



**NEVADA STATE BOARD
OF OSTEOPATHIC MEDICINE
REGULAR BOARD MEETING**

MAY 4, 2010 @ 6:00 PM

***** MINUTES *****

REVISION see item V111

I. CALL TO ORDER (Discussion/Action) Daniel Curtis, D.O., Chairman

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.
Paul Kalekas, D.O.
Scott Manthei, 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

II. +APPROVAL OF MINUTES FROM APRIL 6, 2010 (Discussion/Action) Daniel Curtis, D.O., Chairman

A motion was made by Dr. Manthei 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) 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
Michael Becker, DO	Radiation Oncology
Charles Garcia, D.O.	Emergency Medicine
Steven Handler, D.O.	Diagnostic Radiology
James Kao, D.O.	Ophthalmology
Angela Ortega-Bermudez, D.O.	Internal Medicine
Daniel Ostler, D.O.	Pathology
Cary Shames, D.O.	Family Medicine

Special License: (EFFECTIVE UPON APPROVAL):

Nicole Geissen, DO	UMC – General Surgery
Krista Haines, D.O.	UNSOM – General Surgery
Ryan Hodnick, D.O.	UNSOM – Emergency Med
Michaela Klein, DO	UMC – General Surgery
Scarlet Sparkuhl Delia, D.O.	UNSOM – Family Medicine
Greg Truax, D.O.	UNSOM – Emergency Med
Walter Yuen, D.O.	UNSOM – Internal Medicine

A motion was made by Dr. Manthei to approve these licenses, seconded by Dr. Anthony, and approved by the Board.

NOTE: Items IV through XXI 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 SETTLEMENT AGREEMENT & ORDER REGARDING JEROME ZIARKO, D.O., IBM CURTIS (Discussion/Board may go into closed session) Dean Milne, D.O., Vice Chairman

Dr. Ziarko has one lawsuit and one renewal application issue with a recommended \$750.00 fine. He is making payments. A motion was made by Dr. Kalekas to approve the settlement agreement, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

V. +CONSIDERATION/APPROVAL OF SETTLEMENT AGREEMENT & ORDER REGARDING KENNETH FULP, D.O., IBM CURTIS (Discussion/Board may go into closed session) Dean Milne, D.O., Vice Chairman

Dr. Fulp has one lawsuit with a recommended \$500 fine. He will be making payments. A motion was made by Dr. Kalekas to approve the settlement agreement, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

VI. +CONSIDERATION/APPROVAL OF SETTLEMENT AGREEMENT & ORDER REGARDING NINA NIEMEYER, D.O., IBM CURTIS (Discussion/Board may go into closed session) Dean Milne, D.O., Vice Chairman

Dr. Niemeyer has one lawsuit with a recommended \$500 fine. She will be making payments. A motion was made by Dr. Kalekas to approve the settlement agreement, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

VII. +CONSIDERATION/APPROVAL OF SETTLEMENT AGREEMENT & ORDER REGARDING GERALDINE GARDNER, D.O., IBM CURTIS (Discussion/Board may go into closed session) Dean Milne, D.O., Vice Chairman

Dr. Gardner has one lawsuit with a recommended \$500 fine. She will be making payments. A motion was made by Dr. Kalekas to approve the settlement agreement, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

VIII. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING JOHN DIMURO, D.O., IBM CURTIS (Discussion/Board may go into closed session) Dean Milne, D.O., Vice Chairman

Dr. DiMuro has one lawsuit with a recommended \$750 fine. A motion was made by Dr. Kalekas to approve the settlement agreement and order of fulfillment, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

IX. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING LILIANA RUIZ-LEON, D.O., IBM CURTIS (Discussion/Board may go into closed session) Dean Milne, D.O., Vice Chairman

Dr. Ruiz-Leon has one lawsuit with a recommended \$500 fine. A motion was made by Dr. Kalekas to approve the settlement agreement and order of fulfillment, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

X. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING STEPHAN MUSSEHL, D.O., IBM CURTIS (Discussion/Board may go into closed session) Dean Milne, D.O., Vice Chairman

Dr. Mussehl has two lawsuits and a renewal application issue with a recommended \$1,000 fine. A motion was made by Dr. Kalekas to approve the settlement agreement and order of fulfillment, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

XI. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING ERIC WOLFSON, D.O., IBM CURTIS (Discussion/Board may go into closed session) Dean Milne, D.O., Vice Chairman

Dr. Wolfson has two lawsuits and two renewal application issues with a recommended \$1,000 fine. A motion was made by Dr. Kalekas to approve the settlement agreement and order of fulfillment, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

XII. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING MORRIS SCHANER, D.O., IBM CURTIS (Discussion/Board may go into closed session) Dean Milne, D.O., Vice Chairman

Dr. Schaner has three lawsuits and a renewal application issue with a recommended \$1,750 fine. A motion was made by Dr. Kalekas to approve the settlement agreement and order of fulfillment, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

XIII. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING KAY MCMILLAN, D.O., IBM CURTIS (Discussion/Board may go into closed session) Dean Milne, D.O., Vice Chairman

Dr. McMillan has two lawsuits with a recommended \$500 fine. A motion was made by Dr. Kalekas to approve the settlement agreement and order of fulfillment, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

XIV. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING MARTIN ROITMAN, D.O., IBM CURTIS (Discussion/Board may go into closed session) Dean Milne, D.O., Vice Chairman

Dr. Roitman has two lawsuits and a renewal application issue with a recommended \$1,250 fine. A motion was made by Dr. Kalekas to approve the settlement agreement and order of fulfillment, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

XV. +CONSIDERATION & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING JOHN DAVIS, D.O., IBM CURTIS (Discussion/Board may go into closed session) Dean Milne, D.O., Vice Chairman

Dr. Davis has paid his fine of \$750 in full. A motion was made by Dr. Kalekas to approve the order of fulfillment, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

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

Dr. Gothelf has one lawsuit and a renewal application issue with a recommended \$500 fine. A motion was made by Dr. Manthei to approve the settlement agreement and order of fulfillment, seconded by Dr. Anthony, and approved by the Board. The IBM was recused from voting.

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

Dr. Gloeb has one lawsuit and a renewal application issue with a recommended \$750 fine. A motion was made by Dr. Manthei to approve the settlement agreement and order of fulfillment, seconded by Dr. Anthony, and approved by the Board. The IBM was recused from voting.

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

Dr. Laris has three lawsuits and a renewal application issue with a recommended \$1,250 fine. A motion was made by Dr. Manthei to approve the settlement agreement and order of fulfillment, seconded by Dr. Anthony, and approved by the Board. The IBM was recused from voting.

XIX. +CONSIDERATION/APPROVAL OF SETTLEMENT AGREEMENT & ORDER REGARDING MICHAEL CROVETTI, D.O., IBM EDWARDS (Discussion/Board may go into closed session) Daniel Curtis, D.O., Chairman

Dr. Crovetti has three lawsuits and various renewal application issues with a recommended \$3,500 fine. A motion was made by Ms. Rosaschi to approve the settlement agreement, seconded by Dr. Manthei, and approved by the Board. The IBM was recused from voting.

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

Dr. Wagner has one lawsuit and a renewal application issue with a recommended \$500 fine. A motion was made by Ms. Rosaschi to approve the settlement agreement and order of fulfillment, seconded by Dr. Manthei, and approved by the Board. The IBM was recused from voting.

Dr. Manthei asked why we approve the settlement agreement and the order of fulfillment at the same time. What if the agreement is not approved? Discussion ensued, namely, that it was done that way since the IBM was recommending the settlement. In the future, the Board will put the agreements on one agenda for approval and the fulfillments will be placed on the agenda for another meeting for approval.

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

- a. QuickBooks Balance Sheet, P&L
Ms. Longo explained that our receivables are up and the expenditures are down, so we are on target to be out of the red this year. We have cut our AG bill a significant amount since Mrs. Hegeduis has joined the office; however, we will

still require the use of the AG's office in the future for purposes of serving as counsel to the hearing officers as well as possibly for prosecution of cases.

b. Licensing and Enforcement Information.

Licenses:	Active DO's	734
	Active PA's	57
	Inactive DO's	65
	Special Licenses	153
	TOTAL	1009

91 Grand Total Complaints with 78 - Total Active Complaints:

- 25 - New Complaints have come in since the last board meeting.
 - 16 - Non-reporting of malpractice
 - 3 - Administrative
 - 6 - Public
- 35 – IBM Assignment/ Review
- AD Formal: (Public)
 - 2- formal complaints that are pending hearing - - one on Dr. Charles Trammel and one on Dr. Steve Wein.
- 16 – Awaiting Board approval for Settlement
 - 13 - Total **Inactive/Pending** Complaints: (Confidential)
 - 1 – Inactive (pending results of outside investigation)
 - 9 – Pending Expert Witness Review
 - 4 – Pending Diversion Completion

c. Mrs. Hegeduis discussed the FSMB annual meeting that Dr. Kalekas, Mr. Edwards, and she attended on April 21-25, 2010. Telemedicine was a big issue. We do not have statutes regarding telemedicine and we should consider adding some at the 2011 Legislature. Dr. Curtis agreed that we need to address telemedicine. We need to have a definition of telemedicine. There was a discussion of what was considered telemedicine and what should be regulated by this Board.

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

No comments.

XXIII. ITEMS FOR FUTURE DISCUSSION/ACTION/UPCOMING AGENDA

Adoption of regulations at the June meeting.

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

XXV. PUBLIC COMMENT

Comments were made by Dr. Havins regarding license by endorsement.

A motion was made by Dr. Anthony to adjourn the meeting and seconded by Dr. Manthei.

Approved at the June 15, 2010 Board meeting.

Addendum Approved at the November 2, 2010 Board meeting.