

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

LCB File No. R200-09

January 29, 2010

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

AUTHORITY: §§1-5, NRS 631.190 and section 1 of Assembly Bill No. 314, chapter 339, Statutes of Nevada 2009, at page 1525 (NRS 631.2715); §6, NRS 631.190, NRS 631.215 as amended by section 2 of Assembly Bill No. 314, chapter 339, Statutes of Nevada 2009, at page 1526 and section 1 of Assembly Bill No. 314, chapter 339, Statutes of Nevada 2009, at page 1525 (NRS 631.2715).

A REGULATION relating to dentistry; providing for the registration of certain facilities by institutes and organizations providing postgraduate continuing education; requiring the retention of certain records by institutes and organizations providing postgraduate continuing education; establishing requirements for applications for limited licenses to supervise courses of continuing education using live patients; and providing other matters properly relating thereto.

Section 1. Chapter 631 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this regulation.

Sec. 2. *As used in sections 3 to 6, inclusive, of this regulation, “registered facility” means a permanent facility registered with the Board for the sole purpose of providing postgraduate continuing education in dentistry.*

Sec. 3. *Pursuant to the provisions of section 1 of Assembly Bill No. 314, chapter 339, Statutes of Nevada 2009, at page 1525 (NRS 631.2715), an institute or organization must register with the Board pursuant to section 4 of this regulation a permanent facility for the sole purpose of providing postgraduate continuing education in dentistry before providing that postgraduate continuing education.*

Sec. 4. 1. *A form for registration of a permanent facility for the sole purpose of providing postgraduate continuing education in dentistry will be prescribed and furnished by the Board.*

2. The form will include, without limitation:

(a) The name of each individual or entity who owns or operates the institute or organization that is registering the facility;

(b) The type of facility;

(c) The location of the facility; and

(d) A notarized statement, executed by an owner or other person authorized on behalf of the institute or organization, that:

(1) The facility is a permanent facility for the sole purpose of providing postgraduate continuing education in dentistry;

(2) All courses of continuing education involving live patients will be supervised by dentists licensed in this State;

(3) Any person who is actively licensed as a dentist in another jurisdiction and who is treating a patient during a course of continuing education at the facility:

(I) Has previously treated the patient in the jurisdiction in which the person performing the treatment is licensed;

(II) Is treating the patient only during a course of continuing education at the facility; and

(III) Is treating the patient under the supervision of a person licensed under section 1 of Assembly Bill No. 314, chapter 339, Statutes of Nevada 2009, at page 1525 (NRS 631.2715); and

(4) The institute or organization is in full compliance with:

(I) All applicable regulations of the State Board of Health;

(II) All applicable guidelines issued by the Centers for Disease Control and Prevention;

(III) All applicable provisions of this chapter and chapter 631 of NRS, as they relate to the administration of conscious sedation, deep sedation and general anesthesia; and

(IV) All applicable provisions of this chapter and chapter 631 of NRS, as they relate to the operation of radiographic equipment.

Sec. 5. 1. *An institute or organization which provides courses of continuing education involving live patients and which is not accredited as defined in NRS 631.015 must:*

(a) Maintain at its registered facility the following documentation:

(1) Copies of credentials and applications for employment for each person that is licensed under section 1 of Assembly Bill No. 314, chapter 339, Statutes of Nevada 2009, at page 1525 (NRS 631.2715) and employed by the institute or organization to supervise courses of continuing education involving live patients at the registered facility;

(2) Documentation showing that a person who treated a patient during a course of continuing education at the registered facility was actively licensed as a dentist in another jurisdiction at the time of the treatment; and

(3) Consent forms prepared by each live patient treated during a course of continuing education at the registered facility;

(b) Maintain at its registered facility copies of health care records of live patients, which may be reviewed by the Board:

(1) Upon consent by the live patient to whom the records pertain; or

(2) As provided under NRS 629.061; and

(c) Display at its registered facility the limited licenses issued to persons to supervise courses of continuing education involving live patients at the registered facility.

2. The documents maintained pursuant to paragraph (a) of subsection 1 must be made available to the Board during normal business hours.

Sec. 6. *An applicant for a limited license to supervise courses of continuing education involving live patients at a registered facility must provide the following information and documentation in his application:*

- 1. The date and place of his birth;*
- 2. Certification of graduation from an accredited dental school or college or from an accredited school or college of dental hygiene, whichever is applicable;*
- 3. Whether he has applied for similar licensure in another state or a territory of the United States or the District of Columbia and, if so, the name of the state or territory of the United States or the District of Columbia, the date and the result of his application;*
- 4. If he has practiced dentistry or dental hygiene in another state or a territory of the United States or the District of Columbia, certification from the licensing authority of each state or territory of the United States or the District of Columbia in which he has practiced or is practicing that he is in good standing and that there are not any disciplinary proceedings affecting his standing pending against him in the other state or territory of the United States or the District of Columbia;*
- 5. Whether he has terminated or attempted to terminate a license from another state or territory of the United States or the District of Columbia and, if so, his reasons for doing so;*

6. *If he is not a natural born citizen of the United States, a copy of his certificate of naturalization or other document attesting that he is legally eligible to reside and work in the United States;*

7. *Whether he has ever been convicted of a crime involving moral turpitude or has entered a plea of nolo contendere to a charge of such a crime and, if so, the date and place of his conviction or plea and the sentence, if any, which was imposed;*

8. *Whether he has had any misdemeanor or felony convictions and, if so, any documents relevant to any misdemeanor or felony convictions;*

9. *Whether any malpractice judgment has been entered against him and, if so, any documents relevant to the malpractice judgment;*

10. *Whether he has a history of substance abuse and, if so, any documents relevant to the substance abuse;*

11. *Whether he has been refused permission to take an examination for licensure by any other state or territory of the United States or the District of Columbia and, if so, any documents relevant to the refusal;*

12. *Whether he has been denied licensure by this State, any other state or territory of the United States or the District of Columbia and, if so, any documents relevant to the denial;*

13. *Whether he has had his license to practice dentistry or dental hygiene suspended, revoked or placed on probation in this State, another state or territory of the United States or the District of Columbia and, if so, any documents relevant to the suspension, revocation or probation;*

14. Whether his practice of dentistry or dental hygiene has been subject to mandatory supervision in this State, another state or territory of the United States or the District of Columbia and, if so, any documents relevant to the mandatory supervision;

15. Whether he has received a public reprimand or is currently involved in any disciplinary action concerning his license to practice dentistry or dental hygiene in this State, another state or territory of the United States or the District of Columbia and, if so, any documents relevant to the reprimand or disciplinary action; and

16. Two sets of certified fingerprint cards and an authorization form allowing the Board to submit the fingerprint forms to law enforcement agencies for verification of background information.