

NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE NEWSLETTER

Nevada State Board of Osteopathic Medicine, 2275 Corporate Circle, Suite 210, Henderson, NV 89074

July, 2017 Volume 15

INSIDE THIS ISSUE NEW CONTROLLED SUBSTANCE LAW THE 2017 LEGISLATURE BILLS INTERSTATE MEDICAL COMPACT LICENSURE UPDATE



GOVERNOR SANDOVAL'S OPIOID BILL BECOMES LAW

The new law, AB 474, includes the following:

- Requires medical providers to report drug overdoses or suspected drug overdoses.
- Revises provisions to track prescriptions for controlled substances.
- Revises provisions relating to penalties for selling, manufacturing, delivering, and bringing into this state or possessing certain controlled substances.
- Revises provisions governing the accessibility of health care records in certain investigations.
- Licensing Boards must adopt regulations requiring two (2) hours of Continuing Medical Education credits for "misuse/abuse of controlled substances, the prescribing of opioids or addictions.
- Licensing Boards must adopt regulations providing disciplinary action against licensees who inappropriately prescribe controlled substances from schedule II, III, or IV.
- Sets new limitations for prescribers of controlled substances.

NSBOM BOARD MEMBERS

Ronald Hedger, D.O.

President;

Ricardo Almaguer, D.O.

Vice President

Nicole Cavenagh, Ph.D.

Secretary/Treasurer;

Samir Pancholi, D.O.

Paul Mausling, D.O.

C. Dean Milne, D.O.

Swadeep Nigam

■STAFF

Sandra Reed

Executive Director

Steven Ray

Chief of Enforcement

Tammy Sine

Licensing Specialist/Bookkeeper

Nikki Montano

Administrative Assistant

Link to the bill: https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB474_EN.pdf

Contact the Board office to obtain a fact sheet showing pertinent sections of the law

BOARD/ STAFF CHANGES...

Barbara Longo, former Executive Director, and employee for over eight years, retired in January 2017. The Board acknowledges the skills and dedication she brought to the Board, and wishes her the best in her new life in San Diego. The Board welcomes Sandra Reed, MPA, a long-time public servant, as the new Executive Director.

Mission: The Nevada State Board of Osteopathic Medicine's mission is to protect and safeguard the public by licensing and disciplining well-educated and competent Doctors of Osteopathy and Physician Assistants.

THE BOARD WELCOMES BACK...

Samir Pancholi, D.O. - Dr. Pancholi will serve his second term on the Board, beginning July 1, 2017.

AND NEW PUBLIC MEMBER...

Swadeep Nigam, MBA, joins the Board of Osteopathic Medicine for a four-year term, starting in July 2017. He previously sat on the Nevada Equal Rights Commission and several other Boards. Mr. Nigam works for the Las Vegas Valley Water District as a Financial Analyst.

SAY GOODBYE TO...

Paul Edwards, public member, who served on the Board for eight years. We thank him for his contribution to the Board and wish him well in his future endeavors!

LATEST INTERSTATE MEDICAL LICENSURE COMPACT STATE MEMBERS LIST

- NEVADA
- ALABAMA
- ARIZONA
- COLORADO
- IDAHO
- ILLINOIS
- IOWA
- KANSAS
- MINNESOTA
- MISSISSIPPI
- MONTANA
- NEBRASKA
- NEW HAMPSHIRE
- PENNSYLVANIA
- SOUTH DAKOTA
- UTAH
- WASHINGTON
- WEST VIRGINIA
- WISCONSIN
- WYOMING

Five states have introduced legislation to become members of the compact For more info on our web site go to: <http://nsbom.org/LicensingPublic/licensurecompact.jsp>;

To apply for an interstate medical license (DOs only), go to: <http://www.imlcc.org/>

Reaching Out...Sandy Reed (Executive Director) and Tammy Sine (Licensing Specialist) recently gave a presentation about the Board’s operations, policies, statutes and regulations, to students in the Physician Assistant Program at Touro University in Henderson. In February, a presentation was given to doctoral students at Touro University’s College of Osteopathic Medicine. These presentations have been given in previous years by Board staff and will continue in the future.

2017 BOARD MEETINGS

- January 13
- February 14
- March 14
- April 11
- May 9
- June 13
- August 8
- September 12
- October 10
- November 14
- December 12

ALL MEETINGS ARE HELD AT THE BOARD OFFICE AT 5:30 p.m. UNLESS OTHERWISE STATED

Licensing Applications

- January 1–June 30, 2017
- DO–85
- PA–30
- Residents–87
- All licensees total: 1,553

Enforcement Stats 2017 (Jan-Jun)

- Complaints Reviewed/Investigated 66
- Settlement/Remediation Agreements with Licensees 02
- Complaints resulting in a Letter of Caution 12
- Complaints Authorized for Closure 38
- Fulfilled Agreements 03

Enforcement Stats 2016

- Complaints Reviewed /Investigated 118
- Settlement/Remediation Agreements with Licensees 06
- Complaints resulting in a Letter of Caution 22
- Total Complaints Authorized for Closure 84
- Fulfilled Agreements 06

PLEASE NOTE: LICENSE/RENEWAL INFORMATION:
INITIAL LICENSE FEE: DO-\$670; PA-\$470;
MILITARY DISCOUNT: 50%- DO-\$300; PA-\$200
RENEWAL FEE: DO-\$450; PA- \$250
ACTIVE MILITARY RENEWAL FEE: \$0 (NO COST)

Reporting Disciplinary/Malpractice Actions

Please Note: As required under **NRS 633.527**, all licensees are required to report all disciplinary actions and malpractice claims within 45 days of a complaint/summons. The National Practitioner Data Bank (NPDB) will report to the Board all disciplinary, malpractice and even positive settlement fulfillments. Therefore, please report to the Board any action (positive or disciplinary) in which you are named.

Also Note: Malpractice settlements involving minors (under 18 years old), must be approved by the courts. However, the NPDB may receive settlement notification by an insurance carrier prior to court approval, starting the reporting timeline in our statute. Be sure to communicate with your insurance company to comply with the reporting timeline.

SUMMARY OF 2017 LEGISLATION

Below is a list of bills of interest to the Board and Licensees that were passed during the 2017 state legislative session. A link to the bill follows each summary.

AB105-Requires two (2) CMEs related to suicide (2) years for MDs and DOs. Significant support from veterans' organizations gave this bill a high profile and emotional meaning.

https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB105_EN.pdf

AB199- Revises provisions to end of life care. Authorizes a physician assistant (PA) or advanced practice registered nurse (APRN) to take certain actions relating to a Physician Order for Life-Sustaining Treatment. The bill changes the name of a "Physician Order for Life-Sustaining Treatment" to a "Provider Order for Life-Sustaining Treatment" (POLST) throughout *Nevada Revised Statutes* (NRS) and authorizes a PA or an APRN to make certain determinations regarding and executing such a form. The bill also provides for the following: 1) surrogates to request and execute a POLST on a patient's behalf and revises the standard for determining whether a patient has the capacity to execute or revoke the form; 2) health care providers honor a POLST under certain circumstances; and, 3) completion and registration of a POLST electronically with the Secretary of State. Effective July 1, 2017.

https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB199_EN.pdf

AB339-The most important aspect of this bill, as amended, are in Sections 3.5 and 8.7, which provides that any communication between the Board of Medical Examiners or the State Board of Osteopathic Medicine and the Interstate Medical Licensure Compact Commission (Compact) relating to verification of a physician's eligibility under the Compact, must not include any background information received by either Board, in a report from the Federal Bureau of Investigation relating to state and federal criminal records check. This amendment allows for Nevada to be a State of Principal Licensure in the Compact. Effective July 1, 2017.

https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB339_EN.pdf

AB347- Establishes certain requirements relating to surgical technologists. Prohibits a hospital, independent center for emergency care, and a psychiatric hospital or surgical center for ambulatory patients from employing a surgical technologist who does not meet new training and credentialing requirements. The bill does allow grandfathering of current technologists and exceptions for future hiring until in-state training programs are established. Effective January 1, 2018.

https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB347_EN.pdf

AB428- Revises provisions governing the acquisition and use of opioid antagonists. Authorizes a pharmacist to furnish an opioid antagonist without a prescription from a health care professional to a person at risk of experiencing an opioid-related drug overdose, or to a family member, friend or other person who is in a position to assist such a person. Amended to delete all provisions related to public and private schools obtaining and maintaining opioid antagonists. Effective July 1, 2017.

https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB428_EN.pdf

AB454-Allows physicians and other medical professionals traveling to Nevada with out-of-state athletic teams to provide care for their team athletes and staff while the team is in Nevada for sanctioned training or competition. The physicians and other medical professionals must be fully licensed in their home state. The purpose of the legislation is to temporarily exempt them from licensure requirements and regulations in Nevada, and allows medical professionals to provide limited care to the team without fear of liability. The exemption is limited to 10 days for each competition or training and may be extended for 20 additional days by notifying the appropriate Nevada licensing board. The total exemption is capped at 60 days in any calendar year. This bill DOES NOT allow these medical professionals to practice in medical facilities, such as a hospital. Effective dates vary within the law.

https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB454_EN.pdf

AB474-This is the Governor's bill to address the opioid problem. Two years of research, a statewide "opioid summit" in 2016, and wide-spread support by the health provider industry, helped bring this bill into law. See detailed summary on the first page of this newsletter. The link to the law is on the Board web site. Effective January 1, 2018.

https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB474_EN.pdf

SB69-Revises provisions governing state agencies, boards and commissions that regulate occupations and professions. Authorizes the Governor to issue an executive order directing a regulatory body to expedite action on pending applications for licensure. The bill provides the following: 1) establishes term limits for member of regulatory bodies; 2) a regulatory body is prohibited from entering into a contingent fee contract with any attorney or law firm; 3) requires a regulatory body to exercise its authority over the occupation or profession for the expansion of economic opportunity, promotion of competition, and encouragement of innovation; 4) each regulatory body must submit a quarterly report to the Director of the Legislative Counsel Bureau concerning the number of licensing applications rejected by a regulatory body and the reasons for denial. Amendments added. Effective in June and July, 2017.

https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB69_EN.pdf

SB101-Restricts certain medical professionals, the authority to inject neuromodulators derived from Clostridium botulinum and dermal and soft tissue fillers. Prohibits the administration of botulinum toxin and dermal and soft tissue fillers by certain persons and under certain conditions. Authorizes the imposition of professional discipline against persons who violate the prohibition, and requires certain persons to receive training before administering botulinum toxin or dermal or soft tissue fillers. Effective July 1, 2017.

https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB101_EN.pdf

SB260- Establishes requirements for engaging in the collaborative practice of pharmacy, where a pharmacist may engage in the collaborative practice of pharmacy or collaborative drug therapy management with one or more practitioners under a collaborative practice agreement. Effective July 1, 2017.

https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB260_EN.pdf

SB337-Authorizes registered pharmacists to collect specimens and perform certain laboratory tests without obtaining certification as an assistant in a medical laboratory. Allows a pharmacist to train people on how to use at-home tests. The Board of Pharmacy will promulgate regulations limiting such tests to: finger sticks, and oral or nasal swabs. Effective July 1, 2017.

https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB337_EN.pdf

SB539-Revises provisions relating to prescription drugs, including the transparency in drug pricing. Requires Pharmacy Benefit Managers (PBMs) to be licensed by the Department Of Insurance and gives the Commissioner authority to promulgate regulations governing the management of prescription drug coverage by PBMs.

https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB539_EN.pdf

OCCUPATIONAL RESOURCES

New Address for the Nevada Osteopathic Medical Association (NOMA)

Nevada Osteopathic Medical Association
2255 Springdale Court, Reno, NV 89523
(702) 434-7112

nvoma@earthlink.net www.nevadaosteopathic.org

Federation of State Medical Boards (FSMB)

www.fsmb.org

American Osteopathic Association

<https://www.osteopathic.org/Pages/default.aspx>

REMINDER

As of January 2016, physicians are required to sign Death Certificates electronically.

http://dpbh.nv.gov/Programs/BirthDeath/dta/Publications/Vital_Records_Publications/