



**PLEASE POST BEFORE
9:00 AM – October 22, 2009**

NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE

******PUBLIC NOTICE******

REGULAR BOARD MEETING

NOVEMBER 2, 2009 @ 6:00 PM

***** MINUTES *****

I. CALL TO ORDER (Discussion/Action) Roll call to determine presence of a quorum

A roll call was made by Dr. Milne with the following present at the meeting and a quorum was declared.

Board Members:

C. Dean Milne, D.O.
Dan Curtis, D.O. (called mid-way into the meeting)
James Anthony, D.O., J.D.
Scott Manthei, D.O.
Paul Kalekas, D.O.
S. Paul Edwards, Esq.

Board Staff:

Dianna Hegeduis, Esq., Executive Director/Board Counsel
Barbara Longo, Deputy Executive Director
Tammy Sine, Licensing Specialist/Bookkeeper

Public:

Don Havins, M.D., J.D.
Maria Nutile, Esq.
Denise Selleck-Davis, NOMA

II. +APPROVAL OF MINUTES FROM OCTOBER 5, 2009 and OCTOBER 12, 2009 (Discussion/Action) C. Dean Milne, D.O., Vice-Chairman

A motion was made by Dr. Kalekas to approve the minutes as drafted, seconded by Dr. Anthony, and approved by the Board.

III. +CONSENT AGENDA TO GRANT LICENSURE FOR OSTEOPATHIC PHYSICIANS (Discussion/Action) C. Dean Milne, D.O., Vice-Chairman

Under this item the board may consider the recommendations of the Executive Director and/or President to grant licensure to the below listed applicants. The board may remove any applicant's name from the consent motion, but may not discuss the contents of the application for licensure without the applicant present following proper notice pursuant to the open meeting law.

Consent agenda to grant FULL LICENSURE to the following applicants:

Physician Name	Specialty
James Bertie, DO	Family Practice
Leslie Denton, DO	Emergency Medicine
Christopher Walter, DO	Orthopedic Surgery
Special License:	
Hadi Shaaban, DO	General Surgery- UMC
Kelly Dinnan, DO	General Surgery-UMC
Michelle Jordan, DO	Kingman/Sunrise Family Med
George Gibson, DO	Kingman/Sunrise Emergency Med
Temporary License:	
Leo Kan, DO	Ophthalmology

A motion was made by Dr. Kalekas to approve full licensure to all physicians identified, seconded by Dr. Anthony, and approved by the Board.

IV. +CONSIDERATION OF FULFILLED SETTLEMENT AGREEMENT'S TERMS & CONDITIONS & ENTRY OF AN ORDER OF FULFILLMENT REGARDING SUSAN MIKO, D.O., IBM CURTIS (Discussion/Board may go into closed session) C. Dean Milne, D.O., Vice-Chairman

Dianna explained the settlement agreement and that all requirements have been met. A motion was made by Dr. Kalekas to approve the order of fulfillment, seconded by Dr. Anthony, and approved by the Board.

V. +CONSIDERATION & APPROVAL OF SETTLEMENT AGREEMENT FOR THE SURRENDER OF OSTEOPATHIC MEDICINE LICENSE NO. 947 FOR SOHRAB SHAFINIA, D.O., IN LIEU OF THE CONTINUED PURSUIT OF A FORMAL DISCIPLINARY ADMINISTRATIVE COMPLAINT. IBM MILNE (Discussion/Board may go into closed session) Dan Curtis, D.O., Chairman

Dianna explained that he has lost his license in Michigan and Ohio due to selling prescriptions to patients without examinations. He also failed to report certain actions pursuant to NRS 633.527. He has agreed to surrender his license for five years with a total fine/attorneys' fees/costs of \$7,000.00; of which, \$500.00 has been paid. He will pay the balance when he reapplies for a license in five years. Mr. Edwards asked if any of these incidents occurred in Nevada. Dianna explained that all of these occurred in Michigan. A motion was made by Dr. Kalekas, seconded by Dr. Anthony, and

approved by the Board to accept the surrender of his license. A press release will be done on this item.

VI. +CONSIDERATION & APPROVAL OF MODIFIED SETTLEMENT AGREEMENT CONCERNING C.M.E.s FOR KIAN KAVEH, D.O., IBM ANTHONY (Discussion/Board may go into closed session) C. Dean Milne, D.O., Vice-Chairman

The prior settlement agreement required 12 live CME credits in specific issues/matters. He has submitted proof of 58 CMEs this year and asks that what he has taken be applied to the settlement agreement as he cannot find live courses in the required CME areas. A motion was made by Dr. Manthei, seconded by Mr. Edwards, and approved by the Board to accept the 58 credits earned this year to meet the settlement agreement requirements. The Board approved the revised settlement agreement reflecting the change in the CME requirements.

NOTE: Items VII through XIII pertain to cases involving NRS 633.527 and/or NRS 633.131(1).

VII. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ORDER AND ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING JOHN COYLE, D.O., IBM MILNE (Discussion/Board may go into closed session) Dan Curtis, D.O., Chairman

Dianna explained that this was a failure to report case. He has agreed to pay a total amount of \$500.00, which is paid in full. A motion was made by Dr. Kalekas to approve the agreement/fine/fulfillment, seconded by Dr. Anthony, and approved by the Board.

VIII. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ORDER AND ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING RICHARD NAYLOR, D.O., IBM ROSASCHI (Discussion/Board may go into closed session) C. Dean Milne, D.O., Vice-Chairman

Dianna explained that this was a failure to report case. He has agreed to pay a total amount of \$2,500.00, which is paid in full. A motion was made by Dr. Kalekas to approve the settlement/fines/fulfillment, seconded by Dr. Anthony, and approved by the Board.

IX. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ORDER & ENTRY OF ORDER OF FULFILLMENT REGARDING CHARLES BLOOM, D.O., IBM ROSASCHI (Discussion/Board may go into closed session) C. Dean Milne, D.O., Vice-Chairman

Dianna explained that this was a failure to report case. He has agreed to pay a total amount of \$500.00, which is paid in full. A motion was made by Dr. Manthei to approve the settlement/fine/fulfillment, seconded by Dr. Kalekas, and approved by the Board.

X. +CONSIDERATION OF FULFILLMENT OF SETTLEMENT AGREEMENT AND ORDER REGARDING PEJMAN BADI-MOGHADDAN, D.O., IBM ROSASCHI (Discussion/Board may go into closed session) C. Dean Milne, D.O., Vice-Chairman

Dianna explained that this was a failure to report case. He has paid the sum of \$1,500.00, and it is requested that an order of fulfillment be entered. A motion was made by Dr. Manthei to approve the fulfillment, seconded by Dr. Kalekas, and approved by the Board.

XI. +CONSIDERATION/APPROVAL OF FULFILLED SETTLEMENT AGREEMENT & ORDER REGARDING RANDA BASCHARON, D.O., IBM ANTHONY (Discussion/Action) C. Dean Milne, D.O., Vice-Chairman

Dianna explained that this was a failure to report case; and the total amount of \$1,700.00 has been paid. A motion was made by Dr. Manthei to approve the fulfillment, seconded by Dr. Kalekas, and approved by the Board.

XII. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ORDER REGARDING ABRAHAM WIKLER, D.O., IBM MANTHEI (Discussion/Board may go into closed session) C. Dean Milne, D.O., Vice-Chairman

Dianna explained that this was a failure to report case. He has agreed to pay a total amount of \$2,500.00, with a payment plan. A motion was made by Dr. Kalekas to approve the agreement/fines, seconded by Dr. Anthony, and approved by the Board.

XIII. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ORDER REGARDING DAVID WIKLER, D.O., IBM MANTHEI (Discussion/Board may go into closed session) C. Dean Milne, D.O., Vice-Chairman

Dianna explained that this was a failure to report case. He has agreed to pay a total amount of \$1,500.00, with a payment plan. A motion was made by Dr. Kalekas to approve the agreement/fines, seconded by Dr. Anthony, and approved by the Board.

XIV. EXECUTIVE DIRECTOR'S/DEPUTY DIRECTOR'S REPORT/ Staff Report

- a. QuickBooks Balance Sheet, P&L, Budget
- b. Audit Update
- c. Licensing and Enforcement Information

Dr. Milne asked that we track how many special licenses have gotten the full license and stayed in this State. Dianna explained that we have a ledger from 1925 when we had our first meeting tracking all licensees, which we plan to display in our new office.

- d. Election of new Board Officers

Dr. Milne suggested we put this on the January agenda.

- e. Change Bank of the West to Wells Fargo
- f. Status of office relocation

The renovation of the office is on schedule. We plan to move before the Christmas holiday.

g. Status of rulemaking process

Dianna submitted the proposed regulations to LCB in October. The workshop is scheduled for November 30, 2009 at 5:30 pm, at the board's offices. We need a DO present along with Dr. Havins, Barbara, and Dianna. The change is necessary as the regulations as they now exist allow only \$80 per day to the Board members for services, plus other necessary changes. Dr. Manthei inquired to PAs or MAs doing injections.

XV. LEGAL REPORT (Discussion/Action) Colleen Hemingway, DAG, Board Prosecutor

No comments.

XVI. ITEMS FOR FUTURE DISCUSSION/ACTION/UPCOMING AGENDA
None

XVII. PRESIDENT/CHAIRMAN Report on Board Business, Daniel Curtis, D.O.

No comments.

XVIII. PUBLIC COMMENT

Under the public comment item, members of the public may bring matters not appearing on this item to the attention of the Board. The Board may discuss but may not act on the matters at this meeting. If the Board desires, the matters may be placed on a future agenda for action.

No comments.

A motion was made by Dr. Manthei to adjourn, seconded by Dr. Kalekas, and approved by the Board. Meeting adjourned at 6:45 pm.

Approved at the December 8, 2009 Board meeting.