



Chiropractic Physicians' Board of Nevada

NEWSLETTER

Issue No. 54
Summer, 2014

CHIROPRACTIC REGULATORY CHANGES EFFECTIVE MARCH 28, 2014

(May be viewed in their entirety at:
<http://leg.state.nv.us/register/2013Register/R150-13.pdf>)

- New language to add provisions for interpretation of the phrase "conduct detrimental to the best interests of the public" as applied to Chiropractor's Assistants.
- New language to allow students enrolled in health care assistant programs to perform Chiropractor's Assistant services.
- Amended definition of "Chiropractor's Assistant."
- Increases in fees for: (1) An examination for a certificate as a Chiropractor's Assistant and (2) A review by the Board of a continuing education course.
- Reducing the requirement from two to one fingerprint card that must be submitted by applicants.
- Provision for open-book examination with a score of at least 90 percent.
- Additional sanctions for cheating by applicants.
- Establishment of certain parameters for taking and development of radiographs by Chiropractor's Assistants.
- Authorization for issuance of a temporary licensee to a substitute for a licensee who is unable to practice due to military leave.
- Deletion of the prohibition of performing chiropractic adjustments or manipulations by applicants waiting to take examination as required by statutory change to NRS 634.105.
- Addition of requirement for registration of domain addresses.
- Additional entities that may sponsor continuing education.
- Addition of requirements for surrender of Chiropractor's Assistant certificates.
- Addition of requirement for notification to Board by licensees who close a practice of the location at which patients' records may be obtained.

ASSEMBLY BILL 456

Effective January 1, 2014, **all health care professionals must wear a name tag** indicating their specific licensure or certification while providing health care services. This means that you must wear a badge or embroidery indicating that you are a licensed DC. Your CA or massage therapist, or any other health care professional working in your office, will also have to wear a badge or embroidery stating "Chiropractor's Assistant," "Chiropractor's Assistant in Training," "Licensed Massage Therapist," etc. Exceptions are those working in a sterile health care facility or doing sterile procedures, which probably does not apply to DC's or CA's. In addition, all health care professionals are required to identify their type of license and/or certification when communicating to current and prospective patients in advertisements or when posting credentials at all practice sites. You can read the entire bill at: <http://leg.state.nv.us/Session/77th2013/Reports/history.cfm?ID=1053> Click on "As Enrolled."

DC LICENSE RENEWALS

DC licenses are due to be renewed by December 31, 2014. Renewal forms will be e-mailed and mailed by November 1.

Thirty-Six (36) hours of Board-approved continuing education attended between January 1, 2013 and December 31, 2014 are required for all licensees renewing on active status. **Exception:** New licensees renewing for the first time are exempt from the continuing education requirement.

All 36 hours may be attended online. Certifications of attendance must be sent to the Board by December 31, 2014.

SUBSTANTIAL CHANGES to Application for Certification as Chiropractor's Assistant

The CA application form has been updated to include new statutory requirements, the new fee and fingerprint requirement, and other substantial changes. Effective immediately, **only the current application form will be accepted.** Applications submitted on outdated forms will be rejected and the applicants will be required to reapply on the proper form. Contact the Board's office at 775-688-1921 to request the new form and please destroy any old forms that you may have on hand.

The CPBN has authority only over its licensees and certificate holders. The Board enforces Nevada Revised Statute and Nevada Administrative Code 634. Funding for all of its activities are derived solely from the monies collected from licensees and certificate holders. The CPBN has no authority to take action on employment issues, or issues that generally relate to the chiropractic profession. These matters should be addressed by the Nevada Labor Commission, the professional association, or other such entities.

NEW DC LICENSEES AND CHIROPRACTOR'S ASSISTANTS

CONGRATULATIONS to the following Chiropractic Physicians who passed the test for DC licensure:

February, 2014

Scott Kramer, DC

March, 2014

Danial Brennan, DC

April, 2014

LaShawna Henderson, DC

Marvin Laurin, DC

Kimberly Nelson, DC

Vernon Waldorf, DC

May, 2014

Adam Ingles, DC

James Thompson, DC

June, 2014

Daniel Camilleri, DC

Christopher Pavich, DC

Garrett Wood, DC

The jurisprudence examinations for DC applicants are administered at the Board's office complex in Reno, Nevada on the second Wednesday of each month:

July 9, 2014

August 13, 2014

September 10, 2014

October 8, 2014

November 12, 2014

December 10, 2014

January 14, 2015

February 11, 2015

March 11, 2015

April 8, 2015

May 13, 2014

June 10, 2015

CONGRATULATIONS, also, to the following who passed the Chiropractor's Assistant Examinations on March 13, 2014:

Melissa Aguilar-Navarro

Alyssa Astemborski

Reynaldo Blanco

Justin Buenaventura

Lorena Castillo-Torres

Tina Chevalier

Darlene Curiel

Rajaie Dabaie

Alexis Figueroa

Erika Figueroa

Jose Garcia-Vazquez

Karla Gonzalez

Daisy Gonzalez-Gomez

Bonnie Graham

Angelica Guerrero

Hannah Hagander

Carrie Hutchinson

Keith Jones

Julie Keck

Bradley Keys

Melanie Long

Christina Lyon

Phyllis Maita

Sandy Marroquin

Irene Martinez

Crystal Meza

Alma Navarro-Herrera

Cindy Nunez-Ramos

Beth Ortega-Fitch

Sabrina Ortiz

Jose Perez

Angelica Quintero

Monica Radtke

Jennifer Ramos

Claudia Rodriguez

Brandy Roe

Juana Sarinana

Holly Sharpe

Lorena Simmons

Christina Valdez

Denise Valdez

Miriam Vazquez

Nikol Veliz

Sandy Veliz

Chiropractor's Assistant examinations are offered twice per year. The next examinations for CAs will be administered at the Board's office complex in Reno and at the Southern Nevada Community College in Las Vegas on August 14, 2014 to applicants who have completed the six months of on-the-job training or a program approved by the Board.

A MESSAGE FROM THE PRESIDENT

I would like to thank Dr. David Rovetti, past President of the Board, for all his hard work and dedication. As with many other new Board Presidents, I have some big shoes to fill and look forward to serving as the newly elected President. It is a great honor for me to serve with such dedicated members on this Board as well as our E.D. Cindy Wade and Board attorney Louis Ling. I appreciate all the knowledge and skill these individuals have.

I want to encourage and invite each of you to join us at our quarterly Board meetings. As policy, public comment is always welcome at the beginning of each board meeting, as well as public discussion on board agenda items and public comment at the end of each meeting.

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

Dr. Benjamin S Lurie, Chiropractic Physician, President, CPBN

DISCIPLINARY ACTIONS

Mark Baxter, DC, License No. B168

In a meeting on May 31, 2014 Dr. Baxter entered into a Settlement Agreement with the Chiropractic Physicians' Board in which he admitted to violation of NRS 634.140(1), unprofessional conduct as defined in NRS 634.018(5) and (15) for failure to properly register a Chiropractor's Assistant.

Dr. Baxter was assessed a \$500 fine to be paid within 60 days and he must pass the CPBN Jurisprudence Exam within 60 days.

Arthur G. Rossi, Jr., DC, License No. B1079 – Effective May 31, 2014

In a meeting on May 31, 2014 Dr. Rossi entered into a Settlement Agreement with the Chiropractic Physicians' Board for violation of NRS 634.018(6) and 634.018(10) and 634.140(1) due to his federal conviction of a felony for conspiracy to manufacture a controlled substance.

Dr. Rossi must complete 12 hours of continuing education on the subject of ethics and boundaries and reimburse the Board's costs totaling \$324 within one year.

Paul G. Smith, DC, License No. B175

In a hearing on February 22, 2014 the Chiropractic Physicians' Board found Dr. Smith guilty of unprofessional conduct under NRS 634.018(6) and/or NRS 634.140(1) for conviction of a felony.

Dr. Smith was ordered to complete 14 hours of continuing education on ethics and boundaries as approved by the Investigating Board Member, file the requisite documents and pay the reinstatement fee before he may apply for reactivation of his license. He must reimburse the Board's costs in the amount of \$648 within one year. Twelve of the 36 hours of continuing education required for Dr. Smith's 2015/16 license renewal must be on ethics and boundaries as approved by the IBM.

Douglas R. Kuehl, DC, License No. B616

In a hearing on May 31, 2014 the Chiropractic Physicians' Board of Nevada found that Dr. Kuehl violated NRS 634.018(6) and/or NRS 634.018(8) and/or NRS 634.018(10) and/or NRS 634.140(1) and/or NRS 634.140(2)(a) and/or NRS 634.140(2)(d) for being convicted of a crime involving moral turpitude – namely for being convicted of criminal coercion – in Henderson Municipal Court on May 23, 2012 and October 18, 2012, and for engaging in conduct that has caused the Henderson Municipal Court to issue a warrant for Dr. Kuehl's arrest.

The Board ordered Dr. Kuehl's license to practice as a chiropractic physician to be suspended indefinitely.

MEDICAL MARIJUANA

In 2013, the Nevada Legislature amended Nevada's laws regarding medical marijuana. Following are answers to the common questions asked of the Board's office.

Can a chiropractor recommend medical marijuana for a patient? No. Only medical doctors and osteopathic physicians may recommend medical marijuana.

If a chiropractor has a patient who might be appropriate for a recommendation for medical marijuana, what can the chiropractor do? A chiropractor may perform an examination on a patient that might reveal that the patient may potentially be benefited by the use of medical marijuana. After performing the examination, the chiropractor may refer the patient to a medical doctor or osteopathic physician who could recommend medical marijuana for the patient.

Can a chiropractor or chiropractor's assistant obtain a card to lawfully use medical marijuana? Yes.

Can a chiropractor or chiropractor's assistant use medical marijuana while working at a chiropractic practice? Probably not. Medical marijuana may not be used in a public place, and a chiropractic practice would likely be considered a public place. Additionally, a chiropractor or chiropractor's assistant may not practice while impaired by alcohol or a drug, and while the Board has not opined specifically on practicing under the influence of medical marijuana, the Board has taken a dim view in the past on practicing while under the influence of alcohol. The safest practice for the chiropractor, chiropractor's assistant **AND** their patients would be not to use medical marijuana while working – wait until you get home.

Is there any risk to a chiropractor's license or a chiropractor's assistant's certification for using medical marijuana? A licensee or certificate holder of the Board is exempt from disciplinary action based solely upon use of medical marijuana. On the other hand, using medical marijuana in a public place is outside the protection of the law. Also, marijuana remains a Schedule I controlled substance federally, so any user of medical marijuana could still be subject to federal prosecution, and any such federal criminal conviction still constitutes a violation of the Board's statutes and regulations such that such a person might be subject to disciplinary action.

Future Issues of CPBN Newsletter

The Newsletter is e-mailed to all DCs and CAs who have registered an e-mail address with the Board. Future issues will only be sent via e-mail unless a specific request for mailing by U.S. mail is received. If you wish to change your e-mail address from the one at which you received this issue, or if you wish to receive a paper copy of the newsletter via U.S. mail, please send your request on the form below to the Board's office by U.S. mail, fax: 775-688-1920, or e-mail: CPBN@chirobd.nv.gov.

 Please mail the CPBN Newsletter to:

Name: _____
Address: _____
City, State, Zip: _____

Please e-mail the CPBN Newsletter to:

Name: _____
E-mail: _____

=====

BOARD MEMBERS:

Benjamin S. Lurie, DC, President, Las Vegas
Lawrence Davis, DC, Vice President, Reno
David G. Rovetti, DC, Secretary-Treasurer,
Reno
Jack Nolle, DC, Member, Reno
Annette Zaro, DC, Member, Las Vegas
Tracy DiFillippo, Esq., Consumer Member,
Las Vegas
Shell Mercer, Esq., Consumer Member, Las
Vegas

HOW TO CONTACT THE BOARD:

Chiropractic Physicians' Board of Nevada
4600 Kietzke Lane, Suite M245
Reno, Nevada 89502-5000
Telephone: 775-688-1921
Facsimile: 775-688-1920
E-mail: chirobd@chirobd.nv.gov
Website: <http://chirobd.nv.gov>
Executive Director: Cindy Wade
Licensing Specialist: Jennifer Machen