



Issue 60

# NEWS

## *Chiropractic Physicians' Board*

Spring 2018

### BOARD HAPPENINGS

Cupping Therapy - At the Board's April 12, 2018 meeting cupping therapy was voted on and approved to fall under physiotherapy.

### Message from the President

I would like to thank Dr. Ben Lurie, past President of the Board, for his countless hours of hard work, commitment and dedication to the Board. I do realize that I have big shoes to fill, and look forward to serving as the elected President. I am honored to take on this role and look forward to expanding my knowledge with respect to the Board operations. I would like to thank the Board members for their commitment to serving the public. I look forward to working with each of you.

I would also like to thank the Board's lobbyist, Dan Musgrove for keeping the Board apprised of the activity taking place with the legislature as well as the representatives of the State Associations (NCC and NCA) for taking time out of their practices to attend the Board meetings to keep the Board up-to-date on their current events.

While chiropractors are not allowed to prescribe medication, it is important for chiropractors to be educated to share essential information with their patients.

We invite each of you to join us for the Board's quarterly meetings. A schedule of the Board meetings and other pertinent information can be found on the boards' website at [chirobd.nv.gov](http://chirobd.nv.gov).

Again, I look forward to serving as your Board President!

Dr. Jason O. Jaeger, DC, President

# NEVADA ADMINISTRATIVE CODE 634

## REGULATION CHANGES

NAC 634 Section 1. A licensee shall maintain a copy of all documents relating to his or her advertisements for at least 2 years after the first date that the advertisement is broadcast or disseminated.

NAC 634.220 (3) Each applicant for examination and each applicant for reinstatement of an expired license to active status pursuant to NRS 634.131 must:

The following section was omitted: NAC 634.290 (2) An applicant who has actively practiced chiropractic in another state in accordance with subparagraph (2) of paragraph (c) of subsection 1 of NRS 634.090 may, in lieu of passing Part IV of the examination administered by the National Board of Chiropractic Examiners, pass the Special Purposes Examination for Chiropractic prepared by the National Board of Chiropractic Examiners.

NAC 634.290 (5) Subject to the limitations set forth in this section, during the period in which an application is open, an applicant may take any required examination twice at such times as may be allowed by the Board and the testing vendor, if any.

634.339 (2) (b) (1) Must be documented in the health care record of the patient; and (2) May occur before or after the student has commenced treatment of the patient.

The following subsection was omitted: 634.341(1) (b) (1) Performs the initial evaluation or assessment or develops the plan of treatment, the student may execute the plan of treatment only after the preceptor has reviewed and initialed in the health care record of the patient the evaluation, assessment or plan of treatment developed by the student.

634.367(1) (a) (2) Unable to perform chiropractic services because of illness, injury, pregnancy, family medical leave or military leave

634.367 (2) A person is not required to obtain a temporary license to demonstrate a chiropractic technique upon a chiropractic physician at an educational class, seminar, conference or other educational opportunity.

634.385 (2) (e) (6) A regulatory body as defined in NRS 622.060;

634.390 (3) A voluntary surrender of a license or certificate granted by the Board: (a) While the holder of the license or certificate is not under investigation by the Board shall be deemed voluntary and shall not be considered as disciplinary action by the Board. (b) While the holder of the license or

certificate is under investigation by the Board shall be deemed a revocation of the license or certificate.

(4) The Board's acceptance or denial of a request for a voluntary surrender of a license or certificate pursuant to this section is within the Board's discretion.

634.521 (2) A testimonial or endorsement representing that a person is a patient of the licensee made by a person who is not in fact a patient of the licensee.

634.541 Section 13 (1) Name of at least one licensee; (2) Name of a referral bureau for licensees that is responsible for the content of the advertisement or communication (3) Telephone number and Internet address of the website that identifies at least one licensee.

Sections 634.419 and 634.570 were repealed.

The following sub-section was omitted: NAC 634.290 (1) (a) Part IV of the examination administered by the National Board of Chiropractic Examiners;

NAC 634.290 (2): (3); (4); (5); (7) and NAC 634.355 (1)(b) and (2) (b) were revised to include: receives/received a score of at least 75 percent for a closed-book examination or a score of at least 90 percent for an open-book examination is entitled to a certificate as a chiropractor's assistant.

NAC 634.320 (3) Bring any electronic device, unless the electronic device is approved by the Executive Director of the Board, or any written or recorded material relating to the practice of chiropractic into the examination facility.

Red font=omitted language

Blue font=New/Revised language

## CONTINUING EDUCATION

If you have renewed your Chiropractic Physicians' license in previous years, you are required to provide 36 hours of continuing education (may be attained online), during the period of January 1, 2017 through December 31, 2018.

If you obtained your first certificate during 2017 ~ 2018, continuing education hours are not required for the 2019/2020 renewal period.

NAC 634.385 (9) Continuing education hours earned through the completion of a specific educational class or seminar may be counted only once during a calendar year toward the hours of continuing education required by subsection 3 or 4 of NRS 634.130, as applicable, even if the licensee or holder of a certificate completes that class or seminar more than once during that calendar year.

To view Nevada Board approved courses or to view PACE courses select the following link  
[Continuing Education](#)

## HOUSEKEEPING

NAC 634.3475 (3) A supervising licensee shall notify the Board in writing of any dismissal of a chiropractor's assistant for cause within 10 days after the dismissal.

NAC 634.419 Authorization of person to provide other services for patients in office of licensee. (NRS 634.030)

1. A licensee may authorize a person to provide services for his or her patients in the office of the licensee, other than chiropractic or clerical services, only if the licensee submits the information required by subsection 2 to the Board, on a form prescribed by the Board, at least 15 days before the person commences providing the services. To review NAC 634.419 in its entirety please refer to the Board's website at [chirobd.nv.gov/Board](http://chirobd.nv.gov/Board) and for a copy of the form go to [chirobd.nv.gov/forms](http://chirobd.nv.gov/forms).

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# EXAMINATIONS

The Board will continue to hold in-person exams in Reno for the Chiropractic Physicians' applicants on the second Wednesday of each month as follows:

|         |              |             |             |
|---------|--------------|-------------|-------------|
| June 13 | August 8     | October 10  | December 12 |
| July 11 | September 12 | November 14 |             |

CONGRATULATIONS to the following Chiropractic Physicians' who passed the exam for DC licensure.

|                            |                         |                       |
|----------------------------|-------------------------|-----------------------|
| Jordon Scott Baker         | Chris Farrington Koeven | Jamison Brett Sellers |
| Douglas Anthony Brady      | Jarina May Kong         | Eric Rice Shane       |
| Sarah Ann Fulco            | Cayla Denise Lairmore   | Simeon Ali Siahmakoun |
| Les Daniel Gilbert         | Tyler Anthony Myrick    | Melissa Angelica Vega |
| Thomas Joseph Boyd Godfrey | Michael Scott Nevius    | Clinton Dale Whittler |
| Jesse Lihn Grove           | Jeffrey Darin Prince    |                       |

CONGRATULATIONS to those who passed the Chiropractor's Assistant exam on February 8, 2018.

|                          |                   |                           |                  |
|--------------------------|-------------------|---------------------------|------------------|
| Nestor Argueta           | Katrina Gerry     | Shaquita Nieto            | Lizbeth Sarabia  |
| Joel Arzola              | Bryan Gonzalez    | Primavera Nunez           | Annette Thompson |
| Jesli Benitez            | Echo Grube        | Damaris Obando            | Mitchell Young   |
| Joshlyn Butay-Fillon     | Zachary Holloway  | Dailin Ochoa-Aguero       |                  |
| Kathleen Camal           | Tara LeMaitre     | Nitzel Padilla            |                  |
| Yesica Chavez-Gonzalez   | Christian Lira    | Mariah Pangelinan         |                  |
| Michelle Christman       | Maria Lopez-Sosa  | Maria Ramos               |                  |
| Greysi Flores            | Andrew Marczak    | Karina Rivas              |                  |
| Leonor Gastelum-Gonzalez | Christa Mortensen | Ana Karen Robledo-Vicente |                  |

The next CA exam will take place on **August 9, 2018** at the Boards' office complex in Reno and at the College of Southern Nevada, 6375 W. Charleston Blvd., Building I—Library Building—Room 108 Auditorium, Las Vegas, NV. Applicants working full-time must have completed six months of on-the-job training and applicants working part-time must have completed one year of on-the-job training or have attained equivalent education. **Please select the following link for the CA reference guides.** [References for Chiropractic Assistants](#)

## DISCIPLINARY

### David Stella, DC, License Number B0753

Dr. Stella entered an Order Imposing Discipline Pursuant to Supplemental Stipulation to Modify Settlement Agreement & Order on January 31, 2018. Dr. Stella will be on probation effective January 31, 2018 through January 31, 2021. Dr. Stella shall reimburse the Board \$2,500.00 for Dr. Mortillaro's fees, pay a fine of \$3,500.00 (\$2,500.00 for the violation of his SAO and \$1,000.00 for violation of his record keeping obligations) and Board costs & fees in the amount of \$1,280.00 within 60 days of the effective date of this order. Within six months of the effective date of this Order, Dr. Stella shall provide the Board's office written evidence of satisfactory completion of eight hours of continuing education related to ethics and boundaries and four hours related to medical recordkeeping.

### Mark Rubin, DC License Number B0648

Dr. Rubin entered an Order Modifying Settlement Agreement and Order. All terms and conditions from the September 10, 2016 SAO shall remain in force and effect except Dr. Rubin may pay the Board's costs at the minimum rate of \$50.00 per month and in lieu of paying the \$1,500.00 fine he may perform 100 hours of community service.

## CITATIONS

### Robert Goodman, DC License Number B0467

The Board received information regarding Dr. Goodman's radio advertisements and whether the advertisements complied with Nevada law. The investigation conducted by the Investigating Board Member determined that the radio advertisements at issue violate Nevada law in that they do not identify Dr. Goodman as a chiropractic physician. For the violation, Dr. Goodman was assessed a fine in the amount of \$2,500.00 and fees and costs of the investigation of this matter of \$538.44. Dr. Goodman has fulfilled his obligation

### Tad Tenney, DC, License Number B0780

In May 2017, the Board's office received a complaint regarding Dr. Tenney's newspaper advertisements and whether the advertisements complied with Nevada law. The investigation conducted by the Investigating Board Member determined that the newspaper advertisements at issue violate Nevada law in that: (1) they do not identify Dr. Tenney as being the professional involved; (2) they do not identify Dr. Tenney as a chiropractic physician; and (3) they contain a misleading and grossly improbably claim that "Heart Disease is completely controllable through a few simple changes." For the violation, Dr. Tenney was assessed a fine in the amount of \$1,000.00 and fees and costs of the investigation of this matter of \$396.87. Dr. Tenney has fulfilled his obligation.

## BOARD MEMBERS

Dr. Jason O. Jaeger, DC, President, Las Vegas

Dr. Morgan Rovetti, DC, Vice President, Reno

Dr. Xavier Martinez, DC, Secretary-Treasurer, Reno

Dr. Benjamin Lurie, DC, Member, Las Vegas

Margaret Colucci, DC, Member, Las Vegas

Tracy DiFillippo, Esq., Consumer Member, Las Vegas

John L. Bertoldo, Esq., Consumer Member, Las Vegas

## CONTACT THE BOARD

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