

Informational Statement Form

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 results from minor revisions by the Nevada State Board of Dental Examiners to existing regulations concerning administration of anesthesia including certain equipment and drugs required to be maintained when administering general anesthesia or sedation. Said proposed regulation results from a review by the Nevada State Board of Dental Examiners of updated equipment and drugs available when administering general anesthesia/sedation to patients 12 years old or younger. In addition, the proposed regulation permits the Nevada State Board of Dental Examiners more flexibility in inspecting and evaluating site permitted to administer anesthesia as scheduling/coordination of inspections/evaluations has proven difficult post-COVID-19.

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.*

-Copies of the proposed regulations, notices of workshop and notices of intent to act upon regulations were sent by U.S. mail and electronic mail to those persons who were known to have an interest in the subject matter of dental therapy and those known to have specifically requested such notice. Said documents were also available at the website for the Nevada State Board of Dental Examiners (NSBDE) at www.dental.nv.gov, mailed to all county libraries in Nevada and posted 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) Green Valley Library, 2797 N. Green Valley Parkway, Henderson, Nevada 89014

-A workshop was held on September 14, 2018 with subsequent public meetings/workshops held on: July 29, 2020; January 12, 2021; April 13, 2021; February 14, 2024; April 10, 2024; and August 14, 2024.

-The proposed regulation was adopted on August 14, 2024 by the NSBDE after incorporating suggested changes/amendments.

-The summary of the public response concerning the proposed regulation addressed issues related to equipment required for pediatric moderate sedation specifically the use of electrocardioscopes on patients under the age of 12. Additionally, the public response also addressed concerns regarding the availability of certain drugs (i.e. procainamide) and the use of various drugs (i.e. procainamide and amiodrone) during instances of Pediatric Advanced Life Support (PALS) or Advanced Cardiac Life Support (ACLS) in which amiodrone is the preferred rescue medication. The public response also included details on the use of epinephrine for both PALS and ACLS and an emphasis on the distinction of training required for administration of general anesthesia and pediatric moderate sedation.

-Interested parties may request a copy of the summary of the public response including the written comments submitted by emailing the NSBDE at: nsbde@dental.nv.gov.

3. ***The numbers of persons who:***

(a) Attended each hearing: September 14, 2018-1; July 29, 2020-2; January 12, 2021-0; April 13, 2021-0; February 14, 2024-6; April 10, 2024-3; and August 14, 2024-4.

(b) Testified at each hearing: September 14, 2018-1; July 29, 2020-2; January 12, 2021-0; April 13, 2021-0; February 14, 2024-0; April 10, 2024-0; and August 14, 2024-0.

(c) Submitted to the agency written comments: September 14, 2018-3; July 29, 2020-0; January 12, 2021-0; April 13, 2021-0; February 14, 2024-0; April 10, 2024-0; and August 14, 2024-0.

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.***

See attached as Exhibit A.

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.***

-The Nevada State Board of Dental Examiners solicited written and oral comments, objections and suggestions from various stakeholders at meetings designed to address the proposed minor revisions to existing regulations

concerning administration of anesthesia including certain equipment and drugs required to be maintained when administering general anesthesia or sedation.

-Affected businesses and stakeholders focused upon the availability of certain drugs (i.e. procainamide) and the associated cost as said drugs were required to be purchased in bulk and often led to excess amounts that were discarded/thrown out once expired.

-Interested parties may request a copy of the response summary from affected business owners/stakeholders by emailing the NSBDE at: nsbde@dental.nv.gov.

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.*

- The permanent regulation was adopted on August 14, 2024 by the NSBDE after numerous public meetings were held when various changes and revisions were considered and incorporated.

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:*

(a) Both adverse and beneficial effects; and

(b) Both immediate and long-term effects.

Businesses

-The estimated beneficial economic effect on the regulated businesses will be to potentially increase the number of dental providers who apply for anesthesia

permits. There is no anticipated adverse economic effect upon the regulated businesses at this time.

-The anticipated immediate effect on the regulated businesses will be to clarify those drugs required of dental providers who are permitted to administer anesthesia to pediatric patients under the age of 12. The anticipated long term effect on the regulated businesses will be to allow the Nevada State Board of Dental Examiners more flexibility in re-inspecting and re-evaluating dental providers who have been authorized original anesthesia permits. Once again, the long term effect on the regulated businesses will be to potentially increase the number of dental providers who apply for anesthesia permits.

Public

-The estimated beneficial economic effect on the public will be a potentially increased number of dental providers authorized to administer general anesthesia; there is no projected negative economic effect on the public.

-The anticipated immediate effect on the public will be more options regarding dental providers as well as defined clarity regarding those drugs required of dental providers who are permitted to administer anesthesia to pediatric patients under the age of 12. The long term effect will be the same over time.

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

N/A

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.

N/A

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

-N/A

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.*

-N/A

EXHIBIT A

INFORMATIONAL STATEMENT FORM - RESPONSE #4

September 14, 2018

Written Comments

1. Gary Richardson, DDS
2. Joshua Saxe, DDS
3. Steven Saxe, DMD

Testified

1. Kellie McGinley, DDS

July 29, 2020

Written Comments

None

Testified

1. Dr. Cory Pickens, ADMA
2. Mr. Mercer, ADMA

January 12, 2021

Written Comments

None

Testified

None

April 13, 2021

Written Comments

None

Testified

None

February 14, 2024

Written Comments

None

Testified

1. Caryn Solie, RDH *Attended hearing without testimony on subject
2. Dr. Reznick *Attended hearing without testimony on subject
3. Dr. Aimee Abittan *Attended hearing without testimony on subject
4. Annette Lincicome *Attended hearing without testimony on subject
5. Steve Shufflebarger *Attended hearing without testimony on subject
6. 702-506-8301 *Attended hearing without testimony on subject

April 10, 2024

Written Comments

None

Testified

1. Caryn Solie, RDH *Attended hearing without testimony on subject
2. Dr. Aimee Abittan *Attended hearing without testimony on subject
3. Julie Muhle *Attended hearing without testimony on subject

August 14, 2024

Written Comments

None

Testified

1. Terri Chandler *Attended hearing without testimony on subject
2. Dr. Keith Benson *Attended hearing without testimony on subject
3. Dr. Shack Rose *Attended hearing without testimony on subject
4. Eddie Ableser * Attended without testimony on subject