

NEVADA STATE BOARD of DENTAL EXAMINERS



BOARD TELECONFERENCE MEETING
MONDAY, MAY 22, 2023
6:00 P.M.

PUBLIC COMMENT BOOK

Public Comment:
Nevada Dental Hygienists' Association
Legislative
Committee

May 2, 2023

To: Legal, Legislative and Dental Practice Committee/Nevada State Board of Dental Examiners

The Nevada Dental Hygienists' Association (NDHA) in accordance with Governor Lombardo's Executive Order 2023-003, offer the following recommendations:

1. **NAC 631.210 Section 4** replace the word "supervision" with the word "authorization"

Dental Hygienist to administer local anesthetic with the authorization of the employing/supervising dentist. This removes the restrictive barrier to patient pain management for dental hygiene procedures when the dentist is not in the office. During the 2019 legislative session under SB 366 (dental therapy Bill) **NRS 631.215 2b** was added to read **2. Nothing in this section: (b) Prevents a dental therapist or dental hygienist from administering local anesthesia] for pain management during treatment or using X-ray radiation or laser radiation for dental treatment or dental diagnostic purposes, upon authorization of a licensed dentist.** This change from supervision to authorization has been approved by the Nevada legislature since 2019 and NAC language needs to reflect this change. Since the 1980's dental hygienists in Nevada have been administering local anesthesia with no known complaints.

2. The NDHA would like to go on the record against the removal of **NAC 631.030 (i) and (k)**
3. The NDHA would like to go on the record against the removal of **NAC 631.175 6(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 or 2 of [NAC 631.173](#), as applicable.**

This NAC does not limit the courses licensed professionals can take but it does ensure they are present and engaged for at least 50 percent of the credits needed for licensure. NDHA believes this is in place to safeguard the public's safety and is the reason why NSBDE requires continuing education. "Live" CEs include all webinars and most digital formats where the attendee can actively ask questions and are logged on the entire time. The NSBDE cannot force licensees to listen, but they can ensure attendees are present.

The removal of the "live" requirement for CE is a matter of public safety and may compromise the quality of care that patients receive. If this NAC is removed attendees would be able to obtain 100 percent of their CE using magazine journal study and other formats where proof of attendance is not needed.

Respectfully submitted,

Nevada Dental Hygienists' Association Legislative Committee

Public Comment:
Caryn Solie, RDH

1. Public Book page 8, **Dental Therapists' eligibility to apply for license and educational requirements**- The Board's jurisdiction does not extend to mandating courses, subject matter and hours in the standards adopted by CODA for the educational programs for dentistry, dental therapy, and dental hygiene.
The NRS 631.312c1 clearly states the dental therapy education program must NOT be less than 2 years. Additionally, the Nevada statute requires the Dental Therapist applicant must hold a dental hygiene license. The board fully recognizes and accepts the dental and dental hygiene education of CODA educated graduates, as CODA approved education standards teach to competency and proficiency.
2. Public Book page 9- **Examination to practice dental therapy**- These are redundant additions as all components of the Dental Therapist's education and scope of practice are tested in the CDCA/WREB competency examinations. The Board continually monitors the content of examinations by participating in AADB, ADEX standards and serving as CDCA/WREB examiners.
3. Public Book page 10-**"Direct Supervision" defined for purposes of NRS 631.3122**- This requirement would best be placed into the area of the regulation that pertains to the supervision in completing the noted hours of 500/1000/1500 by the DT. The intent of the statute allows the Dental Therapist to practice under authorization by the dentist within the practice agreement, not direct supervision once those hours are completed and the Dental Therapist is certified by the board.
4. Public Book page 11- **Required provisions of dental therapy written practice agreement**- Line items 1 and 4 are best utilized with the language in statute. Line items 2 and 3 should be required for all dental practice locations, not just the Dental Therapist practice sites.
5. Public Book page 12- **Requirements of authorizing dentist supervising a dental therapist**- The language in NRS succinctly covers each of these points and would be best used in this regulation to fully meet the intent of the law.
6. Public Book page 13- **Notification to dental therapist if authorizing dentist is under board investigation**- NRS and NAC do not require a licensee under investigation to not practice unless a cease-and-desist order/license revocation is issued, therefore unless the DDS license is not valid the Dental Therapist should be able to continue patient care under the practice agreement.
7. Public Book pages 14 and 15- **Dental therapists: Authorization to perform certain services; referral of patient to authorizing dentist for certain purposes**- NRS 631.3124 and 631.3125 clearly state the full scope of practice that the Dental Therapist is educated and tested to provide, it does not require direct supervision by the authorizing DDS and regulations should include the care and services that statute indicates. This proposed regulation language does not meet the intent of the statute and is too restrictive to the authorizing DDS.

The public is protected and provided safe care with Dental Therapists who are educated, and competency tested just as Dentists and Dental Hygienists are, and therefore should not be restricted by regulations out of fear of a new entity being added to the oral healthcare team.

As the Board is discussing changes to NAC 631, I respectfully request the Board to consider moving NAC 631.210 section 3e to NAC 631.210 section 2, thus allowing licensed Dental Hygienist's to provide light activated bleaching under authorization of the Dentist.

Similarly, consider moving NAC 631.210 4 a and b to NAC 631.210 section 2, allowing Dental Hygienist's to administer local anesthesia/nitrous oxide under authorization of the Dentist as stated in NRS 631.311.

I ask the Board to consider adopting regulations that would register dental assistants with the Board, as NRS and NAC contain scope of practice for them, it makes sense that the Board should monitor dental assistants.

I would like to recommend that NAC 631.173 include that with each renewal licensees must retake the online jurisprudence test.

Hopefully, with licensees being more knowledgeable of the laws and regulations the number of complaints and concerns could be reduced, and greater safety for the public would be ensured.

Respectfully,
Caryn Solie, RDH

Public Comment:
Nevada Dental Hygienists'
Association Legislative Committee :

Lancette VanGuilder
Caryn Solie
Annette Lincicome
Antonio Ventura

April 24, 2023

To: Legal, Legislative and Dental Practice Committee/Nevada State Board of Dental Examiners

The Nevada Dental Hygienists' Association in accordance with Governor Lombardo's Executive Order 2023-003, offer the following recommendations to comply with said order to update the current Nevada Administrative Code.

All of these recommendations comply with the Executive Order as no financial cost would be incurred by the state, workforce capacity will be increased and access to oral health care for Nevadans can be increased in safe and effective manners by licensed dental health providers.

1. **NAC 631.210 Section 3** strike the words **[and under his or her supervision]**

Intent: This allows the licensed dental hygienist to perform the services listed in Section 3 (a thru f) under the full authorization of the employing/supervising licensed dentist. This would increase the ability of the dental hygienist to provide their full scope of practice to clients when the dentist cannot be physically present. This places NAC in compliance with existing **NRS 631.311 which states "Dentist not required to be present when dental hygienist provides services authorized by dentist"**.

2. **NAC 631.210 Section 4** replace the word "supervision" with "**authorization**"

Intent: This change would allow the dental hygienist to administer local anesthetic with the authorization of the employing/supervising dentist. It removes the restrictive barrier to patient pain management for dental hygiene procedures when the dentist is not in the office. This change would be in compliance with existing **NRS 631.215 2b stating that "Nothing prevents: a dental hygienist or dental therapist from administering local anesthesia for pain management during treatment or using X-ray radiation or laser radiation for**

dental treatment or dental diagnostic purposes, upon authorization of a licensed dentist."

3. **NAC 631.220 Section 4** after the words" inclusive of section 3" add *"Apply pit and fissure sealant to the dentition for the prevention of decay. This procedure must be checked and approved by the supervising dental hygienist before dismissal of the patient."*

Intent: This would rescind Board Advisory Opinion AO-15-0320 and allow the Public Health Endorsed Dental Hygienist to supervise dental assistants in applying dental sealant material for the prevention of dental decay, thus removing an obstacle to care in a public health facility.

4. **NAC 631.257** add *"dental hygienist"* after dentistry in the first line.

Intent: Botox administration for an RDH who has completed the same education as required by the DDS and under their supervision.

5. **NAC 631.258** line 1 add *"dental hygienist"* after the work dentist

Intent: These changes would allow dental hygienists under the supervision of a dentist to be able to administer Botox and dermal fillers as long as the dental hygienist possess the skills and training to safely administer injectables (Botox and dermal fillers) and that a dental hygienist may only administer to a patient under the supervision of a Nevada licensed dentist who has the same adequate training and skills to safely administer the injectables (Botox and dermal fillers.)

Respectfully submitted,

Nevada Dental Hygienists' Association Legislative Committee

Lancette VanGuilder, lancettevg@gmail.com 775.224.4323

Caryn Solie, csolierdh@gmail.com 775.771.5569

Annette Lincicome, alincicome@ymail.com 702.376.4029

Antonio Ventura, antonioventura1994@gmail.com 702.506.8301