

MINUTES
NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE
NOVEMBER 1, 1997
EMERALD SPRINGS / HOLIDAY INN
OPAL ROOM 2
325 E. FLAMINGO RD., LAS VEGAS, NV 89109

I Call to Order: at 9:00 AM by David Daitch, D.O., Chairman. Present: Dr. Daitch
Dr. Bannister, Dr. Schreiber, Mr. Kersey, Dr. Tarno, Executive
Director, Wauna Selleck, Joyce Borgenhaggen, Assistant A.G.,
Dr. Manthei arrived at 10:00 AM.

II Minutes: Mr. Kersey moved acceptance of minutes. On discussion there were
three typographical errors to be corrected on master copy. Dr. Schreiber
asked about comments in the CLOSED SESSION MINUTES concern-
ing the manner in which applicants answered questions. Dr. Tarno
commented that these comments were made by him; they preceded, and
did not reflect or influence the Board members voting on the particular
applicant and are only included to remind the Board member of the
particular applicant in reviewing the Minutes. They have very limited
distribution.
The motion to accept minutes was seconded and passed.

III Dr. Manthei reported on the status of complaints:
Complaints seem to be increasing with some complaints now regarding
P.A.'s. He made a motion that a three week limit be put on response
to complaints on the part of the doctor, who has been complained about.
Mr. Kersey seconded, passed.

IV Hearing on Complaint and Disciplinary Action regarding Larry R. Robbins, D.O.
Dr. Tarno presented the disciplinary case against Larry R. Robbins, D.O.
Robbins, D.O., License #223. The notice of the hearing and formal
complaint were served on Dr. Robbins by certified mail with return
receipt requested pursuant to NRS section 633.621. Dr. Robbins
responded by hand-written letter. He was not present or represented by
counsel. Dr. Tarno presented the formal complaint which alleged:

- a. Failure to comply with an order of the Board.

- b. Failure to keep the Board aware of his address or communication with the Board for over a year.
- c. Failure to submit to monitorship or institution for an acceptable treatment program as previously agreed.

Dr. Tarno asked the hearing be opened for purpose of consideration of disciplinary charges and action. Hearing was convened. After brief discussion Dr. Bannister moved Dr. Robbins license be revoked. Mr. Kersey seconded and the motion was passed - unanimous.

V Discussion on Weight Control Medications:

Dr. Tarno informed the Board that several States have implemented regulations through licensing board action to try to control the use of appetite suppressants. Under NAC 633.340

- a. Oral amphetamines can be prescribed up to 30 days. NAC.
- b. Prohibits the prescribing or use of injectable amphetamines for any use. No other restrictions in NAC

The advent of a newer drug, Redux, and the use of combinations of appetite suppressants has caused some pressure on the Board to widen the regulations regarding the entire class of diet indications. Recently two of the medications-Redux and Pondimin have been taken off the market by the Manufacturer.

Dr. Daitch read the regulations passed by the Medical Board in 1996 regarding the used of appetite suppressants by M.D.'s and P.A.'s. Reference NAC 630.205

It was agreed by the Board that no new regulations will be proposed to control the prescribing of medications under the of appetite suppressants.

VI Proposed Punishment for Failure to Notify Board of Change of Address:

(Discussion).

There was long discussion, but the assistant A.G. recommended the the members that there is no provision under NRS 633 to levy fines, and the current law and regulations provide that a license is revoked if the licensee fails to renew his or her license by the end of February. NRS 633.481.1 provides for such revocation, notification of DEA with restoration under part 3. This is based on mailing renewals at the last known address. NAC 633.260 provides a requirement of each licensee to notify the Board of current address. No additional action was recommended.

VII Discussion Regarding Communication with Medical Board:

There was no report from Dr. Manthei.

VIII Legal Report:

Leslie Nielsen and the A.G. office were represented very ably by Joyce Borgenhaggen. She reported there were four complaints under investigation by the A.G.'s office.

Recent legislation:

SB 356 implements the Federal Welfare Reform Act in the requirements on professional and occupational licensing agencies to add language to applications and renewal forms asking the individual if he or she is under Court Order to provide child support. If they are in compliance with that order and verification of that compliance. The bill amends NRS 633. (See included copies of the proposed form to include with applications and the amended sections of Chapter 633.) No action by the Board is required to implement this change. AB 120, AB 122 (workshops to solicit comments from interested persons on subjects of proposed new or changes in regulation.), AB 123, AB 286 were also presented.

IX Increasing Fees:

Discussion on the previous decision of the Board to propose change in NRS 633 to increase fees. Dr. Tarno was instructed to prepare the proposal.

X New Office Location:

The A.G.'s office has determined that a sharing of office space between the Board and the Nevada Osteopathic Medical Association would constitute a conflict of interest situation that could open any denial of license or disciplinary action to question. The A.G. recommended such an association not be made.

XI Reporting Complaints:

No formal report.

XII Nevada Health Professionals Assistance Foundation

Victor Rueckel, M.D.- Director and James Tracy, D.D.S. - Assistant Director of the Nevada Health Professionals Assistance Foundation made a presentation of the purpose of their foundation in helping impaired physicians. They have contracted with the Medical Board to

contracting with our Board to provide the same service. They also asked for a donation of \$12,000. Dr. Rueckel stressed that 8% of the professionals in the Reno area were under contract. He also indicated that

their program follows the model proposed by the Federation of State Licensing Boards and their success rate exceeds 90% with professionals under contract. They indicated that an addition to the contract signed with the Medical Board could suffice to add the Osteopathic Board (Since that meeting it was decided that the Osteopathic Board would need to initiate a separate contract.) Dr. Tarno outlined the Federation's Model for an Impaired Physicians Program.

IPP should have:

1. Administration
 - a. Physician Medical Director
 - b. Executive Director
 - c. Support Staff
2. Investigation - authority, purpose, conducted by professionals
3. Intervention - with appropriately trained personnel having authority to intervene
4. Evaluation/Assessment - independent with resources for referral
5. Treatment
6. Discharge/Follow up care - Monitors;
7. Relapse Management
8. Confidentiality

+XIII Interview of Applicants for Licensure by the Board: CLOSED SESSION

XIV Voting on Applicants:

Basil Marrella, D.O.

No action taken. Doctor to meet with the Board at a future date.

John Pang, D.O.

Dr. Schreiber made a motion to grant a license. Dr. Manthei seconded Motion passed unanimously. He will have license #858.

John Edward Janikowski, D.O.

Dr. Schreiber made a motion to grant a license. Dr. Daitch seconded Motion passed four to one, abstained. He will have license #859

Shrikan "Sam" Tamhane, D.O.

Dr. Schreiber made a motion to grant a license. Dr. Daitch seconded. Motion passed. He will have license #857.

-5-

Scott V. Young, D.O.

Mr. Kersey made a motion to grant a license. Dr. Daitch second.

Motion passed. He will have license #856.

Gerald E. Brown, D.O.

Dr. Bannister made a motion to grant a license. Dr. Schreiber seconded. Motion passed. He will have license #855.

XV Matters for Future Agendas: No specific items were requested

XVI Public Comment Period: No comments.

XVII Next Meeting and Adjourn: Next meeting at Harvey's, South Lake Tahoe.
Saturday, January 31, 1998 and Sunday, February 1, 1998

