more of the following ~~H~~ procedures:

(a) Retract a patient's cheek, tongue or other tissue during a dental operation.

(b) Remove the debris that normally accumulates during or after a cleaning or operation by the *dental therapist or* dental hygienist by using mouthwash, water, compressed air or suction.

(c) Train and instruct persons in the techniques of oral hygiene and preventive procedures.

(d) Remove soft plaque and stain from exposed tooth surfaces, utilizing an appropriate rotary instrument with a rubber cup or brush and a suitable polishing agent. A licensed dentist, *dental therapist* or dental hygienist shall determine that the teeth to be polished are free of calculus or other extraneous material.

(e) Administer a topical fluoride.

4. A dental hygienist ~~H~~ who is authorized by the Board to perform the services described in subsection 6 of NAC 631.210 ~~H~~ or a *dental therapist* may authorize a dental assistant under his

or her supervision to assist the hygienist *or therapist, as applicable*, in the performance of the services described in paragraphs (a) to (e), inclusive, of subsection 3.

Sec. 24. NAC 631.230 is hereby amended to read as follows:

631.230 1. In addition to those specified by statute and subsection 3 of NAC 631.177, the following acts constitute unprofessional conduct:

- (a) The falsification of records of health care or medical records.
- (b) Writing prescriptions for controlled substances in such excessive amounts as to constitute a departure from prevailing standards of acceptable dental practice.
- (c) The consistent use of dental procedures, services or treatments which constitute a departure from prevailing standards of acceptable dental practice even though the use does not constitute malpractice or gross malpractice.
- (d) The acquisition of any controlled substances from any pharmacy or other source by misrepresentation, fraud, deception or subterfuge.
- (e) Making an unreasonable additional charge for laboratory tests, radiology services or other testing services which are ordered by the dentist and performed outside his or her own office.
- (f) The failure to report to the Board as required in NAC 631.155 or to sign any affidavit required by the Board.
- (g) Employing any person in violation of NAC 631.260 or failing to report to the Board as required by that section.
- (h) The failure of a dentist who is administering or directly supervising the administration of general anesthesia, deep sedation or moderate sedation to be physically present while a patient is under general anesthesia, deep sedation or moderate sedation.

(i) Administering moderate sedation to more than one patient at a time, unless each patient is directly supervised by a person authorized by the Board to administer moderate sedation.

(j) Administering general anesthesia or deep sedation to more than one patient at a time.

(k) The failure to have any patient who is undergoing general anesthesia, deep sedation or moderate sedation monitored with a pulse oximeter or similar equipment required by the Board.

(l) Allowing a person who is not certified in basic cardiopulmonary resuscitation to care for any patient who is undergoing general anesthesia, deep sedation or moderate sedation.

(m) The failure to obtain a patient's written, informed consent before administering general anesthesia, deep sedation or moderate sedation to the patient or, if the patient is a minor, the failure to obtain his or her parent's or guardian's consent unless the dentist determines that an emergency situation exists in which delaying the procedure to obtain the consent would likely cause permanent injury to the patient.

(n) The failure to maintain a record of all written, informed consents given for the administration of general anesthesia, deep sedation or moderate sedation.

(o) The failure to report to the Board, in writing, the death or emergency hospitalization of any patient to whom general anesthesia, deep sedation or moderate sedation was administered. The report must be made within 30 days after the event.

(p) Allowing a person to administer general anesthesia, deep sedation or moderate sedation to a patient if the person does not hold a permit to administer such anesthesia or sedation unless the anesthesia or sedation is administered in a facility for which a permit is held as required by NRS 449.442.

(q) The failure of a dentist who owns a dental practice to provide copies of the records of a patient to a dentist , *dental therapist* or dental hygienist who provided the services as an

employee or independent contractor of the dentist when the records are the basis of a complaint before the Board. Nothing in this paragraph relieves the treating dentist , *dental therapist* or dental hygienist from the obligation to provide records of the patient to the Board.

(r) The failure of a dentist who owns a dental practice to verify the license of a dentist , *dental therapist* or dental hygienist before offering employment or contracting for services with the dentist , *dental therapist* or dental hygienist as an independent contractor.

(s) The failure of a dentist who owns a dental practice and participates in the diagnosis and treatment of any patient to ensure that the services rendered by a dentist , *dental therapist* or dental hygienist who is an employee or independent contractor of that dentist meet the prevailing standards of acceptable dental practice. If a dentist , *dental therapist* or dental hygienist who is an employee or independent contractor of the dentist is found by substantial evidence to have provided services below the prevailing standards of acceptable dental practice, the dentist who owns the dental practice may be required to reimburse the patient to whom the services were provided pursuant to paragraph (l) of subsection 1 of NRS 631.350.

(t) The failure of a dentist who owns a dental practice to record the name of the dentist , *dental therapist* or dental hygienist who provided the services in the records of a patient each time the services are rendered.

(u) The failure of a dentist who is registered to dispense controlled substances with the State Board of Pharmacy pursuant to chapter 453 of NRS to conduct annually a minimum of one self-query regarding the issuance of controlled substances through the Prescription Monitoring Program of the State Board of Pharmacy.

2. For purposes of NRS 631.347, a plan or practice requiring a patient to select a dentist from a specific group does not provide the patient with a reasonable opportunity to select a

dentist of his or her own choice, and constitutes unprofessional conduct on the part of any dentist participating in such a plan or practice, unless it, or another plan concurrently available to the patient, allows the patient to:

(a) Have an annual opportunity, lasting for a minimum of 30 days, to select a dentist of his or her own choice for all dental work to be performed during the subsequent 12 months. Any new patient added to the plan or practice must immediately be given an initial opportunity, lasting at least 30 days, to select the coverage supplied by the plan or practice or a dentist of his or her own choice.

(b) Receive the allowance for a procedure performed by a dentist of his or her own choice in substantially the same amount as he or she would if he or she used the services of one of the group of dentists specified by the plan or practice.

Sec. 25. NAC 631.260 is hereby amended to read as follows:

631.260 1. Each patient who is undergoing a radiographic procedure must be covered with a lead apron.

2. Each licensee who employs any person, other than a *dental therapist or* dental hygienist, to assist him or her in radiographic procedures shall include with his or her application for renewal of his or her license a certified statement:

(a) Containing the name of each person so employed, his or her position and the date he or she began to assist the licensee in radiographic procedures; and

(b) Attesting that each such employee has received:

(1) Adequate instruction concerning radiographic procedures and is qualified to operate radiographic equipment as required pursuant to subsection 3 of NAC 459.552;

(2) Training in cardiopulmonary resuscitation at least every 2 years while so employed;

(3) A minimum of 4 hours of continuing education in infection control every 2 years while so employed; and

(4) Before beginning such employment, a copy of this chapter and chapter 631 of NRS in paper or electronic format.

Sec. 26. NAC 631.273 is hereby amended to read as follows:

631.273 1. If, upon the death of a dentist licensed pursuant to chapter 631 of NRS, a surviving member of his or her family desires to own or control his or her practice, share in the fees therefrom, or control the services offered, the surviving member shall, within 2 months after the dentist's death, notify the Board of that fact by furnishing the Secretary-Treasurer with a certified copy of the death certificate.

2. Upon receipt of the death certificate, the Board will appoint one or more of its members, agents or employees to investigate the operation of the dental practice of the decedent to determine whether the practice is being conducted in full compliance with the requirements of chapter 631 of NRS and the regulations of the Board, paying particular attention to the health, welfare and safety of the public.

3. If, upon investigation, the Board finds that the practice is not being conducted in full compliance with the requirements of chapter 631 of NRS or the regulations of the Board, it will apply to the district court to enjoin the continuation of the practice and will further institute any disciplinary action it deems necessary against any licensed dentist, *dental therapist* or dental hygienist associated with the practice.

Sec. 27. NAC 631.275 is hereby amended to read as follows:

631.275 1. For the purposes of paragraph ~~(h)~~ (i) of subsection 2 of NRS 631.215, the Board will deem a person to exercise authority or control over the clinical practice of dentistry if

the person, by agreement, lease, policy, understanding or other arrangement, exercises authority or control over:

- (a) The manner in which a licensed dentist, *a dental therapist*, a dental hygienist or a dental assistant uses dental equipment or materials for the provision of dental treatment;
- (b) The use of a laboratory or the decision to purchase or not to purchase dental equipment or materials against the advice of a licensed dentist if the dentist reasonably concludes that such use, purchase or failure to purchase would impair the ability of the dentist, *a dental therapist* or a dental hygienist to provide dental care to a patient consistent with the standard of care in the community;
- (c) A decision of a licensed dentist regarding a course or alternative course of treatment for a patient, the procedures or materials to be used as part of a course of treatment or the manner in which a course of treatment is carried out by the dentist, *a dental therapist*, a dental hygienist or a dental assistant;
- (d) The length of time a licensed dentist, *a dental therapist* or a dental hygienist spends with a patient or if the person otherwise places conditions on the number of patients a licensed dentist, *a dental therapist* or a dental hygienist may treat in a certain period of time;
- (e) The length of time a licensed dentist, *a dental therapist*, a dental hygienist or a dental assistant spends performing dental services, against the advice of the dentist, if the dentist reasonably believes that the ability of the dentist, *dental therapist*, dental hygienist or dental assistant to provide dental care to a patient consistent with the standard of care in the community would be impaired;

(f) The referrals by a licensed dentist to another licensed dentist or otherwise places any restriction or limitation on the referral of patients to a specialist or any other practitioner the licensed dentist determines is necessary;

(g) The clinical practices of a *dental therapist or* dental hygienist regarding appropriate *dental therapy care or* dental hygiene care , *as applicable*, or the duties that a licensed dentist may delegate to a *dental therapist or* dental hygienist;

(h) Patient records at any time to the exclusion of the applicable licensed dentist or the applicable patient;

(i) A decision of a licensed dentist to refund payments made by a patient for clinical work that is not performed or is performed incorrectly by:

(1) The dentist; or

(2) A *dental therapist or* dental hygienist employed by the licensed dentist or a professional entity of the licensed dentist;

(j) A decision regarding the advertising of the practice of a licensed dentist if the decision would result in a violation of the provisions of NRS 631.348 by the dentist;

(k) A decision to establish fees for dental services against the advice of a licensed dentist if the dentist reasonably concludes that those fees would impair the ability of the dentist , ~~for~~ a *dental therapist or a* dental hygienist to provide dental care to patients consistent with the standard of care in the community;

(l) A decision relating to the clinical supervision of *dental therapists or* dental hygienists and ancillary personnel regarding the delivery of dental care to patients of a licensed dentist;

(m) The hiring or firing of licensed dentists , *dental therapists* or dental hygienists or the material clinical terms of their employment relationship with a licensed dentist or a professional entity of a licensed dentist;

(n) A decision regarding the hiring of ancillary personnel against the advice of a licensed dentist or a decision by a licensed dentist to fire or refuse to work with ancillary personnel if that advice, firing or refusal is related to the clinical competence of that ancillary personnel to render dental care to patients, regardless of who employs such ancillary personnel; and

(o) The material terms of any provider contracts or arrangements between a licensed dentist or a professional entity of a licensed dentist and third-party payors against the advice of the dentist, if the dentist reasonably concludes that the contract or arrangement would impair the ability of the dentist to provide dental care to patients consistent with the standard of care in the community.

2. For the purposes of this section:

(a) “Ancillary personnel” means a person, other than a licensed dentist , *a dental therapist* or a dental hygienist, who:

(1) Directly provides dental care to a patient under the supervision of a licensed dentist , *a dental therapist* or a dental hygienist; or

(2) Assists a licensed dentist , *a dental therapist* or a dental hygienist in the provision of dental care to a patient.

(b) “Clinical” means relating to or involving the diagnosis, evaluation, examination, prevention or treatment of conditions, diseases or disorders of the maxillofacial area, oral cavity or the adjacent and associated structures and their impact on the human body, as typically provided by a licensed dentist or, if applicable, a *dental therapist or* dental hygienist, within the

scope of the education, experience and training of the dentist , *dental therapist* or dental hygienist, in accordance with applicable law and the ethics of the profession of dentistry.

Sec. 28. NAC 631.279 is hereby amended to read as follows:

631.279 1. Any applicant or licensed dentist , *dental therapist* or dental hygienist may obtain a determination or advisory opinion from the Board as to the applicability of any provision of chapter 631 of NRS or any regulation adopted pursuant thereto by bringing an action for a declaratory judgment before the Board.

2. The Board will construe any statute or regulation reviewed pursuant to this section in a manner consistent with the declared policy of the State of Nevada.



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

FACT SHEET

APPLICANTS FOR LICENSURE BY ENDORSEMENT

Thank you for your interest in applying for licensure by endorsement in the State of Nevada. Senate Bill 69 was enacted by the Legislature and became law in June 2017. The statute under Chapter 622 states:

- 1. Except as otherwise provided by specific statute relating to the issuance of a license by endorsement, a regulatory body shall adopt regulations providing for the issuance of a license by endorsement to engage in an occupation or profession in this State to any natural person who:*
 - (a) Holds a corresponding valid and unrestricted license to engage in that occupation or profession in the District of Columbia or any state or territory of the United States;*
 - (b) Possesses qualifications that are substantially similar to the qualifications required for issuance of a license to engage in that occupation or profession in this State; and*
 - (c) Satisfies the requirements of this section and the regulations adopted pursuant thereto.*
- 2. The regulations adopted pursuant to subsection 1 must not allow the issuance of a license by endorsement to engage in an occupation or profession in this State to a natural person unless such a person:*
 - (a) Is a citizen of the United States or otherwise has the legal right to work in the United States;*
 - (b) Has not been disciplined by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to engage in an occupation or profession;*
 - (c) Has not been held civilly or criminally liable in the District of Columbia or any state or territory of the United States for misconduct relating to his or her occupation or profession;*
 - (d) Has not had a license to engage in an occupation or profession suspended or revoked in the District of Columbia or any state or territory of the United States;*
 - (e) Has not been refused a license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States for any reason;*
 - (f) Does not have pending any disciplinary action concerning his or her license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States;*
 - (g) Pays any applicable fees for the issuance of a license that are otherwise required for a natural person to obtain a license in this State;*
 - (h) Submits to the regulatory body a complete set of his or her fingerprints and written permission authorizing the regulatory body to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report or proof that the applicant has previously passed a comparable criminal background check; and*
 - (i) Submits to the regulatory body the statement required by NRS 425.520.*

3. A regulatory body may, by regulation, require an applicant for issuance of a license by endorsement to engage in an occupation or profession in this State to submit with his or her application:

(a) Proof satisfactory to the regulatory body that the applicant:

(1) Has achieved a passing score on a nationally recognized, nationally accredited or nationally certified examination or other examination approved by the regulatory body;

(2) Has completed the requirements of an appropriate vocational, academic or professional program of study in the occupation or profession for which the applicant is seeking a license by endorsement in this State;

(3) Has engaged in the occupation or profession for which the applicant is seeking a license by endorsement in this State pursuant to the applicant's existing licensure for the period determined by the regulatory body preceding the date of the application; and

(4) Possesses a sufficient degree of competency in the occupation or profession for which he or she is seeking licensure by endorsement in this State;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and complete; and

(c) Any other information required by the regulatory body.

On May 16, 2018, the Board amended NAC 631.030 to include documentation and information that is required for an applicant applying for licensure by endorsement:

2(b) A certificate granted by a nationally recognized, nationally accredited or nationally certified examination or other examination approved by the Board which proves that the applicant has achieved a passing score on such an examination; and

(c) Proof that the applicant has actively practiced dentistry or dental hygiene for the 5 years immediately preceding the date of submission of the application.

The information listed below explains the application process.

Jurisprudence Examination/Fingerprints

Written confirmation of the receipt of your application and application fee will be sent to you via US Mail, along with the on-line jurisprudence examination registration information and the fingerprint materials, within twenty one (21) business days from the date the application is received.

NOTE: Pursuant to the laws of the State of Nevada, you are required to utilize the official fingerprint cards and documents approved by the Nevada Department of Public Safety. The Board is unable to accept any other fingerprint documents. To avoid additional expense, please wait to receive the fingerprint package from the Board.

NOTE: Each applicant shall successfully pass the jurisprudence examination which is based on the contents and interpretation of Chapter 631 and the regulations of the Board. In addition, the applicant must file all required documents to the Board office before an application will be deemed complete and ready for review by the Board's Secretary-Treasurer.

Checklist

The Board has provided a checklist of the items you will be responsible for requesting and/or submitting to the Board. Please be advised, National Board Scores, Certified Copies of School Transcripts and Verification of Licensure documents if hand delivered must be in sealed envelopes.

Application Review:

Upon receipt of all required documentation, your application for licensure will be reviewed by the Secretary Treasurer to ensure compliance (NAC 631.050). If the application is found to be in compliance the Secretary Treasurer shall instruct the Executive Director to issue the license.

Activation/Renewal of License:

Upon approval of your application for licensure by the Board, you will receive an approval packet to include, but not limited to, the license number assigned, the activation/renewal form to include fee amounts specific for your licensure type (prorated), information regarding, business license, continuing education requirements, duties delegable to dental assistants, State Board of Pharmacy regarding permits for controlled substances and the Prescription Monitoring Program access information.



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APPLICANT'S CHECKLIST FOR LICENSURE BY ENDORSEMENT

(List of items to be completed by you)

- _____ **Complete Application**
- _____ **Application Fee**
- _____ **2 x 2 color photo attached to the application**
- _____ **Original Self Query report from the National Practitioners Data Bank (NPDB)**
(See instructions included with the application)
- _____ **Certified Transcript from Dental/Dental Hygiene School (must have degree posted)**
- _____ **National Board Scores (request through the Joint Commission at www.ada.org/dentpin)**
- _____ **Certified score reports of ALL clinical examinations you participated in as a candidate**
(Please have these certified certificates mailed directly to the Board office)
- _____ **Verification of licensure letters from ALL states you are licensed, regardless of license status**
(Please have these letters mailed directly to the Board office)
- _____ **Copy of front and back of current CPR card (online courses ARE NOT acceptable)**
- _____ **Copy of Citizenship Documents**
(U.S. citizens – State birth certificate, U.S. passport or copy of naturalization certificate)
(Non-U.S. citizens – copy of legal document which allows you to remain and work in the U.S. including, but not limited to, permanent resident card, employment authorization card. etc.)
- _____ **Complete on-line jurisprudence examination**
(Registration provided upon receipt of application; results are automatically emailed to the Board office)
- _____ **Completed Fingerprint Background Waiver, ID Verification Form and 2 Fingerprints Cards***
(Provided with the jurisprudence information upon receipt of application)

*Pursuant to the laws of the State of Nevada, you are required to utilize the official fingerprint cards and documents approved by the Nevada Department of Public Safety. The Board is unable to accept any other fingerprint documents. To avoid additional expense, wait to receive the fingerprint package from the Board.

NOTE: When the Board office has received the completed application, applicable application fee and all required documents as set forth in NAC 631.030, your application will be reviewed by the Secretary-Treasurer for the Board. Upon review by the Secretary-Treasurer and having met all requirements, the Secretary-Treasurer shall instruct the Executive Director to issue the license.

IF HAND-DELIVERING ANY ITEMS NOTED ABOVE, THE MATERIALS MUST BE IN SEALED ENVELOPE

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**2" x 2" color photo of
applicant taken
within the last 6
months must be
affixed to this space.**

I hereby make application for Nevada Dental licensure by:

(Please check one below)

Licensure by ADEX Exam (NRS 631.240): \$1200 <input type="checkbox"/>		Licensure by WREB Exam (NRS 631.240): \$1200 <input type="checkbox"/>	
Licensure by Credential (NRS 631.255): \$1200 (Please select specialty below)		Indicate Specialty: Board Eligible <input type="checkbox"/> Diplomate <input type="checkbox"/>	
Orthodontia <input type="checkbox"/>	Prosthodontia <input type="checkbox"/>	O & M Pathology <input type="checkbox"/>	
Endodontia <input type="checkbox"/>	Pediatric Dentistry <input type="checkbox"/>	O & M Radiology <input type="checkbox"/>	
Periodontia <input type="checkbox"/>	Public Health Dentist <input type="checkbox"/>	O & M Surgery <input type="checkbox"/>	
Limited Licensure (NRS 631.271): \$125		Restricted Geographical (NRS 631.274): \$600	
Resident: <input type="checkbox"/>	Instructor: <input type="checkbox"/>	Underserved County(ies): <input type="checkbox"/>	FQHC or Non-Profit: <input type="checkbox"/>
<u>Indicate Residency Program:</u>	<u>Indicate Instructor Facility:</u>	<u>Indicate County(ies)</u>	<u>Indicate FQHC Facility or Non Profit</u>
Military by Reciprocity/Credential: \$1200.00 <input type="checkbox"/>		License by Endorsement: \$1200 <input type="checkbox"/>	
NOTE: An application is considered complete when the application, all required documents, background information, and fees are on file with the Board office. APPLICATION FEES MUST BE PAID IN ADVANCE AND MAY NOT BE REFUNDED PURSUANT TO NEVADA REVISED STATUTE (NRS) 631.345. Please type or print legibly. All questions must be answered. If additional space is needed, attach a separate sheet identifying additional information by Section number. Applicants acknowledge they have a continuing responsibility to update all information contained in this application until such time as the Board takes final action on this application. Failure of an applicant to update the information prior to final action of the Board is grounds for subsequent disciplinary action.			
Last:		First:	Middle:
Suffix:			
Soc. Security #:	Age:	Male <input type="checkbox"/> Female <input type="checkbox"/>	Birthdate: Birthplace (City, County, State, & Country):
Have you ever been known by any other name? Yes <input type="checkbox"/> No <input type="checkbox"/>			
If yes, state in full every other name by which you have been known, the reason therefore, and the inclusive dates so known:			
If a married woman, state maiden name:			
If a name change was made by court order, attach a CERTIFIED COPY of the court order.			
Are you a U.S. born citizen?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
If no, are you naturalized?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, naturalization #	Naturalization Date:	Place:	
If no, were you born abroad of US citizens?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
If no, are you a legal resident?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
Is your application for naturalization pending?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
Date of Application:	Place:		
You must submit appropriate proof of Citizenship or legal documentation for lawful entitlement to remain in the U.S. and work in the U.S			

(A) HOME ADDRESS & PREVIOUS ADDRESS HISTORY

Current Home Address:	City:	State:	Zip code:
Mailing Address: This is the address that all correspondence from NSBDE will be mailed. <input type="checkbox"/>			
If same as current home address please check box.			
Mailing Address (if different):	City:	State:	Zip Code:
Telephone Residence:	Telephone Cell:	Email address:	

(B) PREVIOUS STREET ADDRESS

List all home addresses for the past seven (7) years. If you cannot recall certain information please indicate cannot recall. Do not leave blank. Please be sure that if you were in school you have a home address listed in the same state you went to school.

(Please add additional pages as needed)

1. Address :	City:	State:	Zip Code:
County:	Dates: to		
2. Address :	City:	State:	Zip Code:
County:	Dates: to		
3. Address :	City:	State:	Zip Code:
County:	Dates: to		
4. Address :	City:	State:	Zip Code:
County:	Dates: to		
5. Address :	City:	State:	Zip Code:
County:	Dates: to		
6. Address :	City:	State:	Zip Code:
County:	Dates: to		
7. Address :	City:	State:	Zip Code:
County:	Dates: to		
8. Address :	City:	State:	Zip Code:
County:	Dates: to		
9. Address :	City:	State:	Zip Code:
County:	Dates: to		
10. Address :	City:	State:	Zip Code:
County:	Dates: to		

(C) MILITARY SERVICEHave you ever served in the military? *(if yes, you must answer the questions below)*Yes ☐ No ☐

Date of Service: From _____ to _____		Military Occupation Specialty/Specialties:	
Branch of Service:	Army/Army Reserve <input type="checkbox"/>	Marine Corps/Marine Corps Reserve <input type="checkbox"/>	
	Navy/Navy Reserve <input type="checkbox"/>	Air Force/ Air force Reserve <input type="checkbox"/>	
	Coast Guard/ Coast Guard Reserve <input type="checkbox"/>	National Guard <input type="checkbox"/>	

Date of Service: From _____ to _____		Military Occupation Specialty/Specialties:	
Branch of Service:	Army/Army Reserve <input type="checkbox"/>	Marine Corps/Marine Corps Reserve <input type="checkbox"/>	
	Navy/Navy Reserve <input type="checkbox"/>	Air Force/ Air force Reserve <input type="checkbox"/>	
	Coast Guard/ Coast Guard Reserve <input type="checkbox"/>	National Guard <input type="checkbox"/>	

(D) EDUCATION & CERTIFICATIONS

Doctoral:	Post Doctoral:
University/ College:	University/ College:
City:	City:
State:	State:
Years Attended: (month/year) _____ to _____	Years Attended: (month/year) _____ to _____
Graduation Date:	Graduation Date:
Degree Earned: DDS _____ DMD _____	Specialty (MS): _____

(E) LASER USE AND CERTIFICATIONI utilize laser radiation in the performance of my practice of dentistry. Yes ☐ No ☐I certify that each laser I use in my practice of dentistry has been cleared by the United States Food and Drug Administration for use in dentistry. Yes ☐ No ☐

Attach a copy of proof of course completion of laser proficiency indicating successful completion of a recognized course pursuant to Board regulation NAC 631.033 and NAC 631.035 based on the curriculum guidelines and standards for dental laser education as adopted by the Academy of Laser Dentistry.

(F) CONTINUED CLINICAL COMPETENCYHave you been out of active practice for two or more years just prior to completing this application? Yes ☐ No ☐*If yes, attach a separate sheet with details of how you have maintained your clinical skills.***(G) HISTORY OF IMPAIRMENT**

(1) Do you now, or have you ever, abused alcohol, other chemical substances, or do you have any medical/mental impairments or emotional condition(s) that would impair your ability to perform as a licensee pursuant to NRS and NAC Chapters 631? *(If yes, submit details on separate sheet)* Yes ☐ No ☐

(2) Do you now, or have you ever had, any contagious or infectious disease(s) that would impair your ability to perform as a licensee pursuant to NRS and NAC Chapters 631? *(If yes, submit details on separate sheet)* Yes ☐ No ☐

(H) DENTAL PRACTICE & EMPLOYMENT HISTORY

Have you ever been engaged in private dental practice, been employed as a dentist, been self-employed or done business under a fictitious name (D.B.A.)? Yes ☐ No ☐

*If yes, list the following information for the past ten years including the dates you practiced dentistry: the names of all employers; partners, associates or persons sharing office space; list dates of self-employment and nature of business; list all fictitious names (D.B.A.), dates and nature of business; and the reason for leaving each practice. **If you were unemployed for any period of time please write the month and year of unemployment. (Use additional sheets if necessary)***

Current Practice Address (If any):

City:

State:

Zip Code:

Telephone:

Fax:

Email address:

(I) PREVIOUS EMPLOYMENT

1. Practice Address:

City:

State:

Zip Code:

From:

To:

(Include month/year)

Telephone:

Name of Employers, Associates, Etc...

Reason for leaving:

2. Practice Address:

City:

State:

Zip Code:

From:

To:

(Include month/year)

Telephone:

Name of Employers, Associates, Etc...

Reason for leaving:

3. Practice Address:

City:

State:

Zip Code:

From:

To:

(Include month/year)

Telephone:

Name of Employers, Associates, Etc...

Reason for leaving:

4. Practice Address:

City:

State:

Zip Code:

From:

To:

(Include month/year)

Telephone:

Name of Employers, Associates, Etc...

Reason for leaving:

5. Practice Address:

City:

State:

Zip Code:

From:

To:

(Include month/year)

Telephone:

Name of Employers, Associates, Etc...

Reason for leaving:

(J) EXAMINATION AND LICENSURE HISTORY**NATIONAL BOARD EXAMINATION**

Part I Date Taken: PASS ☐ FAIL ☐

Part II Date Taken: PASS ☐ FAIL ☐

Please list below all dental/hygiene clinical examinations in which you have participated: *(Use additional sheets if necessary)*

CLINICAL EXAMS:

ADEX ☐ Date(s) of Clinical Examination: to PASS ☐ FAIL ☐

WREB ☐ Date(s) of Clinical Examination: to PASS ☐ FAIL ☐

OTHER EXAMS:

Regional/State, Territory, DC:

Date(s) of Clinical Examination: to PASS ☐ FAIL ☐

Regional/State, Territory, DC:

Date(s) of Clinical Examination: to PASS ☐ FAIL ☐

Have you ever applied for a license to practice dentistry? Yes ☐ No ☐

If yes, list the following for each state, territory or the District of Columbia. Use additional sheets if necessary:

State, Territory, DC:

Date of Application:

Result of Application (Granted, Denied, Pending):

State, Territory, DC:

Date of Application:

Result of Application (Granted, Denied, Pending):

State, Territory, DC:

Date of Application:

Result of Application (Granted, Denied, Pending):

- | | | | |
|---|---|------------------------------|-----------------------------|
| 1 | Have any proceedings been initiated against you to revoke or suspend your dental license? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 2 | At the time you filed this application, were any disciplinary proceedings pending against you, including complaints or investigations, in any other state, territory or the District of Columbia? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 3 | Have you ever been terminated or attempted to terminate or surrender a dental license in any state, territory or the District of Columbia? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4 | Have you ever been denied a dental license in this state, another state, or a territory of the U.S. or the District of Columbia? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

If you answered 'yes' to questions J1, J2, J3 and/or J4, provide a full explanation of each answer on a separate sheet and attach to this application.

(K) MALPRACTICE

Have you ever had any claims of malpractice filed against you?

Yes ☐ No ☐

If yes, list all malpractice, negligence lawsuits and claims you have ever had against you. Include dates, names, settlements or resolutions. Please include malpractice and lawsuits that were dismissed. Provide additional pages as needed.

Do you or have you ever carried malpractice (professional liability) insurance?

Yes ☐ No ☐

List all malpractice carriers since licensed or for the past 10 years (which ever is longer). Leave no time gaps and account for periods with no insurance. Provide additional pages as needed.

Carrier:		Policy Number:	
Address :	City:	State:	Zip Code:
From:	To: (Include month/year)	Telephone:	

Carrier:		Policy Number:	
Address :	City:	State:	Zip Code:
From:	To: (Include month/year)	Telephone:	

Carrier:		Policy Number:	
Address :	City:	State:	Zip Code:
From:	To: (Include month/year)	Telephone:	

Carrier:		Policy Number:	
Address :	City:	State:	Zip Code:
From:	To: (Include month/year)	Telephone:	

Carrier:		Policy Number:	
Address :	City:	State:	Zip Code:
From:	To: (Include month/year)	Telephone:	

Carrier:		Policy Number:	
Address :	City:	State:	Zip Code:
From:	To: (Include month/year)	Telephone:	

(L) MORAL CHARACTER

- | | | | |
|---|--|------------------------------|-----------------------------|
| 1 | Have you ever been reprimanded, censored, restricted or otherwise disciplined? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 2 | Have any claims or complaints of malpractice, formal or informal, ever been made or filed against you, or have any proceedings been instituted against you? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 3 | Have you ever been arrested, convicted, charged with, entered a plea of nolo contendere or pleaded guilty to the violation of any law [misdemeanor(s) or felony(ies)]? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

If your answer is 'yes' to any of the foregoing questions (1-3), furnish a written statement of each occurrence giving the complete facts. For each incident, state the date, case number, the nature of the charge the disposition of the matter, and the name and address of the authority in possession of the records thereof. You must provide certified copies of any arrest or conviction and/or any plea agreements entered into for any felony(ies) or misdemeanor(s).

- | | | | |
|---|---|------------------------------|-----------------------------|
| 4 | Have you ever been denied participation in, or suspended from the Medicaid or Medicare benefit program? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
|---|---|------------------------------|-----------------------------|

If your answer is 'yes' to questions 4, furnish a written statement of each occurrence giving the complete facts. For each incident, state the date, the nature of the charge the disposition of the matter, and the name and address of the authority in possession of the records thereof.

- | | | | | |
|---|----------------------------|------------------------------|-----------------------------|--------------------------|
| 5 | Do you hold a DEA license? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | If yes list DEA Number # |
|---|----------------------------|------------------------------|-----------------------------|--------------------------|

- | | | | |
|---|--|------------------------------|-----------------------------|
| 6 | Have you ever surrendered your DEA number or had it revoked or restricted? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
|---|--|------------------------------|-----------------------------|

(M) STATEMENT OF CHILD SUPPORT

Pursuant to state and federal mandated requirements, I further certify that (CHECK the appropriate box):

- | | | |
|----|---|--------------------------|
| 1 | I am NOT subject to a court order for the support of one or more children. | <input type="checkbox"/> |
| 2 | I AM subject to a court order for the support of one or more children and: <i>(continue to 2a or 2b below)</i> | <input type="checkbox"/> |
| 2a | I am NOT in compliance with a plan approved by the district attorney or other public agency enforcing the order for the payment of the amount owed pursuant to the court order for the support of one or more children. | <input type="checkbox"/> |
| 2b | I AM in compliance with a plan approved by the district attorney or other public agency enforcing the order for the payment of the amount owed pursuant to the court order for the support of one or more children. | <input type="checkbox"/> |

(N) AFFIDAVIT AND PLEDGE

I hereby expressly waive all provisions of law forbidding any physician or other person who has attended or examined me or who may hereafter attend or examine me from disclosing any knowledge or information that is thereby acquired, and I hereby consent that such knowledge or information may be disclosed to the Nevada State Board of Dental Examiners.

The person named as the applicant in the foregoing application and questionnaire, being first duly sworn, deposes and says: I am the applicant for dental licensure referred to; and I have carefully read and understand the questions in the foregoing questionnaire and have answered them truthfully, fully, and completely, without mental reservation of any kind. I further understand I have a continuing obligation to inform the Board should any of my answers since filing this application change prior to the Board issuing my license. In the event I fail to update the answers which have changed since submitting this application, I understand that such failure is ground for revocation of any license issued or denial of the application.

I hereby authorize educational and other institutions, my references (past and present), business and professional associates (past and present), insurance carriers, professional societies, governmental agencies and instrumentalities (local, state, federal or foreign), and independent information gathering services to release to the Nevada State Board of Dental Examiners any information, files or records requested by the Board in connection with the processing of this application.

I hereby pledge myself to the highest standards and ethics in the Practice of Dentistry and further pledge to abide by the laws and regulations pertaining to the practice of dentistry. I understand that a violation of this pledge may be deemed sufficient cause for the revocation of a license issued by the Board.

I hereby understand and agree that the title of all licenses shall remain with the Nevada State Board of Dental Examiners and subject to surrender by Order of said Board.

I UNDERSTAND THAT ANY OMISSIONS, INACCURACIES, OR MISREPRESENTATIONS OF INFORMATION ON THIS APPLICATION ARE GROUNDS FOR REJECTION OF THIS APPLICATION AND THE REVOCATION OF A LICENSE WHICH MAY HAVE BEEN OBTAINED THROUGH THIS APPLICATION.

APPLICANT

Applicant Signature

Applicant (printed) Last Name, First, MI, Suffix (e.g., Jr.)

Date of Signature (must correspond with notary date)

Applicants Date of Birth (month/day/year)

Social Security Number

NOTARY

State of _____ County of _____

The statement on this document are subscribed and sworn before me this

_____ day of _____, 20 _____

Notary Public

My Commission Expires



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

NOTARIZED AUTHORIZATION FOR RELEASE OF INFORMATION, DOCUMENTS AND RECORDS

I, _____, designate the Nevada State Board of Dental Examiners to collect, verify and maintain information, and copies of documents and records that can subsequently be provided to professional licensing boards, hospitals and other entities when I apply for licensure, staff membership, employment, or other privileges.

I request and authorize every person, institution, professional licensing board or any state in which I hold or may have held a license to practice my professional, Joint Commission on National Dental Examinations, hospital, clinic, government agency (local, state, federal or foreign), law enforcement agency, or other third parties and organizations, and their representatives to release information, records, transcripts, and other other documents, concerning my professional qualifications and competence, ethics, character, and other information pertaining to me to the Nevada State Board of Dental Examiners.

I further request and authorize that the requested information, documents and records be sent directly to:

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

I hereby release, discharge, and hold harmless the Nevada State Board of Dental Examiners, or representatives and any person furnishing information, records, or documents of any and all liability. I authorize the Nevada State Board of Dental Examiners to release information, material, documents, orders or the like relating to me or this application to any entity at my request.

By my signature below, I acknowledge that information, documents and records required to be furnished by another organization, educational institutions, individual, or any person or groups must be sent directly by such persons to Nevada State Board of Dental Examiners. I understand that Nevada State Board of Dental Examiners will not accept such information, records, or documents forwarded by me.

A photocopy or facsimile of this authorization shall be as valid as the original and shall be valid for a period of one (1) year from the date of signature.

APPLICANT

Applicant Signature

Applicant (printed) Last Name, First, MI, Suffix (e.g., Jr.)

Date of Signature (must correspond with notary date)

Applicants Date of Birth (month/day/year)

Social Security Number

NOTARY

State of _____ County of _____

The statement on this document are subscribed and sworn before me this

_____ day of _____, 20____

Notary Public

My Commission Expires



Nevada State Board of Dental Examiners

2651 N Green Valley Parkway, Suite 104

Henderson, NV 89014

(702) 486-7044 • (800) DDS-EXAM • Fax (702) 486-7046

REQUEST FOR OFFICIAL TRANSCRIPTS **DENTAL**

Pursuant to NAC 631.230 and NAC 631.030, applicants for dental licensure in the State of Nevada must present official certified copies of your transcripts indicating you have been awarded a degree in dental surgery/medicine from an ADA accredited dental school or college.

Please be advised, you will be required to request a certified copy of your dental school transcript be sent to the Board office at the address listed above. If you hand deliver a certified copy of your transcript, the documents must be in a sealed envelope.

Please be advised, your application will not be deemed complete until our office has received the official transcript from your dental school.



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

National Practitioner Data Bank Self-Query Report

All applicants for dental or dental hygiene licensure are required to self-query the National Practitioner Data Bank. The self-query must be completed on the internet. You will need a credit card for payment of the querying fees. Instructions for accessing the self-query forms are as follows:

Go to: <https://www.npdb.hrsa.gov/ext/selfquery/SQHome.jsp>

- Click on 'Start a New Order'; read the agreements, accept the terms and click 'Submit and Continue'
- Complete steps 1-4 on-line following the instructions

Federal law requires that the self-query results be provided directly to you, the applicant/practitioner, and not a third party. You will be provided with an electronic copy (accessible online) and a paper copy (by mail) of your report. You may submit the original report you receive by mail to the Board office to the address at the top of this page, or submit the completed report by email by following these instructions:

- Open the email you received from the NPDB indicating the electronic copy of your self-query response is available and click on the link provided in that email
- Sign-in to open/view your report
- From the open report, save a copy of the report PDF to your computer
- Close the report and sign-out of the NPDB
- Return to the open email from the NPDB and click 'Forward'
- Enter the Board email address of nsbde@nsbde.nv.gov in the 'To' field, attach a copy of the PDF report to the email and click 'Send'. The original email from the NPDB is required to view the email thread and confirm authenticity.

It is important you follow these instructions for the Board staff to verify the authenticity of the report.

PLEASE NOTE: You must use a non-Apple product (i.e. – anything but an iPhone, iPad, Mac, etc.) to forward the information by email. The Board staff is unable to view all required information if submitted using an Apple product. We apologize for the inconvenience.

If you have questions pertaining to your self-query, you may contact: **Data Bank Customer Service at 800-767-6732.**

**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

LICENSURE APPLICATION CREDIT CARD PAYMENT
AUTHORIZATION FORM

Applicant Name:	Telephone #: () _____ - _____
------------------------	---

Dental Licensure Application	Dental Hygiene Licensure Application
Select Application Type:	Select Application Type:
<input type="checkbox"/> License by Examination – WREB (\$1200)	<input type="checkbox"/> Licensure by Examination – WREB (\$600)
<input type="checkbox"/> License by Examination – ADEX (\$1200)	<input type="checkbox"/> Licensure by Examination – ADEX (\$600)
<input type="checkbox"/> License by Endorsement (\$1200)	<input type="checkbox"/> Licensure by Endorsement (\$600)
<input type="checkbox"/> Specialty License by Credential (\$1200)	<input type="checkbox"/> Geographically Restricted (\$150)
<input type="checkbox"/> Geographically Restricted (\$600)	<input type="checkbox"/> Limited License (\$125)
<input type="checkbox"/> Limited License – Faculty / Resident (\$125)	<input type="checkbox"/> Military by Reciprocity (\$600)
<input type="checkbox"/> Limited Licensed for Supervision (\$100)	Dental Therapy Licensure Application
<input type="checkbox"/> Restricted License (\$125)	Select Application Type:
<input type="checkbox"/> Military by Reciprocity (\$1200)	<input type="checkbox"/> Licensure by Examination – WREB (\$1000)
<input type="checkbox"/> Specialty License by Application [NV licensed Dentist only] (\$125)	<input type="checkbox"/> Licensure by Examination – ADEX (\$1000)
<input type="checkbox"/> General Dental License AND Specialty License (\$1325) <i>(must select general dental license option above, also)</i>	<input type="checkbox"/> Licensure by Endorsement (\$500)
	<input type="checkbox"/> Military by Reciprocity (\$1000)
Other/Memo:	

Miscellaneous (optional):

- | |
|--|
| <input type="checkbox"/> Nevada Revised Statutes (NRS) 631 Booklet (\$3) |
| <input type="checkbox"/> Nevada Administrative Codes (NAC) 631 Booklet (\$3) |

Payment Information		
Name on Credit Card:		Method of Payment:
		<input type="checkbox"/> MasterCard <input type="checkbox"/> Visa <input type="checkbox"/> Discover
Credit Card Billing Address:		Ste. /Apt. No.:
City:	State:	Zip Code:

Credit Card Number:	CVV Code:	Expiration Date	Amount Authorized:
_____ - _____ - _____ - _____	_____	MM / 20YY	\$

Signature: _____**Date:** ____ / ____ / ____