



NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE

****PUBLIC NOTICE****

REGULAR BOARD MEETING

FEBRUARY 10, 2015 @ 6:00 PM

AT THE FOLLOWING LOCATION:

***Nevada State Board of Osteopathic Medicine ~ Conference Room
901 American Pacific Drive, Unit 180
Henderson, NV 89014***

***** 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.
Samir Pancholi, D.O.
James Anthony, D.O.
S. Paul Edwards, Esq., Public Member
Nicole Cavenagh, Ph.D., Public Member

Board Staff:

Barbara Longo, Executive Director
Louis Ling, Esq., Board Counsel
Sophia Long, Esq., DAG
Steve Ray, Chief of Enforcement

Public:

Jacqueline Leventhal, D.O.
Audie Leventhal
Janine Isaacson

II. PUBLIC COMMENT

No Comments.

***III. APPROVAL OF BOARD MEETING MINUTES FROM JANUARY 13, 2015,
(Discussion/For Possible Action) Ronald Hedger, D.O., President***

A motion was made by Dr. Almaguer to approve the minutes from 01/13/15, seconded by Dr. Anthony; there being no discussion, the minutes were approved by the Board.

IV. +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 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
Mark Hash, D.O.	Family Medicine
Jason Johnson, D.O.	Plastic & Reconstructive Surgery
Daniel Lott, D.O. – Endorsement	OB/GYN
Mukesh Wadhwa, D.O.	Anesthesiology
Physician Assistant	Supervising Physician
Justin Cottrell, PA-C	Unknown at this time
Special Licenses NRS.633.411:	
Leah Beegan, D.O.	Geriatrics
Christopher Halphen, D.O.	UMC – Orthopedic Surgery
Special Licenses NRS.633.401(a):	
Jeffrey Fountain, D.O.	Diagnostic Radiology
Tien H. Tran, D.O.	Diagnostic Radiology

A motion was made by Dr. Cavenagh to approve the above licensee, seconded by Dr. Anthony, there being no discussion; the license was approved by the Board.

V. +DISCUSSION/CONSIDERATION ON MOTION TO AMEND SETTLEMENT AGREEMENT AND ORDER REGARDING JACQUELINE LEVENTHAL, D.O., IBM SAMIR PANCHOLI, 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. Leventhal presented argument regarding why she desired the Board to amend her Settlement Agreement and Order. In particular, Dr. Leventhal indicated that she intended to move to Utah and that she interpreted Mr. Espadero's contract, the Settlement Agreement and Order, and the e-mails between her counsel and Mr. Ling to mean that she was prohibited from moving from Nevada.

Mr. Ling presented argument regarding why he believed that Dr. Leventhal was required to sign Mr. Espadero's contract in whatever form he presented it to her and without her amending either Mr. Espadero's contract or the Settlement Agreement and Order. Mr. Ling stated that throughout his negotiations with Dr. Leventhal's contract, it was never stated to him that Dr. Leventhal intended to move to Utah. Mr. Ling also clarified that he did not state in any of the e-mails, which he invited the Board to review, that Dr. Leventhal was prohibited from moving from Nevada. Mr. Ling also indicated that as long as Dr. Leventhal complied with the Settlement Agreement and Order, including signing Mr. Espadero's contract and beginning to treat with the PRN-PRN program, he would be glad to negotiate an

amendment with Dr. Leventhal that would describe her obligations to Nevada should she choose to move to Utah. Mr. Ling explained that the IBM was aware of the Utah settlement agreement executed by Dr. Leventhal and that there would be a way to incorporate her obligations in Utah into an amendment to Nevada's Settlement Agreement and Order.

After discussion among the Board members regarding the presentations of the parties, Dr. Hedger tabled the item and warned Dr. Leventhal to execute the contract between her and Mr. Espadero in one week or by next Tuesday. Dr. Hedger explained that the tabling of the item was to facilitate negotiation of an appropriate amendment that would describe Dr. Leventhal's obligations to the Board if she chose to move from Nevada.

- VI. +REQUEST FOR WAIVER FROM DR. JACQUELINE LEVENTHAL PURSUANT TO NRS 633.481 –MISSING TWO CME CREDITS PER NRS 633.471(5) REQUIRED FOR THE CALENDAR YEAR 2014 (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. Hedger asked why Dr. Leventhal was requesting a waiver for the required CME credits for 2014. Dr. Leventhal explained that she had 33 credits for 2014 and did 3 credits in 2015 for the addiction medicine requirement. Mr. Edwards made a motion to deny the request for a waiver for the 2014 CME credits and allow her to make up the CMEs by taking 12 additional credits in pain management, addiction medicine, or ethics, Dr. Almaguer seconded the motion; there was some discussion, the motion passed with Dr. Pancholi a nay vote. Dr. Leventhal needs to do an additional 10 credits.

- VII. DISCUSSION/CONSIDERATION OF DRAFT REGULATORY LANGUAGE ADDRESSING THE USE OF OPIOID ANALGESICS IN THE TREATMENT OF CHRONIC OR INTRACTABLE PAIN, (Discussion/For Possible Action), Ronald Hedger, D.O., President**

Dr. Hedger explained that this is a work in progress. Dr. Anthony stated that he would like to table this for now as there are some items that the legislature has some items that are addressing this and would like to wait for that outcome. This item was tabled.

VIII. EXECUTIVE DIRECTOR'S REPORT

- a. Compilation Report
- b. Licensing
- c. Lease Update – The new office is coming along very well and we are scheduled to move on February 28, 2015.

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

Mr. Ling gave an update on the Dr. Orr case.

X. ITEMS FOR FUTURE DISCUSSION/ACTION/UPCOMING AGENDA

No Comments.

- XI. PRESIDENT Report on Board Business, Ronald Hedger, D.O., President**

No Comments.

XII. PUBLIC COMMENT

No Comments.

Dr. Anthony made a motion to adjourn the meeting, seconded by Dr. Cavenagh, and approved by the Board.

Approved at March 10, 2015 Board meeting.