

# 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

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## **PUBLIC MEETING NOTICE & BOARD MEETING AGENDA**

### **MEETING MINUTES**

#### **Meeting Date & Time**

Wednesday, September 11<sup>th</sup>, 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**: <https://us06web.zoom.us/j/87349677548>

**Webinar/Meeting ID#**: 873 4967 7548

**Webinar/Meeting Passcode**: 225015

#### **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](mailto:nsbde@dental.nv.gov)**. Written submissions received by the Board on or before **Tuesday, September 10, 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.

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**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. Hock – Absent
Dr. West – Present	Dr. Kim – Present
Dr. Branco – Present	Ms. Arias – Present
Ms. Petrilla – Present	Ms. McIntyre – Present
Mr. Pontoni – Absent	Dr. Johl – Present
Dr. Streifel – 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 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](mailto:nsbde@dental.nv.gov), or by mailing/faxing messages to the Board office. Written submissions received by the Board on or before **Tuesday, September 10, 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.

Antonio Ventura presented a proposal from the Nevada Dental Hygienists' Association (NDHA) regarding Agenda Item 6A. The proposal suggests an addition to the Nevada Administrative Code, Chapter 631, concerning education and training for dental hygienists. The NDHA recommends a three-hour board-approved pharmacology continuing education course. This course should cover principles of pharmacology, identification of approved agents with recommended dosages and refills, safe prescribing practices, proper prescription writing, documentation, and risk management, including handling medical emergencies. The NDHA believes this course is sufficient given that current CODA-approved dental hygiene programs already include pharmacology training as part of their biomedical science content, which encompasses various subjects such as anatomy, physiology, and pharmacology.

There were no specific action items or due dates mentioned in the meeting summary. Public comments were scheduled for September 11, 2024, and the procedural agenda item was marked as completed.

\*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 – 8/14/2024

Dr. Johl made a motion to approve the minutes of the Board's 8/14/2024 meeting, provided that the attendance of that meeting be updated to include Dr. Johl in attendance. Dr. Lee seconded the motion. A vote was made and all present members were in favor. Motion passed.

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

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

Mr. Parker provided that the only litigation update at this time was that the complaint by Ms. Romero was dismissed voluntarily by Ms. Romero.

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

Mr. Karris informed the Board that submission of the revised regulatory provision was made to the LCB as it relates to teledentistry and we are waiting for return of those revised regulations from the LCB. Dr. Lee inquired as to what type of deadline was given. Mr. Karris informed the Board that the LCB indicated that there is no printing deadline as regulations are sent up and then ultimately adopted by respective agencies. The regulations are approved once again by the legislative commission and sent off for printing.

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

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

(1) Mike Golpa, DDS

(2) Karen Hom, DDS

(3) Michael Daccache, DDS

(1) Dr. Johl made a motion to approve the proposed stipulation for Dr. Golpa. Ms. Arias seconded the motion. No discussion was made. A vote was cast and all were in favor; motion passed.

(2) Dr. Johl made a motion to approve the proposed stipulation for Dr. Hom. Dr. Streifel seconded the motion. No discussion was made. A vote was cast and all were in favor; motion passed.

(3) During the meeting, Robert de la Raca spoke on behalf of his wife, Denise, about the tragic death of Denise's father, Rick Thompson, following a dental procedure performed by Dr. Michael Daccache. Robert detailed the events leading up to and following the procedure, including complications during the surgery, the administration of lidocaine and epinephrine, and the lack of response from Dr. Daccache's office when their caregiver, Dolores, called for help. Rick Thompson experienced severe symptoms post-procedure, ultimately collapsing and passing away. The coroner's report cited asphyxia and complications from the dental procedure as the cause of death. Denise de la Raca expressed frustration over the lack of communication and accountability from the dental board and Dr. Daccache's office, despite her persistent efforts over five years to seek answers and justice.

John Hunt, representing Dr. Daccache, expressed condolences and explained the board's role in protecting the public and ensuring practitioners are safe. He highlighted Dr. Daccache's clean record over 17 years and the thorough review process by experts. Dr. Ron West, a board member, also expressed sympathy and shared his personal experience with medical complications. He emphasized the board's challenging task of adjudicating the case and the importance of having skilled practitioners like Dr. Daccache.

Denise de la Raca reiterated her dissatisfaction with the process and the lack of transparency and accountability. She emphasized that her father was in good health before the procedure and that the dental procedure directly caused his death. The board members discussed the stipulation agreement and the possibility of further review or a formal hearing. Ms. Arias, a panel member, proposed sending the case back to the review panel for another look, which was seconded by Dr. Johl and agreed upon by the board.

**\*d. Authorized Investigative Complaints – NRS 631.360; NRS 631.190** (For Possible Action)

(1) Dr. X - The Board received information alleging Dr. X may have breached the standard of care, thereby potentially violating NRS 631.3475; NRS 631.349.

(2) Dr. Y - The Board received information alleging Dr. Y may have breached the standard of care, thereby potentially violating NRS 631.34582; NRS 631.34583; NRS 631.3475; NRS 631.348;

NRS 631.349.

(1) Dr. X - During the meeting, Dr. Johl expressed that the case in question seemed unusual and likely unrelated to dental issues. He noted the absence of feedback from the hospital and questioned the necessity of an investigation without further information. Blair Parker clarified that the report was self-reported by the doctor, not by an individual making a claim. Dr. Johl suggested that the incident might be coincidental and proposed to dismiss the case.

Dr. West pointed out that Dr. Johl has consistently advocated for investigations in similar cases, expressing surprise at his current stance. Dr. Johl explained that he has reflected on his approach and is trying to align more with the board's general philosophy. Dr. Lee then motioned to approve the authorized investigation, which Dr. West seconded. The motion passed unanimously.

(2) Dr. Y – Ms. Arias made a motion to approve the investigation. Dr. Johl seconded the motion. There were no discussions and all were in favor; motion passed.

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

**\*a. Update on Continuing Education Committee's proposed amendments, additions, and/or revisions to regulations in Nevada Administrative Code Chapter 631 (NAC 631) as it relates to education and training for dental hygienists – NRS 631.3105; NRS 631.190 (For Possible Action)**

(1) Education/Training for dental hygienists to be permitted to prescribe/dispense drugs.

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

**\*a. Approval Rejection of Voluntary Surrender of License – NAC 631.160; NRS 631.190**  
(For Possible Action)

(1) Brittany Rich, DMD

(1) Dr. Johl made a motion to approve the voluntary surrender. Dr. Lee asked if there were any discussions, to which Dr. Johl responded that there were no outstanding issues. Dr. Lee confirmed there were no further discussions and called for a vote. All members present voted in favor, and the motion passed.

**\*b. Approval/Rejection of Temporary Anesthesia Permit–NAC 631.225; NRS 631.190.** (For Possible Action)

(1) Kristi Agari, DMD – General Anesthesia

(2) Katelyn Hendricks, DMD – Pediatric Moderate Sedation

(3) Eric Ochoa, DMD – Pediatric Moderate Sedation

(4) Marivic De Leon, DMD – Pediatric Moderate Sedation

(5) Joseph Lee, DMD – Pediatric Moderate Sedation

(1-5) Dr. Branco took responsibility for this item, confirming that all temporary permits had been reviewed and met the necessary requirements. He then made a motion to approve all the temporary anesthesia permits. Dr. West seconded the motion. Dr. Lee called for any discussions, and upon hearing none, asked for a vote. All members present voted in favor, with no nays, resulting in the motion passing successfully.

**\*c. Approval/Rejection of 90-day Extension of Temporary Anesthesia Permit – NAC 631.2234(2):**  
**NRS 631.190** (For Possible Action)

(1) Nathan Antoine, DMD – Moderate Sedation

Dr. Johl made a motion to approve the extension for Nathan Antoine, DMD, and Dr. Streifel seconded the motion. Dr. Lee asked if there were any discussions, and upon hearing none, called for a vote. All members present voted in favor by saying "aye," resulting in the approval of the agenda item.

- \*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**

No announcements were made.

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

Dr. Johl made a motion to adjourn. Dr. Kim seconded the motion. There were no further discussions. All present board members voted "aye", and the meeting was 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](http://www.dental.nv.gov)  
Nevada Public Posting Website: [www.notice.nv.gov](http://www.notice.nv.gov)



