



NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE

****PUBLIC NOTICE****

REGULAR BOARD MEETING

NOVEMBER 10, 2015 @ 5:30 PM

AT THE FOLLOWING LOCATION:

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

***** OPEN 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.
Rick Almaguer, D.O.
Samir Pancholi, D.O.
Paul Mausling, D.O.
Nicole Cavenagh, Ph.D., Public Member

Board Staff:

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

Public:

Russel Aubin, D.O.
Fardad Forouzanpour, D.O.
Susan Fisher
Denise Selleck

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 PAUL MAUSLING, D.O.,
(Discussion/For Possible Action) Ronald Hedger, D.O., President***

Dr. Hedger asked Dr. Cavanagh to administer the oath of office to Dr. Mausling. Dr. Cavanagh had Dr. Mausling raise his right hand and then read the oath of office.

IV. APPROVAL OF BOARD MEETING OPEN MINUTES FROM OCTOBER 13, 2015, (Discussion/For Possible Action) Ronald Hedger, D.O., President

A motion was made by Dr. Pancholi to approve the 10/13/15 minutes, seconded by Dr. Cavanagh; there being no discussion, the minutes were approved by the Board.

V. 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:

Osteopathic Physician Name	Specialty
Anil Hanuman, D.O. – Endorsement	Internal Medicine
Jared Heimbigner, D.O.	Diagnostic Radiology
John Miles, D.O. – Endorsement	Anesthesiology
Jacklyn Pancrudo, D.O.	Internal Medicine
Amarpreet Sandhu, D.O.	Nephrology
Lamarr Tyler, D.O.	OB/GYN
David Wang, D.O.	Radiology

Special Licenses NRS.633.411:

Rafael Martinez, D.O.	Kingman/Sunrise
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A motion was made by Dr. Cavanagh to approve the above licensee, seconded by Dr. Pancholi, there being no discussion; the license was approved by the Board.

VI. +FULL LICENSURE FOR OSTEOPATHIC PHYSICIAN, RUSSEL AUBIN, 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 will have to do with this applicant's character, alleged misconduct, professional competence, or similar items). Ronald Hedger, D.O., President

Dr. Hedger introduced Dr. Aubin. He requested a closed session. A motion was made by Dr. Cavanagh to go into a closed session, seconded by Dr. Mausling and approved by the Board. Dr. Cavanagh made a motion to go into an open session, seconded by Dr. Mausling and approved by the Board. Dr. Mausling made a motion to approve the application, seconded by Dr. Cavanagh, there being no discussion; the application was approved by the Board.

VII. +FULL LICENSURE FOR OSTEOPATHIC PHYSICIAN Fardad Forouzanpour, 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 will have to do with this applicant's character, alleged misconduct, professional competence, or similar items). Ronald Hedger, D.O., President

Dr. Hedger explained that he had requested Dr. Forouzanpour appear before the Board due to some of the actions that had been present in his application. Dr. Hedger stated that one of his biggest concerns was that some of the questions on the questionnaire were answered in the negative, but in fact were positive per the National Practitioner Data Bank (NPDB) and the California license verification. Dr. Almaguer asked if Dr. Forouzanpour personally completed the application. Dr. Forouzanpour stated yes and no, most of the application was completed by him, but he just missed that particular question. Dr. Hedger asked him to explain the California sanction. Dr. Forouzanpour explained the sanction and answered the Board's questions of the Board regarding his disciplinary action and the NPDB report. Dr. Hedger asked for a motion. Dr. Almaguer made a motion to deny the application, seconded by Dr. Cavanagh; there was discussion. The Board gave Dr. Forouzanpour the option to withdraw his application. Dr. Forouzanpour withdrew his application for licensure. Dr. Almaguer withdrew his motion. Mr. Ling stated that because Dr. Forouzanpour had withdrawn his application, that there was no application on which the Board could act. Mr. Ling explained to Dr. Forouzanpour that he could reapply in the future.

VIII. DISCUSSION/ACTION REGARDING ACTION TO BE TAKEN WITH OUTSTANDING COLLABORATING AGREEMENTS (Discussion/For Possible Action), Ronald Hedger, D.O., President

Dr. Hedger explained that the physicians and physician assistants have until December 31, 2015 to comply with our new notification/collaborating agreement. Ms. Longo asked what the Board wanted to do with those licensees that have not complied. Dr. Hedger suggested a fine. Dr. Hedger made a motion that we offer a settlement agreement of \$500 fine per licensee, seconded by Dr. Cavenagh, there being some discussion; the motion was approved.

IX. CONSIDERATION/ACTION REGARDING 2014-15 FISCAL YEAR AUDIT (Discussion/For Possible Action), Ronald Hedger, D.O., President

Ms. Longo explained the audit. A motion was made to approve the audit by Dr. Cavenagh, seconded by Dr. Mausling, and approved by the Board.

X. DISCUSSION/ACTION REGARDING POSSIBLE UPCOMING REGULATIONS, (Discussion/For Possible Action), Ronald Hedger, D.O., President

Mr. Ling stated that in 2014 the Board began a draft regulation related to controlled substances and prescribing, but it was put on hold as the legislative session was starting in 2015. SB459 & SB288 were approved by the legislature and show concerns for prescribing controlled substances. Mr. Ling explained that the regulation under consideration is for chronic pain and not acute pain. Per the new legislation, physicians are required now to run PMP's on all patients who are new to the physician or for whom the opioid therapy is new. The Board will need to fold in the new laws with the regulation that was originally drafted in 2014. There was discussion regarding the regulations and the Board members were encouraged by Mr. Ling to go through the draft he presented today and make comments on it as to what should be added or deleted.

XI. EXECUTIVE DIRECTOR'S REPORT

- a. Quick Books
- b. Licensing
- c. Interstate Compact Licensure- Update. Ms. Longo explained that Wisconsin will be the twelfth State joining the compact. There is a meeting in Utah in December.

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

Mr. Ling stated that there is nothing to report on the Dr. Orr case.

Mr. Ling explained the process of settlement agreements by this Board. Some Settlement Agreements can be very lengthy and extensive. Once an agreement is signed, it is presented to the Board for approval. The IBM will explain to the other Board members why the agreement is needed and why it is a good agreement and the other Board members may ask questions regarding the agreement. Staff intended to remind all the Board members that the system only works well when all Board members come to the Board meeting having read the Agreement and thought about it because if it appears to the doctor, the public, or the legal counsel from the Board's questions show that you do not understand what you are looking at or that you have not read it, then the Board looks foolish. Mr. Ling stated that the Board's charge is either to accept or to reject the agreement presented. The agreement cannot be modified at the Board meeting. Mr. Ling stated that the Board was encouraged to discuss the actual terms of the discipline sought during the meeting and if the Board wanted to reject the agreement because the Board disagreed with the discipline sought, then the Board needs to say so because that is what the Board was appointed to do.

XIII. ITEMS FOR FUTURE DISCUSSION/ACTION/UPCOMING AGENDA

No Comments.

XIV. PRESIDENT Report on Board Business, Ronald Hedger, D.O., President

Dr. Hedger stated the American Academy of Osteopathic Examiners annual meeting is January 2016. They pay for one appointed Board member to go. Dr. Hedger is not sure he will be able to go to, but if anyone is interested they can contact the Academy.

XV. PUBLIC COMMENT

Ms. Selleck made comments on SB459 was brought up by the Governor's wife and it took it until the end of the session before it was approved. She thought the legislature was more concerned with patients being taken off the narcotic pain medications and suggested the Board might want to consider this when creating the regulation.

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

Approved at December 8, 2015 Board meeting.