



**NEVADA STATE BOARD
OF OSTEOPATHIC MEDICINE**

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

REGULAR BOARD MEETING

MARCH 2, 2010 @ 6:00 PM

***** 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:

Dan Curtis, D.O.
James Anthony, D.O., J.D.
Scott Manthei, D.O.
Paul Kalekas, D.O.
Rota Rosaschi, M.P.A. – Public Member
Paul Edwards, Esq. – Public Member

Board Staff:

Dianna Hegeduis, Esq., Executive Director/Board Counsel
Barbara Longo, Deputy Executive Director

Public:

Don Havins, M.D., J.D.
Denise Selleck-Davis, NOMA
Peter Mansky, M.D.

- II. +APPROVAL OF MINUTES FROM FEBRUARY 2, 2010 (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 entire 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	Specialty
James Boesiger, PA-C	Supervising/ Michael Silvers, D.O.
Brian Le, DO	Pain Mgmt/Anesthesiology
Gennadiy Plotnitskiy, DO	OB/GYN
Monte Wilson, PA-C	Supervising Drs. Yee & Liu
Robert Jeppson, DO	Psychiatry

Special License: (EFFECTIVE UPON APPROVAL):

Adam Bell, DO	UMC – Trauma Surgery
Lee Farber, DO	UMC – General Surgery
Jessica (Johnson) Tunis, DO	UMC – General Surgery
Glenn Kunsman, DO	Emergency Medicine - Kingman

A motion was made by Dr. Milne to approve the above-mentioned licenses, and each of them, and the motion was seconded by Dr. Kalekas, with approved by the entire Board.

NOTE: Items IV through VIII 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 & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING PEJMAN BADY-MOGHADDAM, D.O., IBM ROSASCHI (Discussion/Board may go into closed session) Daniel Curtis, D.O., Chairman

A motion was made by Dr. Manthei to approve the settlement agreement and order of fulfillment, seconded by Dr. Anthony, and approved by the entire Board. IBM was recused from voting.

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

A motion was made by Dr. Manthei to approve the settlement agreement and order of fulfillment, seconded by Dr. Anthony, and approved by the entire Board. IBM was recused from voting.

VI. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING MELISSA CHINN, D.O., IBM EDWARDS (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. Curtis, and approved by the entire Board. IBM was recused from voting.

VII. +CONSIDERATION & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING IRENE BOURGAULT, D.O., IBM EDWARDS (Discussion/Board may go into closed session) Daniel Curtis, D.O., Chairman

A motion was made by Dr. Kalekas to approve the order of fulfillment, seconded by Dr. Curtis, and approved by the entire Board. IBM was recused from voting.

VIII. +CONSIDERATION OF FULFILLMENT OF SETTLEMENT AGREEMENT REGARDING GREG FIHN, D.O., IBM EDWARDS (Discussion/Board may go into closed session) Daniel Curtis, D.O., Chairman

A motion was made by Dr. Kalekas to approve the order of fulfillment, seconded by Dr. Curtis, and approved by the entire Board. IBM was recused from voting.

IX. +PRESENTATION BY THE NEVADA HEALTH PROFESSIONALS ASSISTANCE FOUNDATION/DR. PETER MANSKY- - FOR CONSIDERATION AND/OR APPROVAL OF CONTRACT FOR SERVICES TO BE PROVIDED ON BEHALF OF THE BOARD TO LICENSEES. (Discussion/Action/Board may go into closed session.). Daniel Curtis, D.O., Chairman

First, Dr. Mansky stated that he did not wish this matter to go into closed session. Dr. Curtis stated that Dr. Mansky was compensated in the past for being available and last year we did not enter into a contract with him. Ms. Longo stated that his contract terminated in December 2009 so as January he has not had a contract. Dr. Curtis explained that the MD Board is no longer compensating him, but do referrals to him. Dr. Curtis was not going to be willing to sign a new contract with him because of the financial status of the board and the state, but encourages the board to continuing referring licensees to him. Dr. Milne stated that he felt Dr. Mansky has done a great job and has been available. He agrees that he should not be the sole person we use if we have other options available. Dr. Mansky explained what services are provided by their facility and the benefits for the Board.

This item was tabled for 3 to 6 months to consider a contract. Dr. Mansky suggested that he could work with Ms. Hegeduis and develop a history of what has been performed on behalf of the board in the past, and based upon Dr. Mansky's assistance to the board, he and Ms. Hegeduis will attempt to develop a contract for the board's future approval with a dollar amount that can be handled by the Board.

X. +CONSIDERATION AND DISCUSSION OF COMPENSATION FOR SALARIED EMPLOYEES (Discussion/Action/Board may go into closed session.) Daniel Curtis, D.O., Chairman

Dr. Curtis stated that they have discussed giving percentage increases on salaries as this was a term of the agreement with Ms. Hegeduis; i.e., that her salary would be reviewed six months after the date of hire with a raise anticipated at the end of that six-month trial period. Ms. Hegeduis explained that since she is appointed by the Board, she does not have the option to go in to a closed session, but Ms. Longo can go in to closed session. Dr. Curtis asked if she wished to go in to a closed session and she stated no. Dr. Milne stated that with the economic situation in the State of Nevada with State employees being forced into four day work weeks/10 hour days, with no raises, felt that at this time if we increase the salaries, it might put us in the lime light and that we should wait until another time to consider the increases. Ms. Rosaschi agreed with Dr. Milne that it would be best to hold this at this time. Ms. Selleck-Davis stated that the legislatures look at Boards as State entities whether or not you are self-funded is beside the point; and felt that raises would be inappropriate at this time. She stated: you are a State entity and therefore you answer to them and you are answerable to them. Dr. Milne suggested readdressing this in six months. Dr. Havins suggested that the Board hold on this until after the legislative session next year.

Dr. Curtis made a motion to defer this to a future time at another Board meeting, seconded by Dr. Kalekas, and approved by the entire Board.

XI. +STATUS OF RULEMAKING PROCESS AND/OR SCHEDULING PUBLIC HEARING AND/OR WHETHER REVISIONS TO THE NAC PERTAINING TO HCG ARE APPROPRIATE. (Discussion/Action). Daniel Curtis, D.O., Chairman.

Ms. Hegeduis provided a summary/status of the board's latest proposed regulations. LCB should be getting our regulations approved by the reviewing committee (the revised regulations were sent in late February) and we should be able to have them approved at the Interim Health Care Committee in April and then set for formal adoption by this Board at the May board meeting.

A survey on HCG was done and it was determined that California, Texas, Wyoming, Utah, Oregon, and Washington do not have a prohibition with the use of HCG. The FDA even wrote back that there is not a problem with allowing the use of HCG for weight loss as there are no scientific reports of it being harmful (nor are there reports that it is a successful weight loss substance).

XII. ELECTION OF OFFICERS INCLUDING PRESIDENT, VICE PRESIDENT, AND SECRETARY/TREASURER. (Discussion/Action/Board may go into closed session.) Daniel Curtis, D.O., Chairman

Dr. Kalekas suggested that the Board create a policy to vote new officers on a yearly basis. Dr. Kalekas made a motion to have a set vote of officers at the January meeting every year, seconded by Dr. Anthony, and approved by the Board.

Dr. Milne made a motion for Dr. Kalekas to be Secretary/Treasurer, seconded by Dr. Anthony and approved by the Board effective tonight.

Dr. Milne made a motion for Dr. Curtis to remain as Chairman of the Board, seconded by Dr. Kalekas, and approved by the Board effective tonight.

Dr. Curtis made a motion for Dr. Milne to remain as Vice-Chairman of the Board, seconded by Dr. Kalekas and approved by the Board effective tonight.

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

- a. QuickBooks Balance Sheet, P&L
- b. Licensing and Enforcement Information
- c. Status of litigation impacting the regulation of medical practices and status of various Taskforces and the Interim Health Care Committee.

The financial information as well as the licensing/disciplinary information was provided to the board for their review/consideration. Ms. Hegeduis also noted that she is currently involved with the Taskforce for Improper use of prescription drugs and the taskforce to stop the illegal practice of medicine - - and that she is the board's representative on these taskforces and that she attends the monthly Interim Healthcare Committee meetings.

XIV. LEGAL REPORT (Discussion/Action) Christine Parvan, DAG, Board Prosecutor

No comments.

XV. ITEMS FOR FUTURE DISCUSSION/ACTION/UPCOMING AGENDA

None

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

Dr. Curtis explained that Lori Beldon is no longer with us, Tacy Woodhams has gone to a part-time position, and Michelle Romo has replaced Ms. Woodhams as a full time position as receptionist/enforcement specialist.

XVII. 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.

Ms. Selleck-Davis discussed the possibility of the merging of the Boards.

Dr. Havins discussed the collaborating agreements on nurse practitioners and the possible changes.

Ms. Hegeduis stated that she had talked to the LCB regarding the 2008 PA regulations that they have not yet been codified because they (LCB) are so far behind, but are making a note on the current regulations on the legislature's website that these may have changed and to contact the respective Boards, commissions, agencies, etc., regarding possible changes.

The meeting was adjourned.

DISCLAIMER: Minutes posted but not approved by the Board.