

PUBLIC NOTICE

MINUTES

**MEETING OF THE NEVADA STATE BOARD OF
OSTEOPATHIC MEDICINE**

9:00 AM SATURDAY, MAY 10th, 2003

**GRANT SAWYER STATE OFFICE BUILDING
555 E. WASHINGTON AVENUE
ATTORNEY GENERAL'S CONFERENCE ROOM
4TH FLOOR ROOM 4700
LAS VEGAS, NV 89101**

**I. CALL TO ORDER AND APPROVAL OF MINUTES OF JANUARY 18TH, 2003
AND FEBRUARY 25TH, 2003 MEETINGS (Discussion/Action)**

Rudy R. Manhei, D.O., Chairman.

Present: Rudy Manthei, D.O., Chairman, Peter Licata, D.O., Vice-Chairman, Gary Mono, D.O., Secretary-Treasurer, Paul Mozen, D.O., Larry Tarno, D.O. Executive Director, Trey Delap, Deputy Executive Director, Charlotte Bible, Esq., Chief Deputy Attorney General, Chief Investigator John Hambrick.

Public Present: Denise Selleck-Davis, NOMA, Don Havins, MD, Clark County Medical Society. Jerry Pollard, Esq. an attorney.

Dr. Manthei moved to approve the minutes of the January 18, 2003 and February 25th, 2003 meetings, seconded by Dr. Licata, passed unanimously.

II. EXECUTIVE DIRECTOR'S REPORT (Discussion/Action)

Larry J. Tarno, D.O., Executive Director

Trey Delap, Deputy Executive Director

A. Renewal Update

Mr. Delap reported that 574 licenses were renewed successfully, 333 currently registered in the state.

B. Financial Report

Dr. Tarno reported on the current balance of the Board's accounts. The report included all expenses besides payroll for the FY to May 22nd, 2003. Dr. Tarno projected that for FY 02-03, the expenses of the Board totaled around \$208,000.00. Dr. Tarno stated that we were doing a lot of "catch up" this past year. Revenues were \$198,464.00. Dr. Tarno presented that audit for the previous fiscal year.

C. Discussion on Administrative Enhancements, New Staff, and Continuing Administrative Goals.

Mr. Delap reported on technological enhancements regarding contracting with GL Suite, Inc. for design of the Board's website and data management software. Mr. Delap introduced John Hambrick and Coni Longero as new staff people.

D. Report on Attendance at Administrators in Medicine Meeting and the Election of Trey Delap to the office of Treasurer of that organization.

Mr. Delap reported that he was elected treasurer of AIM at the AIM annual meeting. Mr. Delap reported that the presentation from several programs from around the country that worked with impaired and disruptive physicians.

III. REPORT ON ATTENDANCE AT FSMB ANNUAL MEETING (Discussion/Action)

Rudy Manthei, D.O., Larry Tarno, D.O, and Trey Delap

Drs. Manthei, Tarno, and Mr. Delap reported on their attendance at the FSMB annual meeting. The meetings theme this year centered on regulating professionalism and innovations being made in the State Boards handling reports of disruptive or unprofessional physicians.

Dr. Manthei recounted the information he received regarding centers throughout the country that specialize in evaluating questionably impaired physicians. He discussed that referring physicians to these centers was really in the best interest of the physician because their centers specialize in working with physicians.

Dr. Tarno reported on his positive experience at his first FSMB meeting. Dr. Manthei reported on the House of Delegates meeting. Dr. Manthei stated that Nevada was a hot topic especially with the Professional Liability Issues. He reported that our Board is looked upon favorably.

IV. CONSIDERATION OF MANDATING THAT ALL BOARD MEETINGS BE HELD IN LAS VEGAS (Discussion/Action)

Dr. Licata suggested that all meetings be held in Clark County due to cost savings and to convenience of attendance for this proposal. The proposal was discussed. The determination was made that the location of the meetings would be at the discretion of the Chairman.

V. REPORT ON ATTENDANCE AT FSMB WORKSHOP ON IMPAIRED PHYSICIANS, DISCUSSION ON REGULATIONS AND POLICIES CONCERNING DISRUPTIVE AND IMPAIRED PHYSICIANS

(Discussion/Action)

A. Report and Summary of Attendance at Boards and Commissions Members Training.

a. Charlotte Bible, Esq., Gary Mono, D.O., and Pamela Parenti

B. Report on Attendance at FSMB Impaired Physician Workshop

The Board at an earlier Board meeting received the report on the attendance of a workshop in impaired physicians.

C. Consideration of sponsorship/co-sponsorship of a seminar on professional boundary issues, disruptive physicians, sexual misconduct, and professional burnout. (Discussion/Action)

Mr. Delap requested Board approval to move forward with sponsorship/co-sponsorship on a local presentation on impairment, boundary issues, professional burnout, and professional ethical issues working with the Professional Renewal Center of Lawrence, KS, and other programs deemed appropriate. Dr. Mozen moved for Mr. Delap to continue working on this program, seconded by Dr. Manthei, passed unanimously.

VI. STATUS UPDATE AND ANALYSIS OF BOARDS COMPLAINTS AND INVESTIGATIONS PROCEDURE (Discussion/Action)

Mr. Delap introduced John Hambrick who has been hired as Chief Investigator. Mr. Hambrick recounted his career with the Federal Government.

Mr. Delap talked about administrative restructuring to the end of more thorough and more efficient investigations. Mr. Delap recounted the number of complaints currently pending before the Board.

Mr. Delap discussed changes in law affecting the investigation procedures and the types of complaints the Board will be receiving on a more routine basis regarding hospital privilege actions and malpractice claims. Dr. Manthei suggested that a Board member be designated to review malpractice claims.

There was an extensive discussion regarding review of malpractice claims submitted to the Board. Dr. Mozen volunteered to review malpractice cases.

VII. CONSENT AGENDA TO GRANT LICENSURE (Discussion/Action)

Larry J. Tarno, D.O., Executive Director

A. Consent agenda to Grant FULL LICENSURE to the following Applicants:
Applicants for FULL LICENSURE:

Paul Wolfrom, D.O., (Anesthesiology)	Daryl Ficklin, D.O. (Internal Medicine)
Conrad Roberson, D.O. (OB/GYN)	Jennifer Roberson, D.O. (FP)
Steven Gunnell, D.O. (Orthopedic Surgery)	James Sullivan, D.O. (Nephrology/IM)
Barbara Holk, D.O. (Family Practice)	Randa Bascharon, D.O. (Orthopedics)

Dr. Mono, moved to accept the consent agenda, seconded by Dr. Manthei, passed unanimously.

B. Consent agenda to Grant PERMISSION TO EMPLOY AN OSTEOPATHIC PHYSICIANS ASSISTANT:
Applicants for PERMISSION TO EMPLOY AN OSTEOPATHIC PHYSICIANS ASSISTANT:

Darin Brimhall, D.O. (Britt Hill, PA-C)
Peter Licata, D.O. (Cindy Hale, PA-C)
James B. Oliver, D.O. (Barbara Davis, PA-C)
Dale Carrision, D.O. (Elizabeth Winfield, PA-C)
Walter Hoppe, D.O. (Lynn Mosier, PA-C)

Dr. Manthei stated that he would discuss the scope of practice with Dr. Brimhall as the Board felt that the scope of authority was too broad for Mr. Hill. Dr. Brimhall currently has temporary authority pending interview with Dr. Manthei, and tabled until the next meeting.

Dr. Manthei moved to limit Ms. Mosier's scope of practice for closed reduction of fractures, seconded by Dr. Mono, passed unanimously.

Dr. Manthei moved granting letters of permission to the above physicians to employ for Drs. Carrision, Licata, and Hoppe, seconded by Dr. Mozen, passed (with Dr. Licata abstaining).

C. Consent Motion to Grant TEMPORARY UNRESTRICTED LICENSURE (NRS 633.391) to the following Applicants providing for a Special Need of the Community or for Pending Receipt of Certain information:
Applicants for TEMPORARY UNRESTRICTED LICENSURE:

Teresa Angermann, D.O. (Family Practice) upon the recommendation of R. Bruce Bannister, D.O.
Craig Essex, D.O. (Psychiatry) upon the expression of urgent need from Harvey Hoffman, D.O. of Psychiatric services to Inmates at Clark County Detention Center

Dr. Manthei moved to grant licensure to Drs. Angerman and Essex pending the completion of their application files, seconded by Dr. Licata, passed unanimously.

VIII. DISCUSSION OF BOARD PROPOSED LEGISLATION CONCERNING CRIMINAL BACKGROUND CHECKS, CONFIDENTIALITY OF COMPLAINT INFORMATION, AND OTHER CHANGES TO NRS 633. (Discussion/Action)

Mr. Delap provided a status update on SB281 and reported on his testimony before the Senate and Assembly Committees on Commerce and Labor. Mr. Delap reported that the Assembly committee did not pass the bill following his testimony, but that he had followed up with each committee member and the chair regarding questions raised during the hearing. Mr. Delap stated that he would continue following the bill to ensure passage by the committee prior to the May 16th deadline for passage out of committee by the second house. Mr. Delap reported that passage of this bill would make our Board one of 8 currently conducting criminal background checks on physicians.

IX. DISCUSSION ON BILL DRAFT REQUEST 834 (SB250) PROPOSED BY SEN. O'CONNELL REGARDING PROFESSIONAL LIABILITY INSURANCE AND SPECIAL FUNDING FOR PHYSICIANS PURCHASING PROFESSIONAL LIABILITY INSURANCE. (Discussion/Action)

Dr. Manthei stated that SB250 was combined with SB389. Dr. Manthei reported on the provisions of the bill affecting the Boards. There was a discussion regarding the reporting requirements for malpractice reporting to the Board.

X. CONSIDERATION AND REVIEW OF DRAFT MEDICAL JURISPRUDENCE TEST AND APPLICATION PROCEDURE (Discussion/Action)

Dr. Manthei made the motion to implement the Jurisprudence test effective July 1, 2003, seconded by Dr. Mozen, passed unanimously.

XI. DISCUSSION REGARDING MEASURING CONTINUED COMPETENCY OF LICENSED OSTEOPATHIC PHYSICIANS (Discussion/Action)

Rudy Manthei, D.O.

XII. LEGAL REPORT (Discussion/Action)

Charlotte Bible, Esq., Deputy Attorney General there was no legal report.

XIII. CONSIDERATION OF DRAFTING PROPOSED REGULATIONS REGARDING MEDICAL RECORDS (Discussion/Action)

Dr. Mozen provided suggested language of language from the Florida Administrative Code regarding retention of medical records.

XIV. STATUS AND UPDATE ON ATTORNEY GENERAL OPINION AND PROPOSED WORKGROUP CONCERNING APPLICABLE LAWS REGARDING THE CORPORATE PRACTICE OF MEDICINE

(Discussion/Action)

There was a discussion regarding formally requesting from the Attorney General's office concerning the corporate practice of medicine.

XV. CONSIDERATION OF TELECONFERENCING, TECHNOLOGICAL ENHANCEMENTS FOR DISSIMINATION OF PUBLIC INFORMATION

(Discussion/Action)

Dr. Mozen and Mr. Delap discussed the status of working towards teleconferencing and a comprehensive web site providing for more public access to licensee and Board information.

XVI. CONSIDERATION OF REQUEST FROM KIAN KAVEH, D.O., REGARDING THE UTILIZATION OF LIPOSTABIL, AND ALLEGED ENZYMIC ACCELERATING LIPOLYSIS (Discussion/Action)

Neither Dr. Kaveh nor a representative from his office were present at the Board meeting.

XVII. CONSIDERATION AND APPROVAL OF FY 03-04 BOARD FISCAL BUDGET (Discussion/Action)

Dr. Tarno reported that the budget was based on budget expenditures of last year, and projected increase in expenses to the conclusion of the current fiscal year.

There was discussion on the budget items. Dr. Manthei moved that Dr. Tarno review all malpractice reports in lieu of a reduction in compensation, seconded by Dr. Licata, and passed.

Dr. Manthei made the motion to approve the budget, seconded by Dr. Mozen, passed unanimously.

XVIII. MATTERS OF FUTURE AGENDA (Discussion/Action)

Teleconferencing and medical records should be on the upcoming meeting.

XIX. PUBLIC COMMENT PERIOD

Dr. Havins talked about teleconferencing options including other state agencies with equipment in place.

XX. SCHEDULING OF NEXT MEETING INCLUDING A SPECIAL MEETING AND ADJOURN (Discussion/Action)

The next Board meeting will be held in Las Vegas, on Saturday, August 2nd, 2003.

Dr. Manthei moved to teleconference for licensing every 4-6 weeks, seconded by Dr. Licata, passed unanimously.

Notices posted at the following locations:

Clark County Library, 1401 E. Flamingo Rd., Las Vegas, NV 89119

Washoe County Library, 301 S. Center Street, Reno, NV 89052

Sawyer State Building, 555 E. Washington Avenue, Las Vegas, NV 89101

Office of the Nevada State Board of Osteopathic Medicine

2860 E. Flamingo Rd., G, Las Vegas, NV 89121

Office of the Attorney General, 100 North Carson Street, Carson City, NV 89701

Members of the public who are disabled and require special accommodation or assistance at the meeting are requested to notify the Board office in writing at 2860 E. Flamingo Rd., Suite G, Las Vegas, NV 89121 or by calling (702) 732-2147.