

Governor Steve Sisolak
Chairman

Susan Brown
Clerk of the Board



Attorney General Aaron D. Ford
Member

Secretary of State Barbara K. Cegavske
Member

STATE OF NEVADA BOARD OF EXAMINERS

209 E. Musser Street, Room 200 / Carson City, NV 89701-4298
Phone: (775) 684-0222 / Fax: (775) 684-0260
<http://budget.nv.gov/Meetings>

MEETING MINUTES

Date and Time: July 9, 2019, 10:00 AM

Location: Old Assembly Chambers of the Capitol Building
101 North Carson Street
Carson City, Nevada 89701

Video Conference Location: Grant Sawyer Building
555 East Washington Avenue, Suite 5100
Las Vegas, Nevada 89101

MEMBERS PRESENT:

Governor Steve Sisolak – Present in Las Vegas
Attorney General Aaron Ford
Secretary of State Barbara Cegavske

STAFF PRESENT:

Susan Brown, Clerk of the Board
Rosalie Borderlove, Board Counsel, Deputy Attorney General
Dale Ann Luzzi, Board Secretary

OTHERS PRESENT:

Beth Handler, Deputy Division Administrator, Division of Public and Behavior Health,
Department of Health and Human Services
Scott Anderson, Chief Deputy, Secretary of State's Office
Andrew Clinger, Chief Financial Officer, Nevada System of Higher Education
Leanne Lima, Leasing Services Supervisor, State Public Works Division,
Department of Administration
Truman Hawkins, Member of the Public
Drina Barin, Member of the Public
David Moore, Member of the Public
Lisa Zastrow, Member of the Public

1. Call to Order / Roll Call

Governor: Good morning, I would like to call today's meeting for Tuesday, July 9, 2019 of the State of Nevada, Board of Examiners to order. I'd like to ask the Secretary to please call the roll.

Secretary: Good morning, Governor. Roll call – Governor Sisolak.

Governor: Here.

Secretary: Attorney General Ford.

Attorney General: Here.

Secretary: Secretary of State Cegavske.

Secretary of State: Here.

Secretary: Let the record reflect we have a quorum.

Governor: Thank you.

2. Public Comment (The first public comment is limited to comments on items on the agenda. No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. The Chair of the Board will impose a time limit of three minutes).

Governor: This is the first time set aside for public comment. Anyone wishing to address the Board on items on today's agenda, please step forward, identify yourself for the record, and comments will be limited to three minutes.

Alright, hearing and seeing no one.

3. Approval of the June 13, 2019 Minutes (For possible action)

Governor: We'll move on to item number 3, *Approval of the June 13, 2019 Minutes*. Do I have a motion?

Attorney General: Move approval.

Governor: We have a motion on the floor from Attorney General Ford. Is there any discussion? All in favor, signify by saying aye. Are any opposed? The motion passes.

4. Department of Administration – Victims of Crime Fiscal Year 2019 3rd Quarter Report and Fiscal Year 2019 4th Quarter Recommendation (For possible action)

Pursuant to Nevada Revised Statute (NRS) 217.260, Department of Administration shall prepare and submit quarterly to the Board of Examiners, for its approval, estimates of available revenue in the Fund for the compensation of victims of crime, and the anticipated expenses for the quarter. Claims are categorized as to their priority; and claims categorized as the highest priority are paid, in whole or in part, before other claims.

The 3rd quarter fiscal year 2019 Victims of Crime Program report states all approved claims were resolved totaling \$3,169,713.87 with \$1,578,567.69 paid out of the Victims of Crime Program account and \$1,591,146.18 resolved through vendor fee adjustments and cost-containment policies.

The Program anticipates future cash available at \$7.6 million at the end of Fiscal Year 2019 to help defray crime victims' medical costs. Based on these projections, the Victims of Crime Program recommends paying Priority One, Two and Three claims at 100% of the approved amount for the 4th quarter of fiscal year 2019.

Governor: Item number 4, *Department of Administration, Victims of Crime Fiscal Year 2019 3rd Quarter Report and Fiscal Year 2019 4th Quarter Recommendation.*

Clerk: Good morning, Governor and Members of the Board. Item number 4 is a Victims of Crime report for the Program. Pursuant to NRS 217.260, the Board of Examiners is required to estimate the available revenue and anticipated claim costs for the State Victims of Crime Program. This item includes a report on the claims paid in the 3rd quarter of Fiscal Year 2019 and a recommendation to pay Priority 1, 2 and 3 claims at 100% for the 4th quarter of Fiscal Year 2019. When this report was submitted, the Program anticipated having a reserve at the end of the Fiscal Year 2019 of approximately \$7.6 million after covering all expenses and including a 45-day operating reserve, which is an increase of approximately \$5 million from the projected reserve of \$2.5 million at the end of the 3rd quarter.

The increase in the reserve is due to the receipt of a federal Department of Justice Antiterrorism and Emergency Program for Crime Victim Compensation and Assistance grant funds for operating expenses and payments to victims related to the Route 91 Harvest Music Festival mass casualty event on October 1, 2017.

Representatives from the Department are available to answer any questions the Board may have.

Governor: Thank you. Do we have any questions from Secretary Cegavske or Attorney General Ford on item number 4?

Secretary of State: None, sir.

Governor: Do I have a motion to accept this report?

Attorney General: Move to accept.

Governor: We have a motion on the floor, is there any discussion on that motion? Hearing and seeing none, all in favor signify by saying aye. Any opposed? Motion passes. Thank you.

5. Authorization to Contract with a Current and/or Former State Employee
(For possible action)

Board action under this item only grants permission to the employing agency. Current and former employees are still subject to all ethical requirement of NRS chapter 281A, specifically including subsection 550 which restricts certain former employees and state agencies.

A. Department of Health and Human Services – Division of Public and Behavioral Health

Pursuant to NRS 333.705, subsection 1, the Department requests authority to contract with Dana Tueller a current Mental Health Technician III with Rural Clinics in Lovelock, Nevada, to provide janitorial services at the rural clinic in Lovelock.

B. Secretary of State

Pursuant to NRS 333.705, subsection 1, The Office of the Secretary of State requests authority to contract with Tracy Gillespie, a former Administrative Assistant IV with the Office of the Secretary of State, to scan the Notaries historical files to microfilm and to properly index the files.

Governor: Item number 5, *Authorization to Contract with a Current and/or Former State Employee.*

Clerk: Item 5 includes two requests to contract with current and/or former employees pursuant to NRS 333.705(1). The first request is from the Department of Health and Human Services to contract with a current employee who may provide janitorial services at the rural clinic in Lovelock. The second request is from the Secretary of State's Office to contract with a former employee to provide assistance with scanning historical Notaries files to microfilm and to properly index those files.

Representatives from the Departments are available to answer any questions the Board may have.

Governor: I know that this is reserved for positions where it's difficult to hire someone or we can't fill a position. I assume both departments have exhausted all other options? Could I have a representative? Let's start with Health and Human Services.

Beth Handler: Good morning Governor and Members of the Board. Yes, we have exhausted other options. This is particularly for janitorial services at our rural behavioral health clinic in Lovelock. We went through the process of soliciting bids. This bid came in at the lowest. This person, this company, the husband is the sole proprietor but the wife who is the state employee is listed on the business license.

Governor: Okay. Do we have any questions on this one, for DHHS? Secretary or General Ford?

Attorney General: No, sir.

Governor: Okay. Do we have someone from the Secretary of State's Office?

Scott Anderson: Thank you, Governor, Attorney General and Secretary of State. This position, Ms. Gillespie was a long-term employee, 35 years with our office in the same division. She retired about one year ago and she's been an integral part of our E-Secretary of State (ESOS) rewrite project which we are soon to conclude. As part of the ESOS rewrite, we're modernizing our notary services and putting that online. The problem is that those notary documents are in paper format. Ms. Gillespie has a tremendous amount of experience in copies and conversion and quality assurance, as far as conversion of documents. We felt that, while we don't have persons with that expertise right now, it would not be in our best interest to try to train them. This is a short-term contract, one year and it's going to be done on a part-time basis and Ms. Gillespie is the best person to do this for us.

Governor: Great. I just wanted to put on the record that we have exhausted all other outside hiring and I have no problem, these are exceptional circumstances. Do I have a motion on item number 5-A and B?

Attorney General: Move approval.

Governor: We have a motion on the floor, any discussion? Hearing and seeing none, all in favor signify by saying aye. Are there any opposed? Thank you both very much. Motion passes.

6. Requests for the Allocation and Disbursement of Funds for Salary Adjustments
(For possible action)

The 2017 Legislature, through Assembly Bill (AB) 517 and Senate Bill (SB) 368, made appropriations from the General Fund and the Highway Fund to the Board of Examiners to meet salary deficiencies that may be created between the appropriated money of the State's respective departments, commissions, and agencies and the salary requirements for the personnel of those departments, commissions and agencies. The Board of Examiners, upon recommendation of the Director of the Governor's Finance Office, may allocate and disburse amounts, from the appropriate fund, to the departments, commissions and agencies of the State for the purpose of paying personnel salary deficiencies.

The following department, commission and agency requests for allocations from the General Fund and/or Highway Fund salary adjustment accounts are recommended by the Director of Finance:

BA#	BUDGET ACCOUNT NAME	GENERAL FUND ADJUSTMENT	HWY FUND ADJUSTMENT
4205	Department of Conservation and Natural Resources – State Historic Preservation Office	\$13,319	
	Total	\$13,319	
	Department of Education		
2713	Literacy Programs	\$11,070	
2675	Standards and Instructional Support	\$31,449	
	Total	\$42,519	
	Department of Public Safety		
3800	Parole Board	\$13,755	
	Total	\$13,755	
	Nevada System of Higher Education		
2980	University of Nevada, Reno	\$6,889,894	
2983	Intercollegiate Athletics - University of Nevada, Reno	\$26,488	
2986	System Administration	\$38,123	
2987	University of Nevada, Las Vegas	\$9,248,858	
2988	Intercollegiate Athletics, University of Nevada, Las Vegas	\$64,325	
2990	Cooperative Extension Service	\$114,664	
2992	University of Nevada, Las Vegas Law School	\$485,659	
2994	Great Basin College	\$568,168	
3001	Statewide Programs – University of Nevada, Las Vegas	\$65,987	
3002	University of Nevada, Las Vegas - Dental School	\$536,133	

3003	Business Center North	\$80,345	
3005	Nevada State College at Henderson	\$551,388	
3010	Desert Research Institute	\$255,852	
3011	College of Southern Nevada	\$3,913,862	
3012	Western Nevada College	\$485,399	
3014	University of Nevada, Las Vegas - School of Medicine	\$884,865	
3018	Truckee Meadows Community College	\$946,056	
3221	Laboratory and Research	\$23,727	
2982	University of Nevada, Reno – School of Medicine	\$1,238,182	
	Total	\$26,417,975	

Governor: Item number 6, *Requests for the Allocation and Disbursement of Funds for Salary Adjustments.*

Clerk: Sections 4, 5, 6 and 7 of AB 517 and Sections 2, 3, 4 and 5 of Senate Bill 368 from the 2017 Legislative Session appropriated Salary Adjustment funds to the Board of Examiners to cover vacancy salary savings built into agency budgets as well as the 3% cost-of-living adjustments (COLA) effective on July 1, 2017 which were not included in agency salary budgets.

An agency whose actual salaries exceeded their budgeted amount due to the vacancy savings or the COLAs is allowed to request salary adjustment dollars from the Board of Examiners. This item requests access to those funds by: the Department of Conservation and Natural Resources, State Historic Preservation Office to cover the costs of the COLAs in the amount of \$13,319 in General Funds; the Department of Education, Literacy Programs in the amount of \$11,070 and Standards and Instructional Support in the amount of \$31,449 to cover the costs of COLAs in General Fund dollars; Department of Public Safety, Parole Board request has been withdrawn; and various institutions and accounts within the Nevada System of Higher Education (NSHE) to cover vacancy savings and the cost of the COLAs in the amount of \$26,417,975 in General Funds. The balance in the General Fund Salary Adjustment account, if these requests are approved, is approximately \$29.3 million.

Representatives from the agencies are available to answer any questions the Board may have.

Governor: I have one for NSHE. So, this is for the COLA increases that the Legislature authorized for all their employees, correct?

Andrew Clinger: Good morning Governor, Members of the Board. Correct, these funds are for the salary increases that were authorized by the 2017 Legislature for a three-and-three, so three in the first year and three in the second year.

Governor: So, do I have an assurance from you on behalf of NSHE that this money is all going for salary increases?

Andrew Clinger: Yes, sir, you do. Within the backup on the information that's provided to the Board, there's a worksheet for each one of the budget accounts that shows those calculations.

Governor: Thank you, I just needed the assurance. I appreciate it, Mr. Clinger. Thank you.

Andrew Clinger: Thank you, Governor.

Governor: Do we have any other questions on this item, number 6? Do I have a motion?

Attorney General: Move approval.

Governor: We have a motion on the floor. Is there any discussion on that motion? Hearing and seeing none, all in favor signify by saying aye. Any opposed? Motion passes. Thank you.

7. Approval of Proposed Leases (For possible action)

Governor: Item number 7, *Approval of Proposed Leases*.

Clerk: There are four leases in agenda item 7 for approval by the Board this morning. No additional information has been requested by the Members.

Governor: Alright, I have one on Lease #4. Battle Born Law, LLC, Oriental Board of Medicine. Could I get a little explanation on this one, please? You're leasing a small space from a local law firm. You have no other space, what's the deal here?

Leanne Lima: The Board of Oriental Medicine has been in this location. This is also one of the boards that have an option to use our services, they can opt-out from using our services. They have elected to do so. This is a renewal. It was a gross modified lease, which means that they were paying janitorial previously. We've renegotiated this into a full-service lease.

Governor: Alright and I did ask from the Attorney General's Office, there's no pending litigation or this law firm who will now be our landlord is involved in any litigation with the State, is that correct?

Clerk: That is correct.

Governor: Alright, I'm fine with that one then. Do we have any questions on the leases?

Attorney General: No, sir.

Governor: Do I have a motion as it relates to the leases on item number 7?

Attorney General: Move approval.

Governor: We have a motion on the floor. Is there any discussion on that motion? Seeing none, all in favor, signify by saying aye. Are any opposed? Motion passes.

8. Approval of Proposed Contracts (For possible action)

Governor: Item 8, *Approval of Proposed Contracts*.

Clerk: There are 27 contracts in this agenda item 8 for approval by the Board this morning. No additional information has been requested by the Members.

Governor: Thank you. Do I have any questions on item number 8?

Attorney General: None up here Governor.

Governor: Do I have a motion?

Attorney General: Move approval.

Governor: We have a motion on item number 8. Is there any discussion? Seeing none, all in favor, signify by saying aye. Any opposed? Motion passes.

9. Approval of Proposed Master Service Agreements (For possible action)

Governor: Item number 9, Approval of Proposed Master Service Agreements.

Clerk: There are 17 Master Service Agreements in agenda item 9. Master Service Agreements #13 and #14 with Stark Medicine, McKay, Khurana, Jeider PLLC have been withdrawn by the agenda. No additional information has been requested by the Members.

Governor: Alright, I'm looking at 14 here – oh, 14 is withdrawn, okay, that's probably what's wrong.

Do I have any questions on item number 9?

Attorney General: Not from up here.

Governor: Do I have a motion?

Attorney General: Move approval.

Governor: We have a motion on the floor, Proposed Contracts. Any discussion? Seeing none, all in favor, signify by saying aye. Any opposed? The motion passes.

10. Clerk of the Board Contracts (Informational only)

Pursuant to NRS 333.700, the Clerk of the Board may approve all contract transactions for amounts less than \$50,000. Per direction from the August 13, 2013 meeting of the Board of Examiners, the Board wished to receive an informational item listing all approvals applicable to the new threshold (\$10,000 - \$49,999). Attached is a list of all applicable approvals for contracts and amendments approved from May 21, 2019 through June 17, 2019.

Governor: Item number 10, *Clerk of Board Contracts*.

Clerk: There are 57 contracts under this agenda item. These are under the \$50,000 threshold approved by the Clerk between May 21, 2019 and June 17, 2019. This item is informational only. Are there any items that the Governor or the Board would like to pull?

Governor: No, I had one question and I was provided with backup information which satisfies my question, thank you, we appreciate it. Do we have any other questions on item number 10?

Attorney General: None up here.

Governor: Alright, thank you.

11. Reports (Informational only)

Stale Claims Account, Emergency Accounts, Statutory Contingency Accounts

Pursuant to NRS Chapter 353, the Governor's Finance Office, Budget Division presents a reconciled fund balance report for the TORT Claim Fund, Statutory Contingency Account, Stale Claims Account, Emergency Account, Disaster Relief Account, Interim Finance Committee (IFC) Unrestricted Contingency Funds and IFC Restricted Contingency Funds as of June 25, 2019.

The TORT Claim Fund is the State Treasury Fund for Insurance Premiums. The Statutory Contingency Account, Stale Claims Account, Emergency Account, Disaster Relief Account, IFC Unrestricted Contingency Funds and IFC Restricted Contingency supplement funding for eligible agencies within statutory authority.

Below is the available balance for each account prior to any projected outstanding claims.

TORT Claim Fund	\$ 5,942,701.06
Statutory Contingency Account	\$ 14,200,000.78
Stale Claims Account	\$ 2,700,504.34
Emergency Account	\$ 279,841.00
Disaster Relief Account	\$ 11,103,252.83
IFC Unrestricted Contingency Fund General Fund	\$ 25,000,000.16
IFC Unrestricted Contingency Highway Fund	\$ 1,620,336.35
IFC Restricted Contingency Fund General Fund	\$ 47,139,896.00
IFC Restricted Contingency Highway Fund	\$ 2,220,935.00

Governor: Item number 11, *Reports*. We have Stale Claims Account, Emergency Accounts and Statutory Contingency Accounts.

Clerk: Item number 11 is an informational report on the available balances in the various contingency accounts managed by the Board of Examiners or the Interim Finance Committee as of June 25, 2019. These accounts will cover contingencies through the 2019-2021 biennium. I am available to answer any questions you might have on this item.

Governor: I do not have any questions on the Contingency Accounts, after reviewing them and being briefed. Do you have any questions up there, Secretary Cegavske or General Ford?

Secretary of State: No, sir, thank you.

Governor: Alright, thank you.

12. Public Comment (This public comment period is for any matter that is within the jurisdiction of the public body. No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. The Chair of the Board will impose a time limit of three minutes.)

Governor: That brings us to item number 12 which is the second time set aside for public comment. Anyone wishing to address the Board on any matter that is within the jurisdiction of the Board of Examiners, please step forward and identify yourself for the record. Comments will be limited to three minutes.

Public Comments: There were three members of the public who provided comments. Their written statements are in attachment A. [See Attachment A]

13. Adjournment (For possible action)

Governor: Do I have a motion to adjourn?

Attorney General: So moved.

Governor: All in favor, signify by saying aye. Motion passes. Thank you very much.

Attachment A
Public Comments

Statement of Tru Hawkins to the Board of Examiners meeting July 9, 2019

Good morning, my name is Tru Hawkins and I am a retired announcer. It has been over 500 days since I filed a verified complaint against Board member Dr. Byron Blasco for luring me into his practice with false and misleading advertisements. I have still not been contacted by an investigator to date. Instead the Board attorney Ms. Chapman unexpectedly contacted my attorney and convinced him to hold off on my complaint because she said my complaint was "not grounded upon accurate information". I later found out from my attorney that Ms. Chapman had no legal authority to hold on to my complaint once it had been verified, which had already been done. He said once they received my verified complaint it must be investigated by the Board and that she should not have called him to convince him to hold off on the complaint. He told me that Ms. Chapman was simultaneously acting as Dr. Blasco's private attorney while acting in a completely conflicting role as full time State Dental Board prosecutor. Nowhere in their published policies does it allow the Board attorney to call up the patient and try to get him to remove his verified complaint. After Ms. Chapman investigated Dr. Blasco's website, her email said quote "the allegedly misleading words or phrases are not currently part of the website and therefore your client's stated objective has been met. I merely wanted to give you the courtesy of knowing that the complaint, as filed, is based on currently inaccurate information." What Ms. Chapman didn't realize is that I took screen shots of Dr. Blasco's website which showed the dates on it and she was lying. Does she review every complaint and decide herself if it is grounded upon "accurate information"? I had to refile my complaint against Dr. Blasco and they would only let me sign their verification form if I agreed to not show the dentist's responses with anyone else. I have a copy of this form for you if you would like it. Being in the Broadcast industry it seems unconstitutional to me and a violation of my freedom of speech to stop a complainant from disseminating any board documents or responses from the dentist. My question to you Governor Sisolak is why haven't these long lasting Board members done anything and can you put in a time limit for these Board members to finish investigating public complaints?

Please Governor Sisolak, I implore you to enact the changes you see fit in order to protect people like me.

Thank you

(Email from Ms. Chapman attached)

From: Melanie Bernstein Chapman <mbchapman@nsbde.nv.gov>
Sent: Thursday, February 1, 2018 12:22 PM
To: [REDACTED]
Cc: Debra Shaffer, Patricia Quinn
Subject: RE: NSBDE, [REDACTED] complaint under cover of a letter dated 1/23/2018 (faxed 1/29/2018)
Attachments: Verification Form.pdf; SKM_C65918013112350.pdf

Duane,

Thank you for your email. Per your request, we will hold off on any action with respect to [REDACTED] complaint until further communication from you.

As I stated, the purpose of my call was merely as a courtesy to advise that the asserted basis for the complaint was not grounded upon accurate information and, therefore, appeared to have been filed without confirmation of your client's allegations. Specifically, the website references that are noted in the complaint are not currently found on the website in question. Additionally, the newsletters that were attached were over two years old and, therefore, also of questionable relevance, if any, to a just filed complaint. To the extent the motive of this complaint was to "protect the public" from advertising that your client felt was misleading, the allegedly misleading words or phrases are not currently part of the website and, therefore, your client's stated objective has been met. Finally, though you mentioned certain phraseology that may currently appear on the website in question, that is not included in your client's complaint.

As we discussed, should your client wish to move forward with this complaint with knowledge of the above, the Board will investigate in accordance with its usual practices and procedures. I merely wanted to give you the courtesy of knowing that the complaint, as filed, is based on currently inaccurate information. Should your client wish to move forward with the complaint as is, we will need him to complete the attached documents, which are sent to all complainants upon receipt of a complaint.

As always, please do not hesitate to contact me with any further questions.

Melanie

Melanie Bernstein Chapman, Esq.
General Counsel
Nevada Board of Dental Examiners
6010 S. Rainbow Blvd., Bldg. A, Ste. 1
Las Vegas, Nevada 89118
(702) 486-7044 (Main)
(702) 486-5473 (Direct)
(702) 486-7046 (Fax)
Email: mbchapman@nsbde.nv.gov

From: [REDACTED]
Sent: Wednesday, January 31, 2018 5:09 PM
To: Melanie Bernstein Chapman
Subject: NSBDE, [REDACTED] complaint under cover of a letter dated 1/23/2018 (faxed 1/29/2018)

Dear Melanie:



Nevada State Board of Dental Examiners

6010 S. Rainbow Blvd., Bldg. A, Ste. 1
Las Vegas, NV 89118
(702) 486-7044 • (800) DDS-EXAM • Fax (702) 486-7046

VERIFICATION OF COMPLAINT

STATE OF NEVADA

COUNTY OF CLARK

Regarding a complaint submitted to the Nevada State Board of Dental Examiners against

BYRON M. BLASCO
(Dentist Name or Hygienist Name)

TOMMAN HAWKINS
(Complainant's Name)

first duly sworn, deposes and says:

- 1). That he/she is the Complainant in the aforementioned action;
- 2). That he/she has read the foregoing/attached complaint and knows the contents thereof;
- 3). That the same is true of his/her own knowledge and belief;
- 4). That if called upon to testify, could do so competently;
- 5). That he/she will keep and maintain confidential any documents and information, if any, received from the Board regarding the Dentist's and/or Hygienist's answer/response to the complainant's complaint; and
- 6). That he/she will not use any document and/or information, if any, received from the Board regarding the Dentist's and/or Hygienist's answer/response to the complainant's complaint in any civil action or lawsuit (this includes, but is not limited to disclosing, seeking to have admitted into evidence, or producing in discovery, providing to expert witnesses, etc.).


Signature of Complainant

5413 Del Monte Ave.
Address

L.V. NV 89146
City, State, Zip

702-205-5306
Telephone Number



Subscribed and Sworn before me on this the 08 day of 03, 2018


Notary Public in and for said State and County

Good morning, my name is David Moore

And I have met with over 20 local dentists,
over the last 5 years.

And I have spent over \$50,000
on fraudulent dental work,

My bite has been totally mangled;

And I have been living with debilitating pain for several years now.

And now I understand how destroying someone's bite
can affect their whole body, and even cause a herniated disc.

And this is how I became aware of the NV State Dental Board.

Yes, I have filed complaints against a few dentists.

Three to be exact.

And you should know that the acts of violence committed against me...
were malicious, and criminal.

And when I saw that the DSO's had severe conflicts of interest

I realized 'the fix was in'...

for practicing dentists don't rat on each other.

And since most local dentists belong

to the LVI Global School of Extortion...

They are all in on the game...

and the game is called, '**drilling for dollars**'.

And this is why it is vital that you overhaul the entire Dental Board...

For without the proper checks and balances,

torture and extortion will prevail.

And you should know that I attempted to engage Dental Board Member...

And then-President, Dr. Blasco... but he refused to help me...

AFTER taking money from me.

Don't you see?

The Dental Board have been giving **everyone** the run-around.

Not only have my complaints been dismissed;

I have been illegally bullied and silenced by two Government Attorneys...

Deputy Attorney General Long

silenced me during my public comment.

And Attorney Melanie Chapman repeatedly lied to a judge...

And the Executive Director,

Debra Shaffer-Kugel,

has been running interference...

For the dentists she is overseeing.

So after FIVE years of the most intense suffering...

I listen to Governor Sisolak explain

how distraught he is over the audit...

And I think to myself, maybe we got a chance to help our community...

so that we can prevent others from suffering...

the way I have suffered.

For I know firsthand,

how they repeatedly broke open meeting laws...

And I have it all on video...

And it was only after watching the video...

That the judge took my side and reprimanded Ms. Chapman... and Ms. Long.

And I quote,

The fact that you don't like
to hear people talking about doctors
is not something that is mandated by statute.

You don't inspire a lot of public confidence
because you don't allow public comment
to go in the way that it was, quite frankly,
intended under the open-meeting law. "

As you can see...

Ms. Chapman lied to Governor Sisolak...

She said she didn't know of **any** open meeting law violations.

Again, everything is all upside down here...

You don't have the fox guarding the hen house.

And you can't allow practicing dentists to oversee one another.

They will protect each other,

while showing favoritism to those that 'play the game'.

And when someone figures out what they are up to...

They will do anything to silence them.

For example, Deputy Attorney General Long was shouting at me...

and I quote: "if you don't stop talking... you will be removed".

I am now scared to go back...

because I am so traumatized by all of this.

Bottom line, my constitutional rights to speak,

during the public comment, were repeatedly violated;

And they even lied to the Police, and to a Judge ...

to try and get a restraining order against me...

Please let me talk to you more about this Governor Sisolak...

And thank you ALL for your honorable efforts.

Drina Barin statement to Governor Sisolak

My name is Drina Barin and I believe that Governor Sisolak and the other Committee members have shown absolute allegiance to helping the citizens of Nevada and they are committed to creating solutions to fix this board once and for all. Thank you in advance for your service to our community.

In the beginning of 2018 I filed a public complaint against one of the present Board members, Dr. Byron Blasco. DSO Glover was chosen to investigate my complaint but he never called me and he did not perform any clinical examination of my mouth, especially when my complaint alleged that Dr. Blasco misdiagnosed what treatment I needed compared to what other dentists said I needed. With my complaint I even sent in one other treatment plan that was given to me by a DSO investigator and a dental school specialist that greatly contradicted what Dr. Blasco said was wrong with my mouth. To my surprise DSO investigator Glover dismissed my complaint. After a little of my own investigation into how this could happen, I found out that Dr. Blasco had voted to give \$70,000 to DSO Glover's Adopt-Vet non-profit. Dr. Glover is the vice president of Adopt-a-Vet. To make things worse I found out that another present Dental Board member Pisani is also the president of Adopt-a-Vet. Pisani voted to give himself the \$70,000 that came from four dentists who he agreed to not discipline because of they made donations to Adopt-a-Vet. The board minutes clearly stated that these investigated dentists were allowed to donate this money in lieu of being disciplined and being charged. Then I found out that the mother of another present Dental Board member Champagne is the director of Adopt-a-Vet. Board member Champagne also voted to give his mother the \$70,000. It is also true that present Board member Pinther is a provider dentist at Adopt a Vet. Board member Pinther also voted to give Adopt-a-Vet the \$70,000. The Ethics Commission wrote that because the complaint was made too late and it was made after the permitted time period they only were able to issue Letters of Caution. I can provide this letter if you would like a copy. One of the big questions I still have is why didn't Dr. Blasco come forward and tell anyone that he gave DSO Glover the \$70,000 and that made it a conflict of interest for Glover to investigate board member Blasco? If this is not corruption amongst these dental board members then please tell me what is?

Board members Blasco, Pisani, Champagne and Pinther have already been proven by the 2019 State Audit to not protect the public as I quote directly from the Audit: "This inconsistency indicates that at least some complaints dismissed by the DSO coordinator should have been investigated." I believe these specific board members used the DSO coordinator to dismiss many patient other complaints on their behalf. Thank you for your time to listen to me.

**STATEMENT TO STATE BOARD OF EXAMINERS
JULY 9, 2019
PUBLIC COMMENT**

Good morning Governor and Members. My name is Lisa Zastrow. I am an attorney at Lipson Neilson representing professionals in disciplinary matters. Last October I appeared before this Board seeking to reignite the work that began with a 2016 Legislative Audit exposing abusive practices at the Dental Board. We requested a new “soup to nuts” investigation and this Board listened. Thank you Governor Sisolak, Members, as well as the Internal Audits Division for the thorough review reflected in the June 25, 2019 Audit.

We reviewed the Audit and listened to the June 25, 2019 meeting. Governor – you hit the nail on the head with your questioning of the Board’s counsel. As one example, when you asked Board Counsel if the DSO Coordinator could unilaterally dismiss a citizen Complaint, Ms. Chapman skirted your question. However, as the Auditors advised, the answer is unequivocally yes. In fact, Board Counsel attempted to skirt most of your questions. The lack of understanding she demonstrated with respect to the duty of government to protect citizens, balanced with due process of law is an overriding characteristic of the Dental Board.

Your statement at the June 25th meeting that you had not seen an Audit so egregious instills hope that change can come. However, the 2019 Audit is at risk of becoming nothing more than a report exactly like the 2016 Audit if interest wanes and the same people responsible for the problem remain responsible for fixing it, so we must ask that you continue this pursuit.

The 2019 Audit was delivered to Board Counsel, yet you heard her state that she had not discussed it with the Board members. However, we know the Dental Board Members are aware of the Audit given the Board President’s own exhibits to the Board Response which included an email in January 2019 which advised the Board of the Audit. *See Exhibit B to June 6, 2019 Response of the Dental Board.* The Board was also advised of the Audit at its February 22, 2019 meeting but once the Audit findings were released, without consultation or discussion with Board Members, a defensive Response was issued by the Board President. Rather than falling on its sword and seeking to bring changes and restore confidence in the process, the Board, through Counsel and its President, expressed distain and made misstatements of fact. For example, the Board represented that its processes have been vindicated by the District Court in three lawsuits. This is false. Two matters were ruled not ripe as the District Judge ruled that administrative remedies were not exhausted. The Judge made no findings as to the Board’s process. Regarding the third matter, in preparing for this Public Statement, I noticed an agenda item seeking legal fees in which the Board has allegedly “prevailed.” This matter is, in part, ongoing and it is concerning that the Board would speak of the case in a public Response given Counsel is aware that the bounds of legal ethics require restraint so as not to influence the outcome of a pending matter. Moreover, they dare suggest they were the prevailing party in that case, yet seek an additional \$70,000 in legal fees. Note, appellate fees have already been approved for that matter. The truth; in a decision

that brought the investigative and disciplinary process to its knees – District Judge Timothy Williams quashed Board subpoenas as unlawful, on their face. These subpoenas were complete counterfeit. This decision alone which was in April of this year is unprecedented in Nevada. The Court put an end to decades of unlawful subpoenas issued by the Board Executive Director. In no way has the District Court approved the Dental Board disciplinary process.

In short, having represented clients before other regulatory bodies, I can honestly say that I have never experienced the level of disrespect for professionals and the rule of law, as I have on behalf of my clients before the Nevada Dental Board. Thank you for your attention to this important issue and we implore you to continue this work for the citizens, including Licensees, in Nevada.