



**NEVADA STATE BOARD
OF OSTEOPATHIC
MEDICINE**

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

REGULAR BOARD MEETING MINUTES

DECEMBER 8, 2009 @ 6:00 PM

AT THE FOLLOWING LOCATION:

***Nevada State Board of Osteopathic Medicine ~ Conference Room
2860 E. Flamingo Rd. Ste. D
Las Vegas, NV 89121***

***** MINUTES *****

- I. CALL TO ORDER (Discussion/Action) Daniel Curtis, D.O., Chairman***
Roll call to determine presence of a quorum

Roll call was made by Dr. Curtis with the following present at the meeting and a quorum was declared.

Board Members:

C. Dean Milne, D.O.
Dan Curtis, D.O.
James Anthony, D.O., J.D.
Scott Manthei, D.O.
Paul Kalekas, D.O.
S. Paul Edwards, Esq.
Rota Rosaschi, M.P.A.

Board Staff:

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

Public:

Don Havins, M.D., J.D.
Maria Nutile, Esq.
Ryan Mitchell, D.O.

meeting. This is due to letting him get his practice back in order and to make sure he is financially able to make the payments. The public reprimand is for 90 days.

A motion was made by Dr. Anthony, seconded by Dr. Kalekas and approved by the Board to accept the settlement agreement.

V. +CONSIDERATION OF REMEDIATION AGREEMENT OF PHYSICIAN PURSUANT TO SENATE BILL 269, 2009 NEVADA LEGISLATURE; AND APPROVAL OF THE SAME (Discussion/Action). C. Dean Milne, D.O., Vice-Chairman

A motion was made by Dr. Kalekas, seconded by Dr. Anthony, and approved by the Board to accept the public remediation agreement that was redacted and in compliance with Senate Bill 269.

NOTE: Items VI through XI pertain to cases involving NRS 633.527 and/or NRS 633.131(1). The IBMs assigned to the cases will naturally not vote on the approval of any settlement agreements and/or fulfillment orders.

VI. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ORDER AND ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING DALE CARRISON, D.O., IBM EDWARDS (Discussion/Board may go into closed session) Daniel Curtis, D.O., Chairman

A motion was made by Dr. Curtis to approve the settlement agreement and enter the fulfillment of the same, seconded by Dr. Anthony, and approved by the Board.

VII. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ORDER SETTLEMENT TERMS REGARDING JOSEPH BAJO, D.O., IBM EDWARDS (Discussion/Board may go into closed session) Daniel Curtis, D.O., Chairman

A motion was made by Dr. Curtis to approve the settlement agreement and the order of 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 DARRIN HOUSTON, D.O., IBM ROSACHI (Discussion/Board may go into closed session) Daniel Curtis, D.O., Chairman

A motion was made by Dr. Curtis to approve the settlement agreement and the order of fulfillment, seconded by Dr. Anthony, and approved by the Board.

IX. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ORDER AND ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING MIKE JEONG, D.O., IBM ROSACHI (Discussion/Board may go into closed session) Daniel Curtis, D.O., Chairman

A motion was made by Dr. Curtis to approve the settlement agreement and the order of fulfillment, seconded by Dr. Anthony, and approved by the Board.

X. +CONSIDERATION OF FULFILLMENT OF SETTLEMENT AGREEMENT AND ENTRY OF ORDER OF FULFILLMENT REGARDING NANCY BAKER, D.O., IBM KALEKAS (Discussion/Board may go into closed session) Daniel Curtis, D.O., Chairman

A motion was made by Ms. Rosaschi to approve the order of fulfillment, seconded by Dr. Anthony, and approved by the Board.

XI. +CONSIDERATION OF FULFILLED SETTLEMENT AGREEMENT & ENTRY OF ORDER OF FULFILLMENT REGARDING DAVID BARCLAY, D.O., IBM MILLER-ROCHE (Discussion/Action) Daniel Curtis, D.O., Chairman

A motion was made by Ms. Rosaschi to approve the order of fulfillment, seconded by Dr. Anthony, and approved by the Board.

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

- a. QuickBooks Balance Sheet, P&L
Attached financial statements.
- b. Audit Update
The audit was sent 3 weeks ahead of time.
- c. Licensing and Enforcement Information
- d. Proposed Graphs of Board's accomplishments.
Dianna explained each graph.
- e. Status of office relocation
We will be officially moving on Friday. FSMB as agreed to pay \$420 for food on February 2, 2010 to have an open house from 4:30 to 6:00 followed by the Board meeting.
- f. Status of rulemaking process
Dianna would like to have some assistance from the Board members to get involved with the rules/regs that we are trying to pass.
- g. Outside prosecutor/counsel
There are some big issues that are pending. Eventually we should consider hiring outside counsel to assist on prosecution of some of our cases at an hourly rate, unless the AG's office intends to prosecute more frequently.
- h. Change of meeting dates to first Tuesday of each month; Tuesdays appear to be more convenient to the board members rather than Monday nights.

DISCUSSION/ACTION: h. Revision of application for purposes of ADA compliance.

Dianna explained that we need to modify our application to be ADA compliant. We can not use phrases like "in the past." A vote was requested to modify the application. Dr. Anthony mentioned that question #13 needed to be corrected as well. Dr. Curtis made a motion, Dr. Milne seconded, and was approved by the Board to modify our application to be compliant with ADA.

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

No legal report.

XIV. ITEMS FOR FUTURE DISCUSSION/ACTION/UPCOMING AGENDA

Dr. Milne mentioned that we needed to look at changing the yearly rate or prorating the yearly rate for new licensees especially the residents. Dianna will look over the regulations.

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

Dr. Curtis explained that we summarily suspended an osteopathic physician's license on December 3, 2009 and the hearing is set for January 9, 2010. All details are contained on our website, including the complaint, the order for suspension, and the notice of hearing.

XVI. *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 public comments.

Dr. Curtis made a motion to adjourn the meeting, seconded by Dr. Kalekas, and approved.

Approved at the 01/05/10 Board meeting.