

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, November 13, 2024
6:00 p.m.

Meeting Location

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

Video Conferencing/ Teleconferencing Available

To access by phone, +1(646) 568-7788

To access by video webinar,

<https://us06web.zoom.us/j/85497535023>

Webinar/Meeting ID#: 854 9753 5023

Webinar/Meeting Passcode: 425508

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 nsbdc@dental.nv.gov**. Written submissions received by the Board on or before **Tuesday, November 12, 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 table it.

1. Call to Order

a. Roll Call/Quorum

Dr. Lee – Present	Dr. Johl – Present
Dr. Streifel – Present	Dr. West – Present
Dr. Hock – Present	Dr. Kim – Present
Dr. Branco – Present	Ms. Petrilla – Present
Ms. McIntyre – Present	Ms. Arias - Present

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 the 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 to based upon viewpoint. The Chairperson may allow additional time at his/her discretion.

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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.

There were no public comments at this time.

3. President’s Report: (For Possible Action)

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

Dr. Lee requested the removal of Agenda Item 5b. Dr. Johl made a motion to approve the amended agenda, which was seconded by Ms. Arias. The motion passed unanimously.

4. Secretary-Treasurer’s Report: (For Possible Action)

- a. Approval/Rejection of Minutes** (For Possible Action)
 - i. Board Meeting – October 9, 2024**

Dr. Johl motioned to approve the minutes. Dr. Kim seconded the motion. All were in favor and the motion passed unanimously.

5. General Counsel’s Report: (For Possible Action)

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

Mr. Karris stated that there were no new legal actions or litigation updates.

- b. Regulatory Update** (For Informational Purposes Only)
- c. Review Panel – NRS 631.3635** (For Possible Action)

i. 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

1. Review Panel 1
2. Review Panel 2
3. Review Panel 3

Mr. Karris updated the board on Review Panels 1, 2, and 3, discussing the findings and recommendations for matters remanded by the review panel. Dr. Johl moved to approve the recommendations of the review panels. The motion was seconded by Dr. West. The motion passed unanimously.

ii. Discussion and Consideration of Proposed Findings and Recommendations for Matters that have been Recommended by the Attorney General's Office, and Possible Approval/Rejection of Same by the Board – NRS 631.3635

Mr. Karris discussed the remands from the Attorney General's office involving matters that required an unbiased review due to conflicts of interest. He emphasized that complaints involving board members are sent to the Attorney General's office to prevent potential conflicts of interest. Dr. Lee moved to approve the Attorney General's remands. Dr. Johl seconded the motion. All were in favor and the motion passed unanimously.

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

- i. Dr. Z – The Board received information alleging Dr. Z may have breached the standard of care.
- ii. Dr. Y – The Board received information alleging Dr. Y may have breached the standard of care.

This agenda item was removed from the agenda.

6. New Business: (For Possible Action)

- a. Draft Regulation Notice (For Discussion Only): Authorization to issue a temporary license to practice dental hygiene for dental hygienists with at least 2 years of experience in another state and authorization to apply for permanent licensure upon the renewal of the 2-year temporary license.**

Dr. Paul Klein and Dr. Patrick Silvaroli of the Nevada Dental Association (NDA) proposed reducing the required years of experience for dental hygiene licensure endorsement from five to two years to help address the shortage of dental hygienists in Nevada. Ms. Arias noted that reducing experience requirements could make Nevada more attractive for out-of-state hygienists. Dr. West supported the idea but questioned whether a two-year requirement would significantly help given similar shortages in other states. Mr. Antonio Ventura emphasized that the change would preserve public safety by maintaining high licensure standards while addressing workforce shortages.

- b. Review and Approval of Updated Affirmation Statement for Dental and Dental Hygienist License Renewal Applications – NRS 631.220; NRS 631.190; NAC 631.028; 631.030**

Mr. Higgenbotham introduced a proposed expansion of the affirmation statements required during license renewal, organizing them into seven categories of accountability. Dr. Johl expressed concern that the proposed format was overly complex and inconsistent with simpler applications used in other states. Dr. West suggested adding a checkbox for each statement with an option to explain any affirmative answers to streamline the process. The board decided to table this item, agreeing to review and compare the current and proposed formats before the next meeting.

c. Review and Approval of the Board's Scope of Engagement with Rich Wightman & Company to include additional financial and bookkeeping services – NRS 631.160 and NRS 631.190

Mr. Higgenbotham proposed expanding Rich Whitman & Company's engagement to include additional bookkeeping, budget preparation, and compliance support services. Dr. Johl moved to approve the expanded scope of engagement. Ms. McIntyre seconded the motion, which was approved unanimously.

d. Request for Advisory Opinion Regarding Supervision as it Relates to NAC 631.210 and NRS 631.105 – NRS 631.105; NAC 631.210; NAC 631.279; NRS 631.190

- i. Samantha Sturges, RDH, BS

Ms. Sturges requested clarification on the supervision requirements for procedures involving anesthesia, lasers, and whitening treatments. Mr. Karris clarified that Nevada law requires a supervising dentist to be present throughout these procedures. Ms. Arias and Ms. Sturges both noted that some dentists believe they are only required to be present during the administration of anesthesia. Ms. Karris emphasized again that the statute requires the dentist's presence for the entire procedure. The Board recommended that Ms. Sturges direct further inquiries to the Board Counsel for clarification.

e. Approval/Rejection of Voluntary Surrender of License – NAC 631.160; NRS 631.190 (For Possible Action)

- i. Richard Novik, DDS

Dr. Lee confirmed that there were no outstanding complaints or disciplinary actions against Dr. Novik. Dr. Johl moved to approve the license surrender. Dr. West seconded the motion and all were in favor. The motion passed unanimously.

f. Approval/Rejection of Temporary Anesthesia Permit – NAC 631.2254; NRS 631.190 (For Possible Action)

- i. Richard Heintl, DDS – Moderate Sedation
ii. Yongjae Lee, DDS – Moderate Sedation (Pediatric)
iii. Carly Saxe, DMD – Moderate Sedation (Pediatric)

Dr. Branco moved to approve the temporary anesthesia permits for all listed applications, pending inspection. Dr. Johl seconded the motion and all were in favor. The motion passed.

g. Approval/Rejection of Permanent Anesthesia Permit – NRS 631.190 & NAC 631.2235 (For Possible Action)

- i. Marivic De Leon, DMD – Moderate Sedation (Pediatric)
ii. Katelyn Hendricks, DMD – Moderate Sedation (Pediatric)
iii. Anita Jivan, DDS – Moderate Sedation (Pediatric)
iv. Eric Ochoa, DMD – Moderate Sedation (Pediatric)
v. Romulo Guideng, DMD – Moderate Sedation
vi. Kristi Agari, DMD – General Anesthesia
vii. Greyson Leftwich, DDS – General Anesthesia

Dr. Branco moved to approve the permanent permits for all seven applicants. Dr. Johl seconded the motion and the motion passed unanimously.

h. Approval/Rejection of 90-Day Extension of Temporary Anesthesia Permit – NAC 631.2254(2); NRS 631.190 (For Possible Action)

- i. Iraj H. Kasimi, DMD – Moderate Sedation
- ii. Ouzhan B. Kalantari, DMD – General Anesthesia

Dr. Branco motioned to approve the extension of the temporary permits. Dr. Johl seconded the motion and the motion passed.

7. **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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Ms. Barbara Taylor, a former complainant, expressed dissatisfaction with the nearly two-year duration it took for her complaint to be processed. Ms. Taylor raised concerns that the Board's delayed response failed to protect the public effectively and criticized the lack of communication regarding the status of her complaint. Mr. Parker and Mr. Karris explained that the delay was due to the complaint involving a former board member, which required the board to follow a special protocol to avoid conflicts of interest. This protocol meant that the complaint had to be referred to the Attorney General's (AG's) office for an impartial review. They emphasized that the Board had no control over the AG's processing timeline once the complaint was referred out. Mr. Karris also noted that, to ensure fairness, the AG had requested an independent expert's opinion, which further contributed to the extended timeline. Ms. Taylor responded that, despite these explanations, she had not received any updates beyond a few letters advising patience. Mr. Karris reiterated that under Nevada state law (NRS 630.368), complaints and responses in investigatory stages are confidential. He also noted that the Board could not legally share certain information with complainants and reminded Ms. Taylor that once an investigation involves a former board member, impartiality and confidentiality are paramount. Ms. Taylor also referenced a 2018 Legislative Counsel Bureau (LCB) audit that criticized the Board's past processes, asking what improvements had been made. Dr. Johl responded that since 2018, the Board had undergone significant reforms, including hiring new staff, adopting new technology for complaint tracking, and implementing an anonymous complaint process to prevent bias. Dr. Lee added that a new anonymous complaint policy was expected to be finalized soon, enhancing the transparency and accountability of the Board's disciplinary process. Ms. Taylor stated her disappointment in the Board's response to her specific case and indicated she might pursue further actions outside of the Board, including going to the media or legislature.

Ms. Karen Soli, representing the Nevada Dental Hygienists Association (NDHA), expressed appreciation for the Board's engagement with workforce shortage issues and encouraged ongoing collaboration with the NDHA on licensure by endorsement. She emphasized that the proposal to reduce experience requirements from five years to two years for out-of-state hygienists was carefully crafted to maintain public safety while helping to address Nevada's dental hygiene shortage. Ms. Soli

acknowledged the Board's thoughtful discussion on the issue and noted that the NDHA supported measures that uphold Nevada's high standards of care while also facilitating faster workforce expansion to meet increasing demand. She emphasized that the current shortage had led to long wait times for patients, hindering access to preventative dental care. Ms. Soli reiterated that any regulatory adjustments to license requirements would prioritize public safety and patient care quality. She encouraged the Board to consider these changes as part of a balanced approach, advocating for flexibility to improve access to care while adhering to rigorous standards.

8. Announcements:

There were no announcements.

9. Adjournment: (For Possible Action)

Dr. Johl motioned to adjourn the meeting, which was seconded by Dr. West. The meeting was adjourned.