

SUMMARY—Revises provisions relating to oral health. (BDR 54-800)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State: No.

AN ACT relating to health care; revising provisions governing the qualifications of applicants for a license by endorsement as a dental hygienist; revising the scope of practice of expanded function dental assistants and dental hygienists who have a special endorsement to practice restorative dental hygiene; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides for the licensure and regulation of dental hygienists and expanded function dental assistants in this State by the Board of Dental Examiners of Nevada. (Chapter 631 of NRS) Existing law further: (1) requires a regulatory body to adopt regulations providing for the issuance of a license by endorsement to engage in an occupation or profession in this State to a natural person who is licensed to practice that profession in another state; and (2) sets forth certain minimum requirements for obtaining a license by endorsement. Existing law authorizes a regulatory body to require an applicant for such a license by endorsement to submit proof that the

applicant has engaged in the occupation or profession for which the applicant is seeking a license by endorsement for a period of time specified by the regulatory body. (NRS 622.530)

Under existing regulations, a person applying for licensure by endorsement as a dental hygienist, in addition to certain other requirements, is required to have actively practiced dental hygiene for the 5 years immediately preceding the date of submission of the application. (NAC 631.030)

Section 4 of this bill declares this provision of regulation void, and **sections 1 and 2** of this bill prohibit the Board from adopting regulations that require an applicant for licensure by endorsement to practice dental hygiene to have practiced dental hygiene in another state for a specified period of time immediately preceding submission of the application for licensure by endorsement. Thus, **sections 1, 2 and 4** have the effect of removing the requirement that an applicant for licensure by endorsement to practice dental hygiene have practiced in another state for 5 years immediately preceding the date of submission of an application for such licensure. Existing law authorizes an expanded function dental assistant or dental hygienist with a special endorsement to practice restorative dental hygiene to use an ultrasonic scaling unit only for the removal of bonding agents. (NRS 631.3129) **Section 3** of this bill removes the limitation on the use of an ultrasonic scaling unit by an expanded function dental assistant or dental hygienist with a special endorsement to practice restorative dental hygiene, thereby authorizing such a person to use an ultrasonic scaling unit without limitation. **Section 3** also authorizes such a person to perform coronal scaling.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN

SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 622.530 is hereby amended to read as follows:

622.530 1. Except as otherwise provided by specific statute relating to the issuance of a license by endorsement, a regulatory body shall adopt regulations providing for the issuance of a license by endorsement to engage in an occupation or profession in this State to any natural person who:

- (a) Holds a corresponding ~~valid~~ *active* and unrestricted license to engage in that occupation or profession in the District of Columbia or any state or territory of the United States;
- (b) Possesses qualifications that are substantially similar to the qualifications required for issuance of a license to engage in that occupation or profession in this State; and
- (c) Satisfies the requirements of this section and the regulations adopted pursuant thereto.

2. The regulations adopted pursuant to subsection 1 must not allow the issuance of a license by endorsement to engage in an occupation or profession in this State to a natural person unless such a person:

- (a) Has not been disciplined by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to engage in an occupation or profession;
- (b) Has not been held civilly or criminally liable in the District of Columbia or any state or territory of the United States for misconduct relating to his or her occupation or profession;
- (c) Has not had a license to engage in an occupation or profession suspended or revoked in the District of Columbia or any state or territory of the United States;

- (d) Has not been refused a license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States for any reason;
- (e) Does not have pending any disciplinary action concerning his or her license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States;
- (f) Pays any applicable fees for the issuance of a license that are otherwise required for a natural person to obtain a license in this State;
- (g) Submits to the regulatory body a complete set of his or her fingerprints and written permission authorizing the regulatory body to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report or proof that the applicant has previously passed a comparable criminal background check; and
- (h) Submits to the regulatory body the statement required by NRS 425.520.

3. ~~1A~~ *Except as otherwise provided in NRS 631.190, a* regulatory body may, by regulation, require an applicant for issuance of a license by endorsement to engage in an occupation or profession in this State to submit with his or her application:

- (a) Proof satisfactory to the regulatory body that the applicant:
 - (1) Has achieved a passing score on a nationally recognized, nationally accredited or nationally certified examination or other examination approved by the regulatory body; (2) Has completed the requirements of an appropriate vocational, academic or professional

program of study in the occupation or profession for which the applicant is seeking a license by endorsement in this State;

(3) Has engaged in the occupation or profession for which the applicant is seeking a license by endorsement in this State pursuant to the applicant's existing licensure for the period determined by the regulatory body preceding the date of the application; and (4) Possesses a sufficient degree of competency in the occupation or profession for which he or she is seeking licensure by endorsement in this State;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and complete; and

(c) Any other information required by the regulatory body.

4. Not later than 21 business days after receiving an application for a license by endorsement to engage in an occupation or profession pursuant to this section, the regulatory body shall provide written notice to the applicant of any additional information required by the regulatory body to consider the application. Unless the regulatory body denies the application for good cause, the regulatory body shall approve the application and issue a license by endorsement to engage in the occupation or profession to the applicant not later than:

(a) Sixty days after receiving the application;

(b) If the regulatory body requires an applicant to submit fingerprints and authorize the preparation of a report on the applicant's background based on the submission of the applicant's fingerprints, 15 days after the regulatory body receives the report; or

(c) If the regulatory body requires the filing and maintenance of a bond as a requirement for the issuance of a license, 15 days after the filing of the bond with the regulatory body,

→ whichever occurs later.

5. A license by endorsement to engage in an occupation or profession in this State issued pursuant to this section may be issued at a meeting of the regulatory body or between its meetings by the presiding member of the regulatory body and the executive head of the regulatory body.

Such an action shall be deemed to be an action of the regulatory body.

6. A regulatory body may deny an application for licensure by endorsement if:

(a) An applicant willfully fails to comply with the provisions of paragraph (g) of subsection 2; or

(b) The report from the Federal Bureau of Investigation indicates that the applicant has been convicted of a crime that would be grounds for taking disciplinary action against the applicant as a licensee and the regulatory body has not previously taken disciplinary action against the licensee based on that conviction.

7. The provisions of this section are intended to supplement other provisions of statute governing licensure by endorsement. If any provision of statute conflicts with this section, the other provision of statute prevails over this section to the extent that the other provisions provide more specific requirements relating to licensure by endorsement.

Sec. 2. NRS 631.190 is hereby amended to read as follows:

631.190 **1.** In addition to the powers and duties provided in this chapter, the Board shall:

~~11.1~~ **(a)** Adopt rules and regulations necessary to carry out the provisions of this chapter.

~~12.1~~ **(b)** Appoint such committees, review panels, examiners, officers, employees, agents, attorneys, investigators and other professional consultants and define their duties and incur such expense as it may deem proper or necessary to carry out the provisions of this chapter, the expense to be paid as provided in this chapter.

~~13.1~~ **(c)** Fix the time and place for and conduct examinations for the granting of licenses to practice dentistry, dental hygiene, dental therapy and expanded function dental assistance. ~~14.1~~ **(d)** Examine applicants for licenses to practice dentistry, dental hygiene, dental therapy and expanded function dental assistance.

~~15.1~~ **(e)** Collect and apply fees as provided in this chapter.

~~16.1~~ **(f)** Keep a register of all dentists, dental hygienists, dental therapists and expanded function dental assistants licensed in this State, together with their addresses, license numbers and renewal certificate numbers.

~~17.1~~ **(g)** Have and use a common seal.

~~18.1~~ **(h)** Keep such records as may be necessary to report the acts and proceedings of the Board.

Except as otherwise provided in NRS 631.368, the records must be open to public inspection. ~~19.1~~

(i) Maintain offices in as many localities in the State as it finds necessary to carry out the provisions of this chapter.

~~110.1~~ **(j)** Have discretion to examine work authorizations in dental offices or dental laboratories.

2. The Board may not adopt regulations pursuant to NRS 622.530 that require an applicant for the issuance of a license by endorsement as a dental hygienist to have practiced dental hygiene in another state for a specified period of time immediately preceding the submission of the application.

Sec. 3. NRS 631.3129 is hereby amended to read as follows:

631.3129 An expanded function dental assistant or dental hygienist with a special endorsement to practice restorative dental hygiene may perform the following acts under the conditions prescribed by NRS 631.288 and 631.31288:

1. Any service that a dental assistant or dental hygienist, as applicable, is authorized to perform pursuant to this chapter or any regulation adopted pursuant thereto.
2. Placing, condensing, contouring, adjusting, curing and finishing restorations that are made of a direct restorative material, including, without limitation, amalgam, resin-based composite and glass ionomer.
3. Placing and removing matrices and interproximal wedge devices.
4. Placing desensitizers, liners and bases.
5. Taking final impressions for:
 - (a) Indirect restorations, including, without limitation, crowns, bridges and veneers; and
 - (b) Removable prostheses, including, without limitation, dentures.
6. Adjusting a removable prostheses extraorally.

7. Cementation of permanent restorations, including, without limitation, crowns, bridges and veneers, if the authorizing dentist:
 - (a) Evaluates and approves each permanent restoration before the cementation is final; and
 - (b) Inspects each permanent restoration before the patient leaves the premises where the cementation occurred.
8. Placing topical fluoride.
9. Administering a hemostatic agent.
10. Applying agents for bleaching teeth.
11. ~~Using an ultrasonic scaling unit. {only for the removal of bonding agents. This subsection does not authorize an expanded function dental assistant to use an ultrasonic scaling unit on any natural tooth.}~~ *Prophylaxis may only be provided by a licensed dentist, dental therapist, or dental hygienist unless prescribed by the board through regulation.*
12. ~~*Coronal scaling.*~~

Sec. 4. Any provision of a regulation adopted by the Board of Dental Examiners which conflicts with the provisions of subsection 2 of NRS 631.190, as amended by section 2 of this act, are hereby declared void.

Sec. 5. This act becomes effective on July 1, 2025.