



NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE

BOARD MEETING

August 14, 2018 @ 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.
Paul Mausling, D.O.
Samir Pancholi, D.O.
C.D. Milne, D.O.
Nicole Cavenagh, Ph.D., Public Member
Swadeep Nigam, Public Member

Board Staff:

Sandra Reed, Executive Director
Louis Ling, Esq., Board Counsel
Rosalie Bordelove, Esq., DAG
James Atchazo, Investigator
Nikki Montano, Administrative Assistant

Public:

Andrea Moss
Susan Fisher

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 RICARDO ALMAGUER, D.O., (Discussion/For Possible Action) Nicole Cavenagh, Ph.D., Secretary

Dr. Cavenagh administered the oath of office to Dr. Almaguer.

IV. APPROVAL OF BOARD MEETING MINUTES FROM JUNE 12, 2018 (Discussion/For Possible Action) Ronald Hedger, D.O., President

Dr. Cavenagh made a motion to approve the minutes from June 12, 2018; seconded by Dr. Milne. There being no discussion, the minutes were approved by the Board.

V. CONSENT AGENDA TO GRANT LICENSURE FOR OSTEOPATHIC PHYSICIANS , SPECIAL LICENSE 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.

Osteopathic Physician Name	Specialty
Michael Albring, D.O.	Family Medicine
Rickinder Bains, D.O.	Anatomic Pathology
Steven Carter, D.O.	Internal Medicine
Deborah Fernandez-Turner, D.O.	Psychiatry
Ryan Huang, D.O.	Family Medicine
Jeremie Karsenti, D.O.	Diagnostic Radiology
Hyunnarm Kim, D.O.	Psychiatry
Brandon Lee, D.O.	Emergency Medicine
Michelle Lin, D.O.	Family Medicine
Chiara Mancini, D.O.	Forensic Pathology
Asa Margolis, D.O.	Emergency Medicine
Joseph Nagan, D.O.	Internal Medicine
Kevin Ogden, D.O.	Family Medicine
Priyanka Patel, D.O.	Internal Medicine
Brian Scheele, D.O.	Emergency Medicine
Salena Shafer, D.O.	Neurology
Jean Storey, D.O.	OB/GYN
Rudy Tedja, D.O.	Critical Care
Aroucha Vickers, D.O.	Neurology
Alan Walsh, D.O.	Internal Medicine
Physician Assistant	Supervising Physician
Jennifer Westmoreland, PA-C	None – Active Not-Working
Special Licenses NRS.633.411:	
Christopher Tombey, D.O.	Kingman/Sunrise

There was a motion to approve the licensees as written by Dr. Milne; seconded by Dr. Cavenagh. There being no discussion, the Board approved licensure.

VI. REVIEW OF AND POTENTIAL ACTION RELATED TO AUDIT FORM GOVERNOR'S STATE OF FINANCE OFFICE DIVISION OF INTERNAL AUDITS, (Discussion/For Possible Action) Ronald Hedger, D.O., President

Ms. Reed explained that this is an audit the Governor's State Finance Office conducted with many Boards regarding policies and finances. The audit resulted in three basic recommendations, of which the Board is currently in compliance. The first recommendation

was to comply with the statute and guidelines for salaries for executive directors. The second recommendation included using the Deputy Attorney General (DAG) for baseline of legal support. The third recommendation was to establish standards for financial and administrative operation. Ms. Reed will draft a letter for Board approval at the next Board meeting, addressing the Board's response to the Audit and recommendations. The letter is due to Executive Branch Audit Commission by October 31, 2018.

VII. CONSIDERATION OF PROCESS TO INVESTIGATE COMPLAINTS AND MEDICAL MALPRACTICE CASES, (Discussion/For Possible Action), Ronald Hedger, D.O., President

Ms. Reed asked what documentation the Board members would like to see when reviewing a complaint or medical malpractice claim. Ms. Reed stated that previously, medical records for malpractice claims were not included in the initial assignment to the IBM; and only requested as-needed. The Board discussion resulted in the Board preferring to have all medical records upon initial assignment of medical malpractice cases; and also medical records from second opinions in regular complaint cases, if applicable. Ms. Reed notified the Board that each Board member will be able to view complaint documents and medical records confidentially in a personally assigned folder, to avoid information being viewed if emails were compromised.

VIII. CONSIDERATION OF AND POTENTIAL ACTION RELATED TO RECENT PERSONNEL ACTION TAKEN BY EXECUTIVE DIRECTOR AGAINST JAMES ATCHAZO, BOARD INVESTIGATOR. (Discussion/For Possible Action), Ronald Hedger, D.O., President

Dr. Hedger asked Mr. Atchazo if he wanted to waive his right to the open meeting notification, since he did not sign the waiver prior to the meeting. After a discussion about the purpose of waiving one's right to be discussed at a meeting, Mr. Atchazo waived his right and acknowledged that the result would be that the Agenda item could proceed. Ms. Reed explained the written discipline she imposed on Mr. Atchazo and the circumstances related thereto. Mr. Atchazo explained his view of the discipline and the circumstances related thereto. The Board took no action on this item.

IX. CONSIDERATION OF POTENTIAL REVISIONS OR AMENDMENTS TO BOARD MEMBER MANUAL AND EMPLOYEE HANDBOOK RELATED TO PERSONNEL ACTIONS, (Discussion/For Possible Action), Ronald Hedger, D.O., President

Mr. Ling stated that currently the Executive Director (ED) is responsible for hiring, disciplining and terminating staff. However, there may be an outlet needed if staff has a serious complaint about the ED, including discrimination, such as sexual harassment or race discrimination. Mr. Ling stated that to address this matter, the Board may want to revise the current policy to allow for serious and valid complaints to be addressed by a Board member or some other similar device. Mr. Ling will present a proposed policy to the Board for approval at the next Board meeting, which will also include a process for discrimination complaints to be sent to the Deputy Attorney General or Mr. Ling.

X. CONSIDERATION OF REVISION TO NAC 633.288 (6), SUPERVISING PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE REGISTERED NURSES, (Discussion/For Possible Action) Ronald Hedger, D.O., President

Ms. Reed explained that this item was placed on the agenda because there was a physician who attended a previous Board Meeting and stated during public comment that he believed that all Osteopathic physicians should be able to supervise more than three physician assistants. He said he would supply suggestions, but after multiple contacts by Ms. Reed, no suggestions were ever sent to the Board. The Board decided to not take action on the item.

XI. EXECUTIVE DIRECTOR'S REPORT

- a. Financial Statements – Ms. Reed stated that the Board was provided with the quarterly compilation and the profit and loss reports.
- b. Licensing – Ms. Reed stated that we have more licensees than this time last year.
- c. Complaints – Ms. Reed explained that each Board member will be assigned a personal privacy folder to access and download complaint and medical record documents, to avoid the information being compromised via the email system. She will send each Board member instructions on how to access the folders.

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

Mr. Ling stated that there is no update on the Dr. Marian Orr matter. He also emphasized the importance of complying with the Open Meeting Law, requesting that the Board does not hit “reply all” when receiving emails because there is a possibility of an open meeting law violation.

XIII. ITEMS FOR FUTURE DISCUSSION/ACTION/UPCOMING AGENDA

No Comments.

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

No Comments.

XV. PUBLIC COMMENT

Dr. Cavenagh stated that she is resigning her position with the Board. If the Board agrees, she will stay on until there is a replacement found or through to the last meeting of 2018.

Ms. Fisher spoke briefly about proposed legislation that may be introduced in the 2019 session regarding changing the status of physician assistants. Ms. Fisher learned that physician assistants are requesting to expand their scope of practice through the revision of statutes, to be able to expand their practice in rural areas of Nevada and not be required to work under a physician's supervision. Ms. Fisher added that she will meet with the physician assistant lobbyist the week of August 13, and will share the results of that meeting with Mr. Ling and Ms. Reed.

Dr. Hedger made a motion to adjourn the meeting; seconded by Dr. Milne, and approved by the Board.

Minutes Approved at the September 11, 2018 Board Meeting