



NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE

****PUBLIC NOTICE****

REGULAR BOARD MEETING

August 8, 2017 @ 5:30 PM

AT THE FOLLOWING LOCATION:

***Nevada State Board of Osteopathic Medicine ~ Conference Room
2275 Corporate Circle, Suite 210
Henderson, NV 89074***

***** MINUTES *****

I. CALL TO ORDER (Discussion/ For Possible Action) Ronald Hedger, D.O., President,

Roll call to determine presence of a quorum

Board Members:

Ronald Hedger, D.O.
Ricardo Almaguer, D.O.
C. Dean Milne, D.O.
Samir Pancholi, D.O.
Swadeep Nigam, Public Member
Paul Mausling, D.O.
Nicole Cavenagh, Ph.D., Public Member

Board Staff:

Sandra Reed, Executive Director
Louis Ling, Esq., Board Counsel
Sophia Long, Esq., DAG

Public:

Susan Fisher
Patience James, D.O.
Greg Schulman
James Anthony, D.O.
Donald Wingard, D.O.

II. PUBLIC COMMENT

NOTE: Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the board may refuse to consider public comment. See NRS 233B.126

No Comments.

III. ADMINISTRATION OF OATH OF OFFICE FOR SAMIR PANCHOLI, D.O., (Discussion/For Possible Action) Nicole Cavenagh, Ph.D., Secretary
Dr. Pancholi took the oath of office.

IV. ADMINISTRATION OF OATH OF OFFICE FOR SWADEEP NIGAM, (Discussion/For Possible Action) Nicole Cavenagh, Ph.D., Secretary
Mr. Nigam took the oath of office.

V. APPROVAL OF BOARD MEETING MINUTES FROM JUNE 13, 2017 (Discussion/For Possible Action) Ronald Hedger, D.O., President
Dr. Cavenagh made a motion to approve the minutes from June 13, 2017; seconded by Dr. Pancholi. There being no discussion, the minutes were approved by the Board.

VI. CONSENT AGENDA TO GRANT LICENSURE FOR OSTEOPATHIC PHYSICIANS & PHYSICIAN ASSISTANTS (Discussion/ For Possible Action) Ronald Hedger, D.O., President

Under this item the Board may consider the recommendations of the Executive Director and/or President/Vice 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:

Osteopathic Physician Name

Glenn Barnes, D.O.
Augen Batou, D.O.
Shalom Butel, D.O.
Rachel Campbell Telliard, D.O.
Itha Dalrymple, D.O.
William Dalrymple, D.O.
Ava George, D.O.
Eri Gibb, D.O.
Khyati Gupta, D.O.
Brandon Jensen, D.O.
Kenton Kagy, D.O.
Habib Karkavandian, D.O.
Hesham Sahawneh, D.O.
Priya Sundaram, D.O.
Susan Watson, D.O.

Specialty

Family Medicine
Internal Medicine
Emergency Medicine
Psychiatry
Family Medicine
Family Medicine
Family Medicine
Family Medicine
Internal Medicine
Internal Medicine
Diagnostic Radiology
Emergency Medicine
General Surgery
Diagnostic Radiology
Emergency Medicine

Physician Assistant

Nicole Ballentine, PA-C
Jeffrey Haynes, PA-C
Steven Kiss, PA-C
Thomas O'Brien, PA-C
Albert Or, PA-C
Wendi Tsukada, PA-C
Jason Zarn, PA-C

Supervising Physician

Jaldeep Daulat, D.O.
Andrew Kim, D.O.
None – Active Not Working
Nick Liu, D.O.
Scott Thomas, D.O.
Chang-Hoon Ahn, D.O.
Michael Trainor, D.O.

Special Licenses NRS.633.411:
Matthew Cullen, D.O.

UNLVSOM Orthopedic Surgery

Robert Lane, D.O.
Michelle Lee, D.O.
Chad Morrison, D.O.
Jonathan Sexton, D.O.
David Trabazo, D.O.

UNLV SOM Orthopedic Surgery
Valley Hospital
UNLV SOM General Surgery
Kingman/Sunrise
Kingman/Sunrise

Motion to approve full licensure by Dr. Milne; seconded by Dr. Cavenagh. There being no discussion, the Board approved granting full licensure.

VII. +CONSIDERATION OF APPLICATION FOR FULL LICENSURE FOR OSTEOPATHIC PHYSICIAN FELIX BRIZUELA, D.O., Ronald Hedger, D.O., President
Dr. Hedger stated that this item was tabled from the June 13, 2017 Board meeting. Dr. Hedger read the e-mail received from Dr. Brizuela. Dr. Milne explained why this item was tabled at the last Board meeting. Dr. Milne made a motion for the Board to deny licensure of Dr. Brizuela; and, seconded by Dr. Pancholi. Motion approved by the Board.

VIII. + CONSIDERATION/APPROVAL OF REQUEST FOR REVISION TO SETTLEMENT AGREEMENT AND ORDER REGARDING DONALD WINGARD, D.O., IBM C. DEANE MILNE, D.O., (Discussion/For Possible Action/Board may go into closed session pursuant to NRS 241.030 to move to a closed session because the discussion will have to do with this applicant's character, alleged misconduct, professional competence, or similar items). Ronald Hedger, D.O., President

Dr. Wingard chose to remain in open session. Mr. Ling explained the Settlement Agreement Order (SAO) Dr. Wingard entered in to in January 2017. Under the SAO, his license was placed on two-year probation status, and he was to retain a practice monitor at his own cost, to assist him to comply with the SAO. Dr. Wingard would not be able to dispense controlled substances, but could prescribe them. Dr. Anthony agreed to be the practice monitor for Dr. Wingard, and provided oversight, guidance, and quarterly reports to the Board on Dr. Wingard's progress. Dr. Wingard was required to improve his patient recordkeeping practices to ensure they met the standard of practice. In certain circumstances, his patients needed to be referred to pain management specialists. Also required were the payment of fees and the completion of continuing medical education credits. To date, Dr. Wingard was in compliance with the SAO. Dr. Anthony explained that he met with Dr. Wingard the end of February, in April, and June 2017. All three times he reviewed the Practitioner Monitoring Program (PMP) prior to each visit and ensured standard of care by reviewing patient charts with Dr. Wingard. Dr. Anthony found that Dr. Wingard complied with standard of care requirements and that he had modified his practice as required. Dr. Anthony emphasized that Dr. Wingard was not a threat to the public. Dr. Hedger asked what alteration Dr. Wingard was proposing. Dr. Wingard requested for his probation to be lifted, and his license reverted to active status. Dr. Milne asked how the probation status impacted his practice. Dr. Wingard said several insurance companies would not work with him. He was told by the Chief Medical Officer of Health Care Partners that he was in danger of losing his job if another insurance company dropped him. He lost his ability to be a preceptor for three nurse practitioners, which caused a financial loss for him. Dr. Wingard said the Ohio Board was investigating him based on his probationary status in Nevada and that Ohio might propose probation and a fine of up to \$20,000. Dr. Hedger said if the probation was removed, the Board should be able to conduct random audits of medical records. Mr. Ling stated that records may continue to be checked, but the SAO would no longer be in effect. Dr. Pancholi suggested monitoring his PMP, and if necessary, to open a new investigation if problems were discovered. Dr. Anthony asked the Board to grant a full unrestricted license for Dr. Wingard. Ms. Reed stated that all the other requirements of the SAO had been met. Dr. Almaguer voiced his opposition to withdrawing the probation. Dr. Pancholi made a motion to end the probation and reinstate to a full and active license for Dr. Wingard; and, seconded

by Dr. Cavenagh. The motion was approved by the Board, with Dr. Almaguer opposing. The IBM was recused from voting.

IX. +CONSIDERATION OF APPLICATION FOR FULL LICENSURE FOR OSTEOPATHIC PHYSICIAN PATIENCE JAMES, D.O., *(personal appearance), (Discussion/For Possible Action/Board may go into closed session pursuant to NRS 241.030 to move to a closed session because the discussion may involve this applicant's character, alleged misconduct, professional competence, or similar items). Ronald Hedger, D.O., President*

Dr. Hedger asked if Dr. James would like to go into a closed session or stay in an open session. Dr. James opted for a closed session. A motion was made by Dr. Hedger, seconded by Dr. Cavenagh, and approved by the Board to go into a closed session. A motion was made by Dr. Cavenagh to go back into an open session, seconded by Dr. Milne, and approved by the Board. Dr. Hedger made a motion to approve licensure of Dr. James, seconded by Dr. Almaguer and approved by the Board.

X. EXECUTIVE DIRECTOR'S REPORT

- a. Financial Statement-Compilation Statement. Dr. Pancholi requested a comparison to the previous fiscal year.
- b. Licensing
- c. Interstate Medical Licensure Compact update. The compact has made an offer to a candidate for the Executive Director. Nevada has not yet been approved by the FBI to be a state of principal licensure; therefore, remains only a member State.
- d. Mr. Nigam asked for a copy of the budget. Ms. Reed explained that she is in the process of working on it.

XI. LEGAL REPORT (Discussion/Action) by Louis Ling, Board Counsel and/or Sophia Long, Deputy Attorney General

Mr. Ling stated that the court issued an order granting the Board \$1,600 in attorney fees and costs in the most recent Dr. Orr court case. The mandatory settlement conference process with the Supreme Court had been cancelled, since Mr. Hafter, Dr. Orr's attorney, indicated that he felt that settlement of this matter was not possible. Mr. Hafter planned to again appeal the decision. The Board may engage in collection efforts to collect attorney's fees from Dr. Orr, and will research that process.

XII. ITEMS FOR FUTURE DISCUSSION/ACTION/UPCOMING AGENDA

Dr. Pancholi asked if it was possible to have an agenda item to consider election of officers.

XIII. PRESIDENT'S REPORT on Board Business, Ronald Hedger, D.O., President

No Comments.

XIV. PUBLIC COMMENT

Ms. Fisher stated that the legislative commission has not yet met to assign all of the interim committees. She added that she did not know who will participate in the committees, only that there will be a Democratic Senator chairing one of them. The committees will commence in November.

Dr. Hedger motioned to adjourn the meeting; seconded by Dr. Pancholi, and approved by the Board.

Minutes Approved at September 12, 2017 Board Meeting