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STATE OF NEVADA



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Member
TRACY DiFILLIPPO, ESQ
Consumer Member
SHELL MERCER, ESQ
Consumer Member

JULIE STRANDBERG
Executive Director

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

4600 Kietzke Lane, Suite M245
Reno, Nevada 89502-5000
Telephone (775) 688-1921

Website: <http://chirobd.nv.gov> Fax (775) 688-1920 Email: chirobd@chirobd.nv.gov

MINUTES OF MEETING

A meeting of the Chiropractic Physicians' Board was held on Friday, January 13, 2017 at the Grant Sawyer Building, 555 E. Washington Street, Las Vegas, NV 89101.

The following Board Members were present at roll call:

Benjamin Lurie, DC, President
Maggie Colucci, DC, Vice President
Jason O. Jaeger, DC, Secretary-Treasurer
Xavier Martinez, DC, Member
Morgan Rovetti, DC, Member
Tracy DiFillippo, Consumer Member
Shell Mercer, Consumer Member

Also present were CPBN Counsel Louis Ling and Executive Director Julie Strandberg.

President, Dr. Benjamin Lurie determined a quorum was present and called the meeting to order at 8:25 a.m.

President, Dr. Benjamin Lurie led those present in the Pledge of Allegiance. Dr. Colucci stated the purpose of the Board.

Agenda Item 1 Public Interest Comments - No action.

There was no public comment.

Agenda Item 2 Approval of agenda – For possible action.

Dr. Colucci moved to approve the agenda. Dr. Lurie seconded, and the motion passed with all in favor.

Agenda Item 3 Welcome New Board Members – No action.

Dr. Lurie welcomed the new Board Members, Dr. Xavier Martinez and Dr. Morgan Rovetti.

Agenda Item 4 Discussion/possible action regarding the DC reinstatement application of Dr. Church – 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. Church)

Dr. Lurie welcomed Dr. Church and gave him the opportunity to move into a closed session. Dr. Church declined moving into a closed session. Dr. Lurie explained that Dr. Church

submitted an application to reinstate his DC license to the Board and outlined the history of Dr. Church. Dr. Lurie explained that Dr. Church was brought before the Board because his application does not meet the qualifications pursuant to NRS 634.131. Dr. Lurie confirmed with Dr. Church that he had not practiced since December 31, 2003 and that Dr. Church did not practice or have an active license in another state. Dr. Lurie confirmed with Dr. Church that he did not have any disciplinary action or sanctions in any other state. Dr. Lurie also confirmed that Dr. Church obtained 36 hours of continuing education pursuant to NRS 634.131. Dr. Lurie stated that since Dr. Church had not practiced within the last seven years and had not completed Parts III and IV of the National Board, he is required to take and pass the SPEC through the NBCE prior to the Board considering Dr. Church's application. Dr. Lurie turned the questioning over to the Board.

Dr. Lurie made a motion to deny Dr. Church's reinstatement application and stated that Dr. Church must take and pass the SPEC prior to the Board considering his application. Dr. Lurie stated that once the Board is in receipt of Dr. Church's passing SPEC score he will need to submit a new application and come back before the Board. Ms. DiFillippo seconded for discussion. Following additional discussion, the motion passed with all in favor.

Agenda Item 5 Discussion/possible action regarding the Application for Chiropractor's Assistant of Ms. Penny Ruiz - 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 Ms. Ruiz)

Dr. Lurie welcomed Ms. Ruiz and gave her the opportunity to move into a closed session. Ms. Ruiz declined moving into a closed session. Dr. Lurie explained that Ms. Ruiz is before the Board today for not truthfully answering, questions #3 and #4 with respect to her background on the Chiropractic Assistant application. Dr. Lurie asked Ms. Ruiz to explain why she did not truthfully answer questions #3 and #4 on her CA application and to identify who was at the table with her. Ms. Ruiz stated that she was accompanied by Dr. Buda and explained that she answered negatively, because she understood that her records were expunged or sealed. Ms. Ruiz explained that she is not the same character today, that she was back then and would greatly appreciate the opportunity to become a CA. The Board discussed the non-disclosure of information Ms. Ruiz lacked to provide on her application. Dr. Buda testified that Ms. Ruiz had been working for her for approximately two years and is an ethical person and motivated to expand her knowledge under her supervision.

Dr. Lurie made a motion to deny Ms. Ruiz' application with the condition that she re-apply and correctly answer questions #3 and #4 and upon the Boards' receipt of Ms. Ruiz' complete application it will be approved. Dr. Rovetti seconded, and the motion passed with the exception of Ms. Mercer and Dr. Martinez who were in opposition.

Agenda Item 6 Discussion/possible action regarding the Settlement Agreement for Dr. Mark Rubin's probation – 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. Rubin) (attached settlement agreement)

Dr. Lurie described Dr. Rubin's request to come before the Board and gave Dr. Rubin the opportunity to move into a closed session. Dr. Rubin declined going into a closed session and asked that his request be withdrawn. Dr. Lurie confirmed with Dr. Rubin that he would like to withdraw Agenda Item 6.

Agenda Item 7 Discussion/possible action regarding the Application for Doctor of Chiropractic of Bret Brown, DC – 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. Brown)

Dr. Lurie began by providing the Board with a brief summary of Dr. Brown's appearance before the Board at its September 10, 2016 meeting and stated that one of the Boards' requests at that meeting was to obtain Dr. Brown's renewals submitted to the State of Wyoming. Mr. Ling explained that Dr. Brown's responses to the questions on his Wyoming applications were answered accurately. Dr. Lurie turned to the Board for questions. Dr. Lurie confirmed with Dr. Brown that he was in compliance with his child support.

Dr. Lurie asked Dr. Brown where he had been employed and what duties he was performing. Dr. Brown stated that he was employed by Dr. Al Simoncelli and stated that he was taking notes, updating patient subjective, scribing for Dr. Simoncelli, and doing clerical work. Dr. Lurie confirmed with Dr. Brown that he hadn't touched a patient, done x-rays on a patient, administered therapies, or consulted with a patient. Dr. Brown stated that he was seeing patients until he received the letter from the Board. Dr. Lurie asked Dr. Brown when he started taking patients and Dr. Brown stated, approximately 4-5 days after he submitted his original application to the Board. Dr. Lurie turned questioning over to the Board. Dr. Lurie asked Dr. Brown if he understood that he could not touch, adjust, perform therapies, etc. on a patient until his application was approved. Dr. Brown stated that he was under the assumption and recalled that Dr. Simoncelli stated that he could treat under his license until his application was approved or denied.

Dr. Lurie made a motion to accept Dr. Brown's application under the following conditions: due to the dishonesty on his application, Dr. Brown must take and pass the EBAS administered by the National Board of Chiropractic Examiner's, pay a \$500.00 fine, and upon completion of conditions #1 and #2 Dr. Brown's application will be approved. Dr. Brown shall take and pass the Nevada law exam and upon the ratification of his license it will be on probation for one year. In addition to the 36 hours of continuing education due, eight hours must be in ethics and boundaries approved by the Board. Dr. Martinez seconded, Dr. Rovetti, Dr. Martinez, and Ms. DiFillippo were in favor of the motion. Dr. Lurie, Ms. Mercer, and Dr. Colucci were in opposition. Dr. Jaeger abstained. The motion did not carry.

Dr. Colucci made a motion to deny Dr. Brown's application for licensure. Ms. Mercer seconded, Dr. Colucci and Ms. Mercer were in favor of the motion. Dr. Lurie, Dr. Martinez, Dr. Rovetti, and Ms. DiFillippo were in opposition. Dr. Jaeger abstained. The motion did not carry.

Dr. Colucci made a motion to deny Dr. Brown's application until the Wyoming Boards' investigation concludes. Ms. DiFillippo seconded. Ms. Mercer stated that the Wyoming investigation is not relevant to this Boards' decision. Mr. Ling stated that it's very likely that Dr. Brown is not aware of the pending investigation in Wyoming and since the due process hasn't started in Wyoming it would be unfair to consider.

Dr. Lurie made a motion to accept Dr. Brown's application under the following conditions: due to providing false information and practicing chiropractic without a license prior to the application being approved, take and pass the EBAS, and pay a fine in the amount of \$1,500.00. The application will not be approved until conditions #1 and #2 are met. Once Dr. Brown has taken and passed the law exam his license will be on probation for two years. Dr. Brown must take 12 hours of continuing education in ethics and boundaries in addition to the required 36 hours. Ms. DiFillippo seconded, and recommended that the probation be increased to three years. Dr. Lurie accepted Ms. DiFillippo's amendment. Ms. Mercer recommended that Dr. Brown be assigned a practice monitor. Dr. Lurie accepted Ms. Mercer's amendment. Dr. Lurie recommended drug and

alcohol screening. Ms. DiFillippo seconded, and the motion passed with all in favor. Dr. Jaeger abstained.

Agenda Item 8 Approval of the September 10, 2016 Meeting Minutes. - For possible action.

Dr. Jaeger moved to approve the September 10, 2016 minutes. Dr. Martinez seconded, and the motion passed with all in favor.

Agenda Item 9 Ratification of granting of DC licenses to applicants who passed the examination from August to December 2016 – For possible action.

Ms. Mercer moved to approve the ratification of granting of DC licenses to those who passed the examinations from September to December 2016. Dr. Jaeger seconded, and the motion passed with all in favor.

Agenda Item 10 Legislative Matters – For possible action.

Mendy Elliott was in attendance on behalf of Capitol Partners. Ms. Elliott gave an overview of the 2017 Legislative session and explained the process of how a bill moves through the houses. Dr. Lurie stated that he and Ms. Elliott met with Dr. Overland, and Dr. Overland indicated that the NCA would not be submitting a bill for this legislative session.

Agenda Item 12 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 04-4 (Ms. Mercer)

Ms. Mercer stated that Dr. Raines was convicted of robbing a bank and was disciplined by the Board in 2004. Ms. Mercer stated that she spoke with Dr. Raines and he stated that he is doing well after opening his new practice at Rainbow and Sahara in Las Vegas. Dr. Raines stated that he continues to be monitored by Dr. Jo Briggs and is in compliance.

B. Complaint 15-01S (Dr. Lurie)

Dr. Lurie stated that there was an active website that erroneously stated that an individual was a Nevada chiropractor and throughout this investigation the individual and his attorney have indicated that they were not the administrator of this website. Dr. Lurie and Mr. Ling have now confirmed that the website has been deleted. Dr. Lurie recommended to dismiss complaint 15-01S along with dismissal of the citation. Ms. Mercer moved to dismiss complaint 15-01S. Ms. DiFillippo seconded, and the motion passed with all in favor. Dr. Lurie recused himself as the Investigating Board Member.

C. Complaint 15-18N (Dr. Lurie)

Dr. Lurie stated that this complaint has been investigated and he expects to have a resolution in the form of a settlement agreement at the April 21, 2017 Board meeting.

E. Complaint 16-01S (Dr. Jaeger)

Dr. Jaeger stated that the doctor submitted another voluntary drug screening, which was negative. The DC also stated that they have not used any type of narcotics since the initial discussion with Dr. Jaeger. Dr. Jaeger recommended to continue monitoring until the April 21, 2017 Board meeting and at that time may consider dismissal.

Dr. Jaeger just spoke to agenda item 12E, Complaint 16-01S. Dr. Lurie stated the Board will now discuss agenda item 12D.

D. Complaint 15-27S (Dr. Lurie)

Dr. Lurie stated that Mr. Ling prepared a citation which was sent to Dr. Lo's last known address and to date Dr. Lo has not contacted the Board. Dr. Lurie confirmed that CIN-BAD through FCLB has been updated to reflect the citation issued to Dr. Lo. Dr. Lurie stated that complaint 15-27S will be put in a hold status until the Board hears from Dr. Lo, or if he applies for licensure in another state.

F. Complaint 16-02S (Dr. Lurie)

Dr. Lurie stated that complaint 16-02S is still under investigation, but plans to have a resolution at the April 21, 2017 Board meeting.

G. Complaint 16-08S (Jaeger)

Dr. Jaeger stated that the complainant alleged that they were charged for services not rendered, so Dr. Jaeger requested additional information from the complainant and upon receipt had a follow-up conversation. Dr. Jaeger contacted the DC to explain the complaint against them and advised the DC that he would be in contact over the next couple weeks as he continues to complete the investigation.

H. Complaint 16-09S (Lurie)

Dr. Lurie stated that this is an advertising complaint wherein the DC published an article in a magazine stating that they were the author. Dr. Lurie contacted the editor of the national and local magazine who indicated that the DC was a contributor to the article and was given permission to publish the article in their name. Dr. Lurie recommended that complaint 16-09S be dismissed. Ms. Mercer moved to dismiss complaint 16-09S. Ms. DiFillippo seconded, and the motion passed with all in favor. Dr. Lurie recused himself as the Investigating Board Member.

I. Complaint 16-11S (Colucci)

Dr. Colucci stated that she and Mr. Ling are working on this complaint, so it remains under investigation.

J. Complaint 16-12S (Colucci)

Dr. Colucci stated that she and Mr. Ling are working on this complaint, so it remains under investigation.

K. Complaint 16-13S (Lurie)

Dr. Lurie stated that he spoke to the complainant and the DC and there are discrepancies with their stories. Dr. Lurie stated that he will continue to investigate and will work with Mr. Ling to prepare a settlement agreement.

L. Complaint 16-14S (Jaeger)

Dr. Jaeger stated that this complaint was forwarded to the Chiropractic Board from the Massage Therapy Board who forwarded the complaint to the Chiropractic Board. Dr. Jaeger spoke to the complainant who alleged that they were adjusted by a massage therapist and indicated that they are now being treated by a DC employed with Dr. Jaeger's group. Dr. Jaeger stated that he reached out to the Board President to be recused from this complaint. Dr. Lurie stated that this complaint will be reassigned.

M. Complaint 17-01S (Lurie)

Dr. Lurie stated that this complaint is an advertising complaint and is under investigation.

Agenda Item 13 Proposed Payment Arrangement for Heriberto "Eddie" Soltero – For possible action.

Dr. Lurie stated that Mr. Soltero sent correspondence to the Board stating that he will increase his monthly payments from \$100.00 to \$200.00 effective January 2017, and intends to have the board costs and fine paid back by July 2017.

Agenda Item 14 FCLB/NBCE Matters – For possible action.

Dr. Colucci gave an overview of the FCLB. Dr. Lurie stated that he was approved to attend the May 2017 FCLB conference in Orlando, FL at the September 10, 2016 meeting. Dr. Jaeger stated that he would be interested in attending. Dr. Lurie moved to approve himself and Dr. Jaeger's attendance at the May 2017 FCLB conference in Orlando, FL. Ms. Mercer seconded, and the motion passed with all in favor.

A. Selection of Board's choice for FCLB Voting Delegate.

Dr. Lurie recommended that Dr. Jaeger be the voting delegate at the 2017 FCLB conference in Orlando, FL. Dr. Martinez seconded, and the motion passed with all in favor.

B. Selection of Board's choice for FCLB Alternate Delegate

Dr. Lurie nominated himself as the alternate voting delegate at the 2017 FCLB conference in Orlando, FL. Dr. Jaeger moved to accept the motion. Ms. Mercer seconded, and the motion passed with all in favor.

C. Selection of Board's choice for NBCE Voting Delegate

Dr. Lurie nominated himself as the NBCE voting delegate at the 2017 FCLB conference in Orlando, FL. Ms. Mercer seconded, and the motion passed with all in favor.

D. Selection of Board's choice for NBCE Alternate Delegate

Dr. Lurie recommended that Dr. Jaeger be the NBCE alternate voting delegate at the 2017 FCLB conference in Orlando, FL. Ms. Mercer seconded, and the motion passed with all in favor.

E. Selection of Board Member to participate in the Spring National Board Part IV Exam - May 19, 20, & 21, 2017

Dr. Lurie and Dr. Rovetti stated that they would be interested in participating in the NBCE Spring Part IV exam.

F. Selection of Board Member to participate in the National Board Part IV Test Committee meeting - June 9 & 10, 2017

Dr. Martinez stated that he would be interested in participating in the NBCE Part IV Test Committee.

G. Selection of Board Member to participate in the Fall National Board Part IV Exam - November 10, 11, & 12, 2017

Dr. Rovetti and Dr. Lurie stated that they would be interested in participating in the NBCE Fall Part IV exam.

H. Other FCLB/NBCE matters.

Dr. Lurie stated that Dr. Colucci will be running for FCLB President at the May 2017 FCLB meeting and made a motion to support Dr. Colucci in the Boards' vote. Dr. Jaeger seconded, and the motion passed with all in favor.

Agenda Item 16 Reassign Committees – For possible action

Dr. Lurie stated that the Continuing Education and Preceptor Program committees need to be reassigned. Dr. Martinez stated that he would be willing to take on the Continuing Education committee. Dr. Rovetti stated that she would take on the Preceptor Program committee.

Agenda Item 20 Discussion/Approval of Board Office Security System – For possible action.

Dr. Lurie moved that Julie Strandberg and Dr. Jaeger receive proposals from three security companies to include video monitoring for the Chiropractic Physicians' Board office in Reno, NV. Ms. Mercer seconded, and the motion passed with all in favor.

Agenda Item 11 Board Counsel Report – No action.

Mr. Ling stated that he didn't have anything to report.

Agenda Item 17 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. 2017/2018 DC Renewal Statistics

Julie Strandberg gave an overview of the Executive Director reports.

Agenda Item 19 Annual staff evaluations – For possible action

Dr. Jaeger gave a summary of the annual evaluations for Mr. Ling and Julie Strandberg.

Agenda Item 26 NCC Report – No action.

Dr. Youngblood was present and reported on behalf of the NCC. Dr. Youngblood stated that the NCC does not currently have a lobbyist, however they do have individuals watching legislation on their behalf. Dr. Youngblood stated that the NCC's annual convention was a success and the NCC has created positive momentum with respect to its membership drive.

Agenda Item 25 NCA Report – No action.

Dr. Overland was present and reported on behalf of the NCA. Dr. Overland welcomed Dr. Xavier Martinez and Dr. Morgan Rovetti to the Board.

Dr. Overland discussed the trial with respect to the Chiropractor's right to diagnose between the Texas Medical Association and the Texas Licensing Board who suffered defeat, however will most likely end up in the Supreme Court.

Dr. Overland stated that the NCA will be looking into the changes Medicare is making to their billing format, which is currently fee for service, and will be changed to fee for assessment.

Dr. Overland stated that the NCA will be putting on a seminar with NCMIC.

Dr. Overland stated that the NCA made a presentation to Assemblywoman Irene Bustamante-Adams, the Governor's Office and to Senator Pat Farley with respect to the opioid epidemic.

Dr. Overland stated that at COCSA the Foundation for Chiropractic Progress stated that they are working to raise \$1 Million to spread national awareness on the opioid epidemic.

Dr. Overland stated that the NCA has been a member of the American Public Health Association, who founded a chiropractic health section, which the NCA is a part of on a national basis. Dr. Overland stated that that goes along with the national push to try to get chiropractors commissioned in the public health bureau since Chiropractors are one of the only professional groups that cannot be commissioned.

Dr. Overland stated that the NCA held their annual seminar and had over 81 attendees and sponsors to include twelve hours of continuing education. The NCA held an eight hour adjusting seminar in Las Vegas, a nine hour Cervical Spine seminar in Reno, and held two Chiropractor's Assistant review courses. Dr. Overland stated that the NCA held three modules for the Orthopedic Diplomate Program in conjunction with Bridgeport Chiropractic College and there are five scheduled for 2017. Currently, applicants need ten modules, ten hours each for the first 100 hours and then they can take the remaining 200 hours online to be qualified to sit for the Diplomate Program. There are a total of 300 hours required for the Diplomate Program to sit for the exam. Dr. Overland stated that the University of Bridgeport is looking at extending a second diplomate program, since the program has been successful in Nevada.

Dr. Overland stated that he testified on behalf of the NCA and the profession as requested by Sheriff Joe Lombardo to get more cops on the streets.

Dr. Overland stated that he represented the NCA and the chiropractors before the Interior Health Committee who had language, which required state employees to either have an MD or DO established criteria for a musculoskeletal condition before they could be seen by a chiropractor. Dr. Overland stated that along with the NCA's lobbyist, Marlene Lockard, testimony was provided to get the language removed.

Dr. Overland stated that the NCA negotiated for its members to be providers for members of the Latter Day Saints organization.

Dr. Overland stated that the NCA testified on two separate occasions before the Discovery Commissioner with respect to chiropractor deposition fees, which were being challenged by some attorneys. In both cases, chiropractors were awarded the fees that they sought. As a result, the NCA helped write the motion approved by the Commissioner to try to develop criteria language that chiropractors may use when they submit for deposition fees.

Dr. Overland stated that he spoke with Dr. Lurie and the Boards' lobbyist and advised that the NCA does not have a bill at this time for the legislative session. Dr. Overland stated that the NCA was trying to resurrect the workers' compensation bill, but didn't have enough support to bring it before the legislature. Dr. Overland stated that the NCA may have an opportunity to promote a bill which discusses silent PPO's. Dr. Overland stated that the NCA has approximately 150 DC members and 14 CA members.

Agenda Item 18 Financial Status Reports:

- A. Current cash position & projections – No action.**
- B. Accounts Receivable Summary – No action.**
- C. Accounts Payable Summary – No action.**
- D. Employee Accrued Compensation – No action.**
- E. Income/Expense Actual to Budget Comparison as of November 30, 2016 – No action.**
- F. June 30, 2016 Audit – Bertrand and Associates - For possible action**

Julie Strandberg provided a summary of the financial status and gave an overview of the audit conducted by Bertrand and Associates. Dr. Lurie moved to approve the audit. Ms. Mercer seconded, and the motion passed with all in favor.

Agenda Item 15 Committee Reports

- A. Continuing Education Committee – For possible action.**

Dr. Lurie received communication from Dr. Davis who stated that the continuing education applications are being appropriately screened by the Board staff and the process is going well.

- B. Legislative Committee (Dr. Lurie) – For possible action.**

Dr. Lurie advised the Board that things move relatively fast during the legislative session and put the Board on notice that it may be necessary to call meetings on short notice to discuss bills.

- C. Preceptorship Committee – For possible action.**

Julie Strandberg stated that the Board has two active Preceptors and one pending Preceptor.

- D. Test Committee (Dr. Colucci) - For possible action.**

Dr. Colucci stated that the DC jurisprudence exam is being offered online and in-person. Dr. Colucci stated that with respect to the CA exam, the Board may want to consider the CCCA exam offered through FCLB. The Board would then administer the law and x-ray portion online or in-person.

Dr. Lurie stated that he and Dr. Overland discussed putting the Chiropractic Assistant law examination online with a passing score of 90% and allow the CA to take the law examination at any point prior to taking the CA examination. The Board would continue to offer the in-person exam with a passing score of 75%.

Agenda Item 21 Discussion of Wisconsin's approval of Informed Consent – For possible action.

Dr. Lurie stated that the Wisconsin legislature added the informed consent requirement for chiropractors to their law, because chiropractors were being held to a standard other than chiropractic, when it came to diagnostic and treatment of a patient. Mr. Ling stated that the Board could add the requirement of an informed consent under NAC 634.435, the record keeping section. Dr. Lurie moved to add the informed consent language to NAC 634.435. Dr. Jaeger seconded, and the motion passed with all in favor.

Agenda Item 22 Consideration of potential additions, deletions and/or amendments to NRS 634 and NAC 634 – For possible action.

Dr. Lurie recommended revisions to NRS 634.090 (1) (c) (1) and stated that he will bring language to the April 21, 2017 Board meeting.

Dr. Lurie stated that he spoke to Dr. Overland with respect to NAC 634.290 and Dr. Overland stated that the NCA would be in favor of revising section 2 to allow the Board to review a licensee's application, look at the service they have provided and have practiced a number of years without discipline, in lieu of passing Part IV or requiring the SPEC prepared by the NBCE. Dr. Lurie stated that the intent is to open up the boarders for reciprocity.

Dr. Lurie recommended revisions to NAC 634.320, which discusses an authorized person in a waiting room. Dr. Lurie recommended that the Board add, "No electronic device may be brought into the exam facility unless approved by the Board."

Dr. Lurie asked Mr. Ling to confirm that the Boards' laws/rules indicate that the appropriate sections are documented with respect to a passing grade being 75% for a closed-book exam or 90% for an open-book exam.

Dr. Lurie stated that he would like to propose language to NAC 634.290 to include an exit examination administered by an accredited chiropractic college whose examination is approved by the Board.

Agenda Item 23 Establish dates for the next Chiropractor's Assistant examination and Board meetings – For possible action.

Dr. Lurie set the Chiropractor's Assistant examination for Thursday, August 17, 2017 at the College of Southern Nevada in Las Vegas and at the Board complex in Reno.

Dr. Lurie confirmed the next Board meeting will be held on April 21, 2017 in Reno, NV. The Board agreed and tentatively set the final meeting of the year for October 20, 2017.

Agenda Item 24 Board Policies

Dr. Lurie made a motion to revise language to Chapter 1, Applicant Background Checks. Dr. Martinez seconded, and the motion passed with all in favor.

Dr. Lurie made a motion to revise language to Chapter 3, Compensation of Salary to Board Members. Dr. Jaeger moved to approve the revisions. Dr. Lurie seconded, and the motion passed with all in favor.

Ms. DiFillippo made a motion to revise language to Chapter 4, Confidentiality of Testing. Ms. Mercer moved to approve the revisions. Dr. Lurie seconded, and the motion passed with all in favor.

Dr. Rovetti made a motion to omit Chapter 5, Continuing Education, Home Study Taped Tracts. Dr. Lurie seconded, and the motion passed with all in favor.

Dr. Lurie recommended revisions to Chapter 6, Identification of Applicants the Board, however following discussion the Board determined no change was needed.

Dr. Lurie moved to omit Chapter 9, Proposed Settlement Agreement Language. Ms. Mercer seconded, and the motion passed with all in favor.

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Dr. Lurie moved to revise a title under the Board approved certifications in Chapter 10, Specialty Advertising. Dr. Jaeger seconded, and the motion passed with all in favor.

Dr. Lurie made a motion to revise language to Chapter 12, Test Results. Dr. Martinez seconded, and the motion passed with all in favor.

Dr. Lurie made a motion to omit Chapter 23, Preceptorship Program. Dr. Jaeger seconded, and the motion passed with all in favor.

Agenda Item 26 Correspondence Report – No action.

Julie Strandberg stated that the correspondence includes the letters sent to the NCA and the NCC asking if they would be submitting bills before the 2017 legislature.

Dr. Lurie stated that he needed to re-address Agenda Item 22 regarding the possible change to the Temporary License regulation. Dr. Lurie stated that the Board was notified by an out-of-state licensee who recommended that the Board discuss revising the Temporary License regulation. The current language restricts an out-of-state licensee to two temporary licenses per year. Dr. Lurie stated that he will bring language to the April 21, 2017 meeting.

Agenda Item 28 Board Member Comments – No action.

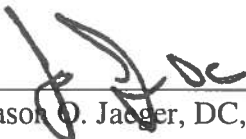
The Board members welcomed Dr. Morgan Rovetti and Dr. Xavier Martinez to the Board. Each Board member stated their appreciation to the others for being a part of the Board.

Agenda Item 29 Public Interest Comments – No action.

There was no public comments.

Agenda Item 30 Adjournment – For possible action.

Dr. Lurie moved to adjourn the meeting. Ms. Mercer seconded, and motion passed unanimously.



Dr. Jason O. Jaeger, DC, Secretary-Treasurer