

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

Minutes

Meeting Date & Time

Wednesday, August 14th, 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 **+1 646-568-7788**

To access by video webinar, visit
<https://us06web.zoom.us/j/89980129944>

Webinar/Meeting ID#: 899 8012 9944

Webinar/Meeting Passcode: 261708

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, August 13, 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 6:00 p.m. Mr. Parker conducted roll call. Quorum was met.

Dr. Tejpaul Johl – Present	Dr. Daniel Streifel – Present
Dr. Ronald West – Present	Dr. David Lee – Present
Dr. Christopher Hock – Present	Dr. Lance Kim – Present
Dr. Joshua Branco – Present	Mrs. Yamilka Arias – Absent
Ms. Kimberly Petrilla – Present	Ms. Jana McIntyre – Present
Mr. Michael Pontoni – Present	

Others Present: Executive Directors, Adam Higginbotham; General Counsel, Mark Karris & Blair Parker

Public Attendees: Terri Chandler; Dr. Keith Benson; Dr. Shack Rose; Eddie Ableser;

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, August 13, 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.

Terri Chandler represented Healthy Smiles addressed inspection questions for agenda item 7D. Mr. Karris then named each written comments previously submitted & where they can be viewed.

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

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

Dr. Lee introduced the above agenda item & there were no agenda items to remove.

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

Dr. Streifel motioned to approve. Dr. West seconded the motion. All were in favor. Motion passed.

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

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

(1) Board Meeting – 7/10/2024

Dr. Lee introduced the above agenda item. Dr. Streifel motioned to approve the minutes. Dr. Kim seconded the motion. All were in favor. Motion passed.

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

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

Mr. Parker informed the Board that there were no new litigation matters.

b. Regulatory Update (For Informational Purposes Only)

Mr. Karris informed the Board that we are currently considering two pending matters that are on today's agenda & expanded functions for dental assistants.

***c. Review Panel – NRS 631.3635** (For Possible Action)

- (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
 - (i) Review Panel 1
 - (ii) Review Panel 2
 - (iii) Review Panel 3

Dr. Lee introduced the above agenda item. Mr. Parker mentioned that all reviewed cases have been properly assessed and recommended for the full Board's approval. Dr. West requested a motion for approval of all the above remands. Dr. Streifel seconded the motion to approve. All were in favor. Motion passed.

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

- (1) Neil Gulati, DDS
- (2) Michael Husbands, DDS

Dr. Lee introduced the above agenda item. Mr. Parker noted that the above-listed agenda items have been investigated and stipulations have been agreed to. Mrs. McIntyre motioned to approve the stipulation. Dr. Johl seconded the motion. All were in favor. Motion passed.

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

***a. Discussion, Consideration and Possible Action Regarding Revised Regulations Relating to Teledentistry (AB 147) – NRS 631.190** (For Possible Action)

Dr. Lee introduced the above agenda item. Mr. Karris presented & read the LCB's Teledentistries language. Conversation ensued amongst the entire Board & public attendees. Dr. Lee made a motion to that qualified healthcare providers can include HPV vaccinations, that language should be replaced & to adapt Virginia's Bonded Relationship. Dr. West seconded the motion. All were in favor. Motion passed.

***b. Discussion, Consideration and Possible Action Regarding Revised Regulations Relating to Anesthesia – NRS 631.190; NRS 631.265, NAC 631.2227, and NAC 631.2231** (For Possible Action)

Dr. Lee introduced the above agenda item. Mr. Karris presented & explained that this language is exactly as the Board had requested & its revisions that the Board previously voted on. Dr. Lee made a motion to approve, Mrs. Petrilla seconded the motion, all were in favor & the motion passed.

***c. Review, consider and discuss proposed amendments, additions, and/or revisions to regulations in Nevada Administrative Code Chapter 631 (NAC 631) as it relates to Expanded Function Dental Assistants in response to the Legislative Counsel Bureau. – NRS 631.190** (For Possible Action)

- (1) Education/Training for dental hygienists that qualify for Restorative Dental Hygiene to be permitted to prescribe/dispense drugs.

Dr. Lee introduced the above agenda & Mr. Karris detailed its origin. He articulated this matter has already been approved by the Board & the recommendations were submitted to the LCB. Dr. West asked if the LCB accepted what was submitted. Mr. Karris elaborated on the LCB requesting specifications on required education & training especially pertaining to prescribing & dispensing drugs. Mr. Karris also suggested sending this back to the committee. Dr. West motioned tabling this agenda item & get more information. Dr. West suggested we review

other states that have already implemented the above agenda item & Continuing Education Committee review. Dr. Johl seconded the motion. Antonio from the Dental Hygienist Association commented that 7 other states currently implement these regulations. Conversation ensued amongst Dr. Lee, Antonio, Dr. West & Mr. Karris. The Board voted, all were in favor & the motion passed.

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

***a. Review, consider and discuss proposed budget for Fiscal Year Ending (FYE) June 30th, 2025 for approval/rejection of the proposed budget for FYE June 30th, 2025 – NRS 631.190** (For Possible Action)

(1) Rich, Wightman & Co. – Tyler Frigaard, CPA

Dr. Lee introduced the above agenda item & gave the floor over to the executive director, Mr. Adam Higginbotham. Mr. Higginbotham referenced the spreadsheets available in the Confidential Book. He explained one being anticipated revenue, anticipated expenditures, and third is definitions of expenditures. Dr. Lee made a motion to approve the proposed budget, Dr. Johl seconded the motion, all were in favor & the motion passed.

***b. Discussion, consideration, review, and possible approval/rejection of petition for reconsideration of dental license application. The Board may go into closed session pursuant to NRS 241.030 and/or consider the character, alleged misconduct, or professional competence of Dentist NRS 241.033(4) NRS 631.190; NRS 631.215; NRS 631.230; NRS 631.260; NRS. 631.349; NAC 631.050** (For Possible Action)

(1) David Shirazi, DDS

Dr. Lee introduced the above agenda item & turned the floor over to Dr. Shirazi & his counsel. Shirazi's Counsel requested licensure be granted, even if probation was granted. Mrs. McIntyre reiterated why Dr. Shirazi's license was originally denied. She then handed the floor over to Dr. Johl because the same petition was addressed a second time & Dr. Johl denied the application. Dr. Johl explained this was the perfect venue to review with Dr. Shirazi & that he felt more comfortable having the entire board make this decision. Dr. West commented on how hard these position & sleep studies are. Dr. West motioned that this goes before the review panel & the Boards expert orthodontist. As well as the California Boards findings. Dr. Lee addressed Dr. Shirazi & asked for his personal explanation. Dr. Shirazi was present, took the floor & explained the entire incident & his educational background. Conversation ensued amongst the entire Board. Dr. Johl made a motion to grant Dr. Shirazi his license with the same conditions of probation as California included bearing all cost occurred to monitor his probation. Dr. West seconded the motion, all were in favor & the motion passed.

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

- (1) Kenneth L., Reed, DMD – General Anesthesia
- (2) Greyson Leftwich, DDS – General Anesthesia
- (3) Anita Jivan, DDS – Pediatric Moderate Sedation
- (4) Bo Kwok, DMD – Pediatric Moderate Sedation

Dr. Lee introduced the above agenda item & the Anesthesia Chair Dr. Branco informed the Board each application had been reviewed & all requirements have been met. Dr. Branco made a motion to approve all 4 temporary anesthesia permits listed above. Dr. West seconded the motion, all were in favor & the motion passed.

***d. Discussion, Consideration and Possible Approval/Rejection of Recommendations of Dental Hygiene-Dental Therapy Committee to Full Board Regarding Application for Public Health Dental Hygiene Program – NRS 631.190; NAC 631.210** (For Possible Action)

(1) Robert Lorber, DMD PC d/b/a Healthy Smiles – Public Health Dental Hygiene Program Application

Dr. Lee introduced the above agenda item & Dr. Branco informed the Board that this agenda item was reviewed & approved for recommendations. Dr. Lorber was in attendance & explained their goal, process & answered all questions from the Board. Terri Chandler joined the conversation & emphasized statute & sterilization concerns. Conversation ensued amongst the entire Board & attendees. Dr. Lee made a motion to approve with the condition of them passing inspections, Mrs. McIntyre seconded the motion, all were in favor & the motion passed. Dr. Benson asked the Board if they are setting precedents that all school-based programs will be required to go through similar OSHA inspections as Dr. Lorber. Dr. Lee then made a motion to amend Dr. Lorber's previously approved motion. Dr. Lee motioned each program be inspected instead of each location. Mrs. McIntyre seconded the motion; all were in favor & the motion passed.

***e. Discussion, Consideration and Possible Approval/Rejection of Recommendations of Dental Hygiene-Dental Therapy Committee to Full Board Regarding Public Health Endorsement Applications – NRS 631.190; NRS 631.287** (For Possible Action)

- (1) Crystal Moreno, RDH – Robert Lorber, DMD PC d/b/a Healthy Smiles
- (2) Julia Gillen, RDH – Robert Lorber, DMD PC d/b/a Healthy Smiles
- (3) Laura Cambra, RDH - Robert Lorber, DMD PC d/b/a Healthy Smiles
- (4) Mabel Yu-Ching, RDH - Robert Lorber, DMD PC d/b/a Healthy Smiles
- (5) Wendy Seaver, RDH - Robert Lorber, DMD PC d/b/a Healthy Smiles

***f. Discussion, consideration, review and possible approval of expenditures for polos/business cards for Board Inspectors/Evaluators – NRS 631.190** (For Possible Action)

Dr. Lee introduced the above agenda & explained the expense is minimal & will uniform the inspectors as well as make them identifiable. Dr. Lee made a motion to approve shirts & photo identifications for expenses for inspectors. Dr. Kim & Dr. Johl simultaneously seconded the motion, all were in favor & the motion passed.

***8. 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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***9. Announcements**

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

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

