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STATE OF NEVADA



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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 MINUTES

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

PUBLIC NOTICE:

Public Comment by pre-submitted email/written form and Live Public Comment by teleconference is available after roll call (beginning of meeting and prior to adjournment (end of meeting). Live Public Comment is limited to three (3) minutes for each individual.

Members of the public may submit public comment in written form to: **Nevada State Board of Dental Examiners, 2651 N. Green Valley Pkwy, Ste. 104, Henderson, NV 89014; FAX number (702) 486-7046; e-mail address nsbde@dental.nv.gov.** Written submissions received by the Board on or before **Tuesday, June 10, 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.

The Nevada State Board of Dental Examiners may: 1) address agenda items out of sequence to accommodate persons appearing before the Board or to aid the efficiency or effectiveness of the meeting; 2) combine items for consideration by the public body; 3) pull or remove items from the agenda at any time. The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. See NRS 241.030. Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public comment. See NRS 233B.126.

Persons/facilities who want to be on the mailing list must submit a written request every six (6) months to the Nevada State

Board of Dental Examiners at the address listed in the previous paragraph. With regard to any board meeting or telephone conference, it is possible that an amended agenda will be published adding new items to the original agenda. Amended Nevada notices will be posted in compliance with the Open Meeting Law.

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Board, at (702) 486-7044, no later than 48 hours prior to the meeting. Requests for special arrangements made after this time frame cannot be guaranteed.

Pursuant to NRS 241.020(2) you may contact at (702) 486-7044, to request supporting materials for the public body or you may download the supporting materials for the public body from the Board's website at <http://dental.nv.gov> In addition, the supporting materials for the public body are available at the Board's office located at 2651 N. Green Valley Pkwy, Ste. 104, Henderson, NV 89014.

Note: Asterisks (*) "For Possible Action" denotes items on which the Board may take action.

Note: Action by the Board on an item may be to approve, deny, amend, or table it.

1. Call to Order

a. Roll Call/Quorum

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

Board Member's Absent: Mr. Michael Pontini, Esq.

Attorney General Representative Present: Joseph Ostunio

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

- 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.

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, June 10, 2025, at 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 Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the authority of, the Nevada State Board of Dental Examiners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.

Director Higginbotham communicated that there were three public comments presented in the Board packet for the Board members review.

- 1. DialCare - related to teledentistry**
- 2. ATA Action - related to teledentistry**
- 3. Future Smiles - related to advisory opinion on infection control**

Joseph Ostunio, Deputy Attorney General, confirmed that the comments do not need to be read into the record. They will be included in the board materials and posted on the website at a later time. The board agreed to proceed without reading the comments verbatim.

Terry Chandler, representing Future Smiles, a school-based sealant program, shared her expertise on portable dental equipment and the process of going into schools. She noted her experience working with Compliance Alliance on infection control and OSHA compliance and offered to answer questions during the infection control advisory opinion discussion.

Alan Erenbaum, representing DialCare, communicated the company's virtual teledentistry services, which would provide access for patients to Nevada-licensed dentists via phone or video. He expressed concern that the current proposed regulations would require an in-person visit with a Nevada dentist within the past six months to access teledentistry services. He noted this requirement would significantly limit access without offering clear public benefit and urged the board to adopt the Virginia standard definition, which allows the dentist-patient relationship to be established virtually.

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 Ms. McIntyre, and it was seconded by Dr. Kim.

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. May 14, 2025 – Board Meeting**
- ii. May 28, 2025 – Anesthesia Committee**

A motion to group and approve the May 14, 2025 Board Meeting minutes and the May 28, 2025 Anesthesia Committee minutes was made by Dr. West, and it was seconded by Dr. Landron.

No discussion.

All members' voted 'AYE'.

5. Executive Team Report: (For Possible Action)

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

Director Higginbotham communicated there are no updates at this time.

b. Regulatory Update (For Informational Purposes Only)

- i. AB143**
- ii. AB334**
- iii. SB78**
- iv. SB495**
- v. SB507**
- vi. R072-22 Approved Dental Therapy Regulations**

Director Higginbotham provided a legislative and regulatory update, noting that AB 143, SB 78, SB 495, and SB 507 did not pass. The only bill enacted, AB 334, eliminates the previous five-year experience requirement for dental hygienists

seeking licensure by endorsement. Reported that regulations under R072-22 were approved by the LCB in December. Updates include incorporating new license types into the new application. Additionally, dental therapy and specialty added licenses are being added to licensing software system, expected to conclude by the end of June, first licenses anticipated to be issued by July or August.

- c. Review, Discussion and Possible Approval/Rejection of the Revised Proposed Regulations for R056-24 Teledentistry – NRS 631.190 (For Possible Action)

Dr. John Griffiths, member of the Nevada Dental Association's CGA and AB 147 regulatory subcommittee, emphasized the intent of AB 147 to require an in-person examination with appropriate radiographs prior to any dental treatment. Dr. Griffiths communicated that this requirement is critical to uphold the standard of care that dentists are required to keep in the state of Nevada, ensure proper diagnosis, and protect patients from potentially harmful treatment. Clarified that AB 147 still allows initial teledentistry contact for emergent care, but in-person evaluation is required before treatment begins.

Dr. West emphasized that while emergency care via teledentistry is acceptable, the board's primary concern is protecting Nevada patients from receiving orthodontic treatments (like aligners) on teeth with existing untreated issues or that need additional hygienic care. The goal is to prevent potential dental complications from premature or inappropriate orthodontic interventions.

Allen Erenbaum clarified that DialCare have no objection to requiring an in-person exam before orthodontic treatment. He expressed concern that the proposed regulation goes beyond the intent of AB 147 by requiring an in-person exam before any teledentistry care, including emergent care. He emphasized that this restriction would limit access to essential services across the state and urged that the regulation be revised to reflect the original intent of allowing emergent care without a prior in-person visit.

Dr. John Griffiths responded by stating his disagreement with the claim that AB 147 prohibit emergent care and emphasized that the legislation, as signed by the governor, includes detailed provisions specifically allowing emergent care through teledentistry. While he could not cite exact language, he affirmed that it was

clearly the intent of AB 147 to permit such care.

Dr. West communicated that due to the confusion between the language and differing opinions on the proposed regulations that the Board table this until the information is reviewed for clarity.

A motion was made to table the Possible Approval/Rejection of the Revised Proposed Regulations for RO56-24 Teledentistry by Dr. West, and was seconded by Ms. Arias.

No discussion.

All members voted ‘AYE.’

- 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**

A motion to group and approve the cases from Review Panel 1 was made by Dr. Steifel, and it was seconded by Ms. McIntyre.

No discussion.

All members voted ‘AYE.’

- ii. Review Panel 2**

- 1. Case # 1966**
 - 2. Case # 2433**
 - 3. Case # 2452**
 - 4. Case # 2456**

5. Case # 2464

6. Case #2465

A motion to group and approve the cases from Review Panel 2 was made by Dr. Landron, and it was seconded by Ms. Arias.

No discussion.

All members voted ‘AYE.’

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

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

No discussion.

All members voted ‘AYE.’

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

i. Dr. Z

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

Dr. Branco expressed concern that the content for the investigation may be outside the Board's jurisdiction.

Dr. West communicated that traditionally the step for determining jurisdiction is addressed after an investigation has begun and believes the Board is required to initiate the investigation in this matter.

Director Higginbotham communicated that upon confirmation with DAG Todd Weiss, the appropriate process is for the review panels to determine jurisdiction or not.

All members voted 'AYE.'

ii. Dr. Y

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

No discussion.

All members voted 'AYE.'

iii. Dr. X

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

No discussion.

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

Dr. West communicated that the presented bylaws formalize existing practices related to the review panel, board composition and terms, and board vacancies. Stated that Director Higginbotham dedicated significant time to reviewing all rules and compiling the bylaws, and each committee has had the opportunity to review their respective sections.

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

No discussion.

All members voted ‘AYE’.

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

Director Higginbotham communicated the budget summary overview was provided for FY26, outlining two categories; the budget request amount and an adjusted target amount, which reflects anticipated cost savings in areas such as legal services, litigation, and contracted services. The adjusted budget projects \$1.413 million in revenue and \$1.49 million in expenses, resulting in a projected deficit of \$76,000. This would still be the Board’s strongest net position in the past four years. The Budget and Finance Committee approved a scheduled fee increase on March 5, 2025 and is expected to generate approximately \$300,000 annually. This increase would help close budget gaps and fund a new licensing software system. A previous RFP in 2023 was unsuccessful due to lack of funding. The new budget incorporates this goal, aiming for system upgrades within 18 months to streamline license renewals and applications.

A motion to approve the FY26 budget was made by Dr. West, and it was seconded by Dr. Streifel.

No discussion.

All members voted ‘AYE’.

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

Director Higginbotham provided an update on IT infrastructure improvements, noting that the Board previously received a \$57,000 hardware upgrade proposal in July 2024. Since August, he has worked to reduce costs and improve IT systems. The Board recently approved the State IT department as its provider. The current proposal includes an \$8,100 equipment upgrade and \$640 in network wiring, totaling significantly less than the original estimate. Director Higginbotham recommended approval to stabilize the board's IT infrastructure.

A motion to approve the State IT equipment upgrade was made by Dr. West, and it was seconded by Dr. Landron.

No discussion.

All members voted 'AYE.'

- 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

Dr. Branco communicated that the advisory opinion was developed after discovering multiple cases where it was observed that the dosages being administered were out of the scope of practice. The advisory will give a clear benchmark on the dosage levels for licensees or training programs.

A motion to approve the advisory opinion was made by Dr. West, and it was seconded by Dr. Hock.

No discussion.

All members voted 'AYE'.

- ii. Participation of Educational Institution Faculty Holder Specialty-Only Dental License Performing Screenings at Dental Clinic

Dr. West communicated it was confirmed that specialty license holders can participate in patient screenings within educational settings, to help categorize patients for future treatment. The proposal was approved to move forward. A question was raised about expanding eligibility to include all CODA-approved educational programs with similar operations, not just UNLV, as specified in the opinion. Clarification was requested from the DAG Ostunio on whether such an expansion is possible.

DAG Ostunio communicated that best practice would be to table the opinion and re-visit at a future board meeting with the revisions needed.

A motion to table the approval/rejection of the advisory opinion was made by Dr. West, and was seconded by Ms. Arias.

No discussion.

All members voted ‘AYE.’

- i. Infection Control Compliance for Mobile, Pop-Up, and Other Non-Traditional Dental Services Locations

Dr. West communicated that the Board discussed infection control compliance for mobile, pop-up, and non-traditional dental service locations following a complaint about a pop-up clinic operating like a full dental office without meeting infection control standards. Concerns were raised about distinguishing these operations from nonprofit or school-based mobile services that perform only preventive care using disposable instruments and have undergone inspections. It was proposed that the current language be revised to clarify this distinction and to reconsider the extent of responsibility placed on individual licensees in such settings. The item was recommended to be tabled and revisited at the next board meeting after revisions.

Dr. Kim inquired about the differentiation between non-profit mobile vans for preventative care vs. treatment and if the board intends to identify those separately.

Dr. West clarified that he is aware some mobile dental vans are inspected under standard infection control rules, while school-based or elder care preventive services typically use disposable instruments and perform minimal procedures. In contrast, some pop-up clinics may offer full dental services, including radiographs and restorative work. Dr. West communicated the need to distinguish these types of services in the language to ensure appropriate regulation and oversight.

Terry Chandler, shared her historical experience with infection control inspections, noting that early inspections lacked formal documentation. She highlighted unique infection control measures her program uses, such as placing plastic tile over carpeted classroom floors. Chandler emphasized the need for clear, written distinctions between public health dental hygiene programs, nonprofits, and pop-up clinics to ensure future clarity and continuity. She recommended considering exemptions or grandfathering for long-standing,

board-approved programs and suggested creating a new classification—“pop-up recurring site”—for portable services delivered regularly in schools or public buildings.

A motion to table the approval/rejection of the advisory opinion and to send the Advisory Opinion to the Infection Control Committee was made by Ms. Arias, and was seconded by Ms. Petrilla.

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. Dr. Brittni Wait, DDS –Moderate Sedation (13+)**
- ii. Dr. Jonathan Runion, DMD – Moderate Sedation (13+)**

A motion to group and approve the permanent anesthesia permits was made by Dr. Branco, and was seconded by Dr. Hock.

No discussion.

All members voted ‘AYE’.

- 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+)**

A motion to group and approved the temporary anesthesia permits was made by Dr. Branco, and was seconded by Dr. West.

No discussion.

All members voted ‘AYE’.

- 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**

A motion to approve the proposed candidate for the Infection Control Program Developer position was made by Dr. Branco, and was seconded by Ms. Petrilla.

No discussion.

All members voted ‘AYE.’

- 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)**

Dr. West communicated that the board office is not in need of the teeth sets and is in support of donating the teeth sets to either a non-profit or training program who would be in need of them.

A motion to approve the donation was made by Dr. West, and was seconded by Ms. McIntyre

Dr. Kim recommended that the Board consider donating the teeth sets to a local high school in Las Vegas who has a dental assisting program.

All members voted ‘AYE.’

- 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)**

Dr. West communicated the extensive interview process that himself and Director Higginbotham went through to find a candidate for this position.

Director Higginbotham communicated that the chosen candidate comes highly recommended with experience at state, city, and federal levels.

Andrea Barraclough introduced herself as the candidate for General Counsel, highlighting her extensive government background. She noted her familiarity with dental and medical issues and her prior experience as a DAG and Chief DAG in Carson City. Barraclough expressed her enthusiasm for working with the board.

A motion to take a five minute break for discussion was made by Dr. West, and was seconded by Ms. Petrilla.

No discussion.

All members voted ‘AYE.’

A motion to resume the Board Meeting was made by Dr. West, and was seconded by Ms. Petrilla.

No discussion.

All members voted ‘AYE.’

A motion to approve the proposed candidate, Andrea Barraclough at the salary of \$185,000.00/year for the General Counsel position was made by Dr. West, and was seconded by Dr. Streifel.

No discussion.

All members voted 'AYE.'

- 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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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.

No public comment.

8. Announcements:

Dr. West thanks everyone for their effort and participation.

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

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

No discussion.

All members voted 'AYE.'