

NSBOM NEWSLETTER

Nevada State Board of Osteopathic Medicine, 901 American Pacific Dr., Unit 180, Henderson, NV 89014

January, 2012 Volume 6

What you need to know about our laws . . .

IN THIS ISSUE, WE ARE REPEATING SOME REGULATIONS AND STATUTES AS MANY LICENSEES ARE STILL NOT AWARE...

NAC CHAPTER 633 contains the Nevada laws pertaining to osteopathic physicians and physicians' assistants and can be found on the Board's website. www.bom.nv.gov. In a continuing effort to assist the Board's licensees, you will find an unofficial version of NAC chapter 633 on the website. This version contains the 2007 and 2009 revisions to the regulations. These revisions have been adopted by the Board and approved by the Legislative Commission. The Legislative Counsel Bureau has not yet assigned section numbers to certain sections of the regulations, but all sections are in full force and effect now. The same goes for SB 273 which went into effect October 1, 2011.

If you wish to view other applicable statutes and regulations, they can be found on the Legislature's website, www.leg.state.nv.us.

National Board of Osteopathic Medical Examiners launches new newsletter -

NBOME has launched a new quarterly newsletter, [The Osteopathic Examiner](#), to provide information about the NBOME's many activities in the arena of assessment for osteopathic competencies and related health care professions.

FSMB celebrates 100 years of operation. The FSMB and the nation's state medical boards have played a vital role in helping shape the basic infrastructure for health care delivery in the United States. There will be a 100th Annual Meeting in April in Fort Worth, Texas, a special symposium in October in Washington, D.C., and the publication of a book about our history later this year. Please visit [Centennial website](#).

REMINDER: NAC 633.260 HAS BEEN CHANGED!! Each person who holds a license with the Osteopathic Medicine Board or in this State shall: (a) file with the Board his proper and current mailing address; and (b) notify the Board in writing of any change in his address within 30 days after the change. The notification must provide both his old and his new mailing address.

Also, each person who holds a license to practice osteopathic medicine in this State and who intends to close his or her osteopathic medical practice shall notify the Board in writing at least 30 days before closing the practice. The notice must specify: (a) the person who or facility that will maintain the health care records of the person's patients for the period required by NRS 629.051; and (b) how the patients of the osteopathic medical practice were notified of the closure of the practice.

Failure to comply with the requirements of this section in a timely manner is ground for initiating disciplinary action pursuant to NRS 633.511.

Do you supervise a PA-C or an APN?

- All physician assistants and their supervising physicians **MUST** sign a supervising agreement form and mail it into the Board office.
- It is **IMPERATIVE** that a collaborating agreement form be completed and sent into us for all APNs.
- Physicians will be required to sign a letter stating they are compliant with NRS 633.469 regarding requirements of supervision.
- A supervising physician may not supervise more than a total of three physician assistants and advanced practitioners of nursing at a time and must report to the Board within 10 days of any termination of a supervising physician agreement.

INSIDE THIS ISSUE

Changes in the laws
Actions by the Board



NSBOM BOARD MEMBERS

Paul Kalekas, D.O.,
Chairman;

C. Dean Milne, D.O.,
Vice-Chairman;

James Antony, D.O., J.D., M.B.A.
Secretary/Treasurer; and

S. Paul Edwards, Esq.
Rota Rosaschi, MPA

Richard Almaguer, D.O.
Ronald Hedger, D.O.

STAFF

Barbara Longo
Interim Executive Director
Tammy Sine

Licensing Specialist/Bookkeeper
Sonya McAllister
Enforcement Specialist/
Administrative Assistant

MORE ABOUT OUR BOARD & STAFF

. Our newest board member is Dr. Ronald Hedger. He was raised in Las Vegas and received his BA degree from UNLV in psychology/communications. His osteopathic medical education was done in Southern California at Western University of Health Sciences/COMP where he received his DO degree in 1984. Dr. Hedger is Board Certified by the American Osteopathic Board of Family Physicians and is a Diplomat of the National Board of Osteopathic Medical Examiners.

Continued on next page

Meet the NSBOM, continued...

. He also is a SOAP note grader and Case Developer for the National Board of Osteopathic Medicine in Pennsylvania. He is a member of AOA and NOMA. Dr. Hedger worked as an urgent care physician at Fremont Medical Center in Las Vegas for 10 years and was in private practice (family medicine/OMT) in Henderson. He was a medical/technical consultant to television and motion pictures and was the executive producer and program host for "Health Quest" and "Medical Minute," both syndicated television programs on ABC. Dr. Hedger is currently an associate professor of primary care, the course director for the OSCE course/training facility, assistant dean for clinical skills training, medical director of the physician assistant studies and chairman of the admissions committee at Touro. He joined Touro University Nevada College of Osteopathic Medicine in April 2004 as a charter faculty member. Dr. Hedger is married with 3 children, and one granddaughter. AND...Dr. Anthony has been reappointed to the board for four more years by Governor Sandoval. We are glad to have such an active, hard working member serving the board. ALSO... Sonya McAllister is our newest staff member...

So what has your Board been doing lately . . .

The statistics contained on this page indicate NSBOM and staff have not been greatly impacted by the sluggish economy and is still showing signs of a more active Board.

Also, please note the NSBOM board meetings are being conducted on the 2nd Tuesday of each month at 6pm.

NOTE FROM NOMA:

The Annual Convention will be held April 27-28 in Las Vegas, 15 credits are offered. There will also be One Day Conferences in Las Vegas in September and November for 10 credits each and two One Day Conferences in Reno in June and August for 15 credits each. 2012 is the end of the three year cycle for Board Certification and there are many ways to earn hours if you need them. Check the website: www.nevadaosteopathic.org or contact Denise Selleck-Davis, at NOMA (702) 434-7112 for more information.

HAVE YOU HEARD?

Check out the following stats pertaining to NSBOM's licensees per fiscal year (July 1 through June 30th):

Licenses	2008/2009	2009/10	2010/11	2011/2012
D.O.	737	742	774	786
P.A.	58	58	66	71
Special	135	198	220	177
Inactive	50	65	73	81
DO Special			4	2
Temporary			2	5

Discipline	2009	2010	2011	2012
Settlements	32	72	15	0
Hearings	72	0	0	0
License Surrender	1	1	1	0
License Suspension	1	2	3	0
License Denial	1	0	0	0
Public Reprimands	2	0	0	0
Private Letters of Warning		74	26	0
Probation		1	2	3

(Please note, the Board was only given the authority to write private letters of warning by the 2009 Legislature.)

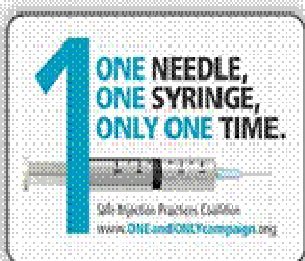
REMINDER: CME REQUIREMENTS

We have had a lot of calls regarding CME requirements. These requirements have not changed and are as follows: DO's need proof of 35 credits with 10 of them AOA category 1A or AMA category 1. PA's need 20 hours of CME. CMEs must be taken in the calendar year January 1, 2012 thru December 31, 2012. If you are included in the 33% CME audit, CME proof must be received before your license renewal is approved and your licensee card is mailed.

Why are unsafe injection practices occurring?

A common question that arises is "Why is this happening?" In most cases the healthcare professionals involved are unaware their actions are a safety risk for them and their patients. Here are a few reasons we have encountered so far:

- **Lack of awareness**—The healthcare worker is unaware that they are doing anything inappropriately.
- **Poor/insufficient training**—Proper techniques are glossed over and shortcuts outside of accepted practices are shared.
- **Economics**—The apparent driving force behind the 2008 Nevada hepatitis C outbreak.
- **Lax procedures**—Over time and without refresher training, short-cuts are sometimes developed.
- **Time pressures**—In today's world of do more faster, some healthcare providers develop shortcuts to increase efficiency but inadvertently decrease safety.
- **Distractions**—Constant interruptions can lead to unintended consequences in any field.
- **Provider addiction**—Placed in the spotlight by a RN in Colorado who used patients' painkillers and then reused the syringes filled with a saline solution on her patients. Approximately 35 patients are reported to have contracted hepatitis C.



The One & Only Campaign is a public health campaign aimed at raising awareness among the general public and health care providers about safe injection practices.

<http://www.oneandonlycampaign.org/locations/nevada/>

IMPORTANT INFORMATION FROM THE PHARMACY BOARD

How to Handle Your Drugs Legally If You Are A Dispensing Practitioner

In recent years, the trend for many osteopathic physicians has been to register with the Board of Pharmacy to become dispensing practitioners, meaning that the osteopathic physician serves as his or her own pharmacy for his or her patients. The Board of Pharmacy has a simple set of rules governing such dispensing practices, and it has recently observed that some of the drug ordering, storage, and management practices by dispensing practitioners are not in compliance with Nevada law and expose the dispensing osteopathic physicians to needless risk.

Nevada law (and common sense) dictates that a dispensing osteopathic physician is responsible for all aspects of the ordering, security, and dispensing of prescription drugs in a practice. For example, NAC 639.742(3)(a) requires that the dispensing practitioner order all drugs to be used in the practice. NAC 639.742(3)(b) requires that all drugs be received and accounted for by the dispensing practitioner. Finally, NAC 639.742(3)(c) requires all drugs to be stored in a secure, locked room or cabinet to which the dispensing practitioner has the only key or lock combination. All of these duties must be done by the individual dispensing practitioner and cannot be delegated to somebody else in the practice.

What does all this mean if you are in a large practice with several other dispensing practitioners? It means that each dispensing practitioner is responsible for his or her own drug stock. Nevada law does **not** allow for a common drug room or drug supply from which multiple practitioners may withdraw drugs for dispensing. Each dispensing practitioner must order, receive, account and secure his or her own drug stock.

If you are in a large multi-practitioner dispensing practice and only one dispensing practitioner is ordering all drugs for the entire practice, this practice must cease immediately for two reasons. First, such a "designated orderer" system violates Nevada law. Second, the Drug Enforcement Administration (DEA) has reports on all controlled substances that are ordered using a practitioner's DEA number, and the DEA has recently been auditing dispensing practitioners for compliance. Both the Pharmacy Board and the DEA will be looking for compliance with Nevada and federal law, so please organize your practices accordingly.

Questions for the licensees?

In order to bring disciplinary actions against licensed Osteopathic medicine doctors, BSBOM needs expert witnesses and expert witnesses are rather costly. Do you have the time and desire to help your Board in such cases? If so, please contact the Board at your convenience.

What else should the Board be doing to assist licensees? What else should be in the Newsletter? We would appreciate your feedback. Email us and let us know your thoughts.

MANY LICENSEES ARE STILL FORGETTING ABOUT THAT "PESKY" REPORTING STATUTE (NRS 633.527)

Physicians and physician assistants are required to report to the Board when they are served with a summons and complaint in a medical malpractice case, as well as report any type of a disposition of that lawsuit, and whether that matter is referred to mediation or arbitration. Licensees are mandated to report such information within 45 days of notice. Physicians may be fined up to \$5,000 per violation of this statute. **The 2011 Legislature has amended this statute to include the requirement PA's notify the Board as well about such events in medical malpractice cases.**