

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

NAC 631.178 Guidelines for Infection Control in Dental Health-Care Settings-2003:
Adoption by reference; compliance required. (NRS 631.190) Each person who is licensed pursuant to the provisions of chapter 631 of NRS shall comply with the provisions of the 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 from the Superintendent of Documents, P.O. Box 371954, Pittsburgh, Pennsylvania 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>.

Additions to current provision noted above:

1. The Board will periodically review the Guidelines for Infection Control in Dental Health Care Settings -2003 and determine within 30 days after the review whether any change made to those guidelines and standards is appropriate for application in this State. If the Board does not disapprove a change to an adopted guideline or standard within 30 days after the review, the change is deemed to be approved by the Board.

2. The Board shall conduct an initial and random inspections of all offices and facilities providing health care, other than a medical facility, in the State of Nevada where dental treatments are being performed for CDC compliance.

3. Any dentist licensed in Nevada who becomes the owner of one or more offices or facilities providing health care, other than a medical facility located in Nevada where dental treatments are to be performed must request in writing to the Board that an inspection be conducted by the Board to ensure compliance with CDC infection control guidelines at the newly acquired office or facility providing health care, other than a medical facility.

(a) Within ninety (90) days receipt of the written request for inspection, agents of the Board assigned by the Executive Director, will conduct an initial inspection;

(b) Agents of the Board, within thirty (30) days of inspection, shall issue a report to the Executive Director whether the office(s) or health care facility(ies) is properly equipped for compliance. If the report indicates compliance the Executive Director shall without any further action of the Board issue a written notice to the licensee of the agents' findings;

(c) In the event the report indicates the office(s) or health care facility(ies) is not properly equipped for compliance, the Executive Director shall issue a notice to the owner(s) of the office(s) or health care facility(ies) identifying deficiencies with CDC Guidelines. Upon written request from the office(s) or health care facility(ies) owner, the office(s) or health care facility(ies) shall be re-inspected within seventy-two hours. Upon the Executive Director receiving a report the office(s) or health care facility(ies) is properly equipped for compliance, the Executive Director shall without any further action of the Board issue a written notice to the licensee of the agents' findings;

3. Subsequent to the Executive Director issuing a written notice of the agents' findings for dental treatment to continue at an office(s) or health care facility(ies,) the Executive Director may authorize agents of the Board to perform a random inspection of any office(s) or health care facility(ies) to ensure licensee and supervised personnel comply with CDC infection control guidelines.

(a) Random inspections may be conducted without notice during normal business hours;

(b) Agents of the Board, after conducting a random inspection of an office or health care facility, shall issue a report to the Executive Director whether licensed and supervised personnel at the office or health care facility are in compliance with CDC Guidelines for Infection Control. If the report indicates compliance the Executive Director shall issue a written notice to the owner and/or licensed personnel that compliance was noted for this random audit;

(c) In the event the report indicates licensed or supervised personnel at the office or health care facility were not in compliance, the Executive Director shall issue a written notice to the owner and/or licensed personnel identifying deficiencies with CDC Guidelines. Within seventy-two hours of receiving written notice of the deficiencies with CDC Guidelines, the office or health care facility, and licensed and supervised personnel, shall be re-inspected to determine if corrective action measures have been taken. Upon the Executive Director receiving the re-inspection report that the office or health care facility and licensed and supervised personnel are in compliance, the Executive Director shall without any further action of the Board issue a written notice to the owner and or licensed personnel that they and/or the office or health care facility as applicable is in compliance. In the event the re-inspection report still identifies deficiencies with CDC Guidelines the Executive Director without any other action necessary from the Board shall issue to the owner and/or licensed personnel of the office or health care facility inspected an Order that all dental treatments at that office or health care facility or performed by those licensed and/or supervised personnel must immediately cease and desist until such time as a hearing is held before the Board. The hearing before the Board must be convened within thirty (30) days of the Executive Director issuing the Order to Cease and Desist;

(d) Pursuant to NRS 233B.127(3) in the event the random inspection indicates the public health, safety or welfare imperatively requires emergency action the President of the Board without any other action of the Board may issue an Order of Summary Suspension until proceedings for revocation or other action are heard before the Board. The Order for Summary Suspension issued by the President of the Board must contain findings of the exigent circumstances which warrant the issuance of the Order for Summary Suspension. A hearing before the Board must be promptly set to determine whether to continue, revise or rescind the Order for Summary Suspension. The President of the Board shall not participate in any further proceedings relating to the Order.

4. Nothing in this regulation prevents the Board from initiating further disciplinary proceedings against the owner of the dental office or health care facility, or licensed and supervised personnel inspected for failure to comply with CDC Guidelines for Infection Control.

5. Any dentist licensed in Nevada who is the owner of one or more offices or health care facilities located in Nevada where dental treatments are to be performed must on his application for license renewal execute a certified statement containing the following information:

(a) Provide the location for each office or health care facility where dental treatments are rendered.;

(b) Provide the names, addresses of each employee and independent contractor, other than a dentist or dental hygienist who assist in infection control procedures and the date he began to assist in infection control procedures; and

(c) Provide a statement that each employee and independent contractor has received adequate instruction concerning infection control procedures and is qualified to operate sterilization equipment and other equipment or activities pursuant to the CDC Guidelines for Infection Control.

NAC 631.175 Continuing education: Approved subjects; minimum requirements for clinical subjects; maximum credit for certain types of courses and activities. (NRS 631.190, 631.342)

1. Approved subjects for continuing education in dentistry and dental hygiene are:

(a) Clinical subjects, including, without limitation:

(1) Dental and medical health;

(2) Preventive services;

(3) Dental diagnosis and treatment planning; and

(4) Dental clinical procedures, including corrective and restorative oral health procedures and basic dental sciences, dental research and new concepts in dentistry; and

(b) Nonclinical subjects, including, without limitation:

(1) Dental practice organization and management;

- (2) Patient management skills;
 - (3) Methods of health care delivery; and
 - (4) Teaching methodology.
2. At least 15 of the hours of continuing education required for dentists by NAC 631.173 must be in clinical subjects approved pursuant to paragraph (a) of subsection 1.
3. At least 12 of the hours of continuing education required for dental hygienists by NAC 631.173 must be in clinical subjects approved pursuant to paragraph (a) of subsection 1.
4. *At least 2 of the hours of the annual or 4 hours of the biennial continuing education, as applicable, required by dentists pursuant to NAC 631.173 must be in the clinical subject area of infection control pursuant to Guidelines adopted in NAC 631.178.*
5. *At least 2 of the hours of the annual or 4 hours of the biennial continuing education, as applicable, required by dental hygienist pursuant to NAC 631.173 must be in the clinical subject area of infection control pursuant to Guidelines adopted in NAC 631.178.*
6. The Board will credit, as a maximum in any year, the following number of hours of instruction for the following types of courses or activities:
- (a) For approved study by a group, 3 hours.
 - (b) For attendance at a meeting or convention of a dental or dental hygiene society, 1 hour for each meeting, but not more than 3 hours, exclusive of hours of continuing education offered in conjunction with the meeting.
 - (c) For courses completed in the home through correspondence or videocassettes, 6 hours.
 - (d) For all other courses conducted by an approved instructor, the number of hours completed by the dentist or dental hygienist.
 - (e) For approved dental or dental hygiene services provided in approved nonprofit settings, 6 hours, except that not more than 3 hours will be allowed for any day of volunteer services provided.