



NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE

****PUBLIC NOTICE****

BOARD MEETING AND PUBLIC WORKSHOP (LCB #R011-19)

August 13, 2019 @ 5:30 PM

AT THE FOLLOWING LOCATION:

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

Public Call in Number: 1-866-854-6779; Meeting Code: 7492532#

***** 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.
Samir Pancholi, D.O.
Ricardo Almaguer, D.O.
Paul Mausling, D.O.
C. Dean Milne, D.O.
Swadeep Nigam, Public Member
Carla Perlotto Ph.D., Public Member

Board Staff:

Sandra Reed, Executive Director
Louis Ling, Esq., Board Counsel

Public:

Joe Heck, D.O.
Matthew Tinney, D.O.
T'Shura-Ann Elias
Teresa Borchers, D.O.
Maria Nutile, Esq.
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. APPROVAL OF BOARD MEETING MINUTES FROM JUNE 11, 2019

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

Dr. Pancholi made a motion to approve the minutes from June 11, 2019; seconded by Dr. Milne. There being no discussion, the minutes were approved by the Board.

IV. CONSENT AGENDA TO GRANT LICENSURE FOR OSTEOPATHIC PHYSICIANS, PHYSICIAN ASSISTANTS AND SPECIAL LICENSES (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

Jonathan Benaknin, D.O.

Ariel Cohen, D.O.

David Dalton, D.O.

Aria Fazlinejad, D.O.

Aaron Fry, D.O.

Charles Hutchings, D.O.

Nathan Jenson, D.O.

Kourosh Kahkeshani, D.O.

Heidi Lahteenmaa, D.O.

Roya Mahana, D.O.

Karen Nelson, D.O.

Thong Nguyen, D.O.

Patrick Nichols, D.O.

Ravi Patel, D.O.

Kenneth Poppen, D.O.

Tyler Primavera, D.O.

Aadil Rahman, D.O.

Mariko Rajamand, D.O.

Eric Royston, D.O.

Evan Schlager, D.O.

Sarah Sherman, D.O.

Paul Spartzak, D.O.

Specialty

Psychiatry

Emergency Medicine

Family Medicine

Internal Medicine

Emergency Medicine

Pediatrics

Emergency Medicine

Neurology

Psychiatry

Emergency Medicine

Orthopedic Surgery

Anatomic Pathology

Emergency Medicine

Emergency Medicine

OB/GYN

Internal Medicine

Pediatrics

OB/GYN

Diagnostic Radiology

Internal Medicine

Psychiatry

OB/GYN

Physician Assistant

Cloe Dedman, PA-C

Kenan Harris, PA-C

Supervising Physician

Denis Patterson, D.O.

Thomas Vater, D.O.

Special Licenses NRS.633.411:

Humaira Ali, D.O.

Kirandeep Chahal, D.O.

Ching Chiu, D.O.

Cherry Choong, D.O.

Eric Eck, D.O.

Joseph Hill, D.O.

Kevin Neveau, D.O.

Kushal Patel, D.O.

Calli Pierro, D.O.

UNRSOM – Family Medicine

UNLVSOM Pediatrics

Mountain View Transitional

UNLVSOM Pediatrics

UNRSOM Psychiatry

Mountain View PM & R

UNRSOM Psychiatry

UNLVSOM Internal Medicine

Valley Health General Surgery

Jeremy Seastrand, D.O.
Steven Sha, D.O.
Quynhyv Ta, D.O.
Neilmegh Varada, D.O.
Victor Wang, D.O.

Southern Hills Family Medicine
UNRSOM Psychiatry
UNLVSOM Emergency Medicine
UNLVSOM Internal Medicine
Mountain View – Internal Medicine

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

- V. **+CONSIDERATION OF APPLICATION FOR FULL LICENSURE FOR OSTEOPATHIC PHYSICIAN TERESA BORCHERS, D.O.,** *(personal appearance), (Discussion/For Possible Action) NOTE: The 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 Dr. Borchers if she would like an open or closed session. She chose a closed session. A motion was made by Dr. Hedger to go into a closed session, seconded by Dr. Milne, and approved by the Board. After the Board returned to open session, a motion was made by Dr. Hedger to approve licensure of Dr. Borchers and seconded by Mr. Nigam. The license was approved by the Board.

- VI. **+CONSIDERATION OF APPLICATION FOR FULL LICENSURE FOR OSTEOPATHIC PHYSICIAN MATTHEW TINNEY, D.O.,** *(personal appearance), (Discussion/For Possible Action) NOTE: The 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 Dr. Tinney if he would like a closed session. Dr. Tinney chose an open session. Dr. Hedger stated that there were several misrepresented responses on his application, and asked Dr. Tinney to explain. Dr. Tinney explained that he was arrested in 1975 and identified his status as a minor. Dr. Hedger asked Dr. Tinney his definition of a minor. Dr. Tinney responded "under 21." The Board asked for clarification about the disciplinary action in Florida, the licensure denial on record in Iowa, and the loss of hospital privileges in Tennessee. Dr. Tinney responded to the various questions. A motion was made by Dr. Milne to deny licensure and seconded by Dr. Hedger. After the motion, Dr. Tinney asked if he could withdraw his application. Mr. Ling stated that it was too late to withdraw at this stage of the matter. There was discussion from the Board members. The motion was approved by five Board members; with Dr. Pancholi and Mr. Nigam opposing the motion.

- VII. **PUBLIC WORKSHOP: DISCUSSION/CONSIDERATION/POTENTIAL ACTION REGARDING PROPOSED AMENDMENTS TO NAC CHAPTER 633 RELATED TO INITIAL APPLICATIONS FOR LICENSURE AND TO REDUCE CERTAIN FEES COLLECTED BY THE BOARD,** *(Discussion/For Possible Action) Ronald Hedger, D.O., President*

Mr. Ling explained the proposed regulations, which consisted of the following: allowing initial licensees the option to provide the required application documents directly to the Board or to use services offered by the Federation Credentials Verification Service to provide the packet; removing older and inapplicable regulations; and, reducing several license and renewal fees by \$100 per fee. Dr. Heck, a representative for the Nevada Osteopathic Medical Association, supported the proposed regulations, specifically the decrease in licensing fees. A motion was made by Dr. Milne to proceed with a full regulation hearing, seconded by Dr. Pancholi, and approved by the Board.

VIII. DISCUSSION/ACTION TO REMOVE TREASURER-SECRETARY, SAMIR PANCHOLI, D.O., AS A SIGNER ON BANK OF THE WEST AND WELLS FARGO ACCOUNTS, AND TO ADD SANDRA REED, EXECUTIVE DIRECTOR, (Discussion/For Possible Action) Ronald Hedger, D.O., President

Dr. Hedger proposed the Board add Ms. Sandra Reed, Executive Director, as a signer on the bank accounts, and not remove Dr. Pancholi. There was discussion by the Board. Dr. Milne made a motion to add Ms. Reed as a signer and seconded by Dr. Perlotto. The motion was approved by the Board.

IX. TRAVEL POLICIES FOR BOARD AND STAFF (continued from last meeting) (Discussion/For Possible Action) Swadeep Nigam, Public Member

Mr. Nigam explained the travel policy. A motion was made by Dr. Hedger to approve the travel policy; and, seconded by Dr. Milne and approved by the Board.

X. CONSIDERATION OF AND POTENTIAL ACTION REGARDING SECOND RESTITUTION AGREEMENT WITH JOHN "TREY" DELAP, (tabled from last meeting) (Discussion/For Possible Action) (NOTE: The Board may go into closed session pursuant to NRS 241. because the discussion may involve Mr. Delap's character, alleged misconduct, professional competence, or similar items). Ronald Hedger, D.O., President

Ms. Reed explained the settlement agreement between the Board and Mr. Delap. Mr. Delap embezzled funds from the Board many years ago, and currently owes just over \$50,000. The agreement states that by August 31, 2019, Mr. Delap will pay the Board a sum of \$13,100, and the successive 49 months, beginning with September 1, 2019, he will pay the Board \$600 per month, to satisfy the debt. A motion was made by Dr. Milne to approve the agreement, and seconded by Dr. Hedger. The agreement was approved by the Board.

XI. CONSIDERATION OF AND POTENTIAL ACTION REGARDING FACT SHEET RELATED TO D.O.S AND P.A.S SERVING AS "MEDICAL DIRECTORS" FOR BUSINESSES THAT ARE NOT MEDICAL FACILITIES, (continued from last meeting, (Discussion/For Possible Action) Ronald Hedger, D.O., President

Mr. Ling explained that it would be helpful for the Board to provide licensees an informational document regarding the legal requirements of certain types businesses. The document would be available on the Board's website. The document would outline the Board's expectations of licenses and the laws relating to physicians involved with these types of businesses. There was discussion by the Board. Ms. Maria Nutile, attorney, made comments in support of the information sheet due to the issues surrounding the challenges with licensees involved with such businesses. Mr. Ling asked the Board to provide comments and suggestions on the document send it to him for discussion at a future Board meeting.

XII. EXECUTIVE DIRECTOR'S REPORT

- a. Financial Statements – Ms. Reed explained the compilation and financial statements.
- b. Licensing – Ms. Reed explained the licensing status.
- c. Staffing – Ms. Reed stated that the Board has a new complaint specialist, Amanda Hart, revising the old title of "investigator" due to the tasks associated with the position.

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

Mr. Ling stated that the Attorney General's office is working on the Marion Orr, D.O., matter to collect funds owed to the Board. In another matter, the court case to enforce the subpoena has been resolved and dismissed as of August 13, 2019. Mr. Ling will be attending the Governor's opioid abuse prevention summit in Las Vegas on August 14 -15. Ms. Reed

stated that Rosalie Bordelove hired a Deputy Attorney General (DAG) to replace her, since she has been promoted. Our new DAG will be Justin Taruc.

XIV. *LEGISLATIVE UPDATE (Discussion/For Possible Action) by Susan Fisher, Board Government Affairs/Lobbyist.*

Ms. Fisher stated that the interim legislative committees have not yet started. The Governor's Patient Protection Commission application period has opened up to apply online through the Governor's office.

XV. *ITEMS FOR FUTURE DISCUSSION/ACTION/UPCOMING AGENDA*

Dr. Pancholi asked about the policy for the election of officers. Dr. Hedger explained that it was voted on at the last Board meeting. Dr. Milne asked if anything different could have been done regarding the licensee denial, prior to voting on the item.

XVI. *PRESIDENT'S REPORT on Board Business, Ronald Hedger, D.O., President*
No Comments.

XVII. *PUBLIC COMMENT*
No Comments.

Dr. Hedger made a motion to adjourn, seconded by Dr. Milne, and approved.

Minutes approved by the Board at the September 10, 2019 Board Meeting