

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

**LCB File No. R025-05**

Effective November 17, 2005

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

AUTHORITY: §1, NRS 631.190.

A REGULATION relating to dentistry; adopting by reference guidelines for the control of infection in dental health care settings; and providing other matters properly relating thereto.

**Section 1.** NAC 631.178 is hereby amended to read as follows:

631.178 Each person who is licensed pursuant to the provisions of chapter 631 of NRS shall comply with the provisions of the ~~[Recommendations for Preventing Transmission of Human Immunodeficiency Virus and Hepatitis B Virus Patients During Exposure-Prone Invasive Procedures]~~ *Guidelines for Infection Control in Dental Health-Care Settings-2003* adopted by the Centers for Disease Control which is hereby adopted by reference. A copy of the publication may be obtained ~~[at no cost]~~ from the ~~[National Acquired Immune Deficiency Syndrome Clearinghouse, Post Office Box 6003, Rockville, Maryland 20849.]~~ *Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954, for the price of \$5. The publication is also available, free of charge, from the Centers for Disease Control at the Internet address <<http://www.cdc.gov/mmwr/preview/mmwrhtml/rr5217a1.htm>>.*

**NOTICE OF ADOPTION OF PROPOSED REGULATION**  
**LCB File No. R025-05**

The Board of Dental Examiners of Nevada adopted regulations assigned LCB File No. R025-05 which pertain to chapter 631 of the Nevada Administrative Code on October 10, 2005.

**Notice date:** 9/7/2005  
**Hearing date:** 10/10/2005

**Date of adoption by agency:** 10/10/2005  
**Filing date:** 11/17/2005

**INFORMATIONAL STATEMENT**

1. 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.

A public workshop, hearing and adoption was noticed for October 10, 2005 after a thirty day notice was posted in compliance with the Nevada administrative rulemaking requirements. The workshop, public hearing, and adoption hearing was noticed to the main library in all counties in Nevada along with the Las Vegas and Carson City offices of the Attorney General, State Library and Archives, and the Clark County Health District. Public comment was sought; however no comment was forthcoming at the workshop, nor the hearing. A copy of the written minutes of the meeting 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.

2. The number of persons who:
  - (a) Attended the hearing: approx. 25
  - (b) Testified at the hearing: approx. 0
  - (c) Submitted to the agency written comments: NONE

3. 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.

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. Representation from one affected practitioner association was present at the meeting and offered no comment. A copy of the written minutes of the workshop and meeting 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.

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

The permanent regulations were adopted at the Nevada State Board of Dental Examiners hearing on October 10, 2005 with no changes. Public comment at the workshop and hearing on October 10, 2005 was solicited but not forthcoming. No substantive changes were made to the proposed regulations other than minor changes made by the Legislative Counsel Bureau for consistency.

5. The estimated economic effect of the adopted regulations on the businesses that it is to regulate and on the public. These must be stated separately, and each case must include: (a) both adverse and beneficial effects; and (b) both immediate and long-term effects.

(a) Both adverse and beneficial effects.

The beneficial effects would be increased infection control protections and preventative measures for patients and staff through recommendations put forth by the Centers for Disease Control.

(b) Both immediate and long-term effects.

Immediate and long term effects would be greater protection from exposure to infectious disease agents, increased sterilization and disinfection protection for staff and patients, prevention of transmission of bloodborne pathogens, and overall control of prevention and spread of infectious diseases in dental care settings.

6. The estimated cost to the agency for enforcement of the adopted regulation.

At this time, there is a minimal additional cost to the board for enforcement of the regulation to monitor and audit compliance through the disciplinary process. However, the method of enforcement through verified complaint and authorized investigation may change to annual audits to ensure compliance and thus may cause additional costs to the agency.

7. A description of any regulations of other state or government agencies that 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 agency.

There are no other state or government agency regulations that the proposed amendments duplicate specifically; however, some overlap may occur with OSHA regulations that specifically address employee safety whereas these regulations affect all persons in a dental care setting most especially patients. OSHA references are made to 29 CFR Part 1910.1030...Regarding occupational exposure to bloodborne pathogens, etc.

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

The regulations are not more stringent than guidelines and current requirements of federal regulations.

9. 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 or involve a new fee.