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CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

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NOTICE OF MEETING/HEARING

DATE: Saturday, March 5, 2016 **TIME:** 8:30 a.m.

LOCATION: Kietzke Plaza
4600 Kietzke Lane, Suite B-111
Reno, NV 89502

NOTE: ALL AGENDA ITEMS ARE FOR DISCUSSION AND FOR POSSIBLE ACTION UNLESS OTHERWISE NOTED. AGENDA ITEMS MAY BE TAKEN OUT OF ORDER, COMBINED FOR CONSIDERATION BY THE BOARD, OR PULLED OR REMOVED FROM THE AGENDA AT ANY TIME.

AGENDA

Call to order - determine quorum present.

Agenda Item 1 Public Interest Comments - No action.

- A. Public Comment will be taken at the beginning and at the end of each Board meeting;
- B. Public Comment may also be taken at other such times as requested so long as the request that Public Comment be taken will not interrupt ongoing Board business;
- C. Depending on the number of individuals wishing to address the Board, a reasonable time limit may be set. The Board will not restrict comments based upon viewpoint;
- D. No action may be taken upon a matter raised during Public Comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken.

Agenda Item 2 Approval of agenda – For possible action.

The Board reserves the right to address items in a different order or combine two or more items to accomplish business in the most efficient manner. An item may be removed from the agenda or discussion may be delayed relating to an item at any time.

Agenda Item 3 PUBLIC HEARING for the Adoption of a Regulation of the Chiropractic Physicians' Board of Nevada – For possible action.

Agenda Item 4 Discussion/possible action in the Matter of Paul Rovetti, DC, Complaint 15-08N – For possible action. (Note: The Board may go into closed session pursuant to NRS 241 to consider the character alleged misconduct, or professional competence of Dr. Rovetti)

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Agenda Item 5 Approval of the November 7, 2015 Meeting Minutes - For possible action.

Agenda Item 6 Ratification of granting of DC licenses to applicants who passed the examination on December 9, January 13, and February 10, 2016 – For possible action.

Agenda Item 7 Ratification of granting of CA certificates to applicants who passed the examination on February 25, 2016 - For possible action.

Agenda Item 8 Election of Officers – For possible action.

Agenda Item 9 Discussion/approval of Continuing Education requests co-sponsored by other Nevada Boards and Commissions – For possible action.

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 11-8S (Ms. Mercer)
- B. Complaint 15-01S (Dr. Lurie)
- C. Complaint 15-06S (Ms. DiFillippo)
- D. Complaint 15-08N (Outside IBM)
- E. Complaint 15-11S (Dr. Rovetti)
- F. Complaint 15-18N (Dr. Lurie)
- G. Complaint 15-27S (Dr. Lurie)
- H. Complaint 15-28S (Dr. Lurie)
- I. Complaint 15-29S (Dr. Colucci)
- J. Complaint 15-30S (Dr. Lurie)
- K. Complaint 15-31S (Dr. Rovetti)
- L. Complaint 15-32S (Dr. Colucci)
- M. Complaint 15-33S (Dr. Colucci)
- N. Complaint 15-34S (Dr. Rovetti)
- O. Complaint 15-35S (Dr. Colucci)
- P. Complaint 16-01S (Dr. Jaeger)
- Q. Complaint 16-02S (Dr. Lurie)
- R. Complaint 16-03S (Dr. Lurie)
- S. Complaint 16-04S (Colucci)
- T. Complaint 16-05S (Colucci)

Agenda Item 11 Discussion/approval of Board Members and Julie Strandberg to attend the FCLB District meeting October 2016 in Colorado Springs, CO – For possible action.

Agenda Item 12 Update on FARB Forum – Ms. Mercer - No action.

Agenda Item 13 FCLB/NBCE Matters – For possible action

- A. Appointment of two Board Members to participate in the Part IV Exam, May 13-15, 2016 and the Part IV Exam, November 11-13, 2016 – For possible action.

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- B. Appointment of one Board Member to participate in the Part IV Test Committee, June 10 & 11, 2016 in Greeley, Colorado – For possible action.

Agenda Item 14 Consideration of potential additions, deletions and/or amendments to NRS or NAC Chapter 634 – For possible action.

- A. Require DC's to keep a file of all advertising in a file located in their office for two to three years.
- B. Require disclaimer to testimonial advertising.
- C. Establish rules relative to Reciprocity. This may require a change at the next rulemaking meeting.
- D. Modify NRS 634.014 "Chiropractic adjustment."
- E. Modify NRS 634.020 (3) to allow more than two persons who are resident graduates of the same school or college or same branch of college to serve simultaneously as members of the Board.
- F. Discussion/possible change to NRS 634.190 (2) from the use of "guilty" terminology in NRS 634.190 (2) to "in violation." This change would require a bill requesting this revision to NRS during the 2017 legislative session.
- G. NAC 634.200 was recommended for revision at the 9/26/15 Board meeting to waive the temporary license fee to applicants providing chiropractic for no remuneration.
For an application for a temporary license to practice chiropractic pursuant to [NRS 634.115](#)..... 50.00
- H. NAC 634.330 was recommended for revision at the 9/6/14 Board meeting minutes, however no action was taken.
- I. NAC 634.390 was recommended for revision at the 9/6/14 Board meeting minutes, however no action was taken.
- J. NAC 634.367 Temporary license: Authorized acts. Include "pregnancy, care for family members" be added to (b) Unable to perform chiropractic services because of illness, injury, military leave.
- K. Revise NAC 634.367 to not require chiropractic seminar instructors and DC participants at those seminars to have to get a temporary license to demonstrate adjusting techniques on each other.
- L. NAC 634.385 Continuing education of licenses and holders of certificates. Delete Section 8 the Board will not award credit for continuing education to an instructor of an educational class or seminar unless the instructor obtained from the Board approval for such credit before teaching the educational class or seminar.
- M. Modify NAC 634.415 Sections 3 and 4 to allow preceptors to make some treatment and management decisions.
- N. NAC 634.419 was approved to be deleted pursuant to the 2/22/14 Board meeting minutes, however is still published.
- O. Modify NAC 634.530 to allow the names of visiting doctors on the door.
- P. Modify NAC 634.541 to allow in lieu of the name of the DC, a phone number or web page address that clearly identifies the office of the advertiser; the name of the office.
- Q. Delete NAC 634.570 Inclusion of information in list or directory of licensees or chiropractic offices.
- R. Discussion/possible change to the Chiropractic Assistant certification program.
- S. Add to or revise NAC 634.339 2 (b) – 2. A student who participates in the preceptor program shall not: (b) Establish a plan of treatment or prognosis for a patient without the

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written concurrence of the preceptor, which must be documented in the health care record of the patient;

- T. Delete Sections 1(b), 2, 3 of NAC 634.341 Student providing chiropractic services: Notice to patient; duties of preceptor 1. Before a student who participates in the preceptor program provides chiropractic services to a patient: (b) the student or preceptor shall perform the initial evaluation and assessment of the patient and develop the plan of treatment for the patient. If the student:
2. The final assessment of the condition of a patient must be conducted by a licensee.
 3. The preceptor who supervises a student shall review the health care records of a patient not less than once every third visit of the patient to ensure that the student is performing the chiropractic services as directed by the preceptor and is maintaining the health care record of the patient in accordance with applicable law.

Agenda Item 15 Legislative Matters - No action.

- A. Capitol Partners report

Agenda Item 16 NCA Report – No action.

Agenda Item 17 NCC Report – No action.

Agenda Item 18 Committee Reports

- A. Continuing Education Committee (Dr. Davis) – For possible action.
B. Legislative Committee (Dr. Lurie) – For possible action.
C. Preceptorship Committee (Dr. Rovetti) – For possible action.
D. Test Committee (Dr. Colucci) - For possible action.
1. Substitute existing CA exam with Certified Chiropractic Clinical Assistant (Program of the FCLB)
 2. Offer the Law/X-Ray exam on-line via MyiCourse or other on-line platform

Agenda Item 19 Temporary License Application – Revise application language to define remuneration – For possible action.

Agenda Item 20 Board Counsel Report – No action.

Agenda Item 21 Report on Parker Seminar - No action.

Agenda Item 22 Review of specific advertising to determine whether to allow a licensee to charge more than an advertised price. (NAC 634.556) – For possible action.

Agenda Item 23 Executive Director Reports:

- A. Status of Pending Complaints – No action.
B. Status of Current Disciplinary Actions – No action.
C. Legal/Investigatory Costs – No action.
D. CA Renewal Report – No action.
E. 2016 DC Self-Inspection Report – No action.

Agenda Item 24 Financial Status Reports – No action.

- A. Current cash position & projections

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- B. Accounts Receivable Summary
- C. Accounts Payable Summary
- D. Employee Accrued Compensation
- E. Income/Expense Actual to Budget Comparison as of January 31, 2016
- F. 2015 Audit – Bertrand & Associates

Agenda Item 25 2016-2017 Budget – For possible action.

- A. Budget cycle date change
- B. Preliminary budget projection authorization

Agenda Item 26 Establish dates for the next Chiropractor’s Assistant examination and Board meetings – For possible action.

Agenda Item 27 Discuss potential 2017 Legislation – For possible action.

Agenda Item 28 Correspondence Report – No action.

- A. NCA – Chiropractor’s Assistant Exam

Agenda Item 29 Board Member Comments – No action.

Agenda Item 30 Public Interest Comments – No action.

This portion of the meeting is open to the public to speak on any topic NOT on today’s agenda and may be limited to 3 minutes.

Agenda Item 31 Adjournment – For possible action.

This agenda posted March 1, 2016 at the Chiropractic Physicians’ Board of Nevada, 4600 Kietzke Lane, Suite M245, Reno, Nevada 89502; Office of the Attorney General, 100 North Carson Street, Carson City, Nevada 89701; Office of the Attorney General, 555, East Washington Avenue, Las Vegas, Nevada 89101; State Library and Archives, 100 North Stewart St., Carson City, Nevada 89701; CPBN Website: <http://chirobd.nv.gov>; and Notice.nv.gov.

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Chiropractic Physicians’ Board of Nevada
775-688-1921

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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 as per NRS 233B.126.