

Chapter 631 of NAC

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

LCB File No. T004-11

Filed with the Secretary of State on February 17, 2011

NAC 631.150 Subsection (3) is hereby amended to read as follows:

NAC 631.150 Filing of addresses of licensee; notice of change; display of license *and permit(s)*.
(NRS 631.190, 631.350)

1. Each licensee shall file with the Board the addresses of his permanent residence and the office or offices where he conducts his practice.
2. Within 30 days after any change occurs in any of these addresses, the licensee shall give the Board a written notice of the change. The Board will impose a fine of \$50 if a licensee does not report such a change within 30 days after it occurs.
3. The licensee shall display his license, *and any permit(s) issued by the Board* or a copy thereof at each place where he practices.

The following information is provided pursuant to the requirement of NRS 233B.0603:

1. The purpose of this amending language is to require the display of anesthesia permits issued by the board to qualifying licensees in addition to the required display of licenses issued by the board. The public will then be aware the individual has been licensed for practice in this state and authorized by permit for the administration of the applicable level of sedation/anesthesia after meeting the qualifications in state law. A workshop was held October 1, 2010 and comments were solicited. Representatives from the Nevada Dental Association and the Nevada Dental Hygiene Association were present and had no objections. No public comment was made in opposition to the proposed language. A public hearing was held on February 11, 2011 and adoption was held February 11, 2011.
2. This is a temporary regulation as stated above. There were approximately 28 attendees at the October 1, 2010 workshop. There were approximately 34 attendees at the hearing and the adoption on February 11, 2011.
3. There is no expected economic impact. The board issues the permits.
4. There is no expected economic effect on licensees other than a possible paper cost to copy the permit issued for administration (no copying of a site permit issued by the board is acceptable as the site permits are location specific for authorizing the type of anesthesia to be administered at the particular location) to the individual if they practice at more than one location. The paper cost would be viewed as negligible.

b) The benefit is to more clearly provide notification to patients and prospective patients being treated regarding individual qualifications. The individual is licensed and has met state law requirements for administration of conscious sedation, deep sedation, or general anesthesia as applicable.

a) There is no adverse effect.

There would be no economic effect on the public. There is no adverse effect for the public.

5. There is no additional cost to the board.

6.7.8. No other governmental entity issues licenses to practice dentistry or dental hygiene other than the Nevada State Board of Dental Examiners nor is there another agency for these licensees to obtain permits from to administer anesthesia administration so included in the regulatory authority of this board.

9. No new fee is established for display nor does it increase an existing fee.

NAC 631.029 is hereby amended to read as follows:

NAC 631.029 Schedule of fees. (NRS 631.190, 631.345) The Board will charge and collect the following fees:

Application fee for an initial license to practice dental hygiene..... **750**

The following information is provided pursuant to the requirement of NRS 233B.0603:

1. The purpose of this amending language is to charge the examination fee for the dental hygiene clinical licensing exam appropriately to the cost borne for exam administration and consistently with other testing agencies administering the same examination. This fee increase only applies to the clinical examination and application fee for the American Board of Dental Examiners' approved American Dental Hygiene Licensing Examination (ADHLEX). Other initial license application fees for dental hygiene licensing are not affected by this fee increase. A workshop was held December 10, 2010 and comments were solicited. Representatives from the Nevada Dental Association and the Nevada Dental Hygiene Association were present and had no objections. No public comment was made in opposition to the proposed language. A public hearing was held on February 11, 2011 and adoption was held February 11, 2011.
2. This is a temporary regulation as stated above. There were approximately 24 attendees at the December 10, 2010 workshop. There were approximately 34 attendees at the hearing and the adoption on February 11, 2011.
3. As the applicants for licensure are unknown to the Board there is no ability to contact such individuals.
4. There is an economic impact on an applicant for examination; however the fee is

consistent with other testing agencies fee associated with the clinical licensing examination administered. The NSBDE has not increased the fee for clinical examination administration for dental hygiene since 1984 and has determined to more appropriately associate the exam cost with the fee for examination charged. Further, the clinical examination administered will offer greater licensing opportunities in states other than Nevada.

There is no economic effect on the public.

- a) There are no expected adverse effects on the applicants for examination. The examination to be administered has a greater number of states that should accept the passing scores for licensure giving the applicant more state chose for practice which is a beneficial effect for the applicant.
 - b) The immediate effect will be an increased costs for examination but more expected opportunity for licensure while long term effects are the same.
5. No additional cost is expected for the board as the fee determined will more accurately pay for the administration of the examination administered.
- 6.7.8. There is no overlap with other governmental agencies or duplication or with a federal regulation.
9. This is an increase in a fee directly associated with the administration of the American Dental Hygiene Licensing Examination to be administered by the NSBDE.

NAC 631.210 Subsection (3) is hereby amended to read as follows:

NAC 631.210 Dental hygienists: Authorization to perform certain services; referral of patient to authorizing dentist for certain purposes. (NRS 631.190, 631.310, 631.313, 631.317)

3. If a dentist who is licensed in this State has in his employ and under his supervision a dental hygienist who has:

- (a) Successfully completed a course of continuing education in the administering of local anesthetics or nitrous oxide-oxygen analgesia, or both, which has been approved by the Board; or
 - (b) Graduated from an accredited program of dental hygiene which includes the administering of local anesthetics or nitrous oxide-oxygen analgesia, or both, in its curriculum,
- the dentist may authorize the dental hygienist to administer local anesthetics or nitrous oxide-oxygen analgesia, or both, as appropriate, if the dental hygienist has received from the Board a certificate *or permit* certifying the hygienist *for* this level of ~~proficiency~~ *administration*. The dental hygienist must obtain the authorization from the licensed dentist of the patient on whom the services are to be performed.

The following information is provided pursuant to the requirement of NRS 233B.0603:

1. The purpose of this amending language is to more clearly refine understanding of the permits issued by the board for anesthesia administration by a qualifying dental hygienist. The board

uses the terms ‘certificate’ and ‘permit’ synonymously demonstrating that there is a document that must be issued by the board to qualifying dental hygienists authorizing them for administration of local anesthesia and/or nitrous oxide analgesia. A workshop was held October 1, 2010 and comments were solicited. Representatives from the Nevada Dental Association and the Nevada Dental Hygiene Association were present and had no objections. No public comment was made in opposition to the proposed language. A public hearing was held on February 11, 2011 and adoption was held February 11, 2011.

2. This is a temporary regulation as stated above. There were approximately 28 attendees at the October 1, 2010 workshop. There were approximately 34 attendees at the hearing and the adoption on February 11, 2011.
3. A small business is not impacted as described in NRS 233B.0608.
4. There is no expected economic effect on licensees. The benefit is to more clearly state the use of terminology to avoid confusion. There is no adverse effect.
 - a)b) There would be no economic effect on the public. There is no adverse effect for the public.
5. There is no additional cost to the board.
- 6.7.8. No other governmental entity issues licenses to practice dentistry or dental hygiene other than the Nevada State Board of Dental Examiners nor is there another agency for these licensees to obtain permits from to administer anesthesia administration so included in the regulatory authority of this board.
9. No new fee is established for display nor does it increase an existing fee.