

**NRS 631.027 “Deep sedation” defined.** “Deep sedation” means a drug-induced depression of consciousness during which patients cannot be easily aroused but respond purposefully following repeated or painful stimulation. The ability to independently maintain ventilatory function may be impaired. Patients may require assistance in maintaining a patent airway, and spontaneous ventilation may be inadequate. Cardiovascular function is usually maintained.

**NRS [needs new number] “Health care facility” defined.** “Health care facility” has the meaning ascribed to it in NRS 162A.640. It does not include dental clinics or dental practices.

**NRS [needs new number] “Local anesthesia” defined.** “Local anesthesia” means the elimination of sensation, especially pain, in one part of the body by the topical application or regional injection of a single drug, either an amino amide or an amino ester, to numb specific areas of skin, subcutaneous tissue, or peripheral nerves during an invasive or surgical procedure.

**NRS 631.078 “Minimal sedation” defined.** “Minimal sedation” means a minimally depressed level of consciousness, produced by a pharmacological method, that retains the patient’s ability to independently and continuously maintain an airway and respond normally to tactile stimulation and verbal command. Although cognitive function and coordination may be modestly impaired, ventilatory and cardiovascular functions are unaffected.

**NRS 631.079 “Moderate sedation” defined.** “Moderate sedation” means a drug-induced depression of consciousness during which patients respond purposefully to verbal commands, either alone or accompanied by light tactile stimulation. No interventions are required to maintain a patent airway, and spontaneous ventilation is adequate. Cardiovascular function is usually maintained.

**NRS 631.055 “General anesthesia” defined.** “General anesthesia” means a drug-induced loss of consciousness during which patients are not arousable, even by painful stimulation. The ability to independently maintain ventilatory function is often impaired. Patients often require assistance in maintaining a patent airway, and positive pressure ventilation may be required because of depressed spontaneous ventilation or drug-induced depression of neuromuscular function. Cardiovascular function may be impaired. Though distinct from general anesthesia, the two concepts are functionally similar for purposes of the required training and knowledge to perform them.

**NRS 631.215 Persons deemed to be practicing dentistry; regulations regarding clinical practice of dentistry.**

1. Any person shall be deemed to be practicing dentistry who:

(a) Uses words or any letters or title in connection with his or her name which in any way represents the person as engaged in the practice of dentistry, or any branch thereof;

(b) Advertises or permits to be advertised by any medium that the person can or will attempt to perform dental operations of any kind;

(c) Evaluates or diagnoses, professes to evaluate or diagnose or treats or professes to treat, surgically or nonsurgically, any of the diseases, disorders, conditions or lesions of the oral cavity, maxillofacial area or the adjacent and associated structures and their impact on the human body;

(d) Extracts teeth;

(e) Corrects malpositions of the teeth or jaws;

(f) Takes impressions of the teeth, mouth or gums, unless the person is authorized by the regulations of the Board to engage in such activities without being a licensed dentist;

(g) Examines a person for, or supplies artificial teeth as substitutes for natural teeth;

(h) Places in the mouth and adjusts or alters artificial teeth;

(i) Does any practice included in the clinical dental curricula of accredited dental colleges or a residency program for those colleges;

(j) Administers or prescribes such remedies, medicinal or otherwise, as are needed in the treatment of dental or oral diseases;

(k) Uses X-ray radiation or laser radiation for dental treatment or dental diagnostic purposes, unless the person is authorized by the regulations of the Board to engage in such activities without being a licensed dentist;

(l) Determines:

(1) Whether a particular treatment is necessary or advisable; or

(2) Which particular treatment is necessary or advisable; or

(m) Dispenses tooth whitening agents or undertakes to whiten or bleach teeth by any means or method, unless the person is:

(1) Dispensing or using a product that may be purchased over the counter for a person's own use; or

(2) Authorized by the regulations of the Board to engage in such activities without being a licensed dentist.

2. Nothing in this section:

(a) Prevents a dental assistant, dental hygienist, dental therapist, expanded function dental assistant or qualified technician from ~~taking radiographs making radiograms or X-ray exposures~~ for dental treatment or dental diagnostic purposes upon the direction of a licensed dentist.

(b) Prevents a dental hygienist or dental therapist, **if trained in accordance with standards adopted by the board in regulation, from administering local anesthesia or nitrous oxide** for pain management during treatment ~~or~~ if:

(1) **The dental hygienist or dental therapist is either supervised or authorized by the licensed dentist of the patient to whom the local anesthesia or nitrous oxide is administered, at that dentist's discretion; and**

(2) **The dental office or facility where the local anesthesia or nitrous oxide is to be administered has the necessary emergency supplies and equipment available when the local anesthesia or nitrous oxide is administered.**

(c) **Prevents a dental hygienist or dental therapist from** using X-ray radiation or laser radiation for dental treatment or dental diagnostic purposes, upon authorization of a licensed dentist.

(d) Prohibits the performance of mechanical work, on inanimate objects only, by any person employed in or operating a dental laboratory upon the written work authorization of a licensed dentist.

(e) Prevents students from performing dental procedures that are part of the curricula of an accredited dental school or college or an accredited school of dental hygiene or an accredited school of dental therapy or an accredited school of dental assisting.

(f) Prevents a licensed dentist, dental hygienist or expanded function dental assistant from another state or country from appearing as a clinician for demonstrating certain methods of technical procedures before a dental society or organization, convention or dental college or an accredited school of dental hygiene or an accredited school of dental assisting.

(g) Prohibits the manufacturing of artificial teeth upon receipt of a written authorization from a licensed dentist if the manufacturing does not require direct contact with the patient.

(h) Prohibits the following entities from owning or operating a dental office or clinic if the entity complies with the provisions of [NRS 631.3452](#):

(1) A nonprofit corporation organized pursuant to the provisions of [chapter 82](#) of NRS to provide dental services to rural areas and medically underserved populations of migrant or homeless persons or persons in rural communities pursuant to the provisions of 42 U.S.C. § 254b or 254c.

(2) A federally-qualified health center as defined in 42 U.S.C. § 1396d(l)(2)(B) operating in compliance with other applicable state and federal law.

(3) A nonprofit charitable corporation as described in section 501(c)(3) of the Internal Revenue Code and determined by the Board to be providing dental services by volunteer licensed dentists at no charge or at a substantially reduced charge to populations with limited access to dental care.

(i) Prevents a person who is actively licensed as a dentist in another jurisdiction from treating a patient if:

(1) The patient has previously been treated by the dentist in the jurisdiction in which the dentist is licensed;

(2) The dentist treats the patient only during a course of continuing education involving live patients which:

(I) Is conducted at an institute or organization with a permanent facility registered with the Board for the sole purpose of providing postgraduate continuing education in dentistry; and

(II) Meets all applicable requirements for approval as a course of continuing education; and

(3) The dentist treats the patient only under the supervision of a person licensed pursuant to [NRS 631.2715](#).

(j) Prohibits a person from providing goods or services for the support of the business of a dental practice, office or clinic owned or operated by a licensed dentist or any entity not prohibited from owning or operating a dental practice, office or clinic if the person does not:

(1) Provide such goods or services in exchange for payments based on a percentage or share of revenues or profits of the dental practice, office or clinic; or

(2) Exercise any authority or control over the clinical practice of dentistry.

(k) Prohibits a dental hygienist, dental therapist or expanded function dental assistant from engaging in any activity authorized by this chapter or the regulations adopted pursuant thereto.

3. The Board shall adopt regulations identifying activities that constitute the exercise of authority or control over the clinical practice of dentistry, including, without limitation, activities which:

(a) Exert authority or control over the clinical judgment of a licensed dentist; or

(b) Relieve a licensed dentist of responsibility for the clinical aspects of the dental practice.

Such regulations must not prohibit or regulate aspects of the business relationship, other than the clinical practice of dentistry, between a licensed dentist or professional entity organized pursuant to the provisions of [chapter 89](#) of NRS and the person or entity providing goods or services for the support of the business of a dental practice, office or clinic owned or operated by the licensed dentist or professional entity.

### **NRS 631.265 Permit to administer or supervise administration of general anesthesia, minimal sedation, moderate sedation or deep sedation; regulations.**

1. No ~~licensed dentist or person who holds a restricted dental license issued pursuant to [NRS 631.275](#)~~, regardless of license type, may administer ~~or supervise directly the administration of~~ general anesthesia, ~~deep minimal~~ sedation, or moderate sedation ~~or deep minimal sedation~~ to dental patients unless the dentist ~~or person~~ has

been issued a valid permit by the Board authorizing him or her to perform the applicable level of anesthesia or sedation. ~~do so by the Board.~~

(a) The Board will adopt by regulation a process by which a dentist may obtain a general anesthesia permit, which encompasses the ability to also perform deep sedation, and a moderate sedation permit.

(i) There is no separate permitting process or requirement for a deep sedation permit, as the issuance of a general anesthesia permit automatically qualifies a general anesthesia-permitted dentist to perform deep sedation.

(ii) A permit for moderate sedation does not qualify a dentist to perform deep sedation.

(b) The provision of minimal sedation does not require a separate sedation permit so long as:

(i) the licensee performing minimal sedation graduated from a CODA-accredited dental program with coursework in providing minimal sedation and nitrous oxide; and

(ii) The dental office or facility where the minimal sedation or nitrous oxide is to be administered has the necessary emergency supplies and equipment available when the minimal sedation or nitrous oxide is administered.

(c) The provision of local anesthesia does not require a separate sedation or anesthesia permit so long as:

(i) the licensee performing local anesthesia graduated from a CODA-accredited dental program with coursework in providing local anesthesia; and

(ii) The dental office or facility where the local anesthesia is to be administered has the necessary emergency supplies and equipment available when the local anesthesia is administered.

2. Where the Board issues a permit under this regulation to ~~authorizing~~ a licensed dentist ~~or person who holds a restricted dental license issued pursuant to NRS 631.275,~~ that permit holder is allowed:

(a) regarding the administration of general anesthesia, to ~~or~~ supervise directly another person's ~~the~~ administration of general anesthesia or deep ~~minimal~~ sedation if that other person is authorized by statute or regulation to provide general anesthesia or deep sedation under a dentist's supervision;

(b) regarding the administration of moderate anesthesia, to supervise directly another person's administration of moderate sedation if that other person is authorized by statute or regulation to provide moderate sedation under a dentist's supervision; or

(c) regarding the administration of minimal sedation, including nitrous oxide, or local anesthesia, to either, at their discretion,;

- (i) supervise directly another person's administration of minimal sedation, including nitrous oxide, or local anesthesia; or
- (ii) to authorize that other person's administration of minimal sedation, including nitrous oxide, or local anesthesia,

↳ The above allowances are subject to ~~moderate sedation or deep sedation to dental patients under~~ such standards, conditions and other requirements as the Board shall by regulation prescribe.

**NRS 631.313 Assignment of dental hygienist, dental therapist, dental assistant, expanded function dental assistant or other person to perform certain intraoral tasks under certain circumstances; exceptions; administration of local anesthesia or nitrous oxide by dental hygienist; regulations.**

1. Except as otherwise provided in [NRS 454.217](#) and [629.086](#), a licensed dentist may assign to a person in his or her employ who is a dental hygienist, a dental therapist, a dental assistant, an expanded function dental assistant or other person directly or indirectly involved in the provision of dental care only such intraoral tasks as may be permitted by a regulation of the Board or by the provisions of this chapter.

2. The performance of these tasks must be:

(a) If performed by a dental assistant or a person, other than a dental hygienist, dental therapist or expanded function dental assistant, who is directly or indirectly involved in the provision of dental care, under the supervision of the licensed dentist who made the assignment.

(b) If performed by a dental hygienist, dental therapist or expanded function dental assistant, authorized by the licensed dentist of the patient for whom the tasks will be performed, except as otherwise provided in [NRS 631.287](#) or **subsection 2 of NRS 631.215**.

3. No such assignment is permitted that requires:

(a) Except as otherwise provided in [NRS 631.3105](#) and [631.3129](#), the diagnosis, treatment planning, prescribing of drugs or medicaments, or authorizing the use of restorative, prosthodontic or orthodontic appliances.

(b) Surgery on hard or soft tissues within the oral cavity or any other intraoral procedure that may contribute to or result in an irremediable alteration of the oral anatomy.

(c) **Except as otherwise provided in [NAC 631.224](#), the administration of general anesthesia, ~~minimal deep~~ sedation, and moderate sedation, except to another dentist permitted to provide the necessary level of anesthesia or sedation. ~~or deep sedation except as otherwise authorized by regulations adopted by the Board.~~**

(d) The performance of a task outside the authorized scope of practice of the employee who is being assigned the task.

4. A dental hygienist or dental therapist may, pursuant to regulations adopted by the Board, administer local anesthesia or nitrous oxide in a health care facility, ~~as defined in NRS 162A.740,~~ if:

(a) The dental hygienist is ~~so~~ authorized by the licensed dentist of the patient to whom the local anesthesia or nitrous oxide is administered; and

(b) The health care facility has a licensed physician, physician's assistant, or nurse practitioner on site who is immediately capable or responding to emergencies ~~medical personnel~~ and has necessary emergency supplies and equipment available when the local anesthesia or nitrous oxide is administered.

**NRS 631.345 Fees; regulations.**

1. Except as otherwise provided in [NRS 631.2715](#), the Board shall by regulation establish fees for the performance of the duties imposed upon it by this chapter which must not exceed the following amounts:

Application fee for an initial license to practice general dentistry..... \$1,800

Application fee for an initial license to practice dental hygiene or expanded function dental assistance 800

Application fee for an initial license to practice dental therapy..... 1,000

Application fee for a specialist's license to practice dentistry..... 500 in addition to the general dentistry license fee

Application fee for a limited license or restricted license to practice dentistry, dental hygiene, dental therapy or expanded function dental assistance..... 300

~~Fee for administering a clinical examination in dentistry..... 2,500~~

~~Fee for administering a clinical examination in dental hygiene, dental therapy or expanded function dental assistance..... 1,500~~

Initial application and ~~evaluation examination~~ fee for a permit to administer general anesthesia ~~minimal sedation, moderate sedation~~..... 1000

Initial application and evaluation fee for a permit to administer moderate sedation ..... 500

Fee for any reevaluation of eligibility to maintain a general anesthesia administrator permit ~~reinspection required by the Board to maintain obtain a permit to administer general anesthesia, minimal sedation, moderate sedation or deep sedation~~..... 500

Fee for any reevaluation of eligibility to maintain a moderate sedation administrator permit <del>reinspection required by the Board to maintain obtain a permit to administer general anesthesia, minimal sedation, moderate sedation or deep sedation</del> .....	350
Biennial renewal fee for a permit to administer general anesthesia.....	750
Biennial renewal fee for a permit to administer moderate sedation .....	400
Fee for the initial site permit, certificate of site approval, and initial inspection of a facility required by the Board to have an anesthesia or sedation site permit <del>renew a permit to administer general anesthesia, minimal sedation, moderate sedation or deep sedation</del> .....	750
Fee for the 5-year reinspection of an anesthesia site permit or a random reinspection of any facility failing an anesthesia site permit inspection .....	500
Fee for the initial inspection of a facility required by the Board to ensure compliance with infection control guidelines.....	750
Fee the reinspection of any facility failing an infection control inspection .....	500
Biennial license renewal fee for a general license, specialist's license, temporary license or restricted geographical license to practice dentistry.....	1,250
Annual license renewal fee for a limited license or restricted license to practice dentistry	500
Biennial license renewal fee for a general license, temporary license or restricted geographical license to practice dental hygiene, dental therapy or expanded function dental assistance.....	600
Annual license renewal fee for a limited license to practice dental hygiene, dental therapy or expanded function dental assistance.....	300
Biennial license renewal fee for a <b>voluntarily</b> inactive dentist.....	400
Biennial license renewal fee for a dentist who is retired or has a disability	100
Biennial license renewal fee for a <b>voluntarily</b> inactive dental hygienist, dental therapist or expanded function dental assistant.....	200
Biennial license renewal fee for a dental hygienist, dental therapist or expanded function dental assistant who is retired or has a disability.....	100

Reinstatement fee for a suspended license to practice dentistry (license not renewed for less than one year) ..... 500

Reinstatement fee for a suspended license to practice dental hygiene, dental therapy or expanded function dental assisting (license not renewed for less than one year) ..... 400

Reinstatement fee for a revoked license to practice dentistry (license not renewed for more than one year) ..... 700

Reinstatement fee for a revoked license to practice dental hygiene, dental therapy or expanded function dental assisting (license not renewed for more than one year) ..... 500

Reinstatement fee to return a dentist who is voluntarily inactive, retired or has a disability to active status .....350

Reinstatement fee to return a dental hygienist, dental therapist or expanded function dental assistant who is voluntarily inactive, retired or has a disability to active status .....300

~~Fee for the certification of a license..... 50~~

Any late fees associated with any late application of any kind, to be added to the base capped fee ..... 250

Any application or certification processing fees, to be added to the base capped fee ..... 50

2. The Board may by regulation establish other reasonable fees for the administration of the duties imposed upon it by this chapter that are not expressly contemplated in subsection 1.

3. Except as otherwise provided in this subsection, the Board shall charge a fee to review courses of continuing education and courses for advanced certifications for accreditation. The fee must not exceed \$150 per credit hour of the proposed continuing education course or a \$5000 flat fee for reviewing the proposed advanced instruction course. The Board shall not charge a nonprofit organization or an agency of the State or of a political subdivision of the State a fee to review either a course of continuing education or an advanced education course.

(i) For purposes of this subsection, an “advanced certification” course is defined as a multi-day or longer course in a single subject whose total time commitment for students exceeds 24 hours and whose culmination results in a licensee’s qualification for a special permit, certification, or license type.

4. All fees prescribed in this section are payable in advance and must not be refunded.