

SENATE BILL NO. 334—SENATORS ROBERSON AND HARDY

MARCH 20, 2017

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Revises provisions related to unprofessional conduct by dentists. (BDR 54-1147)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to dentistry; prohibiting a dentist from using any computer code or computer software to advertise on the Internet in a false or misleading manner; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides that certain acts constitute unprofessional conduct if
2 performed by a dentist. Such acts include: (1) publishing or circulating any
3 fraudulent, false or misleading statement concerning the skill or method of practice
4 of any dentist; (2) using advertising which is false or misleading; or (3) claiming or
5 inferring professional superiority over neighboring practitioners. (NRS 631.348) If
6 a dentist engages in unprofessional conduct, the Board of Dental Examiners of
7 Nevada may implement disciplinary actions, including revoking or suspending the
8 license of a dentist. (NRS 631.350)
9 This bill establishes that it is unprofessional conduct for a dentist to use, or
10 permit to be used, any computer code or computer software to advertise or inform
11 any person on the Internet of the services, Internet website or dental practice, office
12 or clinic of a dentist in a manner that is false or misleading.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 631.348 is hereby amended to read as follows:
2 631.348 The following acts, among others, constitute
3 unprofessional conduct:
4 1. Publishing or circulating, directly or indirectly, any
5 fraudulent, false or misleading statement concerning the skill or
6 method of practice of any dentist;



- 1 2. Using advertising which is false or misleading;
- 2 3. *Using or permitting to be used any Uniform Resource*
- 3 *Locator, Internet domain name, Internet keyword or any other*
- 4 *type of computer code or computer software to advertise to or*
- 5 *inform any person by way of the Internet of the services, Internet*
- 6 *website or dental practice, office or clinic of a dentist in a manner*
- 7 *that is false or misleading;*
- 8 4. Claiming or inferring professional superiority over
- 9 neighboring practitioners;
- 10 ~~4-1~~ 5. Using fraud or misrepresentation to secure a license;
- 11 ~~5-1~~ 6. Practicing under a name, other than a lawfully assumed
- 12 or fictitious name, that is false or misleading;
- 13 ~~6-1~~ 7. Submitting a false or fraudulent claim for payment to an
- 14 insurer for dental services rendered; or
- 15 ~~7-1~~ 8. Failing repeatedly to advise an insurer that the dentist
- 16 has forgiven the patient's share of the payment to the dentist under a
- 17 policy of insurance. This failure to notify an insurer includes
- 18 forgiving one patient's debts more than once and forgiving the debt
- 19 of different patients with different insurers on a regular basis.
- 20 **Sec. 2.** This act becomes effective on July 1, 2017.

