



**PLEASE POST BEFORE  
9:00 AM – December 23, 2009**

## **NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE**

**\*\*\*\*PUBLIC NOTICE\*\*\*\***

### ***REGULAR BOARD MEETING***

***JANUARY 5, 2010 @ 6:00 PM***

AT THE FOLLOWING LOCATION:

***Nevada State Board of Osteopathic Medicine ~ Conference Room  
901 American Pacific Drive, Unit 180  
Henderson, NV 89014***

### **\*\*\*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.  
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:**

Weldon Havins, M.D., J.D.  
Denise Selleck-Davis, NOMA  
Andrea Thornsteinsson – Alverson & Taylor

**II. +APPROVAL OF MINUTES FROM DECEMBER 8, 2009 (Discussion/Action)**  
*Daniel Curtis, D.O., Chairman*

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

**III. +CONSENT AGENDA TO GRANT LICENSURE FOR OSTEOPATHIC PHYSICIANS (Discussion/Action)**  
*Daniel Curtis, D.O., 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**  
Leo Kan, DO

**Specialty**  
Ophthalmology

**Special License (EFFECTIVE UPON APPROVAL):**

John Pomponi, DO  
Michael Devish, DO

UMC – Orthopedic Surgery  
UMC – Orthopedic Surgery

**Temporary License**  
Alan Menkes, DO

Internal Medicine

A motion was made by Dr. Milne to approve the above-identified licenses, seconded by Dr. Kalekas, and approved by the Board.

**NOTE: Items IV through X pertain to cases involving NRS 633.527 and/or NRS 633.131(1). \*\*Facts and circumstances will vary from case to case as well the amounts of the fines imposed depending upon such facts, circumstances, and/or violations.**

**IV. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ORDER REGARDING DENNIS LEMON, D.O., IBM EDWARDS (Discussion/Board may go into closed session)**  
*Daniel Curtis, D.O., Chairman*

A motion was made by Dr. Milne to approve the settlement agreement and order, seconded by Dr. Kalekas, and approved by the Board.

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

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

**VI. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ORDER AND ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT**

***TERMS REGARDING JOSE GOCHOCO, D.O., IBM ROSASCHI (Discussion/Board may go into closed session) Daniel Curtis, D.O., Chairman***

A motion was made by Dr. Kalekas to approve the settlement agreement and order of fulfillment, seconded by Dr. Manthei, and approved by the Board (Ms. Rosaschi abstaining).

***VII. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ORDER REGARDING MICHAEL JENKINS, D.O., IBM ROSASCHI (Discussion/Board may go into closed session) Daniel Curtis, D.O., Chairman***

A motion was made by Dr. Milne to approve the settlement agreement, seconded by Dr. Kalekas, and approved by the Board (Ms. Rosaschi abstaining).

***VIII. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ORDER AND ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING PATRICIA SIMMS, D.O., IBM ROSASCHI (Discussion/Board may go into closed session) Daniel Curtis, D.O., Chairman***

A motion was made by Dr. Kalekas to approve the settlement agreement and order of fulfillment, seconded by Dr. Milne, and approved by the Board (Ms. Rosaschi abstaining).

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

A motion was made by Dr. Milne to approve the order of fulfillment, seconded by Dr. Anthony, and approved by the Board (Dr. Kalekas abstaining).

***X. +CONSIDERATION OF FULFILLED SETTLEMENT AGREEMENT & ENTRY OF ORDER OF FULFILLMENT REGARDING PETER LICATA, D.O., IBM MILLER-ROCHE (Discussion/Action) Daniel Curtis, D.O., Chairman***

A motion was made by Dr. Manthei to approve the order of fulfillment, seconded by Dr. Kalekas, and approved by the Board.

***XI. EXECUTIVE DIRECTOR'S/DEPUTY DIRECTOR'S REPORT/ Staff Report***

- a. QuickBooks Balance Sheet, P&L. Documents provided to the board members to review.
- b. Licensing and Enforcement Information. Documents provided to the board members to review. Additionally, Dianna mentioned that a new Deputy Attorney General has been assigned to represent the board as counsel. She will be at the next meeting.
- c. Status of rulemaking process

Dianna explained that we had a workshop. Dr. Havins has reviewed the issues Dr. Kessler & Denise Selleck Davis had regarding the demonstration license. Dianna would like another workshop and get Dr. Kalekas and Dr. Milne involved. Dianna asked for a date to have the workshop. NOMA explained that the biggest issue they have is that the demonstration license required the doctors to have licenses in this state even though it is just for CME purposes.

d. FSMB & Open House in February.

FSMB is coming to do a presentation. They are donating food and beverages; and the board members discussed waiving their fee for attending the board meeting to assist in the costs of the food and beverages. We have an invitation that if approved, we would like to e-mail attorneys, Touro, and the licensed physicians. We have a newsletter composed that we need reviewed. Rota Rosaschi stated that there is a typo that she will e-mail to Dianna tomorrow. Thereafter, the newsletter and invitation are appropriate for circulation.

**DISCUSSION/ACTION:** *e. Whether Board wishes to have a Bill Draft request prepared for 2011 Legislative Session re: pro rata licensing fee.*

It was suggested that we change our renewal to July instead of the end of the year as well as pro rata the license. This will be discussed further and added to a bill draft request.

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

No legal report.

**XIII. ITEMS FOR FUTURE DISCUSSION/ACTION/UPCOMING AGENDA**  
*None.*

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

*The hearing previously scheduled for January 9<sup>th</sup>, 2010 was vacated.*

**XV. 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 comment.*

A motion was made by Dr. Kalekas to adjourn the meeting and seconded by Dr. Milne. The meeting was adjourned at 6:45pm.

**Approved at the 02/02/10 Board Meeting.**