

NEVADA STATE BOARD of DENTAL EXAMINERS



BOARD TELECONFERENCE MEETING

WEDNESDAY, JUNE 11, 2025

6:00 P.M.

PUBLIC BOOK

STATE OF NEVADA

JOE LOMBARDO
Governor



DR. KRISTOPHER SANCHEZ
Director

PERRY FAIGIN
NIKKI HAAG
MARCEL F. SCHAEERER
Deputy Directors

A.L. HIGGINBOTHAM
Executive Director

DEPARTMENT OF BUSINESS AND INDUSTRY
OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCILS STANDARDS
NEVADA STATE BOARD OF DENTAL EXAMINERS

PUBLIC MEETING NOTICE & BOARD MEETING AGENDA

Meeting Date & Time

Wednesday, June 11, 2025
6:00 p.m.

Meeting Location

Nevada State Board of Dental Examiners
2651 N. Green Valley Parkway, Suite 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/86096749328>

Webinar/Meeting ID#: 860 9674 9328

Webinar/Meeting Passcode: 952709

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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.

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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 table it.

1. Call to Order

a. Roll Call/Quorum

2. Public Comment (Live public comment by teleconference and pre-submitted

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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 – NRS 631.190 (For Possible Action)

i. May 14, 2025 – Board Meeting

ii. May 28, 2025 – Anesthesia Committee

5. Executive Team Report: (For Possible Action)

- a.** Legal Actions/Litigation Update (For Informational Purposes Only)
- b.** Regulatory Update (For Informational Purposes Only)
 - i.** AB143
 - ii.** AB334
 - iii.** SB78
 - iv.** SB495
 - v.** SB507
 - vi.** R072-22 Approved Dental Therapy Regulations
- c.** Review, Discussion and Possible Approval/Rejection of the Revised Proposed Regulations for RO56-24 Teledentistry – NRS 631.190 (For Possible Action)
- d.** Review, Discussion and Possible Approval/Rejection of Remand(s) – NRS 631.3635; NRS 622A.170; NRS 622.330; NRS 631.190 (For Possible Action)
 - i.** Review Panel 1
 - 1. Case # 2458
 - 2. Case # 2474
 - ii.** Review Panel 2
 - 1. Case # 1966
 - 2. Case # 2433
 - 3. Case # 2452
 - 4. Case # 2456
 - 5. Case # 2464
 - 6. Case # 2465
 - iii.** Review Panel 3
 - 1. Case # 2137
 - 2. Case # 2150
 - 3. Case # 2442

4. Case # 2443
5. Case # 2444
6. Case # 2449
7. Case # 2451
8. Case # 2469
9. Case # 2475
10. Case # 2480
11. Case # 2481
12. Case # 2483

e. Review, Discussion and Possible Approval/Rejection of Authorized Investigation(s) – NRS 631.190 (For Possible Action)

- i. Dr. Z**
- ii. Dr. Y**
- iii. Dr. X**

6. New Business: (For Possible Action)

a. Review, Discussion, and Possible Approval/Rejection of Committee Bylaws – NRS 631.190 (For Possible Action)

- i. Review Panel Bylaws**
- ii. Board Composition and Term Schedule Bylaws**
- iii. Board Vacancies and Expired Terms Bylaws**

b. Review, Discussion, and Possible Approval/Rejection of the FY26 Budget – NRS 631.190 (For Possible Action)

c. Review, Discussion, and Possible Approval/Rejection of the State IT Equipment Upgrade Proposal – NAC 631.190 (For Possible Action)

d. Review, Discussion, and Possible Approval/Rejection of Advisory Opinions - NRS 631.190 (For Possible Action)

- i. Appropriate Medications and Dosage Ranges for Permit Holders Performing Moderate Sedation**
- ii. Participation of Educational Institution Faculty Holder Specialty-Only Dental License Performing Screenings at Dental Clinic**
- iii. Infection Control Compliance for Mobile, Pop-Up, and Other Non-Traditional Dental Services Locations**

- e. Review, Discussion, and Possible Approval/Rejection of Permanent Anesthesia Permit – NAC 631.2235; NRS 631.190 (For Possible Action)
 - i. Dr. Brittnei Wait, DDS –Moderate Sedation (13+)
 - ii. Dr. Jonathan Runion, DMD – Moderate Sedation (13+)
 - f. Review, Discussion, and Possible Approval/Rejection of Temporary Anesthesia Permit – NAC 631.2234; NRS 631.190 (For Possible Action)
 - i. Dr. Charlene Mo, DMD – Pediatric Moderate Sedation
 - ii. Dr. Kevin Vernet, DMD – Moderate Sedation (13+)
 - g. Review, Discussion and Possible Approval/Rejection to Hire a Temporary (3-6 month) Infection Control Program Developer – NRS 631.190 (For Possible Action)
 - i. Dr. Helen Kanian, DDS
 - h. Review, Discussion and Possible Approval/Rejection to Donate Teeth Sets and Associated Equipment as Equally as Possible to the CODA-Approved Dental and Dental Hygiene Programs in Nevada – NRS 631.190 (For Possible Action)
 - i. Review, Discussion and Possible Approval/Rejection of Candidate(s) for the Unclassified General Counsel Position – NRS 631.19; NRS 631.160; NRS 622.20 (For Possible Action)
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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8. **Announcements:**
9. **Adjournment:** (For Possible Action)



DEPARTMENT OF BUSINESS AND INDUSTRY
OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCILS STANDARDS
NEVADA STATE BOARD OF DENTAL EXAMINERS

PUBLIC MEETING NOTICE & ANESTHESIA COMMITTEE
MEETING AGENDA

MEETING MINUTES

Meeting Date & Time

Wednesday, May 28, 2025
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/89884887603>

Webinar/Meeting ID#: 898 8488 7603

Webinar/Meeting Passcode: 729041

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1. Call to Order

a. Roll Call/Quorum

Committee Members' Present: Dr. Joshua Branco (Chair), Dr. Joan Landron, Dr. Ashley Hoban.

Committee Members' Absent: Dr. Ron West, Dr. Christopher Hock.

Sub-committee Members' Present: Dr. Kevin Moore, Dr. James Schlesinger, Dr. Ted Twesme

Sub-committee Members' Absent: Dr. Jon Galea, Dr. Joshua Saxe, Dr. Jade Miller, Dr. Edward Gray, Dr. Amanda Okundaye.

Attorney General Representative Present: Joseph Ostunio

Board Staff Present: Director Higginbotham, A. Cymerman, M. Kelley, M. Ramirez, L. Chagolla.

2. Public Comment (Live public comment by teleconference and pre-submitted email/written form):

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No public comment.

3. Chairperson's Report: Dr. Joshua Branco, Chair (For Possible Action)

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

NA

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

A motion to approve the committee meeting agenda was made by Dr. Hoban and seconded by Dr. Landron.

No discussion on the agenda item.

All committee members voted 'AYE.'

4. Old Business: (For Possible Action)

- a.** NA

NA

5. New Business: (For Possible Action)

- a.** Review, Discussion and Possible Recommendation of the Advisory Opinion on Moderate Sedation Levels to the Board – NRS 631.190 (For Possible Action)

Director Higginbotham communicated a change made to the advisory opinion after consultation with the Attorney General's office. The revised bullet point in Section 3.2 now reads: "Records showing cumulative doses that materially exceed package insert maximums will trigger enhanced review and may result in permanent denial or other board action." This change was made for legal clarity.

A motion to approve the revised advisory opinion was made by Dr. Landon and it was seconded by Dr. Hoban.

All committee members voted 'AYE'.

6. Public Comment (Live public comment by teleconference):

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No public comment.

7. Announcements:

NA

8. Adjournment: (For Possible Action)

A motion was made by Dr. Hoban to adjourn the meeting and was seconded by Dr. Branco.

No discussion on the agenda item.

All committee members voted 'AYE.'

JOE LOMBARDO
Governor

STATE OF NEVADA



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NEVADA STATE BOARD OF DENTAL EXAMINERS

PUBLIC MEETING NOTICE & BOARD MEETING AGENDA

MEETING MINUTES

Meeting Date & Time

Wednesday, May 14, 2025
6:00 p.m.

Meeting Location

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

Video Conferencing/ Teleconferencing Available

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

To access by video webinar,

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a. Roll Call/Quorum

Board Members' Present: Dr. Ron West (President), Dr. Steifel (Secretary-Treasurer), Dr. Lance Kim, Dr. Joshua Branco, Dr. Christopher Hock, Dr. Joan Landron, Dr. Ashley Hoban, Ms. Kimberly Petrilla, Ms. Jana McIntrye, Ms. Yamilka Arias.

Board Members' Absent: Michele Pontoni

Board Staff Present: Director Higginbotham, A. Cymerman, M. Kelley, S. Barjon, M. Ramirez, L. Chagolla

- 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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Nicole Brewster requested follow up on dental therapy license software and vendor regulations. Director Higginbotham advised no additional updates at this time.

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

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

NA

- b. Approve Agenda (For Possible Action)

A motion to approve the agenda was made by Dr. Streifel, and it was seconded by Ms. Petrilla.

No discussion.

All members voted 'AYE.'

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

- a. Approval/Rejection of Minutes – NRS 631.190 (For Possible Action)

- i. April 9, 2025 - Full Board Meeting
- ii. April 23, 2025 – Infection Control Committee
- iii. April 24, 2025 – Continuing Education Committee
- iv. April 30, 2025 – Anesthesia Committee
- v. May 7, 2025 – Legal, Legislative, and Dental Practice Committee
- vi. May 8, 2025 - Continuing Education Committee

A motion to group the minutes and approve was made by Ms. McIntyre, and it was seconded by Dr. Kim.

No discussion.

All members vote 'AYE.'

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

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

NA

b. Regulatory Update (For Informational Purposes Only)

i. AB143

Director Higginbotham communicated the status of AB143, which is currently sitting in the Assembly Way and Means Committee. The committee meeting date to review AB143 is currently unknown.

ii. SB87

Director Higginbotham communicated that the status of SB78 has been heavily amended. The proposed five public members have been removed, the board's composition remains unchanged, and the board retains staff hiring ability. However, the bill is still in a skeleton form, and specific regulatory details are not yet clear.

Dr. West identified clerical error on the board agenda – SB87 incorrect. Corrected for the record the bill is SB78. Director Higginbotham confirmed.

c. Review, Discussion and Possible Approval/Rejection of Remands – NRS 631.3635; NRS 622A.170; NRS 622.330; NRS 631.190 (For Possible Action)

i. Review Panel 1

1. Case # 2412
2. Case # 2414
3. Case # 2417
4. Case # 2418
5. Case # 2419
6. Case # 2422
7. Case # 2424
8. Case # 2427
9. Case # 2430
10. Case # 2441

A motion to group the cases from review panel 1 together and approve was made by Ms. Arias, and it was seconded by Dr. Hoban.

No discussion.

All members voted 'AYE.'

ii. Review Panel 2

1. Case # 2255
2. Case # 2375
3. Case # 2386
4. Case # 2394
5. Case # 2397
6. Case # 2398
7. Case # 2447

A motion to group the cases from review panel 2 together and approve was made by Dr. Streifel, and it was seconded by Dr. Landron.

No discussion.

All members voted 'AYE.'

iii. Review Panel 3

1. Case # 1658
2. Case # 1876
3. Case # 2086
4. Case # 2275
5. Case # 2455

A motion to group the cases from review panel 3 together and approve was made by Ms. McIntyre, and it was seconded by Dr. Streifel.

No discussion.

All members voted 'AYE.'

- d. Review, Discussion, and Possible Approval/Rejection of Stipulation Agreement – NRS 631.3635; NRS 622A.170; NRS 622.330; NRS 631.190 (For Possible Action)**

- i. Case # 2108**

A motion to approve the stipulation agreement was made by Dr. Hoban, and it was seconded by Dr. West.

No discussion.

All member voted 'AYE.'

6. New Business: (For Possible Action)

- a. Review, Discussion, and Possible Approval/Rejection of Committee Bylaws – NRS 631.190 (For Possible Action)**
 - i. Anesthesia Committee and Sub-Committee Bylaws**
 - ii. Continuing Education Committee Bylaws**
 - iii. Infection Control Committee Bylaws**
 - iv. Legal, Legislative, and Dental Practice Committee Bylaws**

A motion to group the bylaws together and approve was made by Dr. Streifel, and it was seconded by Dr. Hoban.

No discussion.

All members voted 'AYE.'

- b. Review, Discussion, and Possible Approval/Rejection of the Continuing Education Course Provider Application – NRS 631. 190, NRS 631.342, NAC 631.173 (For Possible Action)
 - i. Course #19-016 (Updated Program)
 - ii. Zest Education
 - iii. Nevada Dental Foundation – Non-Profit

Dr. Kim communicated additional information regarding the CE courses, and communicated that the CE committee reviewed and approved the courses.

A motion to group the courses together and approve was made by Dr. West, and it was seconded by Dr. Kim.

No discussion.

All members voted ‘AYE.’

- c. Review, Discussion, and Possible Approval/Rejection of 90-Day Extension of Temporary Anesthesia Permit – NAC 631.2254(2) (For Possible Action)
 - i. Ouzhan Kalantari, DMD – General Anesthesia

A motion to approve the temporary anesthesia permit extension was made by Dr. West, and it was seconded by Dr. Kim.

No discussion.

All members voted ‘AYE.’

- d. Review, Discussion, and Possible Approval/Rejection of Temporary Anesthesia Permit - NAC 631.2254; NRS 631.190 (For Possible Action)

- i. David Lee, DMD – Moderate Sedation

A motion to approve the temporary anesthesia permit was made by Dr. Streifel, and it was seconded by Dr. Hoban.

No discussion.

All members voted ‘AYE.’

- e. Review, Discussion, and Possible Approval/Rejection of Permanent Anesthesia Permit – NAC 631.2235; NRS 631.190 (For Possible Action)

- i. Iraj H Kasimi, DMD – Moderate Sedation
- ii. Nathan Antoine, DMD – Moderate Sedation
- iii. Tri Nguyen, DDS – General Anesthesia

A motion to group and approve the permanent anesthesia permits was made by Dr. Streifel, and it was seconded by Ms. Arias.

No discussion.

All members voted ‘AYE.’

- f. Review, Discussion and Possible Approval/Rejection for a Temporary (3-6 month) Infection Control Program Developer Position– NRS 631.190 (For Possible Action)

Director Higginbotham communicated the need to standardize infection control inspection procedures and criteria statewide as well as the creation of different criteria as it pertains to different types of inspections. Director Higginbotham recognizes the need for input from a licensed dental professional with experience in board inspections to review and refine our current checklists, to ensure NRS, NAC, and CDC requirements for dental facilities are met. The position would build and develop a foundation for future training of board agents.

A motion to approve Temporary Infection Control Developer position was made by Dr. West, and it was seconded by Ms. Arias.

No discussion.

All members voted 'AYE.'

7. Authorized Investigations

a. Dr. Z

A motion to approve the authorized investigation was made by Dr. West, and it was seconded by Dr. Streifel.

No discussion.

All members voted 'AYE.'

b. Dr. Y

A motion to approve the authorized investigation was made by Ms. Arias, and it was seconded by Dr. Landron.

No discussion.

All members voted 'AYE.'

8. Advisory Opinion

- a. Review, Discussion and Possible Advisory Opinion on the subject of "Can faculty members with specialty licenses be assigned to oversee and teach in screening clinic?" – NRS 631.190 (For Possible Action)**

Dr. West communicated that in his opinion specialty dentists should be allowed to screen patients in the clinic. He believes this falls within their scope, given their dental training and credentials, would support the school by increasing faculty involvement. He noted that the policy could be revisited if new guidance from NRS/NAC emerges.

A motion to allow specialty license holders to oversee and teach in the screening clinic and develop an advisory opinion outlining today's discussion and decision was made by Dr. West, and it was seconded by Dr. Hoban.

Dr. Branco asked for clarification on what constitutes a screening clinic as referenced.

Tina Brandon Abbott Angelo from UNLV SDM communicated that the screening clinic evaluates patient suitability assessing medical and dental condition to ensure patient is a good fit for the school.

All members voted 'AYE.'

- b. Review, Discussion, and Possible Advisory Opinion on the subject of "Can individuals licensed by the Board perform dental services in a location that has not satisfied the infection control inspection requirements of the Board as part of a mobile dentistry program or business?" – NRS 631.190 (For Possible Action)**

The board discussed issuing an advisory opinion to clarify that all dental services whether in brick-and-mortar offices, mobile units, or pop-up clinics, etc. must meet infection control inspection requirements of NRS/NAC. Due to a rise in uninspected temporary setups, the board emphasized that both the practicing dentist and the licensed owner are responsible for ensuring compliance. The advisory aims to raise awareness among licensees and businesses operating without current inspection, that the unit violates existing regulations, regardless of location or facility type.

The board voted to move forward with this advisory as a temporary measure while regulations are further clarified.

A motion to draft an advisory opinion to confirm that dental services can only be performed in locations that have been inspected for infection control was made by Dr. West, and it was seconded by Ms. Arias.

No further discussion.

All members voted 'AYE.'

- 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.

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, May 13, 2025, by 12:00 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 Chairperson 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 speakers.

Dr. Keith Benson asked if school-based sealant programs, like those by UNLV, would be covered in the infection control advisory opinion. The board confirmed that all programs whether university-led, nonprofit, or public health must meet infection control standards at every service location. New sites must be reported and included in their inspection plan.

10. Announcements:

No announcements.

11. Adjournment: (For Possible Action)

A motion was made to adjourn the meeting by Ms. Arias, and it was seconded by Dr. Kim.

**APPROVED REGULATION OF THE
BOARD OF DENTAL EXAMINERS OF NEVADA**

LCB File No. R072-22

Filed November 15, 2024

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§ 1, 2, 10, 14, 15, 20, 24, 25 and 27, NRS 631.190; § 3, NRS 631.190 and 631.3121; § 4, NRS 631.190, 631.3122 and 631.3123; § 5, NRS 631.190 and 631.3124; § 6, NRS 631.190 and 631.350; § 7, NRS 631.190 and 631.345; § 8, NRS 622.530, 631.190, 631.220, 631.255, 631.272, 631.274, 631.290 and 631.312; §§ 9 and 11, NRS 631.190 and 631.330; § 12, NRS 631.160, 631.190, 631.260, 631.290 and 631.312; § 13, NRS 631.190 and 631.240; § 16, NRS 631.190 and 631.335; §§ 17 and 18, NRS 631.190 and 631.342; § 19, NRS 631.190, 631.330, 631.335 and 631.342; § 21, NRS 631.190, 631.250 and 631.255; § 22, NRS 631.190, 631.313 and 631.317; § 23, NRS 631.190, 631.346 and 631.350; § 26, NRS 631.190 and 631.215.

A REGULATION relating to oral health; prescribing certain qualifications for licensure as a dental therapist; prescribing certain requirements governing the practice of a dental therapist; authorizing the summary suspension of authorization for a dentist to supervise a dental therapist under certain circumstances; making various provisions relating to providers of oral healthcare also applicable to dental therapists; prescribing certain fees; providing that mandatory supervision constitutes discipline for certain purposes; authorizing the Board of Dental Examiners of Nevada to require certain persons to pass an examination before the issuance or reinstatement of a license to practice dentistry, dental therapy or dental hygiene; requiring a licensee to notify the Board of certain information; prescribing certain requirements relating to an applicant for a license who has previously voluntarily surrendered his or her license; prescribing continuing education requirements for dental therapists; expanding the circumstances under which the failure to provide proof of continuing education constitutes unprofessional conduct; revising provisions governing audits of compliance with continuing education requirements; expanding the specialties for which the Board may issue a specialist's license; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Senate Bill No. 366 of the 2019 Legislative Session enacted provisions to authorize the practice of dental therapy by licensed dental therapists in this State. (Chapter 532, Statutes of Nevada 2019, at page 3198) Existing law requires the Board of Dental Examiners of Nevada to adopt rules and regulations necessary to carry out the provisions relating to the profession and

practice of dental therapy and the examination of applicants for licensure as dental therapists. (NRS 631.190)

Existing law requires an applicant for a license to practice dental therapy to have passed certain clinical examinations, including a clinical examination approved by the Board. (NRS 631.3121) **Section 3** of this regulation requires an applicant to pass a simulated clinical examination in dental therapy or a comparable examination in order to fulfill that requirement.

Existing law requires a dental therapist to practice under the authorization and supervision of a dentist. A dental therapist is only authorized to perform the services that are within the scope of his or her supervising dentist, authorized by the dentist and provided according to written practices and protocols. A dental therapist is also required to practice under the direct supervision of the authorizing dentist for a certain period of time. (NRS 631.3122) Existing law further requires: (1) a dental therapist to enter into a written practice agreement with his or her authorizing dentist; and (2) such a written practice agreement to include certain provisions. (NRS 631.3122, 631.3123) **Section 4** of this regulation additionally requires a written practice agreement to include certain provisions regarding the maintenance of records and responding to medical emergencies. **Section 2** of this regulation interprets the term “direct supervision.”

Existing law authorizes a dental therapist to perform certain procedures. (NRS 631.3124) **Section 5** of this regulation prescribes the procedures that a dental therapist is authorized to perform: (1) only after the authoring dentist examines the patient; and (2) without the authorizing dentist examining the patient before the procedure.

Existing law authorizes the Board to discipline a person who engages in unprofessional conduct or violates any regulation adopted by the Board. (NRS 631.350) **Section 6** of this regulation authorizes the Board to summarily suspend a dentist from supervising a dental therapist if an investigation reasonably finds that the health, safety or welfare of the public or a patient is at risk. **Section 6** provides that the Board will hold a hearing and make a decision concerning the relevant formal complaint not later than 60 days after the issuance of an order for summary suspension unless the dentist or dental therapist and the Board agree to a longer period of time.

Sections 7-9, 11, 12, 14, 16, 20 and 22-27 of this regulation add references to dental therapy and dental therapists to certain provisions governing licensing and standards of practice for providers of oral health care. **Sections 17-19** of this regulation prescribe continuing education requirements for dental therapists.

Existing law requires the Board to establish by regulation fees associated with the performance of its duties. (NRS 631.345) Existing regulations establish a fee for the inspection of a facility required by the Board to ensure compliance with infection control guidelines. (NAC 631.029) **Section 7** of this regulation adds a reduced fee for a second or subsequent inspection of a facility to ensure compliance with infection control guidelines. **Section 7** also imposes a fee for a second or subsequent audit of a licensee to ensure compliance with continuing education requirements.

Existing regulations: (1) require an applicant for licensure as a dentist, dental therapist or dental hygienist to provide to the Board information concerning discipline imposed against the applicant in another jurisdiction; and (2) authorize the Executive Director or Secretary-Treasurer of the Board to reject an application for licensure if the applicant has been subject to such discipline. (NAC 631.030, 631.050) **Sections 8 and 12** of this regulation clarify that being subject to mandatory supervision constitutes discipline for those purposes.

Existing law provides that the term “substance abuse” is a term disfavored for use in the Nevada Revised Statutes and the Nevada Administrative Code. (NRS 220.125, 233B.062) **Sections 8 and 12** replace the term “substance abuse” with preferred terminology.

Section 10 of this regulation removes an obsolete reference to an Internet website from a provision adopting by reference certain standards relating to the use of laser radiation in the practice of dentistry. **Section 20** of this regulation updates a reference to an Internet website with the correct address for guidelines relating to disinfection and sterilization. **Section 26** of this regulation updates a statutory reference to reflect technical changes made during the 2019 Legislative Session.

Existing regulations provide that the Board may require a licensee whose license has been placed on inactive status for 2 years or more and who is not actively practicing in another state to pass such examinations for licensure as the Board may prescribe before his or her license is reinstated. (NAC 631.170) **Section 13** of this regulation provides that the Board may similarly require a former licensee who has not held a license in this State for 2 years or more and has not maintained an active practice outside this State to pass such examinations before issuing a new license to the applicant. **Section 16** of this regulation provides that the Board may require a licensee whose license has been suspended for 2 years or more and who has not maintained an active practice outside this State to pass such examinations before reinstating his or her license. **Sections 13 and 16** further clarify that a licensee or former licensee is not maintaining an active practice outside this State if he or she is not practicing because of disciplinary action in another jurisdiction.

Existing law authorizes the Board to discipline a licensee for certain conduct, including malpractice, disciplinary action imposed against the licensee in another jurisdiction or conviction of certain crimes. (NRS 631.3475, 631.350) Existing regulations require a licensee to notify the Board if he or she is so disciplined or is convicted of any such crime. (NAC 631.155) **Section 14** of this regulation similarly requires a licensee to notify the Board of any claim or complaint of malpractice served and filed on the licensee.

Existing regulations authorize the Board to accept the voluntary surrender of a license by a licensee. (NAC 631.160) **Section 15** of this regulation prescribes certain requirements that a licensee who has voluntarily surrendered his or her license must satisfy before applying for a new license.

Existing regulations: (1) require a licensee to provide proof of his or her continuing education credits; and (2) provide that the third or subsequent failure of a licensee to provide such proof constitutes unprofessional conduct, which is grounds for discipline under existing law. (NAC 631.177) **Section 19** of this regulation instead provides that the second or subsequent such failure constitutes unprofessional conduct.

Existing regulations provide that the Board will conduct audits of providers of oral health care to ensure compliance with continuing education requirements. (NAC 631.177) **Section 19** clarifies that the Board may conduct follow-up audits after an initial audit.

Existing law authorizes the Board to issue a specialist’s license, which authorizes a dentist to hold himself or herself out as a specialist in a special area of dentistry. (NRS 631.250) **Section 21** of this regulation adds dental anesthesiology, oral medicine and orofacial pain to the list of specialties for which the Board may issue a specialist license.

Section 1. Chapter 631 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this regulation.

Sec. 2. *For the purposes of NRS 631.3122, the Board will interpret “direct supervision” to mean supervision by a dentist where the dentist:*

1. Documents in the record of the patient the name of the dental therapist providing care to the patient;

2. Examines the patient before the dental therapist performs the procedure either face-to-face or by the use of electronic means;

3. Provides instructions for treating the patient before the dental therapist begins treating the patient; and

4. Examines the patient upon completion of the procedures performed by the dental therapist.

Sec. 3. *Except as otherwise provided in NRS 622.090, in fulfillment of the requirements of paragraph (b) of subsection 1 of NRS 631.3121, an applicant taking the clinical examination approved by the Board and the American Board of Dental Examiners or the clinical examination administered by the Western Regional Examining Board must pass a simulated clinical examination in dental therapy or a comparable examination administered by the Western Regional Examining Board, as applicable.*

Sec. 4. *In addition to the items required by NRS 631.3123, a written practice agreement between a dentist and a dental therapist must include, without limitation:*

1. Procedures for the duplication, maintenance and storage of the records of the patients of the dental therapist by the authorizing dentist;

2. Specific procedures for the management of medical emergencies, including, without limitation:

(a) A requirement that the dental therapist must be certified in the administration of cardiopulmonary resuscitation in accordance with NAC 631.173; and

(b) Procedures for the administration of first aid, an automated external defibrillator and supplemental oxygen;

3. The tasks that each staff member is required to perform when a medical emergency occurs; and

4. Procedures for the maintenance of a written log to document the monthly review of the records of patients which must include, without limitation:

(a) Evaluations of each referral of a patient made by the dental therapist to an authorizing dentist or an appropriate dental specialist and any follow-up of such a referral;

(b) The demographic information of the authorizing dentist and dental therapist, with any personally identifying information removed; and

(c) Procedures for making the written log available to the Board for review and examination upon request.

Sec. 5. 1. In accordance with a written practice agreement required pursuant to NRS 631.3122, a dental therapist may:

(a) Provide the following services to a patient who has first been examined by the authorizing dentist:

(1) Making and exposing cone-beam radiographs;

(2) Application of topical preventive or prophylactic agents, including, without limitation, fluoride varnishes and pit and fissure sealants;

(3) Removal of excess cement from cemented restorations or orthodontic appliances without rotary;

(4) Re-cementing permanent crowns and bridges with nonpermanent material as a palliative treatment;

(5) Administering local intraoral chemotherapeutic agents in any form except aerosol, including, without limitation, antimicrobial agents, fluoride preparations, topical anesthetics and topical desensitizing agents;

(6) Minor adjustments and repairs of removable partial dentures;

(7) Placement and removal of space maintainers;

(8) Cavity preparation;

(9) Restoration of primary and permanent teeth;

(10) Extractions of primary teeth and permanent teeth with grade three plus mobility with recorded periodontal charting;

(11) Preparation and placement of preformed crowns on primary teeth;

(12) Indirect and direct pulp capping of permanent teeth;

(13) Administration of local anesthetic;

(14) Sub-gingival curettage;

(15) Fabricating mouth guards for temporomandibular joint dysfunction or sleep disorders; and

(16) Definitive charting of the oral cavity.

(b) Provide the following services to a patient who has not first been examined by the authorizing dentist:

(1) Making a radiograph through periapical, bitewing or panorex;

- (2) Mechanical polishing;*
- (3) Application of desensitizing medication or resin;*
- (4) Preliminary charting of an oral cavity;*
- (5) Removal of sutures;*
- (6) Instruction and education on oral health and disease prevention, including, without limitation, nutritional counseling and dietary analysis; and*
- (7) Fabricating mouth guards for use in sports protection.*

2. In addition to performing the examination required by paragraph (a) of subsection 1, the authorizing dentist of a dental therapist who provides a service listed in that paragraph shall:

- (a) Document in the record of the patient the name of the dental therapist; and*
- (b) Provide instructions for treating the patient before the dental therapist begins treating the patient.*

Sec. 6. 1. If an investigation by the Board regarding the supervision of a dental therapist by an authorizing dentist reasonably determines that the health, safety or welfare of the public or any patient served by the dentist or dental therapist is placed at risk of imminent or continued harm by the continued supervision of a dental therapist by the authorizing dentist, the Board may summarily suspend the dentist from supervising any dental therapist pending the conclusion of a hearing to consider a formal complaint against the dentist or dental therapist.

2. The order of summary suspension may be issued only by the Board, the President of the Board, the presiding officer of an investigative committee convened by the Board to

investigate the dentist or dental therapist or the member, employee, investigator or other agent of the Board who conducted the investigation.

3. If the Board, the President of the Board, the presiding officer of an investigative committee convened by the Board to investigate the dentist or dental therapist or a member, employee, investigator or other agent of the Board issues an order to summarily suspend a dentist from supervising a dental therapist pursuant to subsection 1, the Board will hold a hearing to consider the formal complaint against the dentist or dental therapist. The Board will hold the hearing and render a decision concerning the formal complaint not later than 60 days after the date of issuance of the order, unless the Board and the dentist or dental therapist agree to a longer period of time.

Sec. 7. NAC 631.029 is hereby amended to read as follows:

631.029 The Board will charge and collect the following fees:

Application fee for an initial license to practice dentistry if the applicant has successfully passed a clinical examination administered by the Western Regional Examining Board or a clinical examination approved by the Board and the American Board of Dental Examiners and administered by a regional examination organization other than the Board	\$1,200
Application fee for an initial license to practice <i>dental therapy or</i> dental hygiene	600
Application fee for a specialty license by credential.....	1,200
Application fee for a temporary restricted geographical license to practice dentistry	600

Application fee for a temporary restricted geographical license to practice <i>dental therapy or</i> dental hygiene	150
Application fee for a specialist's license to practice dentistry	125
Application fee for a limited license or restricted license to practice dentistry , <i>dental therapy</i> or dental hygiene.....	125
Application and examination fee for a permit to administer general anesthesia, moderate sedation or deep sedation	750
Application and examination fee for a site permit to administer general anesthesia, moderate sedation or deep sedation	500
Fee for any reinspection required by the Board to maintain a permit to administer general anesthesia, moderate sedation or deep sedation.....	500
Fee for the inspection of a facility required by the Board to ensure compliance with infection control guidelines.....	250
<i>Fee for a second or subsequent inspection of a facility required by the Board to ensure compliance with infection control guidelines</i>	<i>150</i>
Biennial renewal fee for a permit to administer general anesthesia, moderate sedation or deep sedation.....	200
Fee for the inspection of a facility required by the Board to renew a permit to administer general anesthesia, moderate sedation or deep sedation.....	350
Biennial license renewal fee for a general license or specialist's license to practice dentistry	600
Biennial license renewal fee for a restricted geographical license to practice dentistry	600

Biennial license renewal fee for a restricted geographical license to practice <i>dental therapy or</i> dental hygiene	300
Biennial license renewal fee for a general license to practice <i>dental therapy</i> <i>or</i> dental hygiene	300
Annual license renewal fee for a limited license to practice dentistry , <i>dental</i> <i>therapy</i> or dental hygiene	200
Annual license renewal fee for a restricted license to practice dentistry	100
Biennial license renewal fee for an inactive dentist	200
Biennial license renewal fee for an inactive <i>dental therapist or</i> dental hygienist	50
<i>Fee for a second or subsequent audit to ensure compliance with continuing</i> <i>education requirements</i>	200
Reinstatement fee for a suspended license to practice dentistry , <i>dental</i> <i>therapy</i> or dental hygiene	300
Reinstatement fee for a revoked license to practice dentistry , <i>dental therapy</i> or dental hygiene	500
Reinstatement fee to return an inactive or retired dentist , <i>dental therapist</i> or dental hygienist or a dentist , <i>dental therapist</i> or dental hygienist with a disability to active status	300
Fee for the certification of a license	25
Fee for the certification of a license to administer nitrous oxide or local anesthesia	25

Fee for a duplicate wall certificate	25
Fee for a duplicate pocket card receipt.....	25
Application fee for converting a temporary license to a permanent license	125
Fee for an application packet for an examination	25
Fee for an application packet for licensure by credentials	25

Sec. 8. NAC 631.030 is hereby amended to read as follows:

631.030 1. An applicant for licensure must provide the following information and documentation in his or her application:

- (a) The date and place of his or her birth;
- (b) Certification of graduation from an accredited dental school or college *, from an accredited school or college of dental therapy* or from an accredited school or college of dental hygiene, whichever is applicable;
- (c) Whether he or she has applied for similar licensure in another state or a territory of the United States or the District of Columbia and, if so, the name of the state or territory of the United States or the District of Columbia, the date and the result of his or her application;
- (d) If he or she has practiced dentistry *, dental therapy* or dental hygiene in another state or a territory of the United States or the District of Columbia, certification from the licensing authority of each state or territory of the United States or the District of Columbia in which he or she has practiced or is practicing that he or she is in good standing and that there are not any disciplinary proceedings affecting his or her standing pending against him or her in the other state or territory of the United States or the District of Columbia;

(e) Whether he or she has terminated or attempted to terminate a license from another state or territory of the United States or the District of Columbia and, if so, the reasons for doing so;

(f) If he or she is not a natural born citizen of the United States, a copy of his or her certificate of naturalization or other document attesting that he or she is legally eligible to reside and work in the United States;

(g) All scores obtained on the examination in which he or she was granted a certificate by the Joint Commission on National Dental Examinations and the date it was issued;

(h) Whether he or she has ever been convicted of a crime involving moral turpitude or has entered a plea of nolo contendere to a charge of such a crime and, if so, the date and place of the conviction or plea and the sentence, if any, which was imposed;

(i) Whether he or she has had any misdemeanor or felony convictions and, if so, any documents relevant to any misdemeanor or felony convictions;

(j) Whether he or she has been held civilly or criminally liable in this State, another state or territory of the United States or the District of Columbia for misconduct relating to his or her occupation or profession;

(k) Whether he or she has a history of substance ~~abuse;~~ *misuse or substance use disorder* and, if so, any documents relevant to the substance ~~abuse;~~ *misuse or substance use disorder*;

(l) Whether he or she has been refused permission to take an examination for licensure by this State, any other state or territory of the United States or the District of Columbia, or any regional testing agency recognized by the Board and, if so, any documents relevant to the refusal;

(m) Whether he or she has been denied licensure by this State, any other state or territory of the United States or the District of Columbia and, if so, any documents relevant to the denial;

(n) Whether he or she has had his or her license to practice dentistry , *dental therapy* or dental hygiene suspended, revoked or placed on probation, or has otherwise been disciplined concerning his or her license to practice dentistry , *dental therapy* or dental hygiene, including, without limitation, *being subject to mandatory supervision or* receiving a public reprimand, in this State, another state or territory of the United States or the District of Columbia and, if so, any documents relevant to the suspension, revocation, probation or other discipline;

(o) A copy of current certification in administering cardiopulmonary resuscitation;

(p) Whether he or she is currently involved in any disciplinary action concerning his or her license to practice dentistry , *dental therapy* or dental hygiene in this State, another state or territory of the United States or the District of Columbia and, if so, any documents relevant to the reprimand or disciplinary action;

(q) Two sets of certified fingerprint cards and an authorization form allowing the Board to submit the fingerprint forms to law enforcement agencies for verification of background information;

(r) Whether he or she has any claims against him or her or has committed any actions that would constitute unprofessional conduct pursuant to NRS 631.3475 or NAC 631.230;

(s) An application form that he or she has completed and signed which:

(1) Is furnished by the Board; and

(2) Includes, without limitation, a properly executed request to release information;

(t) If applicable, the statement and proof required by subsection 3;

(u) Evidence that he or she is eligible to apply for a license to practice:

(1) Dentistry pursuant to NRS 631.230; ~~for~~

(2) Dental hygiene pursuant to NRS 631.290; *or*

(3) Dental therapy pursuant to NRS 631.312;

- (v) The statement required by NRS 425.520; and
- (w) Any other information requested by the Board.

2. An applicant for licensure by endorsement pursuant to NRS 622.530 must provide the following information and documentation with his or her application:

- (a) The information and documentation listed in subsection 1;
- (b) A certificate granted by a nationally recognized, nationally accredited or nationally certified examination or other examination approved by the Board which proves that the applicant has achieved a passing score on such an examination; and
- (c) Proof that the applicant has actively practiced dentistry , *dental therapy* or dental hygiene for the 5 years immediately preceding the date of submission of the application.

3. An applicant for licensure who wishes to use laser radiation in his or her practice of dentistry , *dental therapy* or dental hygiene must provide to the Board:

- (a) A statement certifying that each laser that will be used by the licensee in the practice of dentistry , *dental therapy* or dental hygiene has been cleared by the Food and Drug Administration for use in dentistry; and
- (b) Proof that he or she has successfully completed a course in laser proficiency that:
 - (1) Is at least 6 hours in length; and
 - (2) Is based on the *Curriculum Guidelines and Standards for Dental Laser Education*, adopted by reference pursuant to NAC 631.035.

Sec. 9. NAC 631.033 is hereby amended to read as follows:

631.033 Each licensee who uses or wishes to use laser radiation in his or her practice of dentistry , *dental therapy* or dental hygiene must include with the application for renewal of his or her license:

1. A statement certifying that each laser used by the licensee in his or her practice of dentistry , *dental therapy* or dental hygiene has been cleared by the Food and Drug Administration for use in dentistry; and

2. Proof that he or she has successfully completed a course in laser proficiency that:

(a) Is at least 6 hours in length; and

(b) Is based on the *Curriculum Guidelines and Standards for Dental Laser Education*, adopted by reference pursuant to NAC 631.035.

Sec. 10. NAC 631.035 is hereby amended to read as follows:

631.035 1. The Board hereby adopts by reference the *Curriculum Guidelines and Standards for Dental Laser Education*, adopted by the Academy of Laser Dentistry. The *Curriculum Guidelines and Standards for Dental Laser Education* is available, free of charge, from the Academy of Laser Dentistry:

(a) By mail, at P.O. Box 8667, Coral Springs, Florida 33075;

(b) By telephone, at (954) 346-3776; or

(c) At the Internet address

~~http://www.laserdentistry.org/prof/edu_curriculumguidelines.cfm~~

<http://www.laserdentistry.org/certification#curriculum-guidelines>.

2. The Board will periodically review the *Curriculum Guidelines and Standards for Dental Laser Education* and determine within 30 days after the review whether any change made to those guidelines and standards is appropriate for application in this State. If the Board does not

disapprove a change to an adopted guideline or standard within 30 days after the review, the change is deemed to be approved by the Board.

Sec. 11. NAC 631.045 is hereby amended to read as follows:

631.045 A licensed dentist who owns an office or facility where dental treatments are to be performed in this State must, on the application for renewal of his or her license, execute a certified statement that includes:

1. The location of each office or facility owned by the licensed dentist where dental treatments are to be performed;
2. The name and address of each employee, other than a licensed dentist , *dental therapist* or dental hygienist, who assists at the office or facility in procedures for infection control and the date the employee began to assist in procedures for infection control at the office or facility;
3. A statement that each employee identified in subsection 2:
 - (a) Has received adequate instruction concerning procedures for infection control; and
 - (b) Is qualified to:
 - (1) Operate sterilization equipment and other equipment in compliance with the guidelines adopted by reference in NAC 631.178; and
 - (2) Perform all other applicable activities in compliance with the guidelines adopted by reference in NAC 631.178; and
4. If the licensed dentist is registered to dispense controlled substances with the State Board of Pharmacy pursuant to chapter 453 of NRS, an attestation that the licensed dentist has conducted annually a minimum of one self-query regarding the issuance of controlled substances through the Prescription Monitoring Program of the State Board of Pharmacy.

Sec. 12. NAC 631.050 is hereby amended to read as follows:

631.050 1. If the Executive Director or Secretary-Treasurer finds that:

(a) An application is:

- (1) Deficient; or
- (2) Not in the proper form; or

(b) The applicant has:

- (1) Provided incorrect information;
- (2) Not attained the scores required by chapter 631 of NRS; or
- (3) Not submitted the required fee,

→ the Executive Director or Secretary-Treasurer shall reject the application and return it to the applicant with the reasons for its rejection.

2. If the Executive Director or Secretary-Treasurer finds that an applicant has:

- (a) A felony conviction;
- (b) A misdemeanor conviction;
- (c) Been held civilly or criminally liable in this State, another state or territory of the United States or the District of Columbia for misconduct relating to his or her occupation or profession;
- (d) A history of substance ~~abuse;~~ *misuse or substance use disorder;*
- (e) Been refused permission to take an examination for licensure by this State, any other state or territory of the United States or the District of Columbia;
- (f) Been denied licensure by this State, any other state or territory of the United States or the District of Columbia;
- (g) Had his or her license to practice dentistry , *dental therapy* or dental hygiene suspended, revoked or placed on probation, or has otherwise been disciplined concerning his or her license to practice dentistry , *dental therapy* or dental hygiene, including, without limitation, *being*

subject to mandatory supervision or receiving a public reprimand, in this State, another state or territory of the United States or the District of Columbia;

(h) Not actively practiced dentistry , *dental therapy* or dental hygiene, as applicable, for 2 years or more before the date of the application to the Board; or

(i) Is currently involved in any disciplinary action concerning his or her license to practice dentistry , *dental therapy* or dental hygiene in this State, another state or territory of the United States or the District of Columbia,

↪ the Executive Director or Secretary-Treasurer may reject the application. If rejected, the application must be returned to the applicant with the reasons for its rejection.

3. If an application is rejected pursuant to subsection 2, the applicant may furnish additional relevant information to the Executive Director or Secretary-Treasurer, and request that the application be reconsidered. If an application is rejected following reconsideration by the Executive Director or Secretary-Treasurer, the applicant may petition the Board for a review of the application at the next regularly scheduled meeting of the Board.

Sec. 13. NAC 631.090 is hereby amended to read as follows:

631.090 *1.* Except as otherwise provided in NRS 622.090, in fulfillment of the statutory requirements of paragraph (b) of subsection 1 of NRS 631.240, an applicant taking the clinical examination approved by the Board and the American Board of Dental Examiners or the clinical examination administered by the Western Regional Examining Board must:

~~1-1~~ *(a)* Pass the Dental Simulated Clinical Examination or a comparable examination administered by the Western Regional Examining Board, as applicable;

~~1-2~~ *(b)* Demonstrate proficiency in endodontics as the organization administering the clinical examination requires;

~~13.1~~ (c) Demonstrate proficiency in fixed prosthodontics as the organization administering the clinical examination requires;

~~14.1~~ (d) Demonstrate proficiency in restorative dentistry as the organization administering the clinical examination requires;

~~15.1~~ (e) Demonstrate proficiency in periodontics as the organization administering the clinical examination requires; and

~~16.1~~ (f) Perform such other procedures as the Board requires.

2. The Board may require an applicant for licensure to practice dentistry, dental hygiene or dental therapy to pass such additional examinations for licensure as the Board may prescribe if the applicant:

(a) Has been previously licensed in this State and has not held such a license for 2 years or more, including, without limitation, because the license was revoked or voluntarily surrendered; and

(b) Has not maintained an active practice outside of this State, including, without limitation, because his or her license to practice in another jurisdiction has been suspended, revoked, surrendered or because of any other order by a competent authority of another jurisdiction.

Sec. 14. NAC 631.155 is hereby amended to read as follows:

631.155 Each licensee shall, within 30 days after the occurrence of the event, notify the Board in writing by certified mail of:

1. The death of a patient during the performance of any dental procedure;
2. Any unusual incident occurring in his or her dental practice which results in permanent physical or mental injury to a patient or requires the hospitalization of a patient;

3. The suspension or revocation of his or her license to practice dentistry , *dental therapy or dental hygiene* or the imposition of a fine or other disciplinary action against him or her by any agency of another state authorized to regulate the practice of dentistry , *dental therapy or dental hygiene, as applicable*, in that state;

4. The conviction of any felony or misdemeanor involving moral turpitude or which relates to the practice of dentistry , *dental therapy or dental hygiene, as applicable*, in this State or the conviction of any violation of chapter 631 of NRS; ~~for~~

5. *The filing and service of any claim or complaint of malpractice against the licensee; or*

6. Being held civilly or criminally liable in this State, another state or territory of the United States or the District of Columbia for misconduct relating to his or her occupation or profession.

Sec. 15. NAC 631.160 is hereby amended to read as follows:

631.160 1. If a licensee desires voluntarily to surrender his or her license, he or she may submit to the Board a sworn written surrender of the license accompanied by delivery to the Board of the certificate of registration previously issued to him or her. The Board may accept or reject the surrender of the license. If the Board accepts the surrender of the license, the surrender is absolute and irrevocable. The Board will notify any agency or person of the surrender as it deems appropriate.

2. The voluntary surrender of a license does not preclude the Board from hearing a complaint for disciplinary action filed against the licensee.

3. *A former licensee who has voluntarily surrendered his or her license may apply for a new license if he or she meets all criteria required for licensure by this chapter and chapter 631 of NRS. If a former licensee surrendered his or her license voluntarily while being disciplined by the Board or during a pending investigation, the Board may require the former*

licensee to complete any terms of discipline or corrective action not completed as a result of the surrender and require additional terms be completed before issuing a new license.

Sec. 16. NAC 631.170 is hereby amended to read as follows:

631.170 1. A licensee may request the Board to place his or her license in an inactive or retired status. Such a request must be made in writing and before the license expires.

2. The Secretary-Treasurer may reinstate an inactive license upon the written request of an inactive licensee who has maintained an active license and practice outside this State during the time his or her Nevada license was inactive. To reinstate the license, such an inactive licensee must:

- (a) Pay the appropriate renewal fees;
- (b) Provide a list of his or her employment during the time the license was inactive;
- (c) Report all claims of unprofessional conduct or professional incompetence against him or her or any violation of the law which he or she may have committed, including administrative disciplinary charges brought by any other jurisdiction;
- (d) Report whether he or she has been held civilly or criminally liable in this State, another state or territory of the United States or the District of Columbia for misconduct relating to his or her occupation or profession;
- (e) Report any appearance he or she may have made before a peer review committee;
- (f) Submit proof of his or her completion of an amount of continuing education, prorated as necessary, for the year in which the license is restored to active status;
- (g) Provide certification from each jurisdiction in which he or she currently practices that his or her license is in good standing and that no proceedings which may affect that standing are pending;

(h) Satisfy the Secretary-Treasurer that he or she is of good moral character; and

(i) Provide any other information which the Secretary-Treasurer may require,

↪ before the license may be reinstated. In determining whether the licensee is of good moral character, the Secretary-Treasurer may consider whether the licensee to practice dentistry , *dental therapy or dental hygiene* in another state has been suspended or revoked or whether the licensee is currently involved in any disciplinary action concerning the license in that state.

3. If a person whose license has been on inactive status for less than 2 years has not maintained an active license or practice outside this State, *including, without limitation, because his or her license to practice in another jurisdiction has been suspended, revoked or surrendered or because of any other order by a competent authority of another jurisdiction*, or if a person's license has been on retired status for less than 2 years, he or she must submit to the Board:

(a) Payment of the appropriate renewal fees;

(b) A written petition for reinstatement that has been signed and notarized;

(c) Proof of his or her completion of an amount of continuing education, prorated as necessary, for the year in which the license is restored to active status; and

(d) A list of his or her employment, if any, during the time the license was on inactive or retired status,

↪ before the license may be reinstated.

4. If a person whose license has been on inactive status for 2 years or more has not maintained an active license or practice outside this State, *including, without limitation, because his or her license to practice in another jurisdiction has been suspended, revoked or*

surrendered or because of any other order by a competent authority of another jurisdiction, or
if a person's license has been on retired status for 2 years or more, he or she must:

- (a) Satisfy the requirements set forth in paragraphs (a) to (d), inclusive, of subsection 3; and
- (b) Pass such additional examinations for licensure as the Board may prescribe,

↪ before the license may be reinstated.

5. If the license of a person has been placed on disabled status, the person must:

- (a) Satisfy the requirements of paragraphs (a), (b) and (c) of subsection 3;
- (b) Submit to the Board a list of his or her employment, if any, during the time the license

was on disabled status;

- (c) Pass such additional examinations for licensure as the Board may prescribe; and

(d) Submit to the Board a statement signed by a licensed physician setting forth that the person is able, mentally and physically, to practice dentistry, *dental therapy or dental hygiene, as applicable,*

↪ before the license may be reinstated.

6. If the license of a person has been suspended for 2 years or more and the person has not maintained an active practice outside of this State, including, without limitation, because his or her license to practice in another jurisdiction has been suspended, revoked or surrendered or because of any other order by a competent authority of another jurisdiction, the Board may require the person to pass such examinations for licensure as the Board may prescribe before reinstating the license.

Sec. 17. NAC 631.173 is hereby amended to read as follows:

631.173 1. Each dentist licensed to practice in this State must annually complete at least 20 hours of instruction in approved courses of continuing education or biennially complete at

least 40 hours of instruction in approved courses of continuing education, as applicable, based on the renewal period set forth in NRS 631.330 for the type of license held by the dentist. Hours of instruction may not be transferred or carried over from one licensing period to another.

2. *Each dental therapist licensed to practice in this State must annually complete at least 18 hours of instruction in approved courses of continuing education or biennially complete at least 40 hours of instruction in approved courses of continuing education, as applicable, based on the renewal period set forth in NRS 631.330 for the type of license held by the dental therapist. Hours of instruction may not be transferred or carried over from one licensing period to another.*

3. Each dental hygienist licensed to practice in this State must annually complete at least 15 hours of instruction in approved courses of continuing education or biennially complete at least 30 hours of instruction in approved courses of continuing education, as applicable, based on the renewal period set forth in NRS 631.330 for the type of license held by the dental hygienist. Hours of instruction may not be transferred or carried over from one licensing period to another.

~~3-~~ 4. In addition to the hours of instruction prescribed in subsections 1 , ~~and~~ 2 ~~and~~ 3, each dentist , *dental therapist* and dental hygienist must maintain current certification in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life. Any course taken pursuant to this subsection must be taught by a certified instructor.

~~4-~~ 5. Any provider of or instructor for a course in continuing education relating to the practice of dentistry , *dental therapy* or dental hygiene which meets the requirements of this section must be approved by the Board, unless the course is for training in cardiopulmonary resuscitation or is approved by:

- (a) The American Dental Association or the societies which are a part of it;
- (b) The American Dental Hygienists' Association or the societies which are a part of it;
- (c) The Academy of General Dentistry;
- (d) Any nationally recognized association of dental or medical specialists;
- (e) Any university, college or community college, whether located in or out of Nevada; or
- (f) Any hospital accredited by The Joint Commission.

~~15.1~~ **6.** To be approved as a provider of a course in continuing education, the instructor of the course must complete a form provided by the Board and submit it to the Board for review by a committee appointed by the Board not later than 45 days before the beginning date of the course. Upon receipt of the form, the committee shall, within 10 days after receiving the form, approve or disapprove the application and inform the applicant of its decision.

~~16.1~~ **7.** Study by group may be approved for continuing education if the organizer of the group complies with the requirements of subsection ~~15.1~~ **6** and furnishes the Board with a complete list of all members of the group, a synopsis of the subject to be studied, the time, place and duration of the meetings of the group, and the method by which attendance is recorded and authenticated.

~~17.1~~ **8.** Credit may be allowed for attendance at a meeting or a convention of a dental ~~land~~, *dental therapy or* dental hygiene society.

~~18.1~~ **9.** Credit may be allowed for courses completed via home study, on-line study, self-study or journal study which are taught through correspondence, webinar, compact disc or digital video disc.

~~19.1~~ **10.** Credit may be allowed for dental , *dental therapy* and dental hygiene services provided on a voluntary basis to nonprofit agencies and organizations approved by the Board.

Sec. 18. NAC 631.175 is hereby amended to read as follows:

631.175 1. Approved subjects for continuing education in dentistry , *dental therapy* and dental hygiene are:

(a) Clinical subjects, including, without limitation:

- (1) Dental and medical health;
- (2) Preventive services;
- (3) Dental diagnosis and treatment planning; and
- (4) Dental clinical procedures, including corrective and restorative oral health procedures and basic dental sciences, dental research and new concepts in dentistry; and

(b) Nonclinical subjects, including, without limitation:

- (1) Dental practice organization and management;
 - (2) Patient management skills;
 - (3) Methods of health care delivery; and
 - (4) Teaching methodology.
2. In completing the hours of continuing education required pursuant to NAC 631.173, a dentist *or dental therapist* must annually complete at least 15 hours in clinical subjects approved pursuant to subsection 1 or biennially complete at least 30 hours in clinical subjects approved pursuant to subsection 1, as applicable, based on the renewal period set forth in NRS 631.330 for the type of license held by the dentist ~~H~~ *or dental therapist, as applicable.*

3. In completing the hours of continuing education required pursuant to NAC 631.173, a dental hygienist must annually complete at least 12 hours in clinical subjects approved pursuant to subsection 1 or biennially complete at least 24 hours in clinical subjects approved pursuant to

subsection 1, as applicable, based on the renewal period set forth in NRS 631.330 for the type of license held by the dental hygienist.

4. In completing the hours of continuing education required pursuant to NAC 631.173, a dentist, *dental therapist* or dental hygienist must annually complete at least 2 hours in the clinical subject of infection control in accordance with the provisions of the guidelines adopted by reference in NAC 631.178 or biennially complete at least 4 hours in the clinical subject of infection control in accordance with the provisions of the guidelines adopted by reference in NAC 631.178, as applicable, based on the renewal period set forth in NRS 631.330 for the type of license held by the dentist, *dental therapist* or dental hygienist.

5. In completing the hours of continuing education required pursuant to NAC 631.173, a dentist who is registered to dispense controlled substances pursuant to NRS 453.231 must complete at least 2 hours of training relating specifically to the misuse and abuse of controlled substances, the prescribing of opioids or addiction during each period of licensure.

6. The Board will credit, as a maximum in any one year of an annual or biennial licensing period, the following number of hours of instruction for the following types of courses or activities:

(a) For approved study by a group, 3 hours.

(b) For attendance at a meeting or convention of a dental, *dental therapy* or dental hygiene society, 1 hour for each meeting, but not more than 3 hours, exclusive of hours of continuing education offered in conjunction with the meeting.

(c) For courses completed via home study, on-line study, self-study or journal study through correspondence, webinar, compact disc or digital video disc, not more than 50 percent of the

number of hours of continuing education required by subsection 1 , ~~for~~ 2 *or* 3 of NAC 631.173, as applicable.

(d) For all other courses conducted by an approved instructor, the number of hours completed by the dentist , *dental therapist* or dental hygienist.

(e) For approved dental , *dental therapy* or dental hygiene services provided in approved nonprofit settings, 6 hours, except that not more than 3 hours will be allowed for any day of volunteer services provided.

Sec. 19. NAC 631.177 is hereby amended to read as follows:

631.177 1. When requesting a renewal or reinstatement of his or her license, each:

(a) Dentist shall submit a signed, written statement in substantially the following language for each year since his or her last renewal:

I,, hereby certify to the Board of Dental Examiners of Nevada that I have obtained at least 20 approved hours of instruction in continuing education during the period July 1,, through and including June 30,, I also certify to the Board of Dental Examiners of Nevada that I am currently certified in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life.

Dated this (day) of (month) of (year)

.....
Signature of Dentist

(b) *Dental therapist shall submit a signed, written statement in substantially the following language for each year since his or her last renewal:*

I,, hereby certify to the Board of Dental Examiners of Nevada that I have obtained at least 18 approved hours of instruction in continuing education during the period July 1,, through and including June 30,, I also certify to the Board of Dental Examiners of Nevada that I am currently certified in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life.

Dated this (day) of (month) of (year)

.....
Signature of Dental Therapist

(c) Dental hygienist shall submit a signed, written statement in substantially the following language for each year since his or her last renewal:

I,, hereby certify to the Board of Dental Examiners of Nevada that I have obtained at least 15 approved hours of instruction in continuing education during the period July 1,, through and including June 30,, I also certify to the Board of Dental Examiners of Nevada that I am currently certified in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life.

Dated this (day) of (month) of (year)

.....
Signature of Dental Hygienist

~~(e)~~ (d) Dentist , *dental therapist* or dental hygienist shall submit proof of his or her current certification in administering cardiopulmonary resuscitation or other medically acceptable means of maintaining basic bodily functions which support life.

2. Legible copies of all receipts, records of attendance, certificates and other evidence of attendance by a dentist , *dental therapist* or dental hygienist at an approved course in continuing education must be retained by the dentist , *dental therapist* or dental hygienist and made available to the Board for inspection or copying for 3 years after attendance at the course is submitted to meet the continuing education requirements of the Board. Proof of attendance and completion of the required credit hours of instruction must be complete enough to enable the Board to verify the attendance and completion of the course by the dentist , *dental therapist* or dental hygienist and must include at least the following information:

- (a) The name and location of the course;
- (b) The date of attendance;
- (c) The name, address and telephone number of its instructor;
- (d) A synopsis of its contents; and
- (e) For courses designed for home study, the number assigned to the provider by the Board at the time the course was approved and the name, address and telephone number of the producer or author of the course.

3. The ~~third~~ *second* or subsequent failure of a dentist ~~and~~ , *dental therapist or* dental hygienist to obtain or file proof of completion of the credit hours of instruction required by this section and NAC 631.173 and 631.175 is unprofessional conduct.

4. The Board will conduct random *initial* audits of dentists , *dental therapists* or dental hygienists *and additional follow-up audits, as necessary*, to ensure compliance with the requirements of this section and NAC 631.173 and 631.175.

Sec. 20. NAC 631.178 is hereby amended to read as follows:

631.178 1. Each person who is licensed pursuant to the provisions of chapter 631 of NRS shall comply with:

(a) The provisions of the *Guidelines for Infection Control in Dental Health-Care Settings-2003* adopted by the Centers for Disease Control and Prevention which is hereby adopted by reference. The publication is available, free of charge, from the Centers for Disease Control and Prevention at the Internet address

<http://www.cdc.gov/mmwr/preview/mmwrhtml/rr5217a1.htm>; and

(b) As applicable to the practice of dentistry, *dental therapy and dental hygiene*, the provisions of the *Guideline for Disinfection and Sterilization in Healthcare Facilities, 2008*, adopted by the Centers for Disease Control and Prevention which is hereby adopted by reference. The publication is available, free of charge, from the Centers for Disease Control and Prevention at the Internet address

~~http://www.cdc.gov/ncidod/dhqp/pdf/guidelines/Disinfection_Nov_2008.pdf~~

<https://www.cdc.gov/infection-control/media/pdfs/Guideline-Disinfection-H.pdf>

2. The Board will periodically review the guidelines adopted by reference in this section and determine within 30 days after the review whether any change made to the guidelines is

appropriate for application in this State. If the Board does not disapprove a change to the guidelines within 30 days after the review, the change is deemed to be approved by the Board.

Sec. 21. NAC 631.190 is hereby amended to read as follows:

631.190 The only specialties for which the Board will issue licenses are:

1. Oral and maxillofacial pathology;
2. Oral and maxillofacial surgery;
3. Orthodontia;
4. Periodontia;
5. Prosthodontia;
6. Pediatric dentistry;
7. Endodontia;
8. Public health; ~~and~~
9. Oral and maxillofacial radiology ~~H~~;

10. Dental anesthesiology;

11. Oral medicine; and

12. Orofacial pain.

Sec. 22. NAC 631.220 is hereby amended to read as follows:

631.220 1. A dentist who is licensed in the State of Nevada may authorize a dental assistant in his or her employ and under his or her supervision to perform the following procedures before the patient is examined by the dentist:

- (a) Expose radiographs; and
- (b) Take impressions for the preparation of diagnostic models.

2. A dentist who is licensed in the State of Nevada may authorize a dental assistant in his or her employ and under his or her supervision only to do one or more of the following procedures after the patient has been examined by the dentist:

- (a) Retract a patient's cheek, tongue or other tissue during a dental operation.
- (b) Remove the debris that normally accumulates during or after a cleaning or operation by the dentist by using mouthwash, water, compressed air or suction.
- (c) Place or remove a rubber dam and accessories used for its placement.
- (d) Place and secure an orthodontic ligature.
- (e) Remove sutures.
- (f) Place and remove a periodontal pack.
- (g) Remove excess cement from cemented restorations and orthodontic appliances. A dental assistant may not use a rotary cutting instrument to remove excess cement from restorations or orthodontic appliances.
- (h) Administer a topical anesthetic in any form except aerosol.
- (i) Train and instruct persons in the techniques of oral hygiene and preventive procedures.
- (j) Take the following types of impressions:
 - (1) Those used for the preparation of counter or opposing models;
 - (2) Those used for the fabrication of temporary crowns or bridges; and
 - (3) Those used for the fabrication of temporary removable appliances, provided no missing teeth are replaced by those appliances.
- (k) Fabricate and place temporary crowns and bridges. This procedure must be checked and approved by the supervising dentist before dismissal of the patient from the office of the dentist.

(l) Retract gingival tissue if the retraction cord contains no medicaments that have potential systemic side effects.

(m) Remove soft plaque and stain from exposed tooth surfaces, utilizing an appropriate rotary instrument with a rubber cup or brush and a suitable polishing agent. A licensed dentist, *dental therapist* or dental hygienist shall determine that the teeth to be polished are free of calculus or other extraneous material.

(n) Administer a topical fluoride.

(o) Apply pit and fissure sealant to the dentition for the prevention of decay. This procedure must be checked and approved by the supervising dentist before dismissal of the patient from the office of the dentist.

(p) Fit orthodontic bands and prepare teeth for orthodontic bands if the bands are cemented or bonded, or both, into the patient's mouth by the dentist who authorized the dental assistant to perform this procedure.

3. A dentist who is licensed in the State of Nevada may authorize a *dental therapist or* dental hygienist to supervise a dental assistant in the assistance of the ~~hygienist's~~ performance of *the dental therapist or dental hygienist of* one or more of the following ~~+~~ *procedures:*

(a) Retract a patient's cheek, tongue or other tissue during a dental operation.

(b) Remove the debris that normally accumulates during or after a cleaning or operation by the *dental therapist or* dental hygienist by using mouthwash, water, compressed air or suction.

(c) Train and instruct persons in the techniques of oral hygiene and preventive procedures.

(d) Remove soft plaque and stain from exposed tooth surfaces, utilizing an appropriate rotary instrument with a rubber cup or brush and a suitable polishing agent. A licensed dentist, *dental*

therapist or dental hygienist shall determine that the teeth to be polished are free of calculus or other extraneous material.

(e) Administer a topical fluoride.

4. A dental hygienist ~~H~~ who is authorized by the Board to perform the services described in subsection 6 of NAC 631.210 ~~H~~ *or a dental therapist* may authorize a dental assistant under his or her supervision to assist the hygienist *or therapist, as applicable*, in the performance of the services described in paragraphs (a) to (e), inclusive, of subsection 3.

Sec. 23. NAC 631.230 is hereby amended to read as follows:

631.230 1. In addition to those specified by statute and subsection 3 of NAC 631.177, the following acts constitute unprofessional conduct:

(a) The falsification of records of health care or medical records.

(b) Writing prescriptions for controlled substances in such excessive amounts as to constitute a departure from prevailing standards of acceptable dental practice.

(c) The consistent use of dental procedures, services or treatments which constitute a departure from prevailing standards of acceptable dental practice even though the use does not constitute malpractice or gross malpractice.

(d) The acquisition of any controlled substances from any pharmacy or other source by misrepresentation, fraud, deception or subterfuge.

(e) Making an unreasonable additional charge for laboratory tests, radiology services or other testing services which are ordered by the dentist and performed outside his or her own office.

(f) The failure to report to the Board as required in NAC 631.155 or to sign any affidavit required by the Board.

(g) Employing any person in violation of NAC 631.260 or failing to report to the Board as required by that section.

(h) The failure of a dentist who is administering or directly supervising the administration of general anesthesia, deep sedation or moderate sedation to be physically present while a patient is under general anesthesia, deep sedation or moderate sedation.

(i) Administering moderate sedation to more than one patient at a time, unless each patient is directly supervised by a person authorized by the Board to administer moderate sedation.

(j) Administering general anesthesia or deep sedation to more than one patient at a time.

(k) The failure to have any patient who is undergoing general anesthesia, deep sedation or moderate sedation monitored with a pulse oximeter or similar equipment required by the Board.

(l) Allowing a person who is not certified in basic cardiopulmonary resuscitation to care for any patient who is undergoing general anesthesia, deep sedation or moderate sedation.

(m) The failure to obtain a patient's written, informed consent before administering general anesthesia, deep sedation or moderate sedation to the patient or, if the patient is a minor, the failure to obtain his or her parent's or guardian's consent unless the dentist determines that an emergency situation exists in which delaying the procedure to obtain the consent would likely cause permanent injury to the patient.

(n) The failure to maintain a record of all written, informed consents given for the administration of general anesthesia, deep sedation or moderate sedation.

(o) The failure to report to the Board, in writing, the death or emergency hospitalization of any patient to whom general anesthesia, deep sedation or moderate sedation was administered.

The report must be made within 30 days after the event.

(p) Allowing a person to administer general anesthesia, deep sedation or moderate sedation to a patient if the person does not hold a permit to administer such anesthesia or sedation unless the anesthesia or sedation is administered in a facility for which a permit is held as required by NRS 449.442.

(q) The failure of a dentist who owns a dental practice to provide copies of the records of a patient to a dentist , *dental therapist* or dental hygienist who provided the services as an employee or independent contractor of the dentist when the records are the basis of a complaint before the Board. Nothing in this paragraph relieves the treating dentist , *dental therapist* or dental hygienist from the obligation to provide records of the patient to the Board.

(r) The failure of a dentist who owns a dental practice to verify the license of a dentist , *dental therapist* or dental hygienist before offering employment or contracting for services with the dentist , *dental therapist* or dental hygienist as an independent contractor.

(s) The failure of a dentist who owns a dental practice and participates in the diagnosis and treatment of any patient to ensure that the services rendered by a dentist , *dental therapist* or dental hygienist who is an employee or independent contractor of that dentist meet the prevailing standards of acceptable dental practice. If a dentist , *dental therapist* or dental hygienist who is an employee or independent contractor of the dentist is found by substantial evidence to have provided services below the prevailing standards of acceptable dental practice, the dentist who owns the dental practice may be required to reimburse the patient to whom the services were provided pursuant to paragraph (l) of subsection 1 of NRS 631.350.

(t) The failure of a dentist who owns a dental practice to record the name of the dentist , *dental therapist* or dental hygienist who provided the services in the records of a patient each time the services are rendered.

(u) The failure of a dentist who is registered to dispense controlled substances with the State Board of Pharmacy pursuant to chapter 453 of NRS to conduct annually a minimum of one self-query regarding the issuance of controlled substances through the Prescription Monitoring Program of the State Board of Pharmacy.

2. For purposes of NRS 631.347, a plan or practice requiring a patient to select a dentist from a specific group does not provide the patient with a reasonable opportunity to select a dentist of his or her own choice, and constitutes unprofessional conduct on the part of any dentist participating in such a plan or practice, unless it, or another plan concurrently available to the patient, allows the patient to:

(a) Have an annual opportunity, lasting for a minimum of 30 days, to select a dentist of his or her own choice for all dental work to be performed during the subsequent 12 months. Any new patient added to the plan or practice must immediately be given an initial opportunity, lasting at least 30 days, to select the coverage supplied by the plan or practice or a dentist of his or her own choice.

(b) Receive the allowance for a procedure performed by a dentist of his or her own choice in substantially the same amount as he or she would if he or she used the services of one of the group of dentists specified by the plan or practice.

Sec. 24. NAC 631.260 is hereby amended to read as follows:

631.260 1. Each patient who is undergoing a radiographic procedure must be covered with a lead apron.

2. Each licensee who employs any person, other than a *dental therapist or* dental hygienist, to assist him or her in radiographic procedures shall include with his or her application for renewal of his or her license a certified statement:

(a) Containing the name of each person so employed, his or her position and the date he or she began to assist the licensee in radiographic procedures; and

(b) Attesting that each such employee has received:

(1) Adequate instruction concerning radiographic procedures and is qualified to operate radiographic equipment as required pursuant to subsection 3 of NAC 459.552;

(2) Training in cardiopulmonary resuscitation at least every 2 years while so employed;

(3) A minimum of 4 hours of continuing education in infection control every 2 years while so employed; and

(4) Before beginning such employment, a copy of this chapter and chapter 631 of NRS in paper or electronic format.

Sec. 25. NAC 631.273 is hereby amended to read as follows:

631.273 1. If, upon the death of a dentist licensed pursuant to chapter 631 of NRS, a surviving member of his or her family desires to own or control his or her practice, share in the fees therefrom, or control the services offered, the surviving member shall, within 2 months after the dentist's death, notify the Board of that fact by furnishing the Secretary-Treasurer with a certified copy of the death certificate.

2. Upon receipt of the death certificate, the Board will appoint one or more of its members, agents or employees to investigate the operation of the dental practice of the decedent to determine whether the practice is being conducted in full compliance with the requirements of chapter 631 of NRS and the regulations of the Board, paying particular attention to the health, welfare and safety of the public.

3. If, upon investigation, the Board finds that the practice is not being conducted in full compliance with the requirements of chapter 631 of NRS or the regulations of the Board, it will

apply to the district court to enjoin the continuation of the practice and will further institute any disciplinary action it deems necessary against any licensed dentist , *dental therapist* or dental hygienist associated with the practice.

Sec. 26. NAC 631.275 is hereby amended to read as follows:

631.275 1. For the purposes of paragraph ~~(b)~~ (i) of subsection 2 of NRS 631.215, the Board will deem a person to exercise authority or control over the clinical practice of dentistry if the person, by agreement, lease, policy, understanding or other arrangement, exercises authority or control over:

(a) The manner in which a licensed dentist, *a dental therapist*, a dental hygienist or a dental assistant uses dental equipment or materials for the provision of dental treatment;

(b) The use of a laboratory or the decision to purchase or not to purchase dental equipment or materials against the advice of a licensed dentist if the dentist reasonably concludes that such use, purchase or failure to purchase would impair the ability of the dentist , *a dental therapist* or a dental hygienist to provide dental care to a patient consistent with the standard of care in the community;

(c) A decision of a licensed dentist regarding a course or alternative course of treatment for a patient, the procedures or materials to be used as part of a course of treatment or the manner in which a course of treatment is carried out by the dentist, *a dental therapist*, a dental hygienist or a dental assistant;

(d) The length of time a licensed dentist , *a dental therapist* or a dental hygienist spends with a patient or if the person otherwise places conditions on the number of patients a licensed dentist , *a dental therapist* or a dental hygienist may treat in a certain period of time;

(e) The length of time a licensed dentist, *a dental therapist*, a dental hygienist or a dental assistant spends performing dental services, against the advice of the dentist, if the dentist reasonably believes that the ability of the dentist, *dental therapist*, dental hygienist or dental assistant to provide dental care to a patient consistent with the standard of care in the community would be impaired;

(f) The referrals by a licensed dentist to another licensed dentist or otherwise places any restriction or limitation on the referral of patients to a specialist or any other practitioner the licensed dentist determines is necessary;

(g) The clinical practices of a *dental therapist or* dental hygienist regarding appropriate *dental therapy care or* dental hygiene care , *as applicable*, or the duties that a licensed dentist may delegate to a *dental therapist or* dental hygienist;

(h) Patient records at any time to the exclusion of the applicable licensed dentist or the applicable patient;

(i) A decision of a licensed dentist to refund payments made by a patient for clinical work that is not performed or is performed incorrectly by:

(1) The dentist; or

(2) A *dental therapist or* dental hygienist employed by the licensed dentist or a professional entity of the licensed dentist;

(j) A decision regarding the advertising of the practice of a licensed dentist if the decision would result in a violation of the provisions of NRS 631.348 by the dentist;

(k) A decision to establish fees for dental services against the advice of a licensed dentist if the dentist reasonably concludes that those fees would impair the ability of the dentist , ~~for~~ a

dental therapist or a dental hygienist to provide dental care to patients consistent with the standard of care in the community;

(l) A decision relating to the clinical supervision of *dental therapists or* dental hygienists and ancillary personnel regarding the delivery of dental care to patients of a licensed dentist;

(m) The hiring or firing of licensed dentists , *dental therapists* or dental hygienists or the material clinical terms of their employment relationship with a licensed dentist or a professional entity of a licensed dentist;

(n) A decision regarding the hiring of ancillary personnel against the advice of a licensed dentist or a decision by a licensed dentist to fire or refuse to work with ancillary personnel if that advice, firing or refusal is related to the clinical competence of that ancillary personnel to render dental care to patients, regardless of who employs such ancillary personnel; and

(o) The material terms of any provider contracts or arrangements between a licensed dentist or a professional entity of a licensed dentist and third-party payors against the advice of the dentist, if the dentist reasonably concludes that the contract or arrangement would impair the ability of the dentist to provide dental care to patients consistent with the standard of care in the community.

2. For the purposes of this section:

(a) “Ancillary personnel” means a person, other than a licensed dentist , *a dental therapist* or a dental hygienist, who:

(1) Directly provides dental care to a patient under the supervision of a licensed dentist , *a dental therapist* or a dental hygienist; or

(2) Assists a licensed dentist , *a dental therapist* or a dental hygienist in the provision of dental care to a patient.

(b) “Clinical” means relating to or involving the diagnosis, evaluation, examination, prevention or treatment of conditions, diseases or disorders of the maxillofacial area, oral cavity or the adjacent and associated structures and their impact on the human body, as typically provided by a licensed dentist or, if applicable, a *dental therapist or* dental hygienist, within the scope of the education, experience and training of the dentist , *dental therapist* or dental hygienist, in accordance with applicable law and the ethics of the profession of dentistry.

Sec. 27. NAC 631.279 is hereby amended to read as follows:

631.279 1. Any applicant or licensed dentist , *dental therapist* or dental hygienist may obtain a determination or advisory opinion from the Board as to the applicability of any provision of chapter 631 of NRS or any regulation adopted pursuant thereto by bringing an action for a declaratory judgment before the Board.

2. The Board will construe any statute or regulation reviewed pursuant to this section in a manner consistent with the declared policy of the State of Nevada.

**REVISED PROPOSED REGULATION OF THE
BOARD OF DENTAL EXAMINERS OF NEVADA**

LCB File No. R056-24

April 25, 2025

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §§ 1 and 3-6, NRS 631.190 and section 13 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3325 (NRS 631.34586); § 2, NRS 631.190, section 10 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3323 (NRS 631.34583) and section 13 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3325 (NRS 631.34586); §§ 7 and 8, NRS 631.190 and section 15 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3325 (NRS 631.285); §§ 9 and 10, NRS 631.190, section 15 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3325 (NRS 631.285) and section 17 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3326 (NRS 631.2851); § 11, NRS 631.190 and 631.342, as amended by section 24 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3329; § 12, NRS 631.190 and 631.342, as amended by section 24 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3329, section 8 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3323 (NRS 631.34581) and section 13 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3325 (NRS 631.34586); § 13, NRS 631.190, 631.3124 and 631.3125 and section 17 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3326 (NRS 631.2851), section 8 of Senate Bill No. 310, chapter 523, Statutes of Nevada 2023, at page 3406 (NRS 631.3129) and section 9 of Senate Bill No. 310, chapter 523, Statutes of Nevada 2023, at page 3407 (NRS 631.3105).

A REGULATION relating to dentistry; defining the term “bona fide relationship” for certain purposes; prescribing various requirements governing the provision of services through teledentistry and the administration of immunizations by certain providers of dental care; prescribing conditions and requirements relating to collaboration between certain providers of health care through teledentistry; requiring a written practice agreement between a dentist and certain dental therapists to include procedures for supervision through teledentistry; prescribing certain required contents of an application for a special endorsement to administer immunizations; prescribing requirements governing training and continuing education for providers of dental care who hold a special endorsement to administer immunizations; prescribing requirements governing the storage of immunizations and medication; requiring the submission of certain

attestations with an application for the renewal or reinstatement of certain licenses; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Assembly Bill No. 147 (A.B. 147) of the 2023 Legislative Session enacted provisions to: (1) regulate the practice of teledentistry by dentists, dental hygienists and dental therapists; and (2) provide for the issuance of a special endorsement for a dentist, dental hygienist or dental therapist to administer immunizations. (Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3319) A.B. 147 requires the Board of Dental Examiners of Nevada to adopt regulations governing teledentistry. (Section 13 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3325 (NRS 631.34586))

A.B. 147 requires a dentist, dental hygienist or dental therapist to establish a bona fide relationship, as defined by regulation of the Board, with a patient before providing services to the patient through teledentistry. (Section 10 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3323 (NRS 631.34583)) **Section 2** of this regulation defines the term “bona fide relationship” for that purpose. **Section 3** of this regulation prescribes: (1) the services that a dentist, dental hygienist or dental therapist is authorized to provide through teledentistry; and (2) the requirements governing the issuance of a prescription through teledentistry. **Section 3** also requires a dentist, dental hygienist or dental therapist who provides services through teledentistry to maintain a list of dental providers to whom the licensee may refer a patient when in-person care is necessary.

A.B. 147 requires a dentist, dental hygienist or dental therapist to obtain the informed verbal or written consent of a patient or the informed written consent of the parent or guardian of a patient, as applicable, before providing services through teledentistry. A.B. 147: (1) requires a dentist, dental hygienist or dental therapist who is seeking such informed consent to provide certain information to the patient; and (2) authorizes the Board to prescribe by regulation additional information that the licensee is required to provide to the patient. (Section 10 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3323 (NRS 631.34583)) **Section 4** of this regulation requires such a dentist, dental hygienist or dental therapist to provide to the patient: (1) his or her license and contact information; and (2) certain information concerning the services that he or she may provide through teledentistry and the actions that will be taken in an emergency. **Section 4** also requires a dentist, dental hygienist or dental therapist to obtain from a patient: (1) a signed acknowledgment that the patient received a notice of privacy practices required by federal law; and (2) certain information relating to the medical history of the patient and the manner in which the dentist, dental hygienist or dental therapist will be compensated for the services.

Section 5 of this regulation prescribes the purposes for which a dentist, dental hygienist or dental therapist may use teledentistry to collaborate with: (1) a physician, physician assistant or advanced practice registered nurse; or (2) a dentist, dental hygienist or dental therapist who practices in a different specialty area. **Section 5** also prescribes certain requirements to ensure communication between multiple dentists, dental hygienists and dental therapists who are providing care to the same patient through teledentistry.

Existing law requires a dental therapist to enter into a written practice agreement with his or her authorizing dentist. Existing law prohibits a dental therapist from providing services outside the direct supervision of his or her authorizing dentist until he or she has obtained a certain number of hours of clinical practice as a dental therapist. (NRS 631.3122) **Section 6** of

this regulation requires a written practice agreement between an authorizing dentist and a dental therapist who has not obtained those hours of clinical practice to contain certain provisions concerning supervision of the dental therapist through teledentistry.

A.B. 147 provides for the issuance of special endorsements to authorize a dentist, dental hygienist or dental therapist to administer immunizations. (Section 15 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3325 (NRS 631.285)) **Section 7** of this regulation defines the term “special endorsement” to refer to such a special endorsement. **Section 8** of this regulation requires that an application for such a special endorsement include copies of certain policies, procedures and plans required by existing law relating to the administration of immunizations. (Section 17 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3326 (NRS 631.2851))

A.B. 147 requires an applicant for a special endorsement to administer immunizations to have completed a course of training in the administration of immunizations. (Section 15 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3325 (NRS 631.285)) **Section 8** requires that such a course completed by a dental hygienist or dental therapist include at least 20 hours of instruction.

Section 9 of this regulation requires a dentist who holds a special endorsement to administer immunizations and who administers immunizations, or authorizes a dental hygienist or dental therapist to administer immunizations, to adopt written policies and procedures for the storage of immunizations. **Section 13** of this regulation provides that the failure to ensure that each medication or immunization is returned to a safe, appropriate location at the end of each day constitutes unprofessional conduct for which a dentist, dental therapist, dental hygienist or expanded function dental assistant may be disciplined by the Board.

Section 10 of this regulation authorizes the holder of a special endorsement to administer only immunizations for influenza, COVID-19 and human papillomavirus. **Section 10** also requires the holder of a special endorsement to: (1) notify the primary care provider of a patient to whom the holder of a special endorsement administers an immunization of each dose administered; and (2) maintain a log of each immunization that the holder administers. **Section 10** additionally requires a dentist who holds a special endorsement to ensure the availability and regular inspection of emergency equipment. **Section 10** clarifies that a dental hygienist or dental therapist is prohibited from issuing a standing order for the administration of an immunization.

A.B. 147 requires the holder of a special endorsement to administer immunizations to complete certain continuing education. (NRS 631.342, as amended by section 24 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3329) **Section 11** of this regulation prescribes additional requirements governing continuing education for a dental hygienist or dental therapist who holds such a special endorsement. **Section 12** of this regulation requires: (1) the holder of a special endorsement to administer immunizations who is requesting the renewal or reinstatement of his or her license to certify that he or she has completed the required continuing education; and (2) a dentist, dental therapist or dental hygienist who provides services through teledentistry to certify that he or she possesses certain professional liability insurance required by A.B. 147. (Section 8 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3323 (NRS 631.34581))

Section 1. Chapter 631 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 11, inclusive, of this regulation.

Sec. 2. *For the purposes of section 10 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3323 (NRS 631.34583), “bona fide relationship” means a relationship between a patient and a licensee where the licensee has:*

- 1. Reviewed the medical records of the patient, including, without limitation:*
 - (a) Any relevant information concerning a current illness; and*
 - (b) Any diagnostic or radiographic records obtained within the immediately preceding 6 months;*
- 2. Performed an in-person examination of the patient’s oral cavity within the immediately preceding 6 months for the purposes of diagnosing, assessing or determining the current medical condition of the patient or reviewed the medical records of such an examination that was performed within the immediately preceding 6 months by another licensee; and*
- 3. A reasonable expectation that he or she will provide follow-up care and treatment to the patient.*

Sec. 3. *1. Subject to the provisions of subsection 3, a licensee may only provide the following services through teledentistry:*

- (a) Consultation and recommending treatment.*
- (b) Issuing a prescription that he or she deems necessary to treat an emergent need of the patient.*
- (c) Providing a limited diagnosis based on information provided by the patient during a visit conducted through teledentistry.*

(d) Determining the need for orthodontic corrections to address identifiable problems related to the malposition of teeth.

(e) Correcting the position of teeth using orthodontic appliances.

2. A licensee who provides services through teledentistry shall maintain a list of licensees to whom the licensee may refer a patient to receive services in person when necessary in accordance with subsection 2 of section 12 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3325 (NRS 631.34585).

3. A licensee shall not provide services through teledentistry if the licensee is not authorized to provide those services in person.

4. A licensee who issues a prescription through teledentistry shall:

(a) Comply with the relevant provisions of chapter 639 of NAC; and

(b) Transmit the prescription by telephone or electronic transmission to the pharmacy designated by the patient.

Sec. 4. *1. In addition to the information required by section 10 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3323 (NRS 631.34583), a licensee who is seeking informed consent pursuant section 10 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3323 (NRS 631.34583), must provide to the patient or his or her parent or guardian, as applicable:*

(a) A copy of the license issued to the licensee by the Board;

(b) The contact information of the licensee and any other licensee providing services to the patient through teledentistry, which:

(1) May include, without limitation, the electronic mail address and telephone number of the licensee and the physical address of the office at which the licensee practices; and

- (2) Must include information that may be used to contact the licensee in an emergency;*
- (c) A list of the services that the patient may receive through teledentistry and the cost of each service; and*
- (d) The actions that the licensee will take in an emergency, including, without limitation, the contact information for the medical facility to be used in the event of a medical emergency.*
- 2. Before providing services to a patient through teledentistry, a licensee shall obtain from the patient:*
 - (a) A signed acknowledgment that the patient received the notice of privacy practices required by 45 C.F.R. § 164.520;*
 - (b) The relevant medical history of the patient; and*
 - (c) If applicable:*
 - (1) Information concerning the policy of insurance covering the patient; and*
 - (2) A financial agreement for the compensation of the licensee.*
- 3. As used in this section, “medical facility” has the meaning ascribed to it in NRS 449.0151.*

Sec. 5. 1. A licensee may use teledentistry to collaborate with a physician, physician assistant or advanced practice registered nurse, or the designees thereof, for the purposes of:

- (a) Obtaining the relevant medical history of a patient; or*
- (b) Collaborating on the care of a patient.*
- 2. A licensee may use teledentistry to collaborate with a licensee who does not practice in the same specialty area for the purpose of:*
 - (a) Obtaining the relevant medical history of a patient;*
 - (b) Collaborating on the care of a patient; or*

(c) Developing a plan for the treatment of a patient.

3. When more than one licensee provides care to the same patient, any licensee who provides care to the patient through teledentistry shall:

(a) Obtain from the patient, to the extent that the patient is willing to provide such information, the names and contact information of the other licensees providing care to the patient; and

(b) If the patient provides information to the licensee pursuant to paragraph (a):

(1) Communicate with the other licensees concerning the relevant medical history and care of the patient; and

(2) Provide all relevant information and recommendations concerning the care of the patient to the other licensees.

Sec. 6. In addition to the requirements of NRS 631.3123, the written practice agreement required by NRS 631.3122 between an authorizing dentist and a dental therapist who has not completed the hours of clinical practice under the direct supervision of an authorizing dentist required by subsection 1 of NRS 631.3122 must include, without limitation:

1. Procedures for the supervision of the dental therapist through teledentistry; or

2. A statement that all supervision of the dental therapist will occur in person.

Sec. 7. As used in sections 8 to 11, inclusive, of this regulation, unless the context otherwise requires, “special endorsement” means a special endorsement to administer immunizations issued pursuant to section 15 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3325 (NRS 631.285).

Sec. 8. 1. An application for a special endorsement must include, without limitation, copies of:

(a) The written policies and procedures for the handling and disposal of used or contaminated equipment required by paragraph (b) of subsection 1 of section 17 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3326 (NRS 631.2851); and

(b) The written plan for addressing emergencies required by paragraph (c) of subsection 1 of section 17 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3326 (NRS 631.2851).

2. A course of training in the administration of immunizations completed by a dental therapist or dental hygienist to satisfy the requirements of section 15 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3325 (NRS 631.285), must include at least 20 hours of instruction.

Sec. 9. 1. *In addition to complying with the requirements of section 17 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3326 (NRS 631.2851), a dentist who holds a special endorsement and who administers immunizations, or under whose authorization a dental hygienist or dental therapist who holds such an endorsement administers immunizations, shall adopt written policies and procedures for the storage of immunizations.*

2. The written policies, procedures and plans adopted pursuant to this section and section 17 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3326 (NRS 631.2851), must comply with all applicable provisions of chapter 639 of NAC.

Sec. 10. 1. *A dentist, dental hygienist or dental therapist who holds a special endorsement may only administer immunizations for influenza, COVID-19 and human papillomavirus.*

2. A dentist, dental hygienist or dental therapist who holds a special endorsement shall:

(a) Notify the primary care provider of the patient, if any, of each dose of an immunization that is administered to the patient.

(b) Maintain and update at least monthly a log of each immunization administered by the dentist, dental hygienist or dental therapist, as applicable.

3. A dentist who holds a special endorsement and who administers immunizations, or under whose authorization a dental hygienist or dental therapist who holds a special endorsement administers immunizations, shall ensure that the equipment that may be needed in an emergency is:

(a) Present at the physical location where an immunization is administered and immediately accessible, as required by paragraph (c) of subsection 1 of section 17 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3326 (NRS 631.2851); and

(b) Inspected at least quarterly to ensure that the equipment remains functional.

4. A dental hygienist or a dental therapist may not issue or obtain a standing order for the administration of an immunization.

5. As used in this section, “COVID-19” means:

(a) The novel coronavirus identified as SARS-CoV-2;

(b) Any mutation of the novel coronavirus identified as SARS-CoV-2; or

(c) A disease or health condition caused by the novel coronavirus identified as SARS-CoV-

2.

Sec. 11. 1. *A dental hygienist or dental therapist who holds a special endorsement must annually complete at least 3 hours of continuing education on the administration of immunizations and public health emergencies.*

2. The continuing education obtained pursuant to subsection 1 may be used to satisfy the requirements of subsection 6 of NRS 631.342, as amended by section 24 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3329.

Sec. 12. NAC 631.177 is hereby amended to read as follows:

631.177 1. When requesting a renewal or reinstatement of his or her license, each:

(a) Dentist shall submit a signed, written statement in substantially the following language for each year since his or her last renewal:

I,, hereby certify to the Board of Dental Examiners of Nevada that I have obtained at least 20 approved hours of instruction in continuing education during the period July 1,, through and including June 30,, I also certify to the Board of Dental Examiners of Nevada that I am currently certified in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life.

Dated this (day) of (month) of (year)

.....
Signature of Dentist

(b) Dental therapist shall submit a signed, written statement in substantially the following language for each year since his or her last renewal:

I,....., hereby certify to the Board of Dental Examiners of Nevada that I have obtained at least 18 approved hours of instruction in continuing education during the period July 1,....., through and including June 30,..... I also certify to the Board of Dental Examiners of Nevada that I am currently certified in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life.

Dated this..... (day) of..... (month) of..... (year)

.....
Signature of Dental Therapist

(c) Dental hygienist shall submit a signed, written statement in substantially the following language for each year since his or her last renewal:

I,, hereby certify to the Board of Dental Examiners of Nevada that I have obtained at least 15 approved hours of instruction in continuing education during the period July 1,, through and including June 30,, I also certify to the Board of Dental Examiners of Nevada that I am currently certified in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life.

Dated this (day) of (month) of (year)

.....

Signature of Dental Hygienist

(d) Dentist, dental therapist or dental hygienist shall submit proof of his or her current certification in administering cardiopulmonary resuscitation or other medically acceptable means of maintaining basic bodily functions which support life.

(e) Dentist who holds a special endorsement issued pursuant to section 15 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3325 (NRS 631.285), shall submit a signed, written statement in substantially the following language for each biennium since his or her last renewal:

I,, hereby certify to the Board of Dental Examiners of Nevada that I have obtained the continuing education required by subsection 6 of NRS 631.342, as amended by section 24 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3329, during the period July 1,, through and including June 30,

Dated this (day) of (month) of (year)

.....
Signature of Dentist

(f) Dental hygienist or dental therapist who holds a special endorsement issued pursuant to section 15 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3325 (NRS 631.285), shall submit a signed, written statement in substantially the following language for each biennium since his or her last renewal:

I,, hereby certify to the Board of Dental Examiners of Nevada that I have obtained the continuing education required by subsection 6 of NRS 631.342, as amended by section 24 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3329, and section 11 of this regulation during the period July 1,, through and including June 30,

Dated this (day) of (month) of (year)

.....

Signature of Dental Hygienist or Dental Therapist

(g) Dentist, dental hygienist or dental therapist who provides dental services through teledentistry shall attest that he or she possesses the policy of professional liability insurance required by section 8 of Assembly Bill No. 147, chapter 513, Statutes of Nevada 2023, at page 3323 (NRS 631.34581).

2. Legible copies of all receipts, records of attendance, certificates and other evidence of attendance by a dentist, dental therapist or dental hygienist at an approved course in continuing education must be retained by the dentist, dental therapist or dental hygienist and made available to the Board for inspection or copying for 3 years after attendance at the course is submitted to meet the continuing education requirements of the Board. Proof of attendance and completion of the required credit hours of instruction must be complete enough to enable the Board to verify the attendance and completion of the course by the dentist, dental therapist or dental hygienist and must include at least the following information:

(a) The name and location of the course;

- (b) The date of attendance;
- (c) The name, address and telephone number of its instructor;
- (d) A synopsis of its contents; and
- (e) For courses designed for home study, the number assigned to the provider by the Board at the time the course was approved and the name, address and telephone number of the producer or author of the course.

3. The second or subsequent failure of a dentist, dental therapist or dental hygienist to obtain or file proof of completion of the credit hours of instruction required by this section and NAC 631.173 and 631.175 is unprofessional conduct.

4. The Board will conduct random initial audits of dentists, dental therapists or dental hygienists and additional follow-up audits, as necessary, to ensure compliance with the requirements of this section and NAC 631.173 and 631.175.

Sec. 13. NAC 631.230 is hereby amended to read as follows:

631.230 1. In addition to those specified by statute and subsection 3 of NAC 631.177, the following acts constitute unprofessional conduct:

- (a) The falsification of records of health care or medical records.
- (b) Writing prescriptions for controlled substances in such excessive amounts as to constitute a departure from prevailing standards of acceptable dental practice.
- (c) The acquisition of any controlled substances from any pharmacy or other source by misrepresentation, fraud, deception or subterfuge.
- (d) The failure to report to the Board as required in NAC 631.155.
- (e) Employing any person in violation of NAC 631.260 or failing to make the attestation required by that section.

(f) The failure of a dentist who is administering or directly supervising the administration of general anesthesia, deep sedation or moderate sedation to be physically present while a patient is under general anesthesia, deep sedation or moderate sedation.

(g) Administering moderate sedation to more than one patient at a time, unless each patient is directly supervised by a person authorized by the Board to administer moderate sedation.

(h) Administering general anesthesia or deep sedation to more than one patient at a time.

(i) The failure to have any patient who is undergoing general anesthesia, deep sedation or moderate sedation monitored with a pulse oximeter or similar equipment required by the Board.

(j) Allowing a person who is not certified in basic cardiopulmonary resuscitation to care for any patient who is undergoing general anesthesia, deep sedation or moderate sedation.

(k) The failure to obtain a patient's written, informed consent before administering general anesthesia, deep sedation or moderate sedation to the patient or, if the patient is a minor, the failure to obtain his or her parent's or guardian's consent unless the dentist determines that an emergency situation exists in which delaying the procedure to obtain the consent would likely cause permanent injury to the patient.

(l) The failure to maintain a record of all written, informed consents given for the administration of general anesthesia, deep sedation or moderate sedation.

(m) The failure to report to the Board, in writing, the death or emergency hospitalization of any patient to whom general anesthesia, deep sedation or moderate sedation was administered. The report must be made within 30 days after the event.

(n) Allowing a person to administer general anesthesia, deep sedation or moderate sedation to a patient if the person does not hold a permit to administer such anesthesia or sedation unless the

anesthesia or sedation is administered in a facility for which a permit is held as required by NRS 449.442.

(o) The failure of a dentist who owns a dental practice to provide copies of the records of a patient to a dentist, dental therapist, dental hygienist or expanded function dental assistant who provided the services as an employee or independent contractor of the dentist when the records are the basis of a complaint before the Board. Nothing in this paragraph relieves the treating dentist, dental therapist, dental hygienist or expanded function dental assistant from the obligation to provide records of the patient to the Board.

(p) The failure of a dentist who owns a dental practice to verify the license of a dentist, dental therapist, dental hygienist or expanded function dental assistant before offering employment or contracting for services with the dentist, dental therapist, dental hygienist or expanded function dental assistant as an independent contractor. This paragraph must not be construed to provide that it is unprofessional conduct for a dentist who owns a dental practice to offer employment to, or enter into a contract for services with, a dentist, dental therapist, dental hygienist or expanded function dental assistant who fraudulently misrepresents that he or she is appropriately licensed.

(q) The failure to record the name of the dentist, dental therapist, dental hygienist or expanded function dental assistant who provided the services in the records of a patient each time the services are rendered.

(r) The failure of a dentist who is registered to dispense controlled substances with the State Board of Pharmacy pursuant to chapter 453 of NRS to conduct annually a minimum of one self-query regarding the issuance of controlled substances through the Prescription Monitoring Program of the State Board of Pharmacy.

(s) The failure to provide records of a patient to an investigator when required by NAC 631.250.

(t) The failure of a dentist, dental therapist, dental hygienist or expanded function dental assistant to ensure that each medication or immunization in his or her control that is used in his or her practice is returned at the end of each day to a specified physical location that is safe and appropriate for the storage of the medication or immunization, as applicable.

2. Conduct relating solely to a dispute over finances does not constitute unprofessional conduct.

Review Panel - Nevada State Board of Dental Examiners

Establishment

Pursuant to the authority of the Board of Dental Examiners (hereinafter "the Board"), there shall be three (3) Review Panels established to serve as advisory bodies to the full Board on complaint adjudication.

Purpose

The purpose of each Review Panel is to:

- Review initial complaints to determine jurisdiction,
- Conduct a preliminary assessment of established complaints by reviewing the following materials:
 - Records and reports submitted by the complainant,
 - Records and reports submitted by the dental professional, and
 - Preliminary screening consultant's report and findings.
- Make a formal determination on the appropriate course of action, which may include:
 - Dismissal or remand of the complaint,
 - Continuation of the complaint for further investigation or monitoring,
 - Recommendation complaint settlement criteria, or
 - Recommendation for adjudication through formal Board action.

Membership

1. Each Review Panel shall consist of three (3) members, composed as follows:
 - a. One (1) member of the Board who is a licensed dentist,
 - b. One (1) member of the Board who is a licensed dental hygienist,
 - c. One (1) licensed dentist who is not a member of the Board.
2. The Board President appoints a Chair to each Review Panel at the 1st or 2nd board meeting of the calendar year.
3. The Board President appoints Review Panel Members to serve at the 1st or 2nd board meeting of the calendar year and voted on by the Board.

4. Any Review Panel Member may consult with the Board President to discuss the removal of any Review Panel Member from the Review Panel for actions that are unethical and /or result in unprofessional conduct.

Meetings

1. Each Review Panel shall meet no fewer than six (6) times per calendar year. Additional meetings may be scheduled as needed based on the volume of complaints or urgency of matters.
2. All Review Panel Members must be present for the review panel to conduct business.
3. All records, reports, and proceedings of the Review Panels shall remain confidential in accordance with applicable laws and regulations. Members shall be required to maintain confidentiality.

Authority and Responsibilities

1. The Review Panels are authorized to recommend, but not to independently impose disciplinary actions. Their findings are advisory and subject to review and final action by the full Board.
2. All records, reports, and proceedings of the Review Panels shall remain confidential in accordance with applicable laws and regulations. Members shall be required to maintain confidentiality.

Reporting and Recommendations

1. Each Review Panel shall report its findings and recommendations to the full Board for final determination or further action as required by law.

Amendments

These bylaws may be amended by a majority vote of the Board, provided that notice of proposed amendments is given in advance.

Effective Date

These bylaws shall take effect immediately upon approval by the Board of Dental Examiners.

Board Composition and Term Schedule - Nevada State Board of Dental Examiners

Board Composition

The Board shall consist of eleven (11) members appointed in accordance with applicable state laws. The membership shall include:

- Six (6) licensed dentists,
- Three (3) licensed dental hygienists or dental therapists,
- One (1) representative of the interests of persons or agencies that regularly provide health care to patients who are indigent, uninsured, or unable to afford health care, and
- One (1) representative of the general public who is not licensed or employed in any capacity related to the practice of dentistry or dental hygiene.

The geographic representation of these members shall be as follows:

- Of the six (6) licensed dentists, the one (1) health care representative, and the one (1) public member:
 - Three (3) must be appointed from Carson City, Douglas County, or Washoe County,
 - Four (4) must be appointed from Clark County, and
 - One (1) may be appointed from any county in the State.
- Of the three (3) licensed dental hygienists or dental therapists:
 - One (1) must be appointed from Carson City, Douglas County, or Washoe County,
 - One (1) must be appointed from Clark County, and
 - One (1) may be appointed from any county in the State.

Appointment Authority

All members of the Board shall be appointed by the Governor of the State of Nevada. Appointments shall be made in accordance with Nevada Revised Statutes (NRS) Chapter 631 and any other applicable laws governing appointments to regulatory boards.

Qualifications and Terms

Board members must meet all eligibility requirements established by law at the time of appointment and shall serve terms as defined by NRS 631.100. Board Members may not serve more than three (3), three (3) year terms.

Board Member Vacancies and Expired Terms - Nevada State Board of Dental Examiners

Vacancies on Unexpired Terms

In the event of a vacancy on the Board due to resignation, removal, death, or any other cause before the expiration of a member's term, the Executive Director shall report the vacancy to the Office of the Governor within ten (10) calendar days of the vacancy becoming known. The Board shall await a new appointment by the Governor to fill the remainder of the unexpired term.

Expired Terms

When a Board member's term has expired and no successor has yet been appointed, the Executive Director shall notify the Office of the Governor of the expired term within thirty (30) calendar days of the term's expiration date.

Service During Expired Terms

A Board member whose term has expired shall continue to serve in their full capacity until a successor is appointed and qualified, unless otherwise directed by the Governor or prohibited by law.

Type	Budget Request Amount	Adjusted Amount
FY26 Revenue	\$ 1,413,350.00	\$ 1,413,350.00
FY26 Expenses	\$ 1,762,000.00	\$ 1,490,000.00
Difference	\$ (348,650.00)	\$ (76,650.00)

Note: FY26 Adjusted Expenses could be reduced by \$272,000 to \$1,490,000.

An additional \$272,000 is included in the budget for potential legal services, litigation, settlements, contracted services, potential but uncertain expenses, and rounding increases.

Note: A fee increase of certain licenses and permits is in the process. The fee increase is expected to increase annual revenue by \$300,000 and biennial revenue by \$600,000.

Historical Deficiency of revenues and net position changes:

- FY 2022: Deficiency of revenues of (-\$219,944) and a net position change of (-\$172,652)
- FY 2023: Deficiency of revenues of (-\$78,151) and a net position change of (-\$294,164)
- FY 2024: Deficiency of revenues of (-\$483,428) and a net position change of (-\$256,697)

Category	Revenue Code		Paper-Based Processing	Online Processing	FY26
Dental Hygienist Fees	100-3606	Dental Hygienist - Supervision Limited License Initial Application	\$ 1,000.00		\$ 1,000.00
Dental Hygienist Fees	100-3621	Dental Hygienist - Inactive License Renewal Application	\$	1,200.00	\$ 1,200.00
Dental Hygienist Fees	100-3607	Dental Hygienist - Local Anesthesia Permit Initial Application	\$	2,000.00	\$ 2,000.00
Dental Hygienist Fees	100-3620	Dental Hygienist - Active License Renewal Application	\$ 75,000.00	\$	420,000.00
Dental Hygienist Fees	100-3623	Dental Hygienist - Retired License Renewal Application	\$ 2,000.00	\$ 2,000.00	\$ 4,000.00
Dental Hygienist Fees	100-3624	Dental Hygienist - Renewal Late Fee	\$	-	\$ -
Dental Hygienist Fees	100-3608	Dental Hygienist - Nitrous Oxide Permit Initial Application	\$	2,000.00	\$ 2,000.00
Dental Hygienist Fees	100-3605	Dental Hygienist - Instructor Limited License Initial Application	\$	300.00	\$ 300.00
Dental Hygienist Fees	100-3603	Dental Hygienist - Endorsement Initial Application	\$	30,000.00	\$ 30,000.00
Dental Hygienist Fees	100-3602	Dental Hygienist - WREB Examination Initial Application	\$	25,000.00	\$ 25,000.00
Dental Hygienist Fees	100-3625	Dental Hygienist - Supervision Limited License Renewal Application	\$	300.00	\$ 300.00
Dental Hygienist Fees	100-3604	Dental Hygienist - Military and Military Spouse Initial Application	\$	3,000.00	\$ 3,000.00
Dental Hygienist Fees	100-3631	Dental Hygienist - Inactivation License Fee	\$	5,000.00	\$ 5,000.00
Dental Hygienist Fees	100-3632	Dental Hygienist - Revoked / Reinstatement License Fee	\$	3,000.00	\$ 3,000.00
Dental Hygienist Fees	100-3601	Dental Hygienist - ADEX Examination Initial Application	\$	15,000.00	\$ 15,000.00
Dental Hygienist Fees	100-3600	Dental Hygienist - Initial License Activation Fee	\$	12,000.00	\$ 12,000.00
Dental Hygienist Fees	100-3630	Dental Hygienist - Reactivation License Fee	\$	7,000.00	\$ 7,000.00
Dental Hygienist Fees	100-3626	Dental Hygienist - Instructor Limited License Renewal Application	\$	2,100.00	\$ 2,100.00
Dental Hygienist Fees	100-3622	Dental Hygienist - Disabled License Renewal Application	\$	-	\$ -
Dental Hygienist Fees	100-3632	Dental Hygienist - Geographically Restricted License for Underserved Communities Initial Application	\$	-	\$ -
Dental Hygienist Fees	200-3625	Dentist - Supervision Limited License Renewal Application	\$	200.00	\$ 200.00
Dental Hygienist Fees	200-3606	Dentist - Supervision Limited License Initial Application	\$	100.00	\$ 100.00
Dental Hygienist Fees	200-3602	Dentist - WREB Examination Initial Application	\$	50,000.00	\$ 50,000.00
Dental Hygienist Fees	200-3630	Dentist - Reactivation License Fee	\$	10,000.00	\$ 10,000.00
Dental Hygienist Fees	200-3627	Dentist - Residency Program Limited License Renewal Application	\$	2,000.00	\$ 2,000.00
Dental Hygienist Fees	200-3626	Dentist - Instructor Limited License Renewal Application	\$	2,000.00	\$ 2,000.00
Dental Hygienist Fees	200-3600	Dentist - Initial License Activation Fee	\$	9,200.00	\$ 9,200.00
Dental Hygienist Fees	200-3623	Dentist - Retired License Renewal Application	\$	500.00	\$ 500.00
Dental Hygienist Fees	200-3624	Dentist - Renewal Late Fee	\$	20,000.00	\$ 20,000.00
Dental Hygienist Fees	200-3607	Dentist - Geographically Restricted License for Non-Profit Initial Application	\$	1,250.00	\$ 1,250.00
Dental Hygienist Fees	200-3605	Dentist - Instructor Limited License Initial Application	\$	300.00	\$ 300.00
Dental Hygienist Fees	200-3622	Dentist - Disabled License Renewal Application	\$	200.00	\$ 200.00
Dental Hygienist Fees	200-3601	Dentist - ADEX Examination Initial Application	\$	120,000.00	\$ 120,000.00
Dental Hygienist Fees	200-3604	Dentist - Military and Military Spouse Initial Application	\$	8,400.00	\$ 8,400.00
Dental Hygienist Fees	200-3632	Dentist - Revoked / Reinstatement License Fee	\$	6,000.00	\$ 6,000.00
Dental Hygienist Fees	200-3609	Dentist - Specialty Conversion License Initial Application	\$	10,000.00	\$ 10,000.00
Dental Hygienist Fees	200-3631	Dentist - Inactive License Renewal Fee	\$	5,000.00	\$ 5,000.00
Dental Hygienist Fees	200-3603	Dentist - Endorsement Initial Application	\$	40,000.00	\$ 40,000.00
Dental Hygienist Fees	200-3608	Dentist - Geographically Restricted License for Underserved Communities Initial Application	\$	-	\$ -
Dental Hygienist Fees	200-3607	Dentist - Residency Program Limited License Initial Application	\$	1,250.00	\$ 1,250.00
Dental Hygienist Fees	200-3610	Dentist - Specialty Licensing by Credential Initial Application	\$	15,000.00	\$ 15,000.00
Dental Hygienist Fees	200-3620	Dentist - Active License Renewal Application	\$	60,000.00	\$ 180,000.00
Anesthesia Sedation Fees	300-3601	General Anesthesia - Permit Initial Application	\$	7,500.00	\$ 7,500.00
Dead Fees	300-3600	General Anesthesia - Permit Activation Fee	\$	-	\$ -
Inspection Evaluation Fees	300-3602	General Anesthesia - Permit Reinspection Fee	\$	5,000.00	\$ 5,000.00
Inspection Evaluation Fees	300-3650	General Anesthesia - Initial Site Inspection Fee	\$	20,000.00	\$ 20,000.00
Inspection Evaluation Fees	300-3651	General Anesthesia - Renewal Site Inspection Fee	\$	20,000.00	\$ 20,000.00
Inspection Evaluation Fees	400-3650	Moderate Sedation Administrator - Initial Site Inspection Fee	\$	5,000.00	\$ 5,000.00
Dead Fees	400-3600	Moderate Sedation Administrator - Permit Activation Fee	\$	-	\$ -
Anesthesia Sedation Fees	400-3601	Moderate Sedation Administrator - Permit Initial Application	\$	12,000.00	\$ 12,000.00
Inspection Evaluation Fees	400-3602	Moderate Sedation Administrator - Permit Reinspection Fee	\$	3,400.00	\$ 3,400.00
Inspection Evaluation Fees	400-3651	Moderate Sedation Administrator Site - Renewal Site Inspection Fee	\$	2,100.00	\$ 2,100.00

Inspection Evaluation Fees	500-3651 Pediatric Moderate Sedation Administrator Site - Renewal Site Inspection Fee	\$	1,400.00	\$	1,400.00
Inspection Evaluation Fees	500-3650 Pediatric Moderate Sedation - Initial Site Inspection Fee	\$	1,400.00	\$	1,400.00
Anesthesia Sedation Fees	500-3601 Pediatric Moderate Sedation Administrator - Permit Initial Application	\$	7,500.00	\$	7,500.00
Dead Fees	500-3600 Pediatric Moderate Sedation Administrator - Permit Activation Fee	\$	-	\$	-
Inspection Evaluation Fees	500-3602 Pediatric Moderate Sedation Administrator - Permit Reinspection Fee	\$	2,500.00	\$	2,500.00
Inspection Evaluation Fees	700-3652 Infection Control Inspection - Initial Inspection Fee	\$	30,000.00	\$	30,000.00
Administrative Fees	999-1003 Administrative - Interest Paid			\$	-
Administrative Fees	999-1005 Administrative - Invoice Overpayment Reimbursement	\$	-	\$	-
Administrative Fees	999-1007 Administrative - Name Change Fee	\$	2,000.00	\$	2,000.00
Administrative Fees	999-1001 Administrative - Duplicate Permit Request	\$	1,000.00	\$	1,000.00
Administrative Fees	999-1004 Administrative - Interest Received	\$	-	\$	-
Administrative Fees	999-1008 Administrative - NRS Booklet Purchase	\$	-	\$	-
Administrative Fees	999-1006 Administrative - NAC Booklet Purchase	\$	-	\$	-
Administrative Fees	999-1000 Administrative - Credit by Vendor	\$	-	\$	-
Administrative Fees	999-1009 Administrative - License Certification / Verification Fee	\$	7,500.00	\$	7,500.00
Administrative Fees	999-1002 Administrative - Duplicate Wall Certification Request	\$	2,000.00	\$	2,000.00
Administrative Fees	999-1010 Administrative - Public Records Request	\$	500.00	\$	500.00
Administrative Fees	999-1011 Administrative - Stipulation Agreement	\$	85,000.00	\$	85,000.00
Administrative Fees	999-1012 Administrative - Bank Account Closure Transfer	\$	-	\$	-
Continuing Education Fees	800-1000 Continuing Education Provider Fee	\$	3,500.00	\$	3,500.00
Administrative Fees	999-1013 Address Change	\$	1,000.00	\$	1,000.00
Anesthesia Sedation Fees	300-3630 General Anesthesia - Administrator Permit Renewal	\$	6,000.00	\$	6,000.00
Anesthesia Sedation Fees	300-3631 General Anesthesia - Site Permit Renewal	\$	12,000.00	\$	12,000.00
Inspection Evaluation Fees	700-3653 Infection Control Inspection - Re-Inspection Fee	\$	3,000.00	\$	3,000.00
Dental Therapy Fees	900-1000 Dental Therapist - Initial License Fee	\$	5,000.00	\$	5,000.00
Dental Therapy Fees	900-1001 Dental Therapist - Geographically Restricted License for Underserved Communities Initial Application	\$	1,200.00	\$	1,200.00
Dental Therapy Fees	900-1002 Dental Therapist - Geographically Restricted License for Non-Profit Initial Application	\$	1,200.00	\$	1,200.00
Dental Therapy Fees	900-1003 Dental Therapist - Limited / Restricted License	\$	1,200.00	\$	1,200.00
Dental Therapy Fees	900-1004 Dental Therapist - Active License Renewal Application	\$	-	\$	-
Dental Therapy Fees	900-1005 Dental Therapist - Annual Limited License Renewal Application	\$	-	\$	-
Continuing Education Fees	800-1002 Continuing Education - Re-Evaluation Audit	\$	2,000.00	\$	2,000.00
Dental Therapy Fees	900-1006 Dental Therapist - Inactivation License Fee	\$	-	\$	-
Dental Therapy Fees	900-1007 Dental Therapist - Reactivation License Fee	\$	-	\$	-
Dental Therapy Fees	900-1008 Dental Therapist - Reactivation Revoked License Fee	\$	-	\$	-
Anesthesia Sedation Fees	400-3652 Moderate Sedation Site Permit Renewal Fee	\$	2,000.00	\$	2,000.00
		\$	801,350.00	\$	612,000.00
		\$		\$	1,413,350.00

Category	Budget Code		FY26	FY25 Actuals	FY25 Budgeted
Personnel	100-5000	Gross Salary	\$ 770,000.00	\$ 779,277.03	\$ 915,878.40
Personnel	100-5002	PERS Retirement	\$ 210,000.00	\$ 182,173.07	\$ 233,770.55
Personnel	100-5004	Unemployment Insurance	\$ 4,800.00	\$ 4,545.67	\$ -
Personnel	100-5005	Overtime	\$ 10,000.00	\$ 4,662.12	\$ 12,000.00
Personnel	100-5007	Medicare	\$ 13,500.00	\$ 12,520.08	\$ 11,768.13
Personnel	100-5008	PEBP Health Insurance	\$ 40,000.00	\$ 34,568.00	\$ 38,400.00
Personnel	100-5009	Other Personnel Expense(s)	\$ 35,000.00	\$ 59,684.80	\$ -
Personnel	100-5010	Unassigned Personnel Expenses	\$ -	\$ 75,600.00	\$ -
Travel	200-6001	Other Travel Expenses/Expenditures	\$ -	\$ 2,011.06	\$ 2,500.00
Travel	200-6100	Per Diem Out-of-State	\$ 2,000.00	\$ 3,656.45	\$ 2,000.00
Travel	200-6150	Commercial Air Transportation Out-of-State	\$ 2,000.00	\$ 552.96	\$ 2,500.00
Travel	200-6200	Per Diem Mileage	\$ 10,000.00	\$ 6,060.76	\$ 12,800.00
Travel	200-6250	Commercial Air Transportation In-State	\$ 2,000.00	\$ -	\$ 3,000.00
Operating	300-7020	Operating Supplies	\$ 7,500.00	\$ 4,727.12	\$ 15,000.00
Operating	300-7040	Printing and Copying Services	\$ 2,500.00	\$ 458.00	\$ 3,000.00
Operating	300-7050	Insurance - General Office Equipment & Property	\$ 2,000.00	\$ 1,806.20	\$ 2,500.00
Operating	300-7051	Insurance - Bond Certification	\$ 1,500.00	\$ 1,100.00	\$ 1,500.00
Operating	300-7060	Contracts - General Services	\$ 95,000.00	\$ 96,970.05	\$ 85,000.00
Operating	300-7061	Contracts - Preliminary Screening Consultants	\$ 20,000.00	\$ 14,200.00	\$ 40,000.00
Operating	300-7062	Contracts - Anesthesia and Sedation Evaluators	\$ 35,000.00	\$ 21,080.00	\$ 8,000.00
Operating	300-7063	Contracts - Maintenance and Cleaning Services	\$ 10,200.00	\$ 10,200.00	\$ -
Operating	300-7064	Contracts - Infection Control Inspectors	\$ 25,000.00	\$ 17,258.99	\$ 12,000.00
Operating	300-7065	Contracts - Review Panel Members	\$ 5,000.00	\$ 902.50	\$ -
Operating	300-7066	Contracts - Anesthesia Sub-Committee Members	\$ 2,000.00	\$ -	\$ -
Operating	300-7073	Contracts - Maintenance of Software	\$ 35,000.00	\$ 27,536.76	\$ 50,000.00
Operating	300-7074	Contracts - Maintenance of Hardware - General Systems	\$ 3,500.00	\$ 2,308.36	\$ 12,000.00
Operating	300-7075	Contracts - Maintenance of Hardware - Copier System	\$ 1,600.00	\$ 307.71	\$ -
Operating	300-7077	Contracts - Maintenance of Hardware - Postage Machine System	\$ 1,200.00	\$ 549.00	\$ -
Operating	300-7088	Expert Witness Fees	\$ 5,000.00	\$ -	\$ 5,000.00
Operating	300-7090	Equipment Repair Services - Office Equipment	\$ 500.00	\$ 135.00	\$ 5,000.00
Operating	300-7091	Equipment Repair Services - IT Equipment	\$ 500.00	\$ -	\$ -
Operating	300-7100	State-Owned Building Rental	\$ -	\$ -	\$ -
Operating	300-7110	Non-State-Owned Building Rental	\$ 64,000.00	\$ 61,248.00	\$ 62,000.00
Operating	300-7120	Advertising and Public Relations	\$ 1,000.00	\$ 2,807.77	\$ 238.02
Operating	300-7130	Utilities - Electricity	\$ 1,600.00	\$ 1,556.28	\$ 2,750.00
Operating	300-7133	Utilities - Gas	\$ 2,900.00	\$ 2,836.14	\$ 2,750.00
Operating	300-7135	Utilities - Other	\$ -	\$ -	\$ -
Operating	300-7139	Internet Services	\$ 6,000.00	\$ 5,778.12	\$ -
Operating	300-7140	Maintenance of Building - Plumbing	\$ 500.00	\$ -	\$ 500.00
Operating	300-7141	Maintenance of Building - Flooring, Walls, and Ceilings	\$ 500.00	\$ -	\$ 500.00
Operating	300-7142	Maintenance of Building - Pest Control	\$ 500.00	\$ -	\$ 500.00
Operating	300-7143	Maintenance of Building - Other	\$ 500.00	\$ -	\$ 500.00
Operating	300-7200	Food - Board Meeting or Event	\$ 2,500.00	\$ 2,595.91	\$ 6,000.00

Operating	300-7201	Food - Staff Meeting or Event	\$	500.00	\$	342.36	\$	1,000.00
Operating	300-7230	Minor Building Improvement and Repair Services	\$	2,000.00	\$	1,862.21	\$	2,000.00
Operating	300-7265	Claims Costs & Payments	\$	75,000.00	\$	-	\$	-
Operating	300-7280	Postage	\$	10,000.00	\$	7,187.99	\$	12,000.00
Operating	300-7281	Shipping and Freight	\$	250.00	\$	129.21		
Operating	300-7290	Telephone Services	\$	3,000.00	\$	2,529.64	\$	8,000.00
Operating	300-7300	Dues and Registrations	\$	550.00	\$	680.00	\$	7,000.00
Operating	300-7300	Special Report Services and Fees	\$	10,000.00	\$	8,192.26	\$	-
Operating	300-7391	Attorney General Cost Allocation	\$	45,000.00	\$	1,680.33	\$	3,000.00
Operating	300-7430	Professional Services - Legal Services	\$	75,000.00	\$	87,367.05	\$	25,000.00
Operating	300-7431	Professional Services - Board Member Per Diem	\$	30,000.00	\$	22,952.76	\$	50,000.00
Operating	300-7433	Professional Services - Other	\$	25,000.00	\$	1,030.50	\$	16,000.00
Operating	300-7460	Equipment Under \$1,000	\$	5,000.00	\$	436.45	\$	5,350.00
Operating	300-7465	Equipment Between \$1,000-\$5,000	\$	5,000.00	\$	-	\$	8,350.00
Operating	300-7509	EITS Email Web Hosting Services	\$	12,800.00	\$	11,866.89	\$	12,000.00
Operating	300-7630	Miscellaneous Expenses	\$	2,000.00	\$	6.02	\$	2,000.00
Operating	300-7650	Refunds	\$	600.00	\$	600.00	\$	500.00
Operating	300-7770	Computer Software - General	\$	7,500.00	\$	6,650.00	\$	9,500.00
Operating	300-7771	Computer Software - Operations (Non-HR and Accounting)	\$	16,000.00	\$	10,803.47	\$	15,000.00
Operating	300-7772	Computer Software - HR and Accounting	\$	4,500.00	\$	4,115.84	\$	-
			\$	1,762,000.00	\$	1,610,106.89	\$	1,726,055.10



DATE: 05/14/2025
QUOTE # QT-000001152
CONTRACT: Pricing, Terms and Conditions are governed by the NASPO Master Agreement Contract No. AR3227 and the Nevada Participating Addendum 99SWC-NV20-4447

Quote Summary

State of NV OCIO - Opt 1 for Board of Dental Examiners

Customer:	State of NV - Office of the CIO - CSU	Amplify SI
Ship to Address:	2651 N Green Valley Suite 104 Las Vegas NV 89014	2004 S 800 E
Bill to Address:	2651 N Green Valley Suite 104 Las Vegas NV 89014	Salt Lake City, UT 84105
Quote Contact:	Jonathon Lees	Amplify SI Rep: Ryan Nelson
Email:	jclees@it.nv.gov	Email: sales@amplifysi.com
		Phone: 801-209-1691

Line.	Item	Description	Service Duration (yrs)	Qty.	Estimated Lead Time(Days)	Unit Net Price	Extended Net Price
C9200-24P-E							
001	C9200-24P-E	Catalyst 9200 24-port PoE+, Network Essentials		1	14	\$2,318.46	\$2,318.46
002	CON-SNT-C920024P	SNTC-8XSXNBD Catalyst 9200 24-port PoE+, Network Esse	5	1		\$1,188.00	\$1,188.00
003	C9200-DNA-E-24	C9200 Cisco DNA Essentials, 24-Port Term Licenses		1	14	\$0.00	\$0.00
004	C9200-DNA-E-24-5Y	C9200 Cisco DNA Essentials, 24-Port, 5 Year Term License	5	1		\$675.93	\$675.93
005	C9200-NW-E-24	C9200 Network Essentials, 24-port license		1	14	\$0.00	\$0.00
006	C9200-NM-4X	Catalyst 9200 4 x 10G Network Module		1	14	\$1,505.49	\$1,505.49
007	PWR-C6-600WAC/2	600W AC Config 6 Power Supply - Secondary Power Supply		1	14	\$948.24	\$948.24
008	CAB-TA-NA	North America AC Type A Power Cable		2	14	\$0.00	\$0.00
009	C9K-ACC-RBFT	RUBBER FEET FOR TABLE TOP SETUP 9200 and 9300		1	14	\$0.00	\$0.00
010	C9K-ACC-SCR-4	12-24 and 10-32 SCREWS FOR RACK INSTALLATION, QTY 4		1	14	\$0.00	\$0.00
011	CAB-GUIDE-1RU	1RU CABLE MANAGEMENT GUIDES 9200 and 9300		1	14	\$0.00	\$0.00
012	NETWORK-PNP-LIC	Network Plug-n-Play Connect for zero-touch device deployment		1	3	\$0.00	\$0.00
Subtotal C9200-24P-E							\$6,636.12

Line.	Item	Description	Service Duration (yrs)	Qty.	Estimated Lead Time(Days)	Unit Net Price	Extended Net Price
MR36-HW							
013	MR36-HW	Meraki MR36 Wi-Fi 6 Indoor AP		1	1	\$446.49	\$446.49
Subtotal MR36-HW							\$446.49
LIC-ENT-5YR							
014	LIC-ENT-5YR	Meraki MR Enterprise License, 5YR		1		\$421.47	\$421.47
Subtotal LIC-ENT-5YR							\$421.47
GLC-TE=							
015	GLC-TE=	1000BASE-T SFP transceiver module for Category 5 copper wire		2	17	\$311.93	\$623.86
Subtotal GLC-TE=							\$623.86
Summary Section							
HARDWARE :							\$5,842.54
SOFTWARE + SAAS:							\$1,097.40
SERVICE / MAINTENANCE:							\$1,188.00
GRAND TOTAL							\$8,127.94



Thank you for choosing CDW. We have received your quote.

Hardware Software Services IT Solutions Brands Research Hub

QUOTE CONFIRMATION

ANNA GRIMLEY,

Thank you for considering CDW•G for your technology needs. The details of your quote are below. **If you are an eProcurement or single sign on customer, please log into your system to access the CDW site.** You can search for your quote to retrieve and transfer back into your system for processing.

For all other customers, click below to convert your quote to an order.

Convert Quote to Order

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
PLBC868	5/12/2025	DENTAL EXAMINERS	25001923	\$640.71

QUOTE DETAILS				
ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
Tripp Lite Cat6 Gigabit Snagless Molded Patch Cable (RJ45 M) Blue, 3' Mfg. Part#: N201-003-BL UNSPSC: 26121609 Contract: National IPA Technology Solutions - State of NV (2018011)	24	415020	\$4.23	\$101.52
Tripp Lite Cat6 Gigabit Snagless Molded Patch Cable (RJ45 M) Blue, 5' Mfg. Part#: N201-005-BL UNSPSC: 26121609 Contract: National IPA Technology Solutions - State of NV (2018011)	24	514240	\$5.08	\$121.92
PANDUIT PatchLink Horizontal Cable Manager Mfg. Part#: WMPFSE UNSPSC: 26121668 Contract: National IPA Technology Solutions - State of NV (2018011)	2	1686690	\$50.86	\$101.72
Tripp Lite UPS Smart LCD 1500VA 900W AVR 2U Rack Tower 120V 8 Outlets LCD Mfg. Part#: SMART1500LCD UNSPSC: 26111701 Contract: National IPA Technology Solutions - State of NV (2018011)	1	892647	\$315.55	\$315.55

SUBTOTAL		\$640.71
SHIPPING		\$0.00
SALES TAX		\$0.00
GRAND TOTAL		\$640.71
PURCHASER BILLING INFO		DELIVER TO

Billing Address:

NV STATE BOARD OF DENTAL EXAMINERS
2651 N GREEN VALLEY PKWY STE 104
HENDERSON, NV 89014-0234
Phone: (702) 486-7047

Payment Terms: Request Terms

Shipping Address:

NV STATE BOARD OF DENTAL EXAMINERS
2651 N GRN VLY PKWY STE 104
HENDERSON, NV 89014-0234
Phone: (702) 486-7047

Shipping Method: TForce Messenger Overnight 2:00pm

Please remit payments to:

CDW Government
75 Remittance Drive
Suite 1515
Chicago, IL 60675-1515

**Sales Contact Info**

Mitchell Funk | (877) 800-3219 | mitcfun@cdw.com

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**DEPARTMENT OF BUSINESS AND INDUSTRY
OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCILS STANDARDS
NEVADA STATE BOARD OF DENTAL EXAMINERS**

Draft Advisory Opinion

Subject : Appropriate Medications and Dosage Ranges for Permit Holders Performing Moderate Sedation

(Prepared for Board consideration at the May 14, 2025 meeting based on discussions held at the Anesthesia Committee and Sub-Committee Meeting on April 30, 2025 and approved by the Anesthesia Committee on May 28, 2025.)

1. Purpose

To communicate the Board's expectations regarding the selection and dosage of sedative-analgesic medications used by Nevada permit holders who are authorized to provide moderate (conscious) sedation, and to clarify how the Board will evaluate permit applications and clinical records that appear to deviate from those expectations.

The subject was discussed on April 30, 2025, at the Anesthesia Committee and Sub-Committee Meeting. Committee members present included Chairperson Dr. Joshua Branco, Board President Dr. Ronald West, Board Member Dr. Christopher Hock, Board Member Dr. Ashley Hoban, and Board Member Dr. Joan Landron. Sub-Committee members present included Dr. Amanda Okundaye, Dr. Kevin Moore, Dr. James Schlesinger, and Dr. Ted Twesme.

2. Statutory & Regulatory Authority

- **NRS 631.190** – Powers and duties of the Board to protect the public health and safety in licensing decisions.
- **NAC 631.030** – Establishes coursework, case-experience, and record-submission requirements.
- **NAC 631.2211 – NAC 631.2256** – Establishes the administration of general anesthesia, moderate sedation or deep sedation.
- **NAC 631.2212** – Authorizes the Board, when determining the true level of sedation achieved or proposed, to rely on "the type and dosage of medication that was administered or is proposed for administration."

3. Committee Determination

1. Package-Insert Benchmark

The dosage and titration ranges outlined in FDA package inserts serve as the Board's baseline guidance for medications used under a moderate-sedation permit.

2. Case-by-Case Review

- Records showing cumulative doses that materially exceed package-insert maximums will trigger enhanced review and may result in permit denial, or other Board action.

3. Training-Program Oversight

- When multiple graduates of a single course display outlier dosing patterns, the Board may require the program to supply additional randomly selected graduate records and may reopen the program's approval status with the Board.

4. Effective Date

This Advisory Opinion becomes effective upon formal adoption by the Board and applies to all pending and future moderate sedation permit matters.

5. Reservation of Authority

Nothing in this opinion limits the Board's discretion to impose stricter conditions, require remedial education, or pursue disciplinary measures when patient safety so requires.

Prepared by Board staff pursuant to the motion approved by the Anesthesia Committee on April 30, 2025.



**DEPARTMENT OF BUSINESS AND INDUSTRY
OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCILS STANDARDS
NEVADA STATE BOARD OF DENTAL EXAMINERS**

Draft Advisory Opinion

*Subject : Participation of Educational Institution Faculty Holding Specialty-Only Dental License
performing Screenings at the Dental Clinic*

*(Prepared for Board consideration at the May 14, 2025 meeting, based on discussions held during the
Board's public session wherein the motion on this subject was unanimously adopted.)*

1. Purpose

To communicate the Board's position that faculty members who hold Nevada specialty-only dental licenses (radiology, oral & maxillofacial pathology, etc.) may serve as supervising dentists in the UNLV School of Dental Medicine (UNLV-SDM) screening clinic, provided their activities are limited to the screening functions described below and they do not perform, delegate, or authorize irreversible procedures for which a general dental license would otherwise be required.

The subject was discussed on May 14, 2025, at a full Board Meeting. The members present included Board President Dr. Ronald West, Board Secretary Treasurer Dr. Daniel Streifel, Board Member Dr. Joshua Branco, Board Member Dr. Christopher Hock, Board Member Dr. Lance Kim, Board Member Dr. Ashley Hoban, Board Member Dr. Joan Landron, Board Member Ms. Jana McIntyre, Board Member Ms. Yamila Arias, Board Member, and Ms. Kimberly Petrilla.

2. Statutory & Regulatory Authority

- **NRS 631.190** – Grants the Board authority to interpret and enforce the Dental Practice Act in a manner that protects the public health and safety.
- **NRS 631.215 & NRS 631.387** – Establish licensing categories, including specialty licenses, and define their scopes of practice.
- **NAC 631.260 (3)** – Permits the Board to impose conditions on licensees' scopes of practice when necessary to safeguard patients.
- **NAC 631.280 & NAC 631.300** – Govern faculty and institutional licensing exemptions and the parameters for dental school clinics.

3. Committee Determination

1. Screening Clinic Defined

The UNLV-SDM screening clinic is a pre-treatment triage service in which a medical-dental history,

panoramic radiograph, and basic intra- / extra-oral assessment are gathered to determine whether a prospective patient is an appropriate fit for student care. No diagnosis leading to definitive treatment, no irreversible procedure, and no prescription of controlled substances occurs in this setting.

2. Specialty-Only License Holder Participation

A Nevada specialty-only dentist who is employed by UNLV SDM may supervise the screening clinic so long as the services rendered remain within:

- The dentist's specialty scope (e.g., interpretation of radiographs, pathologic assessment); and
- The statutory definition of "screening" (information gathering that does not itself constitute treatment).

The specialty dentist must not:

- Approve or perform restorative, surgical, or other irreversible procedures; and
- Permit a student to perform such procedures without subsequent approval by a dentist holding an unrestricted general license.

4. Effective Date

This Advisory Opinion becomes effective upon formal adoption by the Board and applies to all pending and future moderate sedation permit matters.

5. Reservation of Authority

Nothing in this opinion limits the Board's discretion to impose stricter conditions, require remedial education, or pursue disciplinary measures when patient safety so requires.

Prepared by Board staff pursuant to the motion approved by the Board on May 14, 2025.



**DEPARTMENT OF BUSINESS AND INDUSTRY
OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCILS STANDARDS
NEVADA STATE BOARD OF DENTAL EXAMINERS**

Draft Advisory Opinion

Subject : Infection-Control Compliance for Mobile, Pop-Up and Other Non-Traditional Dental Service Locations

(Prepared for Board consideration at the May 14, 2025, meeting, based on discussions held during the Board's public session wherein the motion on this subject was unanimously adopted.)

1. Purpose

To reaffirm that every physical setting where dental services are rendered, whether a brick-and-mortar office, self-contained mobile unit, or temporary "pop-up" clinic, must pass a Board infection-control inspection before patient care begins, and that all licensees involved remain individually liable for compliance.

The subject was discussed on May 14, 2025, at a full Board Meeting. The members present included Board President Dr. Ronald West, Board Secretary Treasurer Dr. Daniel Streifel, Board Member Dr. Joshua Branco, Board Member Dr. Christopher Hock, Board Member Dr. Lance Kim, Board Member Dr. Ashley Hoban, Board Member Dr. Joan Landron, Board Member Ms. Jana McIntyre, Board Member Ms. Yamila Arias, Board Member, and Ms. Kimberly Petrilla.

2. Statutory & Regulatory Authority

- **NRS 631.190** – Vests the Board with authority to regulate dentistry in the interest of public health.
- **NAC 631.178** – Adopts by reference the CDC *Guidelines for Infection Control in Dental Health-Care Settings* and requires licensee compliance.
- **NAC 631.1785** – Requires a licensed dentist who owns an office or facility to request and pass an initial infection-control inspection within 30 days.
- **NAC 631.179 & 631.1795** – Authorize random or summary inspections and disciplinary action when deficiencies are found.

3. Committee Determination

a) Screening Clinic Defined

i. Dental Facility Categories Clarified

- **Fixed Clinic:** Traditional dental office already governed by existing inspection schedule.
- **Mobile Dental Unit:** A self-contained vehicle (e.g., bus or van) that houses operatories, sterilization, and radiography.
- **Pop-Up / Temporary Site:** A makeshift arrangement in a ballroom, conference center, casino meeting space, workplace, or similar venue using portable equipment.

b) Inspection Requirement Applies to All Locations

- Patient care may not commence at any site until the Board has issued a written notice of compliance following inspection under NAC 631.1785 or NAC 631.179.
- A mobile unit's certificate of compliance covers only the care delivered *inside* that unit. Any treatment stations set up outside the vehicle (e.g., parking-lot chairs or interior ballroom bays) constitute a separate "facility" that must be inspected on-site in advance.

c) Licensee Liability

- Dentists who own, manage, or "sponsor" a mobile or pop-up operation are professionally accountable for securing timely inspections and for maintaining infection-control standards at every location served.
- Dentists, dental hygienists, expanded-function assistants, and other licensees who accept temporary or locum employment remain personally liable if they treat patients at an uninspected site. Reliance on an employer's assurances does not relieve the licensee of this duty.
- Participating in, authorizing, or allowing patient care at a non-compliant facility constitutes unprofessional conduct and may subject the licensee(s) to disciplinary action, summary suspension, or cease-and-desist orders under NAC 631.179.

d) Due-Diligence Checklist for Licensees (Recommended Practice)

- Verify that the venue holds an active Board "Notice of Infection-Control Compliance" dated within the last 12 months—or, for pop-ups, dated for that specific event/location.
- Confirm that sterilization equipment, waterlines, and radiography devices available on-site match inspection records.
- Document in writing (e-mail or text) the name of the dentist-owner or organization responsible for the site approval before accepting shifts.
- Decline or discontinue treatment if compliance cannot be verified.

e) Interim Nature & Regulatory Update

- The Board's Legal, Legislative & Dental Practice Committee is drafting comprehensive mobile-dentistry regulations; this opinion serves as an interim notice to protect patients and guide licensees until those amendments are adopted.

4. Effective Date

This Advisory Opinion becomes effective upon formal adoption by the Board and applies to all pending and future moderate sedation permit matters.

5. Reservation of Authority

Nothing in this opinion limits the Board's discretion to impose stricter conditions, require remedial education, or pursue disciplinary measures when patient safety so requires.

DRAFT

NEVADA STATE BOARD OF DENTAL EXAMINERS



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

(TEMPORARY)
MODERATE SEDATION ADMIN PERMIT APPLICATION
(Administration of Moderate Sedation restricted to patients 13 years of age and older)
QUALIFICATIONS OF APPLICANTS

Brittini Wait, DDS

APPLICANT NAME



NEVADA LICENSE (licensed 03/03/2025)

Yes

No

COMPLETED APPLICATION

Yes

No

PAYMENT RECEIVED (CC 03/21/2025 / \$ 750.00)

SEE ATTACHED

CERTIFICATION OF MINIMUM 60 HOURS APPROVED
COURSE STUDY DEDICATED EXCLUSIVELY TO THE
ADMINISTRATION OF MODERATE SEDATION:

Program: Vesper Institute Instructor: Dr. Scott Sayre

SEE ATTACHED

CERTIFICATION OF THE ADMINISTRATION OF A MINIMUM
OF 20 SEDATION CASES SUCCESSFULLY MANAGED BY
THE APPLICANT

Location: Vesper Institute Cincinnati, Ohio

Yes

No

Specialty:

CERTIFICATION OF SPECIALTY PROGRAM
COMPLETION APPROVED BY ADA CODA WHICH
INCLUDES EDUCATION/TRAINING IN MS
ADMINISTRATION (EQUIVALENT TO 60 HOURS/20 CASES)

Yes

No

ACLS CERTIFICATION IN COMPLIANCE WITH AMERICAN
HEART ASSOCIATION STANDARDS
ACLS VALID DATES: **02/07/2025 – 02/2027**

CERTIFICATION CAN INCLUDE LETTER FROM PROGRAM DIRECTOR ON INSTITUTION'S
LETTERHEAD (W/SEAL) OR CERTIFICATE OF COMPLETION BY RECOGNIZED SPECIALTY
BOARD PURSUANT TO NAC 631.190.

REVIEW CONTINUED – APPLICANT: Brittni Wait, DDS

Review by Chair of Anesthesia Committee:

RECOMMEND APPROVAL: YES ☒ NO

IF NO,

Reasons/Concerns: _____

Josh Branco DMD

Josh's Review DMD 4610-20-2025-17-03-2021

Joshua Branco, DMD
Anesthesia Chair

04/29/2025

Date

Review by Secretary-Treasurer:

APPLICATION APPROVED: YES NO

IF REJECTED,

Reasons/Concerns: _____

Daniel Streifel, DDS
Secretary-Treasurer

Date



Nevada State Board of Dental Examiners

6010 S. Rainbow Blvd., Bldg. A, Ste. 1

Las Vegas, NV 89118

(702) 486-7044 • (800) DDS-EXAM • Fax (702) 486-7044

MODERATE SEDATION ADMIN PERMIT APPLICATION

(Administration of Moderate Sedation to patients 13 years of age or older)

Name: Brittini Wait

Office Site Permit

DENTAL EDUCATION

University/
College: UT - Houston School of Dentistry

Location: 7500 Cambridge St
Houston, TX 77054

Dates attended: 8/1/12 to 5/22/15 Degree Earned: DDS

BOARD APPROVED PROGRAM

Name/
Instructor: Vesper Institute
Dr. Scott Sayre

Location: 5823 Wooster Pike
Cincinnati, OH 45227

Dates attended: 1/27/15 to 3/18/15 Certificate Granted: Yes

The following information and documentation must be received by the Board office prior to consideration of a MODERATE SEDATION permit:

- 1) Completed and signed application form;
- 2) Non-refundable application fee in the amount of \$750.00;
- 3) Certification of completion of a course of study, subject to the approval of the Board, of not less than sixty (60) hours of course study dedicated exclusively to the administration of moderate sedation to patients 13 years of age or older and proof of successful management as the operator of moderate sedation to not less than twenty (20) patients who are 13 years of age or older.

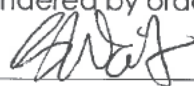
- 4) Valid certification in Advance Cardiac Life Support by the American Heart Association or the completion of a course approved by the Board that provides instruction on medical emergencies and airway management

I hereby make application for a Moderate Sedation Permit to administer moderate sedation to patients 13 years of age or older from the Nevada State Board of Dental Examiners. I understand that if this permit is issued, I am authorized to administer moderate sedation **ONLY** to patients 13 years of age or older at the address listed above. If I wish to administer moderate sedation to patients 13 years of age or older at another location, I understand that each site must be inspected and a "Moderate Sedation Site Permit" must be issued by the Board prior to administration of moderate sedation to patients 13 years of age or older. I understand that this permit, if issued, allows only me to administer moderate sedation to patients 13 years of age or older.

I also understand that this permit does **NOT** allow for the administration of moderate sedation to patients 12 years of age or younger or the administration of deep sedation or general anesthesia by me, a physician, nurse anesthetist, or any other person. I have read and am familiar with the provisions and requirements of NRS 631 and NAC 631 regarding the administration of moderate sedation.

I, hereby acknowledge the information contained on this application is true and correct and I further acknowledge any omissions, inaccuracies, or misrepresentations of information on this application are grounds for the revocation of a permit which may have been obtained through this application. It is understood and agreed that the title of all certificates shall remain in the Nevada State Board of Dental Examiners and shall be surrendered by order of said Board.

Signature of Applicant



Date

3/19/25

NOTE: In order to administer moderate sedation to patients 12 years of age or younger, you must meet the requirements set forth in NAC 631.2213 and submit an application for a "Pediatric Moderate Sedation Admin Permit"

APPLICATION FOR MODERATE SEDATION ADMINISTRATION

Pursuant to NAC 631.2213; Applicants must submit certification of completion of a course of study, subject to the approval of the Board, of not less than sixty (60) hours of course study dedicated exclusively to the administration of moderate sedation to patients 13 years of age or older and proof of successful management as the operator of moderate sedation to not less than twenty (20) patients who are 13 years of age or older

SUBMISSION OF NO LESS THAN 20 CASES OF MODERATE SEDATION ADMINISTRATION

Nevada State Board of Dental Examiners



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(TEMPORARY)

MODERATE SEDATION ADMIN PERMIT APPLICATION

(Administration of Moderate Sedation restricted to patients 13 years of age and older)

QUALIFICATIONS OF APPLICANTS

Jonathan Runion, DMD

APPLICANT NAME



Yes

No

COMPLETED APPLICATION

Yes

No

PAYMENT RECEIVED (CC paid on 10/16/2024 / \$ 750.00)

SEE ATTACHED

CERTIFICATION OF MINIMUM 60 HOURS APPROVED
COURSE STUDY DEDICATED EXCLUSIVELY TO THE
ADMINISTRATION OF MODERATE SEDATION:

Program: Vesper Institute – IV Conscious Sedation Course 12/24 – 01/25

SEE ATTACHED

CERTIFICATION OF THE ADMINISTRATION OF A MINIMUM
OF 20 SEDATION CASES SUCCESSFULLY MANAGED BY
THE APPLICANT

Location : Vesper Institute – IV Conscious Sedation Course 12/24 – 01/25

Yes

No

Specialty:

CERTIFICATION OF SPECIALTY PROGRAM
COMPLETION APPROVED BY ADA CODA WHICH
INCLUDES EDUCATION/TRAINING IN MS
ADMINISTRATION (EQUIVALENT TO 60 HOURS/20 CASES)

Yes

No

ACLS CERTIFICATION IN COMPLIANCE WITH AMERICAN
HEART ASSOCIATION STANDARDS
ACLS VALID DATES: **01/29/2024 - 01/2026**

CERTIFICATION CAN INCLUDE LETTER FROM PROGRAM DIRECTOR ON INSTITUTION'S
LETTERHEAD (W/SEAL) OR CERTIFICATE OF COMPLETION BY RECOGNIZED SPECIALTY
BOARD PURSUANT TO NAC 631.190.

REVIEW CONTINUED – APPLICANT: Jonathan Runion, DMD

Review by Chair of Anesthesia Committee:

RECOMMEND APPROVAL: YESX NO

IF NO,

Reasons/Concerns: _____


Josh Branco DMD (Feb 3, 2025 11:37 PST)
Joshua Branco, DMD
Anesthesia Chair

02/03/25

Date

Review by Secretary-Treasurer:

APPLICATION APPROVED: YES NO

IF REJECTED,

Reasons/Concerns: _____

Daniel Streifel, DDS
Secretary-Treasurer

Date



Nevada State Board of Dental Examiners

6010 S. Rainbow Blvd., Bldg. A, Ste. 1

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MODERATE SEDATION ADMIN PERMIT APPLICATION

(Administration of Moderate Sedation to patients 13 years of age or older)

Name: Jonathan Runion

Office Site Permit

Check box if you are

DENTAL EDUCATION

University/
College: OHIO STATE UNIVERSITY

Location: 281 W Lane Ave
Columbus, OH 43210

Dates attended: 08/2006 to 05/2019
Degree Earned: DDS

BOARD APPROVED PROGRAM

Name/
Instructor: Miami Valley Hospital

Daniel E Becker, DDS
Location: 1 Wyoming Street
Dayton, OH 45409

Dates attended: 12/1/11 to 06/16/12
Certificate Granted: Yes

The following information and documentation must be received by the Board office prior to consideration of a MODERATE SEDATION permit:

- 1) Completed and signed application form;
- 2) Non-refundable application fee in the amount of \$750.00;
- 3) Certification of completion of a course of study, subject to the approval of the Board, of not less than sixty (60) hours of course study dedicated exclusively to the administration of moderate sedation to patients 13 years of age or older and proof of successful management as the operator of moderate sedation to not less than twenty (20) patients who are 13 years of age or older.

- 4) Valid certification in Advance Cardiac Life Support by the American Heart Association or the completion of a course approved by the Board that provides instruction on medical emergencies and airway management

I hereby make application for a Moderate Sedation Permit to administer moderate sedation to patients 13 years of age or older from the Nevada State Board of Dental Examiners. I understand that if this permit is issued, I am authorized to administer moderate sedation ONLY to patients 13 years of age or older at the address listed above. If I wish to administer moderate sedation to patients 13 years of age or older at another location, I understand that each site must be inspected and a "Moderate Sedation Site Permit" must be issued by the Board prior to administration of moderate sedation to patients 13 years of age or older. I understand that this permit, if issued, allows only me to administer moderate sedation to patients 13 years of age or older.

I also understand that this permit does **NOT** allow for the administration of moderate sedation to patients 12 years of age or younger or the administration of deep sedation or general anesthesia by me, a physician, nurse anesthetist, or any other person. I have read and am familiar with the provisions and requirements of NRS 631 and NAC 631 regarding the administration of moderate sedation.

I, hereby acknowledge the information contained on this application is true and correct and I further acknowledge any omissions, inaccuracies, or misrepresentations of information on this application are grounds for the revocation of a permit which may have been obtained through this application. It is understood and agreed that the title of all certificates shall remain in the Nevada State Board of Dental Examiners and shall be surrendered by order of said Board.

Signature of Applicant _____

Date _____

10.11.24

NOTE: In order to administer moderate sedation to patients 12 years of age or younger, you must meet the requirements set forth in NAC 631.2213 and submit an application for a "Pediatric Moderate Sedation Admin Permit"

APPLICATION FOR MODERATE SEDATION ADMINISTRATION

Pursuant to NAC 631.2213; Applicants must submit certification of completion of a course of study, subject to the approval of the Board, of not less than sixty (60) hours of course study dedicated exclusively to the administration of moderate sedation to patients 13 years of age or older and proof of successful management as the operator of moderate sedation to not less than twenty (20) patients who are 13 years of age or older.

SUBMISSION OF NO LESS THAN 20 CASES OF MODERATE SEDATION ADMINISTRATION

NEVADA STATE BOARD OF DENTAL EXAMINERS



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(TEMPORARY)
PEDIATRIC MODERATE SEDATION ADMINISTERING PERMIT APPLICATION
QUALIFICATIONS OF APPLICANTS

Charlene Mo, DMD

APPLICANT NAME

NEVADA LICENSE (licensed 09/14/2020)

Yes No

COMPLETED APPLICATION

Yes No

PAYMENT RECEIVED (CC \$750.00 on 5/28/2025)

SEE ATTACHED

CERTIFICATION OF MINIMUM 60 HOURS APPROVED
COURSE STUDY DEDICATED EXCLUSIVELY TO THE
ADMINISTRATION OF MODERATE SEDATION
(EQUIVALENT TO 60 HOURS/25 CASES)

Specialty: Pediatric Dentist
UNLV

Completion date: 06/30/2020

Yes No

PALS CERTIFICATION IN COMPLIANCE WITH AMERICAN
HEART ASSOCIATION STANDARDS

PALS VALID DATES:
06/17/2024 – 06/2026

CERTIFICATION CAN INCLUDE LETTER FROM PROGRAM DIRECTOR ON INSTITUTION'S
LETTERHEAD (W/SEAL) OR CERTIFICATE OF COMPLETION BY RECOGNIZED SPECIALTY
BOARD PURSUANT TO NAC 631.190.

Review by Chair of Anesthesia Committee:

RECOMMEND APPROVAL: YES ☒ NO

IF REJECTED,
Reasons/Concerns: _____


Joshua M Branco, DMD
Chair of Anesthesia Committee

06/03/2025
Date

REVIEW CONTINUED
PEDIATRIC MODERATE SEDATION ADMINISTERING PERMIT APPLICATION
APPLICANT: Charlene Mo, DMD

Review by Secretary- Treasurer:

APPLICATION APPROVED: YES NO

IF REJECTED,

Reasons/Concerns: _____

Daniel Streifel, DDS
Secretary-Treasurer

Date

**RECEIVED**

By NSBDE, MK at 3:24 pm, May 19, 2025

nsbde@dentca.nv.gov

Phone(702) 486-7044 | (800) DDS-EXAM | Fax (702)486-7046

OFFICE USE ONLY

Date Received: _____

Payment Amount: _____

Staff Initials: _____

PEDIATRIC ANESTHESIA ADMINISTRATIVE PERMIT APPLICATION

(administration of Moderate Sedation to patients 12 years of age or younger)

THE FOLLOWING INFORMATION AND DOCUMENTATION MUST BE RECEIVED BY THE BOARD OFFICE PRIOR TO CONSIDERATION OF A PERMIT. ALL APPLICATIONS MUST BE COMPLETED IN FULL AND SIGNED BY THE APPLICANT

A. CONTACT INFORMATION

First Name:

Charlene

Middle Name:

Last Name:

Mo

Pursuant to NAC 631.150, all licensees are required to keep the Board informed of their current address. Any address must be reported to the Board office in writing via the Address Change Form (or updated online) within thirty (30) days of such change. All addresses are treated individually.

PROVIDE THE ADDRESS OF THE PRACTICE YOU ARE APPLYING FOR AN ANESTHESIA PERMIT BELOW. IF YOU ARE APPLYING FOR MORE THAN ONE (1) OFFICE, LIST OTHERS ON A SEPARATE SHEET

Check this box if you are applying for a Site Permit for the same office location as listed above. (If your practice office is already site-permitted, DO NOT select this box)

☐**B. EDUCATION INFORMATION**

1.

Highest Degree Earned:

☐ Certificate☐ Bachelors☐ Doctoral (DDS)☐ Associates☐ Masters☒ Doctoral (DMD)

2. Educational Institution Name:

Roseman University of Health Sciences, College of Dental Medicine

3. Institution City:

South Jordan

Institution State:

UT

Did you Graduate?

☒ Yes☐ No

4. *If Yes, Graduation Date: 4/18/18



**If No, Expected Graduation Date:

5. Did you attend a Postdoctoral program in a specialty or advanced education in dentistry?

☒ Yes*☐ No

*Specialty Education		
7. Educational Program Name: University of Nevada, Las Vegas - Pediatric Dental Residency		
9. Institution City: Las Vegas	Institution State: NV	Did you Graduate? <input checked="" type="radio"/> Yes <input type="radio"/> No
10. *If Yes, Graduation Date: 6/30/20	Did you receive Specialty Certificate/Diploma? <input checked="" type="radio"/> Yes <input type="radio"/> No Certificate/Diploma: Pediatric dentistry	

C. APPLICANT ATTESTATIONS	
1. By selecting this box, I attest that I have received and attached certification to this application proving I have completed no less than sixty (60) hours of course study of a specialty program accredited by the Commission of Dental Accreditation of the American Dental Association which includes education and training in the administration of moderate sedation to pediatric patients that is equivalent to the education as required per NRS 631 of not less than sixty (60) patients and I have submitted proof of the successful administration as the operator of moderate sedation to no less than twenty-five (25) pediatric (under 13 years old) patients.	<input checked="" type="checkbox"/>
2. By selecting this box, I hereby attest that I have attached to this application a copy of valid certification in Pediatric Advance Life Support by the American Heart Association or the completion of a course approved by the Board that provides instruction on medical emergencies and airway management.	<input checked="" type="checkbox"/>

	CONTINUE TO PAGE 3 AND COMPLETE THE MODERATE SEDATION ADMINISTRATION FORM. APPLICATIONS THAT DO NOT HAVE THE COMPLETED MODERATE SEDATION ADMINISTRATION FORM ARE NOT COMPLETE AND WILL NEED TO BE RESUBMITTED	
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E. FEES**APPLICATION FEES ARE NON-REFUNDABLE. DENIAL OF AN APPLICATION IS NOT GROUNDS FOR A REFUND**

<input checked="" type="checkbox"/> Moderate Sedation	\$750.00	<input type="checkbox"/> Site Permit	\$500.00
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OPTIONAL REQUEST FEES

<input type="checkbox"/> Duplicate Anesthesia Permit	\$25.00	Quantity: _____
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<input type="checkbox"/> Duplicate DH Local Anesthesia/N2O Permit	\$25.00	Quantity: _____
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<input type="checkbox"/> Name Change	\$25.00
--------------------------------------	---------

I hereby submit my application for a Pediatric Moderate Sedation Permit to administer Moderate Sedation to pediatric patients from the Nevada State Board of Dental Examiners. I understand that if this permit is issued, I am authorized to administer to a patient Moderate Sedation **ONLY** to pediatric patients at the address listed above. If I wish to administer moderate sedation to pediatric patients at another location, I understand that each site must be inspected and issued a "**Pediatric Moderate Sedation Site Permit**" and/or a "**Moderate Sedation Site Permit**" by the Board prior to the administration of moderate sedation to *pediatric patients*.

I understand that this permit does NOT allow for the administration of deep sedation or general anesthesia by me, a physician, a nurse anesthetist, or any other person. I have read and I am familiar with the provision and requirements of NRS 631 and NAC 631 regarding the administration of moderate sedation to pediatric patients.

I hereby acknowledge the information contained on this application is true and correct, and I further acknowledge any omissions, inaccuracies, or misrepresentations of information on this application are grounds for the revocation of a permit which may have been obtained through this application. It is understood and agreed that the title of all certificates shall remain in the Nevada State Board of Dental Examiners and shall be surrendered by order of said Board.

Licensee Signature:



Date:

4/15/20

RECEIVED

By NSBDE, MK at 3:24 pm, May 19, 2025

NEVADA STATE BOARD OF DENTAL EXAMINERS



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

(TEMPORARY)
MODERATE SEDATION ADMIN PERMIT APPLICATION
(Administration of Moderate Sedation restricted to patients 13 years of age and older)
QUALIFICATIONS OF APPLICANTS

Kevin Vernet, DMD

APPLICANT NAME



NEVADA LICENSE (licensed 03/31/2025)

Yes

No

COMPLETED APPLICATION

Yes

No

PAYMENT RECEIVED (CC 05/30/2025 / \$ 750.00)

SEE ATTACHED

CERTIFICATION OF MINIMUM 60 HOURS APPROVED
COURSE STUDY DEDICATED EXCLUSIVELY TO THE
ADMINISTRATION OF MODERATE SEDATION:

Program: DOCS Education

SEE ATTACHED

CERTIFICATION OF THE ADMINISTRATION OF A MINIMUM
OF 20 SEDATION CASES SUCCESSFULLY MANAGED BY
THE APPLICANT

Location: DOCS Education- Lexington, Kentucky

Yes

No

Specialty:

CERTIFICATION OF SPECIALTY PROGRAM
COMPLETION APPROVED BY ADA CODA WHICH
INCLUDES EDUCATION/TRAINING IN MS
ADMINISTRATION (EQUIVALENT TO 60 HOURS/20 CASES)

Yes

No

ACLS CERTIFICATION IN COMPLIANCE WITH AMERICAN
HEART ASSOCIATION STANDARDS
ACLS VALID DATES: **05/07/2025 – 05/2027**

CERTIFICATION CAN INCLUDE LETTER FROM PROGRAM DIRECTOR ON INSTITUTION'S
LETTERHEAD (W/SEAL) OR CERTIFICATE OF COMPLETION BY RECOGNIZED SPECIALTY
BOARD PURSUANT TO NAC 631.190.

REVIEW CONTINUED – APPLICANT: Kevin Vernet, DMD

Review by Chair of Anesthesia Committee:

RECOMMEND APPROVAL: YES ☒ NO

IF NO,

Reasons/Concerns: _____


Joshua Branco (Doc) (June 3, 2025 14:16 PDT)

Joshua Branco, DMD
Anesthesia Chair

06/03/2025

Date

Review by Secretary-Treasurer:

APPLICATION APPROVED: YES NO

IF REJECTED,

Reasons/Concerns: _____

Daniel Streifel, DDS
Secretary-Treasurer

Date



Nevada State Board of Dental Examiners

6010 S. Rainbow Blvd., Bldg. A, Ste. 1

Las Vegas, NV 89118

(702) 486-7044 • (800) DDS-EXAM • Fax (702) 486-7045

MODERATE SEDATION ADMIN PERMIT APPLICATION

(Administration of Moderate Sedation to patients 13 years of age or older)

Office Site Permit ☒

Name: Kevin Vernet

DENTAL EDUCATION

University/ College: LECOM
Lake Erie College of Osteopathic
Medicine School of Dental
Medicine

Location: Lakewood Ranch, FL

Dates attended: 06 / 1 / 2016 to 06 / 7 / 2020
Degree Earned: DMD

BOARD APPROVED PROGRAM

Name/ Instructor: Happy Smiles (DOGS EDU)
Henry Young, DDS

Location: Lexington, KY

Dates attended: 4 / 28 / 25 to 5 / 11 / 25
Certificate Granted: Moderate Sedation

The following information and documentation must be received by the Board office prior to consideration of a MODERATE SEDATION permit:

- 1) Completed and signed application form;
- 2) Non-refundable application fee in the amount of \$750.00;
- 3) Certification of completion of a course of study, subject to the approval of the Board, of not less than sixty (60) hours of course study dedicated exclusively to the administration of moderate sedation to patients 13 years of age or older and proof of successful management as the operator of moderate sedation to not less than twenty (20) patients who are 13 years of age or older.

- 4) Valid certification in Advance Cardiac Life Support by the American Heart Association or the completion of a course approved by the Board that provides instruction on medical emergencies and airway management
-

I hereby make application for a Moderate Sedation Permit to administer moderate sedation to patients 13 years of age or older from the Nevada State Board of Dental Examiners. I understand that if this permit is issued, I am authorized to administer moderate sedation **ONLY** to patients 13 years of age or older at the address listed above. If I wish to administer moderate sedation to patients 13 years of age or older at another location, I understand that each site must be inspected and a "Moderate Sedation Site Permit" must be issued by the Board prior to administration of moderate sedation to patients 13 years of age or older. I understand that this permit, if issued, allows only me to administer moderate sedation to patients 13 years of age or older.

I also understand that this permit does **NOT** allow for the administration of moderate sedation to patients 12 years of age or younger or the administration of deep sedation or general anesthesia by me, a physician, nurse anesthetist, or any other person. I have read and am familiar with the provisions and requirements of NRS 631 and NAC 631 regarding the administration of moderate sedation.

I, hereby acknowledge the information contained on this application is true and correct and I further acknowledge any omissions, inaccuracies, or misrepresentations of information on this application are grounds for the revocation of a permit which may have been obtained through this application. It is understood and agreed that the title of all certificates shall remain in the Nevada State Board of Dental Examiners and shall be surrendered by order of said Board.

Signature of Applicant _____

Date _____

[Handwritten Signature]
5/29/25

NOTE: In order to administer moderate sedation to patients 12 years of age or younger, you must meet the requirements set forth in NAC 631.2213 and submit an application for a "Pediatric Moderate Sedation Admin Permit"

APPLICATION FOR MODERATE SEDATION ADMINISTRATION

Pursuant to NAC 631.2213; Applicants must submit certification of completion of a course of study, subject to the approval of the Board, of not less than sixty (60) hours of course study dedicated exclusively to the administration of moderate sedation to patients 13 years of age or older and proof of successful management as the operator of moderate sedation to not less than twenty (20) patients who are 13 years of age or older

SUBMISSION OF NO LESS THAN 20 CASES OF MODERATE SEDATION ADMINISTRATION

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CONTRACT FOR SERVICES OF INDEPENDENT CONTRACTOR

A Contract Between the State of Nevada
Acting by and Through its

Agency Name:	Nevada State Board of Dental Examiners
Address:	2651 N. Green Valley Parkway, Suite 104
City, State, Zip Code:	Henderson, Nevada 89014
Contact:	A.L. Higginbotham
Phone:	702-486-7044
Fax:	702-486-7046
Email:	ahigginbotham@dental.nv.gov

Contractor Name:	Dr. Helen Kanian Temporary Infection Control Program Developer
Address:	[REDACTED]
City, State, Zip Code:	[REDACTED]
Contact:	
Phone:	[REDACTED]
Fax:	NA
Email:	[REDACTED]

WHEREAS, NRS 333.700 authorizes officers, departments, institutions, boards, commissions, and other agencies in the Executive Department of the State Government which derive their support from public money in whole or in part to engage, subject to the approval of the Board of Examiners (BOE), services of persons as independent contractors; and

WHEREAS, it is deemed that the service of Contractor is both necessary and in the best interests of the State of Nevada.

NOW, THEREFORE, in consideration of the aforesaid premises, the parties mutually agree as follows:

1. **REQUIRED APPROVAL.** This Contract shall not become effective until and unless approved by the Nevada State Board of Examiners.
2. **DEFINITIONS.**
 - A. "State" – means the State of Nevada and any State agency identified herein, its officers, employees and immune contractors as defined in NRS 41.0307.
 - B. "Contracting Agency" – means the State agency identified above.
 - C. "Contractor" – means the person or entity identified above that performs services and/or provides goods for the State under the terms and conditions set forth in this Contract.
 - D. "Fiscal Year" – means the period beginning July 1st and ending June 30th of the following year.
 - E. "Contract" – Unless the context otherwise requires, "Contract" means this document entitled Contract for Services of Independent Contractor and all Attachments or Incorporated Documents.
 - F. "Contract for Independent Contractor" – means this document entitled Contract for Services of Independent Contractor exclusive of any Attachments or Incorporated Documents.

CETS#
RFP#

3. **CONTRACT TERM.** This Contract shall be effective as noted below, unless sooner terminated by either party as specified in *Section 10, Contract Termination*. Contract is subject to Board of Examiners' approval.

Effective from:	August 1, 2025	To:	January 31, 2026
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4. **NOTICE.** All communications, including notices, required or permitted to be given under this Contract shall be in writing and directed to the parties at the addresses stated above. Notices may be given: (i) by delivery in person; (ii) by a nationally recognized next-day courier service, return receipt requested; or (iii) by certified mail, return receipt requested. If specifically requested by the party to be notified, valid notice may be given by facsimile transmission or electronic mail to the address(es) such party has specified in writing.

5. **INCORPORATED DOCUMENTS.** The parties agree that this Contract, inclusive of the following attachments, specifically describes the scope of work. This Contract incorporates the following attachments in descending order of constructive precedence:

ATTACHMENT AA:	SCOPE OF WORK, DELIVERABLES, PAYMENT SCHEDULE, and NEGOTIATED POINTS (if needed)
ATTACHMENT BB:	INSURANCE SCHEDULE
ATTACHMENT CC:	STATE SOLICITATION # and AMENDMENTS #
ATTACHMENT DD:	VENDOR PROPOSAL

Any provision, term or condition of an Attachment that contradicts the terms of this Contract for Independent Contractor, or that would change the obligations of the State under this Contract for Independent Contractor, shall be void and unenforceable.

6. **CONSIDERATION.** The parties agree that Contractor will provide the services specified in *Section 5, Incorporated Documents* at a cost as noted below:

\$ 53	per	Hour
----------	-----	------

Total Contract or installments payable at:	Bi-Monthly
--	------------

Total Contract Not to Exceed:	\$25000
-------------------------------	---------

The State does not agree to reimburse Contractor for expenses unless otherwise specified in the incorporated attachments. Any intervening end to a biennial appropriation period shall be deemed an automatic renewal (not changing the overall Contract term) or a termination as the result of legislative appropriation may require.

7. **ASSENT.** The parties agree that the terms and conditions listed on incorporated attachments of this Contract are also specifically a part of this Contract and are limited only by their respective order of precedence and any limitations specified.

8. **BILLING SUBMISSION: TIMELINESS.** The parties agree that timeliness of billing is of the essence to the Contract and recognize that the State is on a Fiscal Year. All billings for dates of service prior to July 1 must be submitted to the state no later than the first Friday in August of the same calendar year. A billing submitted after the first Friday in August, which forces the State to process the billing as a stale claim pursuant to NRS 353.097, will subject Contractor to an administrative fee not to exceed one hundred dollars (\$100.00). The parties hereby agree this is a reasonable estimate of the additional costs to the state of processing the billing as a stale claim and that this amount will be deducted from the stale claim payment due to Contractor.

CETS#
RFP#

9. INSPECTION & AUDIT.

- A. Books and Records. Contractor agrees to keep and maintain under generally accepted accounting principles (GAAP) full, true and complete records, contracts, books, and documents as are necessary to fully disclose to the State or United States Government, or their authorized representatives, upon audits or reviews, sufficient information to determine compliance with all State and federal regulations and statutes.
- B. Inspection & Audit. Contractor agrees that the relevant books, records (written, electronic, computer related or otherwise), including, without limitation, relevant accounting procedures and practices of Contractor or its subcontractors, financial statements and supporting documentation, and documentation related to the work product shall be subject, at any reasonable time, to inspection, examination, review, audit, and copying at any office or location of Contractor where such records may be found, with or without notice by the State Auditor, the relevant State agency or its contracted examiners, the department of Administration, Budget Division, the Nevada State Attorney General's Office or its Fraud Control Units, the state Legislative Auditor, and with regard to any federal funding, the relevant federal agency, the Comptroller General, the General Accounting Office, the Office of the Inspector General, or any of their authorized representatives. All subcontracts shall reflect requirements of this Section.
- C. Period of Retention. All books, records, reports, and statements relevant to this Contract must be retained a minimum three (3) years, and for five (5) years if any federal funds are used pursuant to the Contract. The retention period runs from the date of payment for the relevant goods or services by the state, or from the date of termination of the Contract, whichever is later. Retention time shall be extended when an audit is scheduled or in progress for a period reasonably necessary to complete an audit and/or to complete any administrative and judicial litigation which may ensue.

10. CONTRACT TERMINATION.

- A. Termination Without Cause. Regardless of any terms to the contrary, this Contract may be terminated upon written notice by mutual consent of both parties. The State unilaterally may terminate this contract without cause by giving not less than thirty (30) days' notice in the manner specified in *Section 4, Notice*. If this Contract is unilaterally terminated by the State, Contractor shall use its best efforts to minimize cost to the State and Contractor will not be paid for any cost that Contractor could have avoided.
- B. State Termination for Non-Appropriation. The continuation of this Contract beyond the current biennium is subject to and contingent upon sufficient funds being appropriated, budgeted, and otherwise made available by the State Legislature and/or federal sources. The State may terminate this Contract, and Contractor waives any and all claims(s) for damages, effective immediately upon receipt of written notice (or any date specified therein) if for any reason the contracting Agency's funding from State and/or federal sources is not appropriated or is withdrawn, limited, or impaired.
- C. Termination with Cause for Breach. A breach may be declared with or without termination. A notice of breach and termination shall specify the date of termination of the Contract, which shall not be sooner than the expiration of the Time to Correct, if applicable, allowed under subsection 10D. This Contract may be terminated by either party upon written notice of breach to the other party on the following grounds:
 - 1) If Contractor fails to provide or satisfactorily perform any of the conditions, work, deliverables, goods, or services called for by this Contract within the time requirements specified in this Contract or within any granted extension of those time requirements; or
 - 2) If any state, county, city, or federal license, authorization, waiver, permit, qualification or certification required by statute, ordinance, law, or regulation to be held by Contractor to provide the goods or services required by this Contract is for any reason denied, revoked, debarred, excluded, terminated, suspended, lapsed, or not renewed; or
 - 3) If Contractor becomes insolvent, subject to receivership, or becomes voluntarily or involuntarily subject to the jurisdiction of the Bankruptcy Court; or
 - 4) If the State materially breaches any material duty under this Contract and any such breach impairs Contractor's ability to perform; or

CETS#
RFP#

- 5) If it is found by the State that any quid pro quo or gratuities in the form of money, services, entertainment, gifts, or otherwise were offered or given by Contractor, or any agent or representative of Contractor, to any officer or employee of the State of Nevada with a view toward securing a contract or securing favorable treatment with respect to awarding, extending, amending, or making any determination with respect to the performing of such contract; or
- 6) If it is found by the State that Contractor has failed to disclose any material conflict of interest relative to the performance of this Contract.

D. Time to Correct. Unless the breach is not curable, or unless circumstances do not permit an opportunity to cure, termination upon declared breach may be exercised only after service of formal written notice as specified in *Section 4, Notice*, and the subsequent failure of the breaching party within fifteen (15) calendar days of receipt of that notice to provide evidence, satisfactory to the aggrieved party, showing that the declared breach has been corrected. Upon a notice of breach, the time to correct and the time for termination of the contract upon breach under subsection 10C, above, shall run concurrently, unless the notice expressly states otherwise.

E. Winding Up Affairs Upon Termination. In the event of termination of this Contract for any reason, the parties agree that the provisions of this Section survive termination:

- 1) The parties shall account for and properly present to each other all claims for fees and expenses and pay those which are undisputed and otherwise not subject to set off under this Contract. Neither party may withhold performance of winding up provisions solely based on nonpayment of fees or expenses accrued up to the time of termination;
- 2) Contractor shall satisfactorily complete work in progress at the agreed rate (or a pro rata basis if necessary) if so requested by the Contracting Agency;
- 3) Contractor shall execute any documents and take any actions necessary to effectuate an assignment of this Contract if so requested by the Contracting Agency;
- 4) Contractor shall preserve, protect and promptly deliver into State possession all proprietary information in accordance with *Section 21, State Ownership of Proprietary Information*.

11. **REMEDIES.** Except as otherwise provided for by law or this Contract, the rights and remedies of the parties shall not be exclusive and are in addition to any other rights and remedies provided by law or equity, including, without limitation, actual damages, and to a prevailing party reasonable attorneys' fees and costs. For purposes of an award of attorneys' fees to either party, the parties stipulate and agree that a reasonable hourly rate of attorneys' fees shall be one hundred and fifty dollars (\$150.00) per hour. The State may set off consideration against any unpaid obligation of Contractor to any State agency in accordance with NRS 353C.190. In the event that Contractor voluntarily or involuntarily becomes subject to the jurisdiction of the Bankruptcy Court, the State may set off consideration against any unpaid obligation of Contractor to the State or its agencies, to the extent allowed by bankruptcy law, without regard to whether the procedures of NRS 353C.190 have been utilized.

12. **LIMITED LIABILITY.** The State will not waive and intends to assert available NRS Chapter 41 liability limitations in all cases. Contract liability of both parties shall not be subject to punitive damages. Damages for any State breach shall never exceed the amount of funds appropriated for payment under this Contract, but not yet paid to Contractor, for the Fiscal Year budget in existence at the time of the breach. Contractor's tort liability shall not be limited.

13. **FORCE MAJEURE.** Neither party shall be deemed to be in violation of this Contract if it is prevented from performing any of its obligations hereunder due to strikes, failure of public transportation, civil or military authority, act of public enemy, accidents, fires, explosions, or acts of God, including without limitation, earthquakes, floods, winds, or storms. In such an event the intervening cause must not be through the fault of the party asserting such an excuse, and the excused party is obligated to promptly perform in accordance with the terms of the Contract after the intervening cause ceases.

14. **INDEMNIFICATION AND DEFENSE.** To the fullest extent permitted by law, Contractor shall indemnify, hold harmless and defend, not excluding the State's right to participate, the State from and against all liability, claims, actions, damages, losses, and expenses, including, without limitation, reasonable attorneys' fees and costs, arising out of any

CETS#
RFP#

breach of the obligations of Contractor under this contract, or any alleged negligent or willful acts or omissions of Contractor, its officers, employees and agents. Contractor's obligation to indemnify the State shall apply in all cases except for claims arising solely from the State's own negligence or willful misconduct. Contractor waives any rights of subrogation against the State. Contractor's duty to defend begins when the State requests defense of any claim arising from this Contract.

15. **REPRESENTATIONS REGARDING INDEPENDENT CONTRACTOR STATUS.** Contractor represents that it is an independent contractor, as defined in NRS 333.700(2) and 616A.255, warrants that it will perform all work under this contract as an independent contractor, and warrants that the State of Nevada will not incur any employment liability by reason of this Contract or the work to be performed under this Contract. To the extent the State incurs any employment liability for the work under this Contract; Contractor will reimburse the State for that liability.
16. **INSURANCE SCHEDULE.** Unless expressly waived in writing by the State, Contractor must carry policies of insurance and pay all taxes and fees incident hereunto. Policies shall meet the terms and conditions as specified within this Contract along with the additional limits and provisions as described in *Attachment BB*, incorporated hereto by attachment. The State shall have no liability except as specifically provided in the Contract.

Contractor shall not commence work before Contractor has provided the required evidence of insurance to the Contracting Agency. The State's approval of any changes to insurance coverage during the course of performance shall constitute an ongoing condition subsequent to this Contract. Any failure of the State to timely approve shall not constitute a waiver of the condition.

- A. Insurance Coverage. Contractor shall, at Contractor's sole expense, procure, maintain and keep in force for the duration of the Contract insurance conforming to the minimum limits as specified in *Attachment BB*, incorporated hereto by attachment. Unless specifically stated herein or otherwise agreed to by the State, the required insurance shall be in effect prior to the commencement of work by Contractor and shall continue in force as appropriate until:

- 1) Final acceptance by the State of the completion of this Contract; or
- 2) Such time as the insurance is no longer required by the State under the terms of this Contract; whichever occurs later.

Any insurance or self-insurance available to the State shall be in excess of and non-contributing with, any insurance required from Contractor. Contractor's insurance policies shall apply on a primary basis. Until such time as the insurance is no longer required by the State, Contractor shall provide the State with renewal or replacement evidence of insurance no less than thirty (30) days before the expiration or replacement of the required insurance. If at any time during the period when insurance is required by the Contract, an insurer or surety shall fail to comply with the requirements of this Contract, as soon as Contractor has knowledge of any such failure, Contractor shall immediately notify the State and immediately replace such insurance or bond with an insurer meeting the requirements.

- B. General Requirements.

- 1) Additional Insured: By endorsement to the general liability insurance policy, the State of Nevada, its officers, employees and immune contractors as defined in NRS 41.0307 shall be named as additional insureds for all liability arising from the Contract.
- 2) Waiver of Subrogation: Each insurance policy shall provide for a waiver of subrogation against the State of Nevada, its officers, employees and immune contractors as defined in NRS 41.0307 for losses arising from work/materials/equipment performed or provided by or on behalf of Contractor.
- 3) Cross Liability: All required liability policies shall provide cross-liability coverage as would be achieved under the standard ISO separation of insureds clause.
- 4) Deductibles and Self-Insured Retentions: Insurance maintained by Contractor shall apply on a first dollar basis without application of a deductible or self-insured retention unless otherwise specifically agreed to by the State. Such approval shall not relieve Contractor from the obligation to pay any deductible or self-insured retention. Any deductible or self-insured retention shall not exceed fifty thousand dollars (\$50,000.00) per occurrence, unless otherwise approved by the Risk Management Division.

CETS#
RFP#

- 5) Policy Cancellation: Except for ten (10) days notice for non-payment of premiums, each insurance policy shall be endorsed to state that without thirty (30) days prior written notice to the State of Nevada, c/o Contracting Agency, the policy shall not be canceled, non-renewed or coverage and/or limits reduced or materially altered, and shall provide that notices required by this Section shall be sent by certified mail to the address shown on page one (1) of this contract.
- 6) Approved Insurer: Each insurance policy shall be:
 - a) Issued by insurance companies authorized to do business in the State of Nevada or eligible surplus lines insurers acceptable to the State and having agents in Nevada upon whom service of process may be made; and
 - b) Currently rated by A.M. Best as "A-VII" or better.

C. Evidence of Insurance.

Prior to the start of any work, Contractor must provide the following documents to the contracting State agency:

- 1) Certificate of Insurance: The Acord 25 Certificate of Insurance form or a form substantially similar must be submitted to the State to evidence the insurance policies and coverages required of Contractor. The certificate must name the State of Nevada, its officers, employees and immune contractors as defined in NRS 41.0307 as the certificate holder. The certificate should be signed by a person authorized by the insurer to bind coverage on its behalf. The State project/Contract number; description and Contract effective dates shall be noted on the certificate, and upon renewal of the policies listed, Contractor shall furnish the State with replacement certificates as described within *Section 16A, Insurance Coverage*.

Mail all required insurance documents to the State Contracting Agency identified on Page one of the Contract.

- 2) Additional Insured Endorsement: An Additional Insured Endorsement (CG 20 10 11 85 or CG 20 26 11 85), signed by an authorized insurance company representative, must be submitted to the State to evidence the endorsement of the State as an additional insured per *Section 16B, General Requirements*.
- 3) Schedule of Underlying Insurance Policies: If Umbrella or Excess policy is evidenced to comply with minimum limits, a copy of the underlying Schedule from the Umbrella or Excess insurance policy may be required.
- 4) Review and Approval: Documents specified above must be submitted for review and approval by the State prior to the commencement of work by Contractor. Neither approval by the State nor failure to disapprove the insurance furnished by Contractor shall relieve Contractor of Contractor's full responsibility to provide the insurance required by this Contract. Compliance with the insurance requirements of this Contract shall not limit the liability of Contractor or its subcontractors, employees or agents to the State or others, and shall be in addition to and not in lieu of any other remedy available to the State under this Contract or otherwise. The State reserves the right to request and review a copy of any required insurance policy or endorsement to assure compliance with these requirements.

17. **COMPLIANCE WITH LEGAL OBLIGATIONS.** Contractor shall procure and maintain for the duration of this Contract any state, county, city or federal license, authorization, waiver, permit qualification or certification required by statute, ordinance, law, or regulation to be held by Contractor to provide the goods or services required by this Contract. Contractor shall provide proof of its compliance upon request of the Contracting Agency. Contractor will be responsible to pay all taxes, assessments, fees, premiums, permits, and licenses required by law. Real property and personal property taxes are the responsibility of Contractor in accordance with NRS 361.157 and NRS 361.159. Contractor agrees to be responsible for payment of any such government obligations not paid by its subcontractors during performance of this Contract.

CETS#
RFP#

18. **WAIVER OF BREACH.** Failure to declare a breach or the actual waiver of any particular breach of the Contract or its material or nonmaterial terms by either party shall not operate as a waiver by such party of any of its rights or remedies as to any other breach.
19. **SEVERABILITY.** If any provision contained in this Contract is held to be unenforceable by a court of law or equity, this Contract shall be construed as if such provision did not exist and the non-enforceability of such provision shall not be held to render any other provision or provisions of this Contract unenforceable.
20. **ASSIGNMENT/DELEGATION.** To the extent that any assignment of any right under this Contract changes the duty of either party, increases the burden or risk involved, impairs the chances of obtaining the performance of this Contract, attempts to operate as a novation, or includes a waiver or abrogation of any defense to payment by State, such offending portion of the assignment shall be void, and shall be a breach of this Contract. Contractor shall neither assign, transfer nor delegate any rights, obligations nor duties under this Contract without the prior written consent of the State.
21. **STATE OWNERSHIP OF PROPRIETARY INFORMATION.** Any data or information provided by the State to Contractor and any documents or materials provided by the State to Contractor in the course of this Contract ("State Materials") shall be and remain the exclusive property of the State and all such State Materials shall be delivered into State possession by Contractor upon completion, termination, or cancellation of this Contract.
22. **PUBLIC RECORDS.** Pursuant to NRS 239.010, information or documents received from Contractor may be open to public inspection and copying. The State has a legal obligation to disclose such information unless a particular record is made confidential by law or a common law balancing of interests. Contractor may label specific parts of an individual document as a "trade secret" or "confidential" in accordance with NRS 333.333, provided that Contractor thereby agrees to indemnify and defend the State for honoring such a designation. The failure to so label any document that is released by the State shall constitute a complete waiver of any and all claims for damages caused by any release of the records.
23. **CONFIDENTIALITY.** Contractor shall keep confidential all information, in whatever form, produced, prepared, observed or received by Contractor to the extent that such information is confidential by law or otherwise required by this Contract.
24. **FEDERAL FUNDING.** In the event federal funds are used for payment of all or part of this Contract, Contractor agrees to comply with all applicable federal laws, regulations and executive orders, including, without limitation the following:
 - A. Contractor certifies, by signing this Contract, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal department or agency. This certification is made pursuant to Executive Orders 12549 and 12689 and Federal Acquisition Regulation subpart 9.4, and any relevant program-specific regulations. This provision shall be required of every subcontractor receiving any payment in whole or in part from federal funds.
 - B. Contractor and its subcontracts shall comply with all terms, conditions, and requirements of the Americans with Disabilities Act of 1990 (P.L. 101-136), 42 U.S.C. 12101, as amended, and regulations adopted thereunder, including 28 C.F.R. Section 35, inclusive, and any relevant program-specific regulations.
 - C. Contractor and its subcontractors shall comply with the requirements of the Civil Rights Act of 1964 (P.L. 88-352), as amended, the Rehabilitation Act of 1973 (P.L. 93-112), as amended, and any relevant program-specific regulations, and shall not discriminate against any employee or offeror for employment because of race, national origin, creed, color, sex, religion, age, disability or handicap condition (including AIDS and AIDS-related conditions.)
25. **LOBBYING.** The parties agree, whether expressly prohibited by federal law, or otherwise, that no funding associated with this Contract will be used for any purpose associated with or related to lobbying or influencing or attempting to lobby or influence for any purpose the following:
 - A. Any federal, state, county or local agency, legislature, commission, council or board;
 - B. Any federal, state, county or local legislator, commission member, council member, board member, or other elected official; or

CETS#
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C. Any officer or employee of any federal, state, county or local agency; legislature, commission, council or board.

26. **GENERAL WARRANTY.** Contractor warrants that all services, deliverables, and/or work products under this Contract shall be completed in a workmanlike manner consistent with standards in the trade, profession, or industry; shall conform to or exceed the specifications set forth in the incorporated attachments; and shall be fit for ordinary use, of good quality, with no material defects.
27. **PROPER AUTHORITY.** The parties hereto represent and warrant that the person executing this Contract on behalf of each party has full power and authority to enter into this Contract. Contractor acknowledges that as required by statute or regulation this Contract is effective only after approval by the State Board of Examiners and only for the period of time specified in the Contract. Any services performed by Contractor before this Contract is effective or after it ceases to be effective are performed at the sole risk of Contractor.
28. **DISCLOSURES REGARDING CURRENT OR FORMER STATE EMPLOYEES.** For the purpose of State compliance with NRS 333.705, Contractor represents and warrants that if Contractor, or any employee of Contractor who will be performing services under this Contract, is a current employee of the State or was employed by the State within the preceding 24 months, Contractor has disclosed the identity of such persons, and the services that each such person will perform, to the Contracting Agency.
29. **ASSIGNMENT OF ANTITRUST CLAIMS.** Contractor irrevocably assigns to the State any claim for relief or cause of action which Contractor now has or which may accrue to Contractor in the future by reason of any violation of State of Nevada or federal antitrust laws in connection with any goods or services provided under this Contract.
30. **GOVERNING LAW: JURISDICTION.** This Contract and the rights and obligations of the parties hereto shall be governed by, and construed according to, the laws of the State of Nevada, without giving effect to any principle of conflict-of-law that would require the application of the law of any other jurisdiction. The parties consent to the exclusive jurisdiction of and venue in the First Judicial District Court, Carson City, Nevada for enforcement of this Contract, and consent to personal jurisdiction in such court for any action or proceeding arising out of this Contract.
31. **ENTIRE CONTRACT AND MODIFICATION.** This Contract and its integrated attachment(s) constitute the entire agreement of the parties and as such are intended to be the complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof. Unless an integrated attachment to this Contract specifically displays a mutual intent to amend a particular part of this Contract, general conflicts in language between any such attachment and this Contract shall be construed consistent with the terms of this Contract. Unless otherwise expressly authorized by the terms of this Contract, no

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modification or amendment to this Contract shall be binding upon the parties unless the same is in writing and signed by the respective parties hereto and approved by the Office of the Attorney General and the State Board of Examiners. This Contract, and any amendments, may be executed in counterparts.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be signed and intend to be legally bound thereby.

<u>Helen Z. Kervian</u>	<u>06-05-2025</u>	<u>Temporary Infection Control Program Developer</u>
Independent Contractor's Signature	Date	Independent Contractor's Title

		<u>Executive Director</u>
<u>State of Nevada Authorized Signature</u>	<u>Date</u>	<u>Title</u>

<u>State of Nevada Authorized Signature</u>	<u>Date</u>	<u>Title</u>
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<u>State of Nevada Authorized Signature</u>	<u>Date</u>	<u>Title</u>
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APPROVED BY BOARD OF EXAMINERS

Signature – Board of Examiners

On: _____
Date

Approved as to form by:

On: _____
Date

Deputy Attorney General for Attorney General

Attachment AA

Temporary Infection Control Program Developer

Position Type: Temporary (Estimated 3-6 Months)

Job Summary:

The Nevada Board of Dental Examiners seeks a Temporary Infection Control Program Specialist to establish a comprehensive infection control program. This role will focus on developing standardized inspection checklists, procedures, and enforcement protocols to ensure compliance with NRS 631 and NAC 631 while integrating appropriate CDC guidelines. The specialist will collaborate with board members, staff, and stakeholders to create an effective inspection and enforcement framework.

Key Responsibilities:

1. Update the Infection Control Inspection Checklist

- a. Ensure alignment with NRS 631 and NAC 631 regulations.
- b. Clearly differentiate Board laws and regulations from CDC guidelines for clarity.
- c. Present the revised checklist to the Board and Infection Control Committee for review and approval.

2. Develop Inspection Procedure Guides & Operating Procedures

- a. Create a detailed inspection guide that outlines procedures from start to finish.
- b. Develop a standardized approach for addressing dental facilities that fail an infection control inspection.

3. Participate in Committee and Board Meetings

- a. Communicate the need for updates to the inspection checklist.
- b. Provide progress reports and gather input on the development of inspection and enforcement procedures.

4. Develop Multiple Inspection Procedures

- a. Establish procedures for various types of inspections, including:
 - i. Opening inspections for new dental facilities.
 - ii. Random inspections for ongoing compliance.
 - iii. Re-inspections for failed facilities.
 - iv. Complaint-driven inspections triggered by public or practitioner complaints.
 - v. Mobile / pop-up dental clinic inspections.

5. Develop Immediate Closure & Emergency Enforcement Procedures

- a. Define step-by-step protocols for closing dental facilities due to severe infection control violations.
- b. Establish criteria and processes for summary suspensions by the Board President.

Qualifications:

- Experience in infection control, regulatory compliance, or healthcare inspections preferred.
- Licensed under NRS 631 and willingness to learn regulatory frameworks.
- Strong technical writing and policy development skills.
- Ability to work independently and communicate effectively with board members and stakeholders.

Proposed Timeline for Completion:

Phase	Tasks	Estimated Completion
Phase 1: Research & Planning	Review NRS 631, NAC 631, CDC guidelines, and current infection control processes. Conduct stakeholder meetings.	Month 1
Phase 2: Checklist Update	Revise infection control checklist; differentiate laws vs. guidelines; present draft to the Board.	Month 1-2
Phase 3: Inspection Procedures	Develop detailed procedures for different inspections. Draft a guide for failed inspections.	Month 2-4
Phase 4: Immediate Closure Protocols	Create criteria and process for immediate closures and summary suspensions. Present draft to the Board.	Month 3-5
Phase 5: Board Approval & Implementation	Finalize documents based on feedback, implement training for inspectors, and roll out new procedures.	Month 4-6

ATTACHMENT BB

BOARD AGENTS – INSURANCE SCHEDULE

The Nevada State Board of Dental Examiners does not require insurance for the Temporary Infection Control Program Developer.

ATTACHMENT CC

BOARD AGENTS – STATE SOLICITATION # & AMENDMENTS

The Nevada State Board of Dental Examiners utilizes trained medical professionals as Board Agents to carry out the provisions of NRS 631. Solicitation materials are not applicable due to the utilization of trained medical professionals. Contracts for professional services explicitly listed in [NAC 333.150\(2\)\(b\)](#) where the referenced licensure or professional certification is a requirement of the service to be provided, including (1) expert witness, (2) professional engineer, (3) registered architect, (4) attorney, or (5) accountant exclusively, are not adapted to award by competitive selection; a State Purchasing authorized Solicitation Waiver is not required.

Additionally, the service contracts with an estimated value below the limit established in [NAC 333.150\(3\)](#) of \$25,000.00 per fiscal year are awarded by using agencies; State Purchasing does not consider Solicitation Waivers for contracts below the limit. The current contract limit is not to exceed \$25,000.00 per fiscal year.

ATTACHMENT DD

BOARD AGENTS – VENDOR PROPOSAL

NA

Andrea Rachiele Barraclough

Education: University of Houston (BA, English and Speech Communication)
Syracuse University College of Law (JD)

Bar Affiliations: Washington Bar – Bar No. 52181 (active and in good standing)
New York Bar – Bar No. 4043337 (active and in good standing)
Nevada State Bar – Bar No. 9158 (inactive but in good standing)
Oregon Bar – Bar No. 122371 (inactive but in good standing)

Work Experience: **United States Department of Health and Human Services, Office of Medicare Hearings and Appeals (OMHA) - Seattle Field Office**
08/2019 – current
*** Role: Supervisory Administrative Law Judge**
Duties: Federal Administrative Law Judge adjudicating Medicare cases. The case subject matter covers pre-authorization, reimbursement, coverage, and payment claims under Medicare Parts A and B; Medicare Advantage (Part C) and prescription drug (Part D); Medicare secondary payer claims; benefit eligibility and premium late penalty claims; statistical sampling cases; and application of the Administrative Procedures Act and Code of Federal Regulations regarding due process procedural concerns.

- Adjudicatory role: review case files and exhibits and prepare for hearings; conduct hearings while ensuring due process, respect for all parties, and with firm but fair command of the proceedings; as to some decisions, draft instructions for team and pool attorneys, and as to some other decisions, draft the decision myself; edit all written decisions from either myself or an attorney-advisor for accuracy; provide feedback to attorney writers on how to improve decisions; guide legal assistants; manage pre-hearing discovery, issue interim discovery orders, toll cases, and issue dismissals where jurisdiction and procedural requirements are not met, as applicable; and if a case is remanded from a higher level appeal entity, review the remand order and re-adjudicate as ordered.
- Supervisory role: review deadlines and quota needs to ensure all team members are working towards team and organizational mission goals; communicate with team members often and as needed to answer questions, offer feedback and communicate needs; conduct team meetings both in-person and remotely via Microsoft Teams, Webex, cell phones, etc.); and evaluate team member performance and conduct mid-year and annual performance reviews.

Washington State Office of the Attorney General

Medicaid Fraud Control Unit

01/2019 – 07/2019

*** Role: Senior Litigator, Associate Attorney General**

Duties: both a criminal prosecutor and a civil attorney; responsible for oversight and prosecution of crimes related to federal and state Medicaid fraud and elder abuse, investigation and litigation of state remedies related to Medicaid overbilling, fraud, failed coding, etc.

- Investigation role- meet with investigators, nurse analysts, financial analysts, and forensic accountants to assign tasks, discuss strategies, and develop case theories; assess possible criminal charges or civil remedies based on investigation revelations; review extensive documentary evidence inclusive of medical records, billing and coding records, prescription claims, care plans, Department of Health/Adult Protective Services/Residential Care Services records, and deficiency statements to determine sufficiency of supporting evidence.
- Litigation role - participation in intake team assessments of global *qui tam* cases; oversee criminal and civil cases from investigation stage to preparation and filing of pleadings, prepare for and participate in motion practice involving litigation at both the federal and state levels, and research and analyze complex medical and pharmaceutical schemes and documentation to decide prosecution and/or civil litigation strategies.

City of Portland, OR - Portland City Attorney's Office
08/2016 – 01/2019

*** Role: Senior Litigator, Associate Attorney General**

Duties: advisory, compliance, policy, and litigation attorney for assigned city bureaus, including Portland Police Bureau (PPB), the Bureau of Emergency Communications (BOEC/911), Portland Fire and Rescue (Fire), and the Gateway Center for Domestic Violence.

- Advisory and compliance role- Advisory and compliance role- Act as day-to-day advice counsel to various law enforcement-related entities by conducting legal analysis and providing advice regarding both day-to-day operations and unusual situations; correspond with Chiefs, Assistant Chiefs, and Directors of PPB, BOEC, PF&R, and Gateway Center, and Mayoral staff to advise them on a variety of legal advice requests (e.g., questions regarding use of force, officer-involved shootings, crowd control, immigration policy, digital and manual evidence storage and retrieval, public records and subpoena requests, fire code matters, fire appeals hearings, cell-phone pinging requests, ordinance creation, etc.; review and provide advice regarding T-Visa, U-Visa, S-Visa, and deferral actions for undocumented victims and witnesses; review, revise, and provide legal advice on creating revising police, BOEC, and fire policies and procedures; attend and oversee public meetings; teach constitutional law trainings to police officers; assist Bureau Public Information Officer (PIOs) with social media and messaging to ensure legality and consistency with city policies; assess Bureau actions for regulatory compliance; act as team member handling USDOJ settlement agreement compliance, including working with PPB and BOEC to shape policy and training; and negotiate inter-agency contracts, procurement contracts, and employment/volunteer contracts for assigned Bureaus.
- Litigation role - Oversee assigned cases, including all phases of pretrial and trial litigation, primarily in the area of constitutional law and public records. Specifically, prepare for and participate in formal contested trials and motion practice involving litigation at both the federal and state levels; dissect complaints (primarily federal civil rights, section 1983, and tort claims; draft responsive pleadings or Motions to Dismiss; work with paralegals to compile and

assess discovery; complete Motions for Summary Judgment and supporting exhibit packets; correspond with clients, judicial staff, and other attorneys as needed; try cases, inclusive of arguing pretrial motions, organizing exhibits, settling jury instructions, and presenting evidence and argument to jurors and judges; prepare and argue motions to quash, returns of property, and forfeitures.

State of Nevada - Nevada Attorney General's Office

01/2014 to 08/2016

***Role: Deputy, then promoted to Chief Deputy Attorney General**

Duties: Civil litigation, general advice, and later, Division Manager. As the former, carry a full litigation caseload and have oversight over all phases of pretrial and trial litigation, primarily in the area of constitutional law. Specifically, prepare for and participate in formal contested trials involving litigation at both the federal and state level. As the latter, manage the day-to-day functions of twelve attorneys and three paralegals and teach POST courses on constitutional law and evidence.

- Advisory role- Act as day-to-day counsel to various correctional entities; correspond with the Director, Deputy Directors, and the PIO of the NDOC to advise them on media and public records requests; answer all questions regarding complex use of force cases; and provide legal advice to inmate banking and Offender Management.
- Litigation role- Represent the NDOC at mediations and settlement conferences; engage in litigation duties mirroring those performed at the City of Portland.
- Managerial role- Review and assign cases taking into account factors such as attorney skill sets, complexity, budgeting for likely time spent traveling, etc.; review and approve time cards and leave requests; review and approve hours in billing software; review resumes for open positions, conduct job interviews, and provide recommendations to higher administration; counsel problem employees and make recommendations regarding disciplinary/termination; provide orientation to new hires; provide trial training and observe and advice counsel on trial preparation; complete annual performance evaluations; answer day-to-day staff questions.
- Training/Teaching role- Teach 3-hour Peace Officer Standards and Training (POST) classes approximately once monthly on the subjects of constitutional and criminal law, section 1983, and being an effective witness; present CLE presentations one to two times per year; review, revise, and create training presentations and PowerPoints for use in live or video-taped seminars.

State of Nevada - Nevada Supreme Court

08/2012 to 01/2014

***Role: Staff Attorney , Clerk's Division**

Duties: Staff attorney assisting in legal research and writing of judicial opinions and orders regarding civil and criminal law and habeas petitions; review attorney discipline matters and make recommended findings and draft proposed orders regarding attorney discipline.

- Appellate role- Reviewed proposed orders and opinions for legal accuracy, correct citation form, proper grammar, and ease of reading; conducted research to verify law clerks' analysis; made suggestions to Justices and law clerks regarding improvements to their documents; read all parties' briefs in assigned cases to ascertain the issues, then decided whether the case required en banc, panel, or staff assignment and whether current Nevada precedent existed; drafted proposed orders and legal memoranda for consideration by the Justices.
- Attorney ethics role- received and reviewed attorney discipline prosecutions from the State Bar, analyzed mitigating and aggravating factors, compared conduct to ethics rules, drafted proposed orders regarding attorney discipline, met with Justices to discuss and edit proposed disciplinary orders.

Clark County District Attorney - Las Vegas, NV

01/2005 – 08/2012

***Role: Deputy, then Chief Deputy District Attorney**

Duties: prosecuting attorney in senior or solo role with full oversight over assigned criminal cases, in areas including financial, white collar, and gaming crimes (forgery, identity theft, embezzlement, fraud); property crimes (theft, larceny, obtaining money under false pretenses); domestic violence and sexual assault; murders and robberies; and drug possession and trafficking; tried 25 felony jury trials using knowledge of Nevada Rules of Civil Procedure and the Nevada Rules of Evidence.

- Litigation role- Drafted complaints, motions, writ responses, in limine briefs, discovery requests and responses, trial and sentencing memoranda, Post-Conviction Relief responses, and correspondence to judges, police officers and opposing counsel; litigated felony trials before juries and misdemeanor trials, inclusive of making evidentiary objections; prepared oral arguments based on briefs and other independent research; argued appeals before the Nevada Supreme Court; made court appearances ranging from preliminary hearings and grand jury proceedings, to arguing for and against motions, to conducting sentencing and probation revocation hearings; managed high volume caseloads and multi-tasked different concurrent complex projects; assisted civil forfeiture unit as needed, making recommendations regarding items to be seized and forfeited and preparing paperwork when the defendant agreed as a part of plea to a forfeiture; participating in plea negotiations; and assisted in the preparation of charging documents/indictments.
- Training/Teaching role- Taught three-hour Peace Officer Standards and Training (POST) classes approximately once quarterly on the subjects of constitutional and criminal law, primarily search and seizure; presented CLE presentations as requested regarding domestic violence prosecutions.

Training

CLE Presentations-

*Inmate Sentencing Credits - Nevada Prosecuting Attorney's Council (NVPAC) Annual Conference, September 2015

*Portland's Homelessness Crisis - International Municipal Lawyers Association (IMLA) Annual Conference, October 2018

*Protests and the First Amendment International Municipal Lawyers Association (IMLA) Annual Conference, October 2018

June 9, 2025

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

Re: Comment re Revised Proposed Regulations for R056-24 Teledentistry

Dear NSBDE:

On behalf of DialCare, I am writing to comment on Item 5.c of the NSBDE's June 11, 2025 agenda regarding Revised Proposed Regulations for R056-24 Teledentistry.

DialCare operates teledentistry programs nationwide, and currently provides access to millions across the U.S. Our services address a critical need for thousands of Nevadans to gain 24/7 access to Nevada licensed dentists via phone or video consultation to assist with oral health problems.

Over a phone call or video chat, dentists can assist with oral health problems or pain; assess oral sores, lesions, swelling or infections; and advise on how to deal with broken, chipped, sensitive or misaligned teeth, gum swelling and bleeding. DialCare does not offer direct-to-consumer orthodontics or any at-home services.

Last year, DialCare and other companies and professional organizations expressed concern about the NSBDE's initial proposed rule to implement AB 147 (teledentistry). The initial proposed rule would have required an examination within the last six months to establish a bona-fide relationship to provide dental services to that patient through teledentistry.

At its August 14, 2024 meeting the NSBDE voted instead to recommend the Virginia regulatory language regarding what is needed to establish a "bona fide relationship" between a patient and dentist for teledentistry. The Virginia language allows the relationship to be established electronically through teledentistry without requiring the patient to have had an in-person exam. Specifically, [VA § 54.1-2711.B](#) requires "an appropriate examination of the patient, either physically . . . or through use of face-to-face interactive two-way real-time

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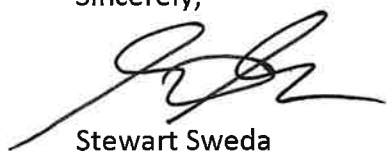
communications services or store-and-forward technologies.” Board counsel informed us that the LCB would be directed to include the Virginia definition in the next version of the proposed regulation.

Unfortunately, the revised proposed regulation (LCB File No. R-056-24) that was released on April 25, 2025 does not include the Virginia language allowing a bona fide relationship to be established without an in-person examination. Specifically, Section 2.2 of the revised proposed regulation only allows a licensee to provide services through teledentistry if the patient has seen a Nevada-licensed dentist in person within the prior six months.

Requiring an in-person physical examination as a prerequisite to teledentistry will largely prohibit our company and others from providing access to teledentistry services in the State of Nevada. Our services are completely virtual, so a physical examination requirement is impossible to meet. The proposed rule will prohibit Nevadans that do not have a primary dentist, or even Nevadans who have a primary dentist but have not been seen in six months, from accessing teledentistry. A physical examination is totally unnecessary in the context of the virtual services that our company provides. The effect would be to severely restrict access to dental services without any public benefit.

An in-person physical examination requirement is not required by Assembly Bill 147. Because it would cause great harm to Nevadans oral health, we urge the NSBDE to reject any such requirement and again recommend that any proposed regulation include Virginia’s regulatory language allowing a bona fide relationship to be established virtually.

Sincerely,



Stewart Sweda

Chief Executive Officer