



NEVADA STATE BOARD

OF OSTEOPATHIC MEDICINE

REGULAR BOARD MEETING

DECEMBER 7, 2010 @ 6:00 PM

***** MINUTES *****

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

Board Members:

C. Dean Milne, D.O.
Ricardo Almaguer, D.O.
James Anthony, D.O.
Paul Kalekas, D.O.
Paul Edwards, Esq. – Public Member

Board Staff:

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

Public:

Denise Selleck-Davis, NOMA
Weldon "Don" Havins, M.D., J.D.

II. +*APPROVAL OF MINUTES FROM NOVEMBER 2, 2010 (Discussion/Action) C. Dean Milne, D.O., Vice-Chairman*

A motion was made by Dr. Kalekas to approve the minutes as drafted, seconded by Mr. Edwards, and the 11/02/10 minutes were approved by the Board.

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

Consent agenda to grant FULL LICENSURE to the following applicants:

Physician Name

**Gina Amaya, D.O.
**Lorraine Ash, D.O.
**David Cercone, D.O.
**Charles Crispin, D.O.
**Jon Fong, D.O.

Specialty

Anesthesiology
Diagnostic Radiology
Emergency Medicine
Pediatrics
Emergency Medicine

**Levy, Mary DO	Anatomic Pathology
** Wesley Lockhart, DO	Emergency Medicine
**Alan Menkes, D.O.	Family Practice
**Daniel Parks, DO	Psychiatry
**Kevin Tsui, D.O.	Internal Medicine
**Michael Uphues, D.O.	Family Medicine

**** = Effective 01/01/11 per licensee's request**

A motion was made by Dr. Kalekas to approve the licenses to be effective January 1, 2011, seconded by Mr. Edwards, and were approved by the Board.

Brian Lefler PA-C	Supervising - Dr. Empey
David Barth, PA-C	Supervising – Dr. Crovetti
Richard O’Bringer, PA-C	Supervising – Dr. Crovetti

Effective upon approval per licensee request

A motion was made by Dr. Kalekas to approve the licenses, seconded by Mr. Edwards, and were approved by the Board.

Special License: (EFFECTIVE UPON APPROVAL):

Jarrett Helming, DO	Orthopedic Surgery-UMC
Jill Johnson, D.O.	Orthopedic Surgery - UMC

A motion was made by Dr. Kalekas to approve the licenses, seconded by Mr. Edwards, and were approved by the Board.

***NOTE: Items IV- V 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 MICHAEL WILCZYNSKI, D.O., IBM EDWARDS (Discussion/Board may go into closed session) C. Dean Milne, D.O., Vice-Chairman

A motion was made by Dr. Kalekas to approve the settlement agreement, seconded by Dr. Almaguer; no discussion; agreement approved by the Board. The IBM was recused from voting.

V. +CONSIDERATION/APPROVAL OF SETTLEMENT AGREEMENT & ORDER REGARDING TODD RADIVAN, P.A., IBM ROSASCHI (Discussion/Board may go into closed session) C. Dean Milne, D.O., Vice-Chairman

A motion was made by Dr. Kalekas to approve the settlement agreement, seconded by Dr. Almaguer; no discussion; and approved by the Board. The IBM was recused from voting.

VI. +CONSIDERATION/APPROVAL OF SETTLEMENT AGREEMENT & ORDER REGARDING STEVEN WEIN, D.O. (RESOLUTION OF DISCIPLINARY ACTION),

IBM MILNE (Discussion/Board may go into closed session) Paul Kalekas, D.O., Secretary

Ms. Hegeduis explained that a complaint was filed against Dr. Wein. In the agreement, he acknowledges that he was found guilty after a jury trial of open & gross lewdness and that he was sentenced to one year in jail. He also confirms, in the agreement, that criminal charges are pending against him in Arizona for arson. The conviction constitutes unprofessional conduct as well as unethical conduct. His license is suspended through and including April 30, 2016 and he has to reapply for a license, but the Board is not under any obligation to give him back his license at that time. He pays two fines of \$5,000 each plus costs incurred of \$593.75. He has to make monthly payments of \$100 beginning on April 29, 2011. The full amount must be paid prior to him seeking reinstatement of his medical license. A motion was made by Mr. Edwards to approve the settlement agreement, seconded by Dr. Anthony; with no further discussion by the board, the agreement was approved by the Board. The IBM was recused from voting.

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

Ms. Hegeduis explained that Dr. DeShazo has agreed to a suspension of his Nevada license #380 for a period of one month beginning January 17, 2011 and ending on February 16, 2011. He has agreed to permanently cease treating patients for pain management. He will take CME classes as previously approved between Dr. DeShazo, Ms. Hegeduis, and the IBM assigned to the case. He will be under a three year probation starting January 1, 2011 and terminating on December 31, 2013. During that time, the Board's investigative staff shall conduct four random audits of his practice per year beginning March 1, 2011. The random audit will consist of reviewing the medical records files of five patients as identified and/or selected by the Board's representative. The Board shall notify John Cotton & Associates Law Firm of each such audit date. Dr. DeShazo agrees to pay the sum of \$20,000 as the fine imposed for having violated NRS and NAC chapters 633. Such amount shall be payable at the monthly rate of \$833.33 per month beginning January 1, 2011 and shall continue to be due on the first day of each month thereafter until paid in full. He understands that if he fails to comply with any part of this agreement that the Board may reinstitute an administrative action against him. This sum includes all fees and costs incurred by the Board up to and including the approval of this settlement agreement by the Board. A motion was made by Dr. Milne to approve the settlement agreement, seconded by Mr. Edwards; no discussion; agreement was approved by the Board. The IBM was recused from voting.

VIII. +CONSIDERATION/APPROVAL OF AUDIT FOR FISCAL YEAR 2009/2010, C. Dean Milne, D.O., Vice-Chairman

Ms. Hegeduis explained that the audit was performed this year, approved and signed by Dr. Curtis, and sent to the Governor's office already. A motion was made by Dr. Kalekas to formally approve the audit, seconded by Dr. Almaguer; there being no further discussion, the audit was formally approved by the Board.

IX. EXECUTIVE DIRECTOR'S / DEPUTY DIRECTOR'S REPORT/ Staff Report
a. QuickBooks Balance Sheet, P&L were provided to the board members
b. Licensing and Enforcement Information were provided to the board members

- c. AAOE delegate/meeting at the Paris Hotel, Las Vegas, NV
January 15-16, 2011. Dr. Anthony is attending on behalf of the Board. Dr. Almaguer will also attend and will attempt to have the AAOE pay for his air fare down to Las Vegas
- d. FSMB Annual Meeting – April 2011 - - Seattle, Washington
Ms. Hegeduis stated that Dr. Almaguer has volunteered to go to the FSMB meeting and that Dr. Curtis has consented to Dr. Almaguer's representation of the board at this meeting.
- e. Reminder- 2011 meetings SECOND Tuesday of each month
Beginning January 11, 2011

X. *LEGAL REPORT (Discussion/Action) by a representative of the Office of the Nevada State Attorney General*

No comments were provided and/or received from the AG's office.

XI. *ITEMS FOR FUTURE DISCUSSION/ACTION/UPCOMING AGENDA*

No comments.

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

Dr. Curtis was not present at the meeting.

XIII. *PUBLIC COMMENT*

Dr. Havins commented regarding BDR 84 and what it entails.

Disclaimer: Minutes posted but not approved by the Board.