



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **D. Kevin Moore, DDS**, President,
Board of Dental Examiners,
State of Nevada,

Ethics Complaints
Consolidated Case Nos.
21-028Cand 21-029C

Subject. /

REVIEW PANEL DETERMINATION
NRS 281A.730; NAC 281A.440

The Nevada Commission on Ethics ("Commission") received these Ethics Complaints ("Complaints") on May 5, 2021 and May 10, 2021, regarding the alleged conduct of Subject D. Kevin Moore, DDS ("Moore"). On June 21, 2021, the Commission instructed the Executive Director to investigate alleged violations of NRS 281A.400(2) and (5).

On November 17, 2021, a Review Panel consisting of Commissioner Gruenewald (Presiding Officer) and Commissioners Lowry and Yen reviewed the following: (1) the Complaints; (2) Order on Consolidation; (3) Orders on Jurisdiction and Investigation; (4) Moore's Response to the Complaints; (5) Executive Director's Recommendation to the Review Panel with Summary of Investigatory Findings; and (6) Relevant Evidentiary Exhibits.¹

IT IS HEREBY ORDERED:

Under NAC 281A.430, the Review Panel unanimously finds and concludes that the facts do not support a determination that just and sufficient cause exists for the Commission to render an opinion in the matter regarding the alleged violations of NRS 281A.400(2) and (5).

Although Moore's alleged conduct may have associated bias or procedural due process implications to matters considered by the Dental Board, the investigation did not reveal sufficient evidence to support a just and sufficient cause determination to refer the complaints to the Commission for further proceedings. The Commission has confirmed that "[w]hile certain provisions of NRS Chapter 281A (the Ethics Law) may at their core be subsets or manifestations of the concept of bias, the Commission has never considered whether bias itself is a violation of any provision of NRS Chapter 281A." *In re Public Officer*, Comm'n Op. No. 12-40A (2012), at p. 4.

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¹All materials provided to the Review Panel, except the Ethics Complaint and the Order on Jurisdiction and Investigation, represent portions of the investigatory file and remain confidential pursuant to NRS 281A.750.

Accordingly, these Complaints are dismissed.

Dated this 17th day of November, 2021.

REVIEW PANEL OF THE NEVADA COMMISSION ON ETHICS

By: /s/ Barbara Gruenewald
Barbara Gruenewald, Esq.
Commissioner/Presiding Officer

By: /s/ Amanda Yen
Amanda Yen, Esq.
Commissioner

By: /s/ Teresa Lowry
Teresa Lowry, Esq.
Commissioner

CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I transmitted a true and correct copy of the foregoing **REVIEW PANEL DETERMINATION** via U.S. Certified Mail and electronic mail addressed as follows:

D. Kevin Moore, DDS
c/o Katherine F. Parks, Esq.
Thorndal Armstrong
6590 S. McKarran Blvd.
Suite B
Reno, NV 89509

Certified Mail No.: 9171 9690 0935 0037 6364 77

Email: kfp@thorndal.com
cc: psb@thorndal.com

Dated: 11/18/21



Employee, Nevada Commission on Ethics