

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066
Informational Statement
LCB File No. R044-17

1. A clear and concise explanation of the need for the adopted regulation.

The Nevada State Board of Dental Examiners has conducted a review of Nevada Administrative Codes Chapter 631. Upon this review, discussion and public comment of the proposed/amended regulations a public workshop was held on July 21, 2017 after a 15 day notice was posted in compliance with the Nevada administrative rulemaking requirements. A Notice of Intent to Act Upon Regulations public hearing and adoption of the proposed regulation changes to permanent regulations was held on January 19, 2018 after a 30 day notice was posted in compliance with the Nevada administrative rulemaking requirements. Public comment was sought in all meetings, workshops, hearings and adoption. Further, upon review of certain regulations the Board proposed changes/amendments to include a new section for injecting a neuromodulator that is derived from Clostridium botulinum or a dermal or soft tissue filler to a patient of record pursuant to SB 101 and a change to NAC 631.175 regarding additional continuing education hours.

2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

Public workshop was held on July 21, 2017 for consideration of amended/proposed regulations after a 15 day notice was posted in compliance with the Nevada administrative rulemaking requirements. A Notice of Intent to Act Upon Regulations public hearing and adoption of the proposed regulation changes to permanent regulations was held on January 19, 2018 after a 30 day notice was posted in compliance with the Nevada administrative rulemaking requirements. Public comment was sought in all workshops, hearings and adoptions. Public notice of the workshop and hearing were posted at a site in each county along with the Las Vegas and Carson City offices of the Attorney General, State Library and Archives, the Clark County Health District, and mailings of said notices to interested parties including affected practitioner associations within Nevada. Notices were also posted on the website maintained by the Board. Comments were recorded at each meeting if offered and are available in the minutes of those meetings which can be inspected at the board office and a copy obtained on the Board's website. A copy of the written minutes of the meetings may be obtained by contacting the Nevada State Board of Dental Examiners at (702) 486-7044 or by writing to the Board at 6010 S. Rainbow Blvd, A-1, Las Vegas, NV 89118 or downloaded by visiting our website at dental.nv.gov.

3. The number of persons who. Exhibit A

(a) **Attended each hearing;** Approx. 8 07/21/2017

(b) Testified at each hearing: Exhibit B

07/21/2017
01/19/2018

(c) Submitted written comments: Exhibit B

07/21/2017
01/19/2018

4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:

See Exhibit B attached

5. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.

Public notices of the workshop and hearing were posted at a site in each county along with the Las Vegas and Carson City offices of the Attorney General, State Library and Archives, the Clark County Health District, and mailings of said notices to interested parties including affected practitioner associations within Nevada. Notices were also posted on the website maintained by the Board. Comments were recorded at each meeting if offered and are available in the minutes of those meetings which can be inspected at the board office and a copy obtained on the Board's website. A copy of the written minutes of the meetings may be obtained by contacting the Nevada State Board of Dental Examiners at (702) 486-7044 or by writing to the Board at 6010 S. Rainbow Blvd, A-1, Las Vegas, NV 89118 or downloaded by visiting our website at dental.nv.gov.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The following regulations listed below were adopted as proposed and as recommended by the Board and LCB.

Adopted Proposed Regulations–R044–17

NEW Section–Injecting Neuromodulator that is derived from Clostridium botulinum, dermal or soft fillers to patients of record (SB101)

NAC 631.175–Continung Education

7. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include:

New Section– Injecting Neuromodulator that is derived from Clostridium botulinum, dermal or soft tissue fillers to patients of record.

a). Adverse and Beneficial Effect.

There is no adverse effect of the changes in the regulations on the dental profession

b). Immediate and Long Term Effect.

There should be no economic effect of the changes in the regulations on the dental profession

c). Method utilized to Determine Economic Effect.

Upon holding a Public Workshop where licensees, members of local associations and societies and public persons attended, the attendees did not object to this regulation to establish the education, training and reporting for license renewal for those dentists who wish to inject a neuromodulator that is derived from Clostridium botulinum, dermal or soft tissue fillers to patients of record pursuant to SB 101.

d). The estimated cost to the agency for enforcement of the proposed regulation.

There should be no costs for enforcement of the proposed regulation to the agency. The immediate cost would include informing the licensed professionals of the State of Nevada of the change in regulation.

NAC 631.175–Continung Education

This amendment/change to NAC 31.175 was a result from AB474 which adds 2 hours of continuing education in misuse and abuse of controlled substances, the prescribing of opioids or addiction during each period of licensure for those dentists who are registered to dispense controlled substances pursuant to NRS 453.231.

a). Adverse and Beneficial Effect.

This proposed regulation would require 2 hours of continuing education in misuse and abuse of controlled substances, the prescribing of opioids or addiction during each period of licensure for those dentists who are registered to dispense controlled substances pursuant to NRS 453.231.

b). Immediate and Long Term Effect.

There should be no adverse effect of the changes in the regulations on the dental profession.

c). Method utilized to Determine Economic Effect.

Upon holding a Public Workshop where licensees, members of local associations and societies and public persons attended, the attendees did not object to this regulation to establish the 2 hours of training in the misuse and abuse of controlled substances, prescribing opioids and addiction as set forth in NRS 631.344

d). The estimated cost to the agency for enforcement of the proposed regulation.

There should be no costs for enforcement of the proposed regulation to the agency. The immediate cost would include informing the licensed professionals of the State of Nevada of the change in regulation.

8. A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

We are aware of no other duplication in regulations either in state or federal regulations.

9. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

There are no federal regulations providing these provisions that the board is aware of.

10. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

These regulations do not provide a new fee or an increase to an existing fee.