

Nevada State Board of Dental Examiners



2651 N. Green Valley Pkwy, Ste. 104 • Henderson, NV 89014 • (702) 486-7044 • (800) DDS-EXAM • Fax (702) 486-7046

PUBLIC MEETING NOTICE & BOARD MEETING AGENDA

MEETING MINUTES

Meeting Date & Time

Wednesday, January 17, 2024
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#: **822 1718 3822**

Zoom Webinar/Meeting Passcode: **405318**

PUBLIC NOTICE:

Public Comment by pre-submitted email/written form and Live Public Comment 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, January 16, 2024, 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

Dr. Lee called the meeting to order at approximately 6:07p.m. Mr. Bateman conducted roll call & quorum was met.

Dr. Tejpaul John (Dr. Johl) – Present
Dr. Ronald West (Dr. West) – Present
Dr. Christopher Hock (Dr. Hock) – Present
Dr. Joshua Branco (Dr. Branco) – Present
Ms. Kimberly Petrilla (Ms. Petrilla) – Present
Mr. Michael Pontoni (Mr. Pontoni) – Present

Dr. Daniel Streifel (Dr. Streifel) – Present
Dr. David Lee (Dr. Lee) – Present
Dr. Lance Kim (Dr. Kim) – Present
Ms. Yamilka Arias (Ms. Arias) – Present
Ms. Jana McIntyre (Ms. McIntyre) – Present

Others Present: Chris Bateman, Executive Director; Mark Karris, General Counsel; Blair Parker, General Counsel

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.

Members of the public may submit public comment via email to nsbde@dental.nv.gov, or by mailing/faxing messages to the Board office. Written submissions received by the Board on or before **Tuesday, January 16, 2024, 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.

Aimee Abittan, secretary of NV Dental Association read off their public comment. Dr. Steve Saxe made a public comment in addition to his previously submitted public comment. Dr. Saxe clarified what he believes supervision addresses concerning dental therapist.

***3. Election of Officers – NRS 631.160** (For Possible Action)

***a. President** (For Possible Action)

Dr. Lee introduced the above agenda item & asked for President nominations. Dr. Johl motioned to nominated Dr. David Lee as President. Dr. Kim seconded the motion. Dr. Lee interjected & asked if there were any other nominations. Hearing none the Board voted; all were in favor & the motion passed.

***b. Secretary Treasurer** (For Possible Action)

Dr. Lee introduced the above agenda item & asked for Secretary Treasurer nominations. Dr. Kim nominated Dr. Johl as Secretary Treasurer. Both Ms. McIntyre & Ms. Arias simultaneously seconded the motion. Dr. Lee then asked if there were any other nominations for Secretary Treasurer. Hearing none the Board voted; all were in favor & the motion passed.

***4. President's Report:** (For Possible Action)

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

There were no request to remove any agenda items.

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

Mrs. McIntyre made a motion to approve the agenda, Dr. Johl seconded the motion, all were in favor & the motion passed.

***5. Secretary – Treasurer's Report:** (For Possible Action)

***a. Approval/Rejection of Minutes** (For Possible Action)

(1) Board Meeting – 12/08/2023

Dr. Johl introduced the above agenda item. Dr. Lee made a motion to approve the board meeting minutes, Mrs. McIntyre seconded the motion & all were in favor, the motion passed.

***6. General Counsel's Report:** (For Possible Action)

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

Mr. Karris updated the Board that the single matter is currently stayed until the end of the month. We are currently awaiting the determination from the NV equal rights commission & changes to the district course case.

b. Regulatory Update (For Informational Purposes Only)

Mr. Karris updated the Board that a couple of matters are on today's agenda. Mr. Karris then went into the Teledentistry Bill AB 147 & expanded functions SB310. He informed the Board they were passed by the NV legislature & now the appropriate committees will workshop both & draft language.

***c. Review Panel – NRS 631.3635**

- (1) Discussion and Consideration of Proposed Findings and Recommendations for Matters that have Been Recommended for Remand by the Review Panel, and Possible Approval/Rejection of Same by the Board – NRS 631.3635

Mr. Parker introduced the above agenda item. Dr. Lee then asked that each Review Panel be addressed separately.

- (i) Review Panel 1

Dr. Lee & Ms. McIntyre recused themselves from the Board vote. The Board voted unanimously in favor of review panel 1.

- (ii) Review Panel 3

Dr. Johl & Mrs. Petrilla recused themselves from the Board vote. Dr. Lee made a motion to approve the remands from review panel 3, Ms. McIntyre seconded the motion, all were in favor & the motion passed.

***d. Authorized Investigative Complaints – NRS 631.360** (For Possible Action)

- (1) Dr. Z – The Board received information from Dr. Z reporting an unusual incident pursuant to NAC 631.155 of the death of a patient after treatment. Board consideration on whether an authorized investigation is warranted pursuant to NRS 631.360(1).
(For Possible Action)

Dr. Lee introduced the above agenda item & Mr. Parker detailed the specifics. Conversation ensued amongst the Board. Dr. Lee made a motion to approve the investigation of the doctor, Dr. Johl seconded the motion, all were in favor & the motion passed. Dr. Branco commented that based on the reporting there's no indication that the incident relates to any dental procedure. Dr. Branco thought resources would be better suited otherwise given the facts. Dr. West then commented that he agreed with Dr. Branco, given the coroner did not contact the Board. Dr. Lee & Dr. Johl expressed the due diligence of the Board, especially given the tragedy. The vote continued; all were in favor except Dr. Branco, the motion still passed.

***e. Consideration, Review, and Possible Approval/Rejection of Stipulation Agreements – NRS 631.3635; NRS 622A.170; NRS 622.330** (For Possible Action)

- (1) Ji Won Yang, DDS
- (2) Ji Won Yang, DDS

Dr. Lee introduced the above agenda item & Mr. Karris reviewed both incidents. Dr. Lee clarified that stipulations are only confidential until the Board approves & Mr. Karris confirmed. Dr. Lee made a motion to approve the two stipulation agreements. Dr. Johl seconded the motion, all were in favor & the motion passed.

***7. Old Business:** (For Possible Action)

***a. Consideration, Review, And Possible Approval/Rejection of LCB Regulations – NRS 631.190** (For Possible Action)

- (1) Review, Discussion, and Recommendations to the Board Regarding Implementation of Proposed Regulations of the Board of Dental Examiners of Nevada Regarding LCB File No R072-22, and the Practice of Dental Therapy NRS 631.190 (For Possible Action)

Dr. Lee introduced the above agenda item & Mr. Karris took the floor to detail the matter. Mr. Karris advised the above agenda item is back on the agenda because all recommended revisions were not previously included. Conversation ensued among the entire Board discussing the amount of CE hours required as well as direct & indirect supervision for the dental therapist. Dr. Saxe joined the conversation via web. Dr. Lee summarized modifications to changing 3yrs to 2yrs, deleting 2, 3 & 4 and aligning with statute for 40hrs. Dr. Lee made a motion to approve the recommendations of the dental therapy committee; Dr. Johl seconded the motion, all were in favor & the motion passed.

- (2) Review, Discussion, and Possible Recommendations to the Board Regarding Implementation of Proposed Regulations of the Board of Dental Examiners of Nevada Regarding LCB File No R073-22, and Disciplinary Actions NRS 631.190 (For Possible Action)

Dr. Lee introduced the above agenda item & Mr. Karris took the floor to detail the matter. Dr. Johl motioned to approve, Dr. West seconded the motion, all were in favor & the motion passed.

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

***a. Approval of Members to Board Committees – NRS 631.190** (For Possible Action)

- (1) Anesthesia
- (2) Legislative and Dental Practice
- (3) Legal And Disciplinary Action
- (4) Continuing Education
- (5) Employment
- (6) Dental Hygiene & Dental Therapy
- (7) Infection Control
- (8) Budget & Finance
- (9) Examination Liaisons
 - (i) WREB Representatives
- (10) Review Panels
 - (i) Review Panel 1
 - (ii) Review Panel 2
 - (ii) Review Panel 3

Dr. West motioned to approve all the above listed committees & its members listed in the confidential book, Dr. Branco seconded the motion & the motion passed.

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

- (1) Joseph L Weber, DMD – Moderate Sedation

Dr. Lee introduced the above agenda & turned it over to the committee's chair Dr. Branco. Dr. Branco made the Board aware that the applicant meets all requirements & made a motion to approve. Dr. West seconded the motion, all were in favor & the motion passed.

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

- (1) Brian Nelson, DMD

Dr. Lee introduced the above agenda. Dr. West made a motion to approve, Dr. Johl seconded the motion, all were in favor & the motion passed.

***d. Discussion, Consideration and Possible Approval/Rejection of Public Health Endorsement Application – NRS 631.287** (For Possible Action)

- (1) Youlanda Bates, RDH – Seal Nevada South Program
- (2) Brittany Halvorson, RDH – Community Health Alliance

Dr. Lee introduced the above agenda & turned it over to one of the committee's chairs Dr. Branco. Dr. Branco informed the Board that both applicants met all requirements & passed through the Dental Hygiene & Dental Therapy Committee. He then made a motion to approve, Dr. Johl seconded the motion, all were in favor & the motion passed.

***9. Public Comment (Live public comment 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.

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***10. Announcements**

There were no announcements.

***11. Adjournment** (For Possible Action)

Dr. Johl motioned to adjourn, Mrs. McIntyre seconded the motion, all were in favor & the motion passed.

PUBLIC NOTICE POSTING LOCATIONS

Office of the NSBDE 2651 N GREEN VALLEY PKWY, Ste 104, Henderson, Nevada 89014

Nevada State Board of Dental Examiners Website: www.dental.nv.gov

Nevada Public Posting Website: www.notice.nv.gov