

Informational Statement Form R053-26

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 631

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

The proposed regulation modifications would modernize requirements for radiology use in dental practice. First, it would remove lead apron requirements to follow the American Dental Association (ADA) recommendations; the ADA has recently removed lead apron requirements due to safety enhancements in radiographic technology and updated scientific guidance regarding lower than thought risk of radiation exposure. Second, it updates the ADA source materials that dentists must consult for radiation guidelines.

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

How Public Comment was Solicited

On March 17, 2026, a Public Workshop was held related to the lead apron and radiology regulations; public comment was solicited.

On May 27, 2026, the Board heard the Notice of Intent to Act at a public Board meeting; public comment was solicited.

Additionally, copies of the proposed regulations, notices of workshop and notices of intent to act upon the regulation were sent by U.S. mail and email to persons who were known to have an interest in the subject of EFDAs as well as any persons who had specifically requested such notice. These documents were also made available at the website of the NSBDE at <https://dental.nv.gov/>. Further, the Notice of Intent to Act on a Regulation was posted on or about July 15, 2024, at the following locations:

- 1) Nevada State Board of Dental Examiners, 2651 N. Green Valley Parkway, Henderson, Nevada 89014 - www.dental.nv.gov
- 2) Legislative Counsel Bureau - www.leg.state.nv.us
- 3) State Library and Archives - www.nsla.nv.gov
- 4) Carson City Main Library, 900 N Roop St, Carson City, NV 89701
- 5) Churchill County Main Library, 553 S Maine St, Fallon, NV 89406
- 6) Douglas County Main Library, 1625 Library Ln, Minden, NV 89423
- 7) Elko County Main Library, 720 Court St, Elko, NV 89801
- 8) Esmerelda County Main Library, PO Box 430, Goldfield, NV 89013
- 9) Eureka County Main Library, 80 Monroe St, Eureka, NV 89316
- 10) Humboldt County Main Library, 85 E 5th St, Winnemucca, NV 89445
- 11) Lander County Main Library, 625 S Broad St, Battle Mountain, NV 89820
- 12) Lincoln County Main Library, 63 Main Street, PO Box 330, Pioche, NV 89043

- 13) Lyon County Main Library, 20 Nevin Way, Yerington, NV 89447
- 14) Mineral County Main Library, 110 1st Street, Hawthorne, NV 89415
- 15) Nye County Main Library, 701 East Street, Pahrump, NV 89048
- 16) Pershing County Main Library, 1125 Central Ave, Lovelock, NV 89419
- 17) Storey County Main Library, 175 Carson St 2nd Floor, Virginia City, NV 89440
- 18) Washoe County Main Library, 301 South Center Street, Reno, NV 89501
- 19) White Pine County Main Library, 950 Campton St, Ely, NV 89301

A Summary of the Public Response

At the initial workshop, the lone commenter, Dr. Tyree Davis of the Nevada Health Center, sought clarification on whether offices still needed to use lead aprons before the regulation was changed even though the ADA had changed its guidance already. The Board clarified that, until changes were officially enacted, the law remained that lead apron usage was required.

After drafting by the LCB, on April 17, 2026, the proposed regulation and a Notice of Intent to Adopt was mailed and emailed to all required recipients for the purposes of providing 30-day's notice of public meeting and comment.

At the May 27, 2026, Board meeting, NOIA requirements were addressed, comment after a 30-day notice period was solicited, and there was no comment. Because there was no comment to incorporate, the Board was able to and did contemporaneously vote to move this to the Notice of Adoption rulemaking step.

Explanation of How Other Interested Persons May Obtain a Copy of the Summary

A copy of the summary of the public response to the proposed regulation may be obtained from the NSBDE in person at 2651 N. Green Valley Pkwy., Henderson, Nevada 89014 or via email to nsbde@dental.nv.gov.

3. The number persons who: (a) attended each hearing; (b) testified at each hearing; and (c) submitted to the agency written comments:

The following number of persons submitted live oral public comment (the NSBDE takes public comment twice each meeting in lieu of accepting testimony) at each identified hearing as follows: (Note, the NSBDE does not take attendance of number of persons generally who attend hearings.)

03/17/2026 Public Workshop: 1 (Dr. Tyree Davis)
05/27/2026 Board Meeting: 0

The following number of persons submitted written public comments for consideration at each identified hearing as follows:

03/17/2026 Public Workshop: 0
05/27/2026 Board Meeting: 0

4. A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented, for each person identified above in #3, as provided to the agency.

(Note, the NSBDE does not require or request telephone numbers, addresses, email addresses, or names of associated business entities from public commenters; thus, it will not be possible to set forth information complying with NRS 233B.066(1)(c) in every case. However, the following persons, identified as licensees for whom the NSDBE does have licensing information, are noted; we have also included what contact information was provided in the written public comments:

Dr. Tyree Davis
Nevada Health Centers
762 14th Street
Elko, NV 89801
775-397-7537

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

Comments were solicited from affected businesses in the same manner as they were solicited from the public.

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.

A few edits between the Board and LCB occurred, but no further edits were proffered or made based on Board directive.

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

Both adverse and beneficial effects

The agency has concluded that the proposed regulations will not impose a direct and significant economic burden upon small businesses; indeed, there is likely a benefit to small business since eliminating the lead apron equipment requirement would save on equipment expenses.

Both immediate and long-term effects

For the reasons stated in #7a above, the anticipated immediate effect on the regulated businesses likely be only positive due to cost savings of not having the procure new lead aprons.

There would likewise be a similar long-term effect as lead aprons become worn and need not be replaced.

8. The estimated cost to the agency for enforcement of the adopted regulations.

There is no additional cost to the agency for enforcement of this regulation.

9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

NAC 459.554 requires lead aprons or body positing at a certain distance from the radiation, such that dentists not using the lead apron will have to adhere to the body positioning distance alternative of the Hazardous Materials regulation. Also, that same regulation does require aprons or other barriers for personnel aside from patients, such that dentists who do not provide their staff with aprons will likely need to meet the “other barriers” requirement.

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

There are no federal regulations that apply.

11 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.

This regulation does not provide new or revised fees for the Board.