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*Vice President*  
JACK NOLLE, DC  
*Secretary-Treasurer*

## STATE OF NEVADA



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ANNETTE ZARO, DC  
*Member*  
TRACY DiFILLIPPO, ESQ  
*Consumer Member*  
SHELL MERCER, ESQ  
*Consumer Member*  
  
CINDY WADE  
*Executive Director*

### CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

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### MINUTES OF MEETING

A meeting of the Chiropractic Physicians' Board of Nevada was held on Tuesday, September 11, 2012 by telephone conference call at 12:00 Noon. A telephone was available for public use in Suite M245 at 4600 Kietzke Lane, Reno, Nevada 89502.

The following Board Members were present at the roll call:

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

Shell Mercer, Esq., Consumer Member, was not present. Also present were Board Counsel Louis Ling and Executive Director Cindy Wade.

Dr. Rovetti called the meeting to order.

#### **Agenda Item 1 Public Interest Comments - No action.**

NCA lobbyist Marlene Lockard requested the Board's support of the NCA's request to be included in the Nevada Silver State Health Exchange plan. Dr. Lurie asked Ms. Lockard to send him the e-mail addresses of the committee members. Ms. Lockard also requested to meet with Louis Ling to follow up on adopting some compromise language for the preceptorship program. Dr. Rovetti requested that she meet with the Board's Legislative Chair Dr. Ben Lurie and that Mr. Ling be included. Dr. Rovetti also requested to receive their proposal prior to the Board's October 13, 2012 hearing to adopt the regulations.

#### **Agenda Item 2 Approval of agenda – For possible action.**

Dr. Lurie moved to approve the agenda. Dr. Nolle seconded and the motion passed unanimously.

**Agenda Item 3 Approval of Application for Activation of License of Michael J. Sabatier, DC, License No. B600 – For possible action**

Dr. Sabatier was present on the telephone. Cindy Wade explained that Dr. Sabatier has applied for reinstatement of his license to active status but he does not meeting all of the requirements under NRS 634.121(2)(a) because he has not practiced anywhere within the preceding 5 years. Dr. Rovetti moved to accept Dr. Sabatier's application with the requirement that he take and pass the National Board SPEC. Dr. Nolle seconded the motion. Dr. Davis recommended that Dr. Sabatier also be required to take and pass the Nevada jurisprudence test. Dr. Rovetti amended his motion to require Dr. Sabatier to take and pass the National Board SPEC and Nevada jurisprudence test. Dr. Nolle seconded the amended motion and it passed with all in favor.

**Agenda Item 4 Approval of minutes of July 14, 2012 meeting – For possible action**

Dr. Rovetti made a motion to accept the minutes of the July 14, 2012 meeting as written. Dr. Lurie seconded and the motion passed unanimously.

**Agenda Item 5 Ratification of granting of Doctor of Chiropractic license to applicant who passed the August 8, 2012 examination – For possible action**

Tracy DiFillippo moved to grant a license to the applicant who passed the August 8, 2012 DC Law Test. Dr. Nolle seconded and the motion passed with all in favor.

**Agenda Item 6 Ratification of granting of Chiropractor's Assistant certificates to applicants who passed the August 23, 2012 examination – For possible action**

Ms. DiFillippo moved to grant Chiropractor's Assistant certificates to the applicants who passed the August 23, 2012 CA examinations. Dr. Lurie seconded and the motion passed unanimously.

**Agenda Item 7 Secretary-Treasurer's Report – No action**

Dr. Nolle reported that the Board's cash position is tight and will remain so through October when the renewals start coming in. He requested that everyone help by incurring only absolutely necessary expenditures.

**Agenda Item 8 Employee evaluations – For possible action**

- A. Staff Attorney
- B. Executive Director

This matter was postponed until the October 13, 2012 meeting.

**Agenda Item 9 Approval of amendment to Staff Attorney Employment Agreement – For possible action**

Dr. Rovetti stated that during the past year Mr. Ling's hours have not exceeded the 34.4 hours-per-month limitation in his employment agreement. Dr. Rovetti cited Mr. Ling's proven productivity and the possibility that in the future it might be necessary to utilize his services in excess of 34.4 hours per month. He moved that the limitation be eliminated. Ms. DiFillippo seconded the motion. Upon discussion, Drs. Lurie and Nolle and Ms. Wade expressed their appreciation of the efficiency of Louis's work performance. The motion passed with all in favor. As recommended by Dr. Davis, Louis will alert the Board's President if his accumulated hours should near 40 in one month.

**Agenda Item 10 Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:**

**A. Complaint 10-13S**

Dr. Davis reported that the scope of this case has mushroomed. The investigation is ongoing.

**B. Complaints 11-8S**

Dr. Zaro reported that this case is still in a holding pattern due to a lawsuit. Mr. Ling will check on its status.

**C. Complaint 11-9S**

Dr. Nolle stated that this complaint is still pending.

**D. Complaint 11-11S**

Dr. Zaro reported that this complaint will be addressed when the doctor is available to be present.

**E. Complaint 11-21S**

Ms. Mercer was not present to report on the status of this complaint.

**F. Complaint 12-04S**

Ms. Mercer was not present to report on the status of this complaint.

**G. Complaint 12-9N(a)**

Dr. Rovetti reported that a patient complained that the doctor was rude to her. The doctor said the patient was demanding and rude to him. Considering the allegations and after an inspection of the office, Dr. Rovetti determined there was no violation of any of the chiropractic laws and recommended the complaint be dismissed. Dr. Zaro moved for dismissal of Complaint 12-9N(a). Dr. Lurie seconded and the motion passed unanimously.

**H. Complaint 12-9N(b)**

Dr. Rovetti is working on bringing settlement of this complaint to the October meeting, or it may go to hearing.

**I. Complaint 12-10N**

Dr. Rovetti is working on bringing settlement of this complaint to the October meeting, or it may go to hearing.

**J. Complaint 12-11S**

Dr. Lurie reported that this complaint is still being investigated and will take more time.

**K. Complaint 12-12S**

Dr. Lurie reported that this complaint is still being investigated and will take more time.

**L. Complaint 12-13S**

Dr. Lurie has just commenced this investigation.

**M. Complaint 12-14S**

Dr. Zaro stated that the complainant's request for assistance in obtaining her records wasn't intended to be treated as a complaint. The DC has released her records and the matter is resolved. Dr. Rovetti made a motion to dismiss Complaint 12-14S. Ms. DiFillippo seconded and the motion passed with all in favor.

**N. Complaint 12-15S (Dr. Lurie)**

Dr. Lurie just received this new complaint. He anticipates that it will be resolved by the October meeting.

**Agenda Item 11 Selection of Board members to participate in November NBCE Part IV Exam – For possible action**

Drs. Lurie and Rovetti will participate in the November Part IV exam.

**Agenda Item 12 Report on May2-6, 2012 FCLB/NBCE Annual Meetings – No action**

Dr. Zaro submitted a comprehensive written report on her attendance at the May conference. Dr. Davis commented on several issues of interest, including the NBCE CA examination and post-disciplinary monitoring.

**Agenda Item 13 Correspondence Report – No action**

Cindy requested that everyone review the Newsletter draft and get back to her with any changes.

**Agenda Item 14 Board Member Comments – No action**

Dr. Lurie commented that he has met with the Board's lobbyists and is awaiting their feedback regarding the preceptorship regulations. He will make arrangements to meet with Ms. Lockard.

The next meeting will be in Reno on Saturday, October 13. The strategic planning session will be addressed if time allows. In the meantime, Dr. Rovetti will be working on the Google Plus set-up so that everyone will be able to participate through it on conference call meetings. A tentative date of Saturday, January 12, 2013 was set for the next meeting, with the location to be determined.

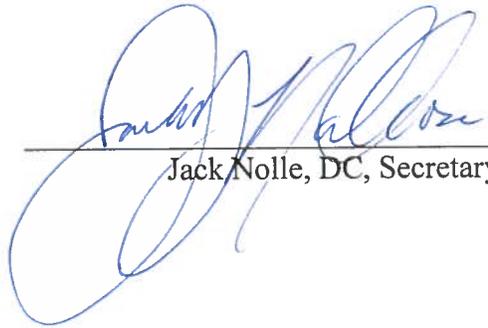
**Agenda Item 15 Public Comment – No action**

There was no additional public comment.

**Agenda Item 16 Adjournment – For possible action**

Dr. Rovetti made a motion to adjourn. Dr. Lurie seconded and the motion passed unanimously.

Approved: October 13, 2012



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Jack Nolle, DC, Secretary-Treasurer