

Nevada State Board of Dental Examiners



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

PUBLIC MEETING NOTICE & BOARD MEETING AGENDA

Meeting Date & Time

Wednesday, March 13th, 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#:

Zoom Webinar/Meeting Passcode:

MINUTES

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, March 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 tabled.

1. **Call to Order**

- Roll call/Quorum

Dr. Lee – Present	Dr. Streifel – Present
Dr. Johl – Present	Dr. Hock – Present
Dr. Branco – Present	Ms. Arias – Present
Ms. Petrilla – Present	Ms. McIntyre – Present
Mr. Pontoni – Absent	Dr. Kim - Absent

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, February 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.

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.

The public comments included: 1) Amy Abatan, representing the Nevada Dental Association, thanked the board for their consideration of AB 147 (the telehealth bill) and offered to answer any questions; 2) Eddie Abel, also representing the Nevada Dental Association, echoed Amy's comments and expressed gratitude for the board's work on the telehealth regulations; 3) Karen Sully from the Nevada Dental Hygiene Association thanked the board for their efforts on AB 147 and offered to answer any questions.

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

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

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

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

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

(1) Board Meeting – 2/14/2024

Dr. Johl indicated that the minutes of the February 14, 2024 meeting were ready for approval. Dr. Johl made a motion to approve the minutes and Ms. McIntyre seconded the motion. All were in favor and the motion passed.

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

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

b. **Regulatory Update** (For Informational Purposes Only)

Mr. Parker indicated that there were no updates on agenda item 5(a), but agenda item 5(b) will be discussed later in the meeting.

*c. **Consideration, Review, and Possible Approval/Rejection of Stipulation Agreements**

NRS 631.3635; NRS 622A.170; NRS 622.330 (For Possible Action)

(1) Aida Cappiello, DDS

Dr. Johl made a motion to approve the stipulation for Dr. Cappiello. Dr. McIntyre seconded the motion and all were in favor. Motion passed.

(2) Minyong Pak, DDS

Dr. Johl made a motion to approve the stipulation for Dr. Pak. Dr. Hock seconded the motion and all were in favor. Motion passed.

(3) Minyong Pak, DDS

Dr. Johl made a motion to approve the stipulation for Dr. Pak. Ms. McIntyre seconded the motion and all were in favor. Motion passed.

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

(1) Dr. Y – The Board received information alleging Dr. Y may have breached the standard of care, thereby potentially violating NRS 631.3475.

Mr. Parker informed the board that the Board was made aware of this case by notice from the involved licensee. Dr. West made a motion to approve the investigation into Dr. Y. Ms. McIntyre seconded the motion. All were in favor and the motion passed.

(2) Dr. Z – The Board received information alleging Dr. Z may have breached the standard of care, thereby potentially violating NRS 631.3475.

Mr. Parker informed the board that the Board was made aware of this case by notice of a lawsuit concerning the licensee. Ms. McIntyre made a motion to approve the investigation into Dr. Z. Dr. West seconded the motion. All were in favor and the motion passed.

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

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

(1) Joseph L Weber, DMD – Moderate Sedation

Dr. Branco made a motion to approve this agenda item. Dr. West seconded the motion and all were in favor. Motion passed.

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

(1) Greg A Roberts, DDS – General Anesthesia

Dr. Branco made a motion to approve this agenda item. Dr. West seconded the motion and all were in favor. Motion passed.

***c. Discussion, Consideration, and Possible Action Regarding Board Audit for FY 2023 - NRS 631.190**
(For Possible Action)

(1) Casey Neilon, CPA's

Dr. Johl made a motion to approve this agenda item. Dr. West seconded the motion and all were in favor. Motion passed.

***d. Discussion, Consideration and Possible Action Regarding Recommendations of the Legislative, Legal & Dental Practice Committee to Full Board Regarding Proposed Amendments, Additions, and/or Revisions to Nevada Administrative Code Chapter 631 (NAC631) Relating to Teledentistry and Immunizations in conformance with AB 147 - NRS 631.190** (For Possible Action)

The Board deliberated on the recommendations of the Legislative, Legal, and Dental Practice Committee regarding proposed amendments to the NAC related to telehealth and immunizations. Dr.

West and Ms. McIntyre supported sending the recommendations as is to the legislature, emphasizing patient safety and legislative intent. Piers Tooler, an attorney, provided substantive comments on the proposed regulations for AB 147, particularly concerning the definition of a bona fide relationship. He suggested a minor amendment to allow for professional judgment in patient diagnosis. Dr. Richard Chang, President of the Southern Nevada Dental Society, and Dr. Shane, a clinical operations dentist for Bite, also contributed comments but deferred detailed discussions to a later agenda item. Ms. McIntyre made a motion to forward the recommendations to the Legislative Committee to review. Dr. West seconded the motion. All were in favor and the motion passed.

***e Discussion, Consideration and Possible Action for Employment Committee to Conduct Search to Fill the Unclassified Executive Director Position – NRS 631.190/NRS 622.220** (For Possible Action)

Dr. Lee made a motion to approve the search for a new executive director. Mr. Karris inquired as to whether any specific requirements for the candidate or number of candidates should be specified. Dr. Lee indicated that there was no need to provide specifications, but Ms. Bordelove informed the Board that any sort of requirements could be set for applicants, including years of experience and education level. Dr. Lee amended his motion to include the specifications for the applicant to include an MBA or a law degree with a background in management. Dr. West seconded the motion. All were in favor and the motion passed.

***f. Discussion, Consideration, and Possible Selection/Appointment of Interim Executive Director(s) - Blair Parker, Esq. & Mark Karris, Esq. – NRS 631.160; NRS 631.190** (For Possible Action)

Dr. Lee made a motion approve the appointment of Mr. Mark Karris and Mr. Blair Parker as interim co-executive directors. Dr. Hock seconded the motion. All were in favor 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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There were no public comments at this time.

***8. Announcements**

No announcements were made.

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

Ms. McIntyre made a motion to adjourn. Dr. Johl seconded the motion and all were in favor. Motion passed and meeting adjourned.

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

