

Assembly Bill No. 136—Assemblymen Parnell, McClain, Anderson,
Smith, Hardy; Denis, Koivisto and Mastroluca

Joint Sponsors: Senators Lee, Wiener,
Carlton; and Amodei

CHAPTER.....

AN ACT relating to public health; establishing the State Program for Oral Health; creating the Advisory Committee on the State Program for Oral Health; authorizing the Health Division of the Department of Health and Human Services to apply for and accept grants and other money and adopt regulations to carry out the Program; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Health Division of the Department of Health and Human Services to appoint a State Dental Health Officer and a State Public Health Dental Hygienist. (NRS 439.272, 439.279) **Sections 2-9** of this bill establish the State Program for Oral Health within the Health Division to increase public knowledge and raise public awareness of oral health and to educate the residents of this State on matters relating to oral health. **Section 7** creates the Advisory Committee on the State Program for Oral Health to make recommendations to the Health Division concerning the Program. **Sections 10 and 11** of this bill revise provisions governing the State Dental Health Officer and the State Public Health Dental Hygienist to include a provision that the Dental Officer shall, and the Dental Hygienist may, provide advice and make recommendations to the Advisory Committee.

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

Section 1. Chapter 439 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this act.

Sec. 2. *As used in NRS 439.272 and 439.279 and sections 2 to 9, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3, 4 and 5 of this act have the meanings ascribed to them in those sections.*

Sec. 3. *“Advisory Committee” means the Advisory Committee on the State Program for Oral Health created by section 7 of this act.*

Sec. 4. *“Program” means the State Program for Oral Health established by section 6 of this act.*



Sec. 5. "Provider of oral health care" means a dentist or dental hygienist licensed pursuant to the provisions of chapter 631 of NRS.

Sec. 6. There is hereby established within the Health Division the State Program for Oral Health to increase public knowledge and raise public awareness of the importance of oral health and to educate the residents of this State on matters relating to oral health, including, without limitation:

1. Proper oral hygiene;
2. The factors that increase the risk of a person developing oral diseases; and
3. The prevention and treatment of oral diseases.

Sec. 7. 1. There is hereby created within the Health Division the Advisory Committee on the State Program for Oral Health to advise and make recommendations to the Health Division concerning the Program.

2. The Administrator shall appoint to the Advisory Committee 13 members, including, without limitation, one or more persons who are representatives of:

- (a) Public health care professionals and educators;
- (b) Providers of oral health care;
- (c) Persons knowledgeable in promoting and educating the public on oral health issues; and
- (d) National dental and other oral health organizations and their local or state chapters.

3. After the initial terms, the members of the Advisory Committee serve terms of 2 years commencing on July 1. A member may be reappointed.

4. Members of the Advisory Committee serve without compensation, except that each member is entitled, while engaged in the business of the Advisory Committee, to the per diem allowance and travel expenses provided for state officers and employees generally.

5. Any member of the Advisory Committee who is a public employee must be granted administrative leave from his duties to engage in the business of the Advisory Committee without loss of his regular compensation. Such leave does not reduce the amount of the member's other accrued leave.

6. A majority of the members of the Advisory Committee constitutes a quorum for the transaction of business, and a majority of a quorum present at any meeting is sufficient for any official action taken by the Advisory Committee.

7. The Advisory Committee shall:



(a) At its first meeting and annually thereafter, elect a Chairman from among its members;

(b) Meet at the call of the Director, the Chairman or a majority of its members as necessary and within the budget of the Advisory Committee; and

(c) On or before July 1 of each year, submit a written report to the Administrator summarizing the activities of the Advisory Committee and any recommendations of the Advisory Committee.

Sec. 8. To carry out the provisions of NRS 439.272 and 439.279 and sections 2 to 9, inclusive, of this act, the Health Division shall, with advice and recommendations of the Advisory Committee:

1. Establish a solid scientific database of the most current information on the importance of oral health, using information obtained through surveillance, epidemiology and research related to oral health;

2. Provide educational materials and information on research concerning matters relating to oral health to health care professionals, providers of oral health care and the public, including, without limitation, materials and information concerning programs and services available to the public and strategies for the prevention of oral diseases;

3. Coordinate the establishment of regional coalitions to support the efforts of the Program;

4. Increase public awareness about the prevention, detection and treatment of oral diseases among state and local governmental officials who are responsible for matters relating to oral health, health care professionals, providers of oral health care and policymakers;

5. Coordinate state and local programs and services to ensure that the public has adequate access to dental services;

6. Work with other governmental agencies, national health organizations and their local and state chapters, community and business leaders, community organizations and providers of oral health care to:

(a) Coordinate the work of the Program with the work of those agencies, organizations and persons; and

(b) Maximize the resources of state and local governments in the efforts to educate the public about the importance of oral health, including, without limitation, the prevention and detection of oral diseases and proper oral hygiene;



7. *Develop and carry out public awareness and media campaigns in each county, targeting groups of persons who are considered at risk for developing oral diseases;*

8. *Evaluate the need to improve the quality and accessibility of dental services that exist in communities in this State; and*

9. *Develop and coordinate, in cooperation with the Department of Education, recommendations for dental programs to encourage proper oral hygiene by children.*

Sec. 9. 1. *The Health Division may:*

(a) *Enter into contracts for any services necessary to carry out or assist the Health Division in carrying out the provisions of NRS 439.272 and 439.279 and sections 2 to 9, inclusive, of this act with public or private entities that have the appropriate expertise to provide such services;*

(b) *Apply for and accept any gift, donation, bequest, grant or other source of money to carry out the provisions of NRS 439.272 and 439.279 and sections 2 to 9, inclusive, of this act;*

(c) *Apply for any waiver from the Federal Government that may be necessary to maximize the amount of money this State may obtain from the Federal Government to carry out the provisions of sections 2 to 9, inclusive, of this act; and*

(d) *Adopt regulations as necessary to carry out and administer the Program.*

2. *Any money that is accepted by the Health Division pursuant to subsection 1 must be deposited in the State Treasury and accounted for separately in the State General Fund.*

3. *The Administrator shall administer the account created pursuant to subsection 2. Money in the account does not lapse to the State General Fund at the end of the fiscal year. The interest and income earned on the money in the account must be credited to the account. Any claims against the account must be paid as other claims against the State are paid.*

Sec. 10. NRS 439.272 is hereby amended to read as follows:

439.272 1. The Health Division shall appoint, with the consent of the Director, a State Dental Health Officer, who is in the unclassified service of the State. The State Dental Health Officer must:

(a) Be a resident of this State;

(b) Hold a current license to practice dentistry issued pursuant to chapter 631 of NRS; and

(c) Be appointed on the basis of his education, training and experience and his interest in public dental health and related programs.



2. The State Dental Health Officer shall:
 - (a) Determine the needs of the residents of this State for public dental health;
 - (b) Provide the *Advisory Committee and the* Health Division with advice regarding public dental health;
 - (c) Make recommendations to the *Advisory Committee, the* Health Division and the Legislature regarding programs in this State for public dental health;
 - (d) Supervise the activities of the State Public Health Dental Hygienist; and
 - (e) Seek such information and advice from *the Advisory Committee or* a dental school of the Nevada System of Higher Education as necessary to carry out his duties.

3. The State Dental Health Officer shall devote all of his time to the business of his office and shall not pursue any other business or vocation or hold any other office of profit.

4. ~~{The}~~ *Pursuant to section 9 of this act, the* Health Division may solicit and accept gifts and grants to pay the costs associated with oral health programs.

Sec. 11. NRS 439.279 is hereby amended to read as follows:

439.279 1. The Health Division shall appoint, with the consent of the Director, a State Public Health Dental Hygienist, who is in the unclassified service of the State. The State Public Health Dental Hygienist must:

- (a) Be a resident of this State;
- (b) Hold a current license to practice dental hygiene issued pursuant to chapter 631 of NRS with a special endorsement issued pursuant to NRS 631.287; and
- (c) Be appointed on the basis of his education, training and experience and his interest in public health dental hygiene and related programs.

2. The State Public Health Dental Hygienist:

(a) Shall assist the State Dental Health Officer in carrying out his duties; and

(b) May:

(1) ~~{Make}~~ *Provide advice and make* recommendations to the *Advisory Committee and the* Health Division regarding programs in this State for public health dental hygiene; and

(2) Perform any acts authorized pursuant to NRS 631.287.

3. The State Public Health Dental Hygienist shall devote all of his time to the business of his office and shall not pursue any other business or vocation or hold any other office of profit.



4. The Health Division may solicit and accept gifts and grants to pay the costs associated with the position of State Public Health Dental Hygienist.

Sec. 12. The Administrator of the Health Division of the Department of Health and Human Services shall appoint to the Advisory Committee on the State Program for Oral Health created by section 7 of this act:

1. Six members to terms expiring on June 30, 2010; and
2. Seven members to terms expiring on June 30, 2011.

Sec. 13. 1. This section and sections 1 and 12 of this act become effective upon passage and approval.

2. Section 7 of this act becomes effective upon passage and approval for the purpose of appointing the members to the Advisory Committee on the State Program for Oral Health and on July 1, 2009, for all other purposes.

3. Sections 2 to 6, inclusive, and 8 to 11, inclusive, of this act become effective on July 1, 2009.

