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Consumer Member

JULIE STRANDBERG
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CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

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MINUTES OF MEETING/WORKSHOP

A meeting of the Chiropractic Physicians' Board was held via video conference on Friday, April 21, 2017 at the Public Utilities Commission, Hearing Room B, 9075 W. Diablo Drive, Suite 250, Las Vegas, NV 89148 and Hearing Room B, 1150 E. William Street, Carson City, NV 89701.

The following Board Members were present at roll call:

Benjamin Lurie, DC, President
Maggie Colucci, DC, Vice President
Xavier Martinez, DC
Morgan Rovetti, DC
Tracy DiFillippo, Consumer Member
Shell Mercer, Consumer Member

Also present were CPBN Counsel Louis Ling and Executive Director Julie Strandberg. Jason O. Jaeger, DC, Secretary/Treasurer was not present.

President, Dr. Benjamin Lurie determined a quorum was present and called the meeting to order at 8:35 a.m.

Vice President, Dr. Maggie Colucci led those present in the Pledge of Allegiance. Ms. Mercer stated the purpose of the Board.

Agenda Item 1 Public Interest Comments - No action.

There was no public comment.

Agenda Item 15 Discussion/possible action regarding Kerrie Pratt, 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. Pratt)

Dr. Lurie reported that Dr. Pratt emailed the Board withdrawing her DC application. Dr. Lurie asked that Agenda Item 15 be removed from the agenda.

Dr. Lurie stated that Agenda Item 22C is Complaint 16-02S, which was heard and dismissed at the January 13, 2017 Board meeting. Dr. Lurie stated that Complaint 16-02S should not have appeared on this agenda.

Agenda Item 2 Approval of agenda – For possible action.

Ms. DiFillippo moved to approve the agenda. Ms. Mercer seconded, and the motion passed with all in favor.

Agenda Item 3 Approval of the January 13, 2017 Meeting Minutes. - For possible action.

Dr. Lurie moved to approve the January 13, 2017 minutes. Dr. Colucci seconded, and the motion passed with all in favor.

Agenda Item 4 Ratification of granting of DC licenses to applicants who passed the examination from January to April 2017 – For possible action.

Ms. Mercer moved to approve the ratification of granting of DC licenses to those who passed the examination from January to April 2017. Ms. DiFillippo seconded, and the motion passed with all in favor.

Agenda Item 5 Ratification of granting of CA certificates to applicants who passed the examination on February 16, 2017 – For possible action.

Ms. Mercer moved to approve the ratification of granting of CA certificates to those who passed the examination on February 16, 2017. Ms. DiFillippo seconded, and the motion passed with all in favor.

Agenda Item 6 DC Renewal Statistics – No action.

Julie Strandberg gave a summary of the DC renewal statistics for 2017/2018.

Agenda Item 7 Report on Parker Seminar – No action.

Dr. Lurie stated that he and Dr. Colucci were in attendance at the Parker seminar held at the Paris Las Vegas Hotel and verified that temporary licenses were obtained and not being displayed, therefore Dr. Lurie will work with Parker to ensure they understand Nevada laws.

Agenda Item 9 PUBLIC WORKSHOP: Will begin at 8:45 a.m. at the Public Utilities Commission, 1150 E. William Street, Room B, Carson City, NV 89701 and 9075 W. Diablo Drive, Suite 250, Room B, Las Vegas, NV 89148. Discussion to consider amendments to Nevada Administrative Code 634 – For possible action.

Dr. Lurie opened the Public Workshop at 8:44 a.m. for the public to comment on each section identified. There was no public comment. The Public Workshop was closed at 8:52 a.m. Dr. Lurie opened the workshop to the Board to discuss each section.

Following discussion of Section 7, of NAC 634.367 Dr. Lurie stated that it doesn't appear that the Board believes the additional language to Section 7 (4) needs to be included. Ms. DiFillippo referred to Section 1, which removes the fees for the temporary application and license. Dr. Lurie stated that these fees should remain as written. Dr. Lurie stated that NAC 634.367 will be discussed further at the Board hearing.

Following discussion of the addition of Section 12 of NAC 634.541 Dr. Lurie stated that this section will be discussed further at the Board hearing.

Agenda Item 16 Discussion/possible action regarding Mark Rubin, 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. Rubin)

Dr. Lurie stated that Dr. Rubin asked to come before the Board today to request a modification to his Settlement Agreement and Order, which went into effect on September 10, 2016. Dr. Rubin requested that the Board relieve him of the remainder of his Settlement Agreement due to a financial hardship. Julie Strandberg reported that Dr. Rubin's license was suspended effective April 17, 2017 for not complying with the order within the timeline identified

in the Order. Dr. Lurie made a motion to deny Dr. Rubin's request to modify his Settlement Agreement and Order until he is in compliance with the Order, at which time he can return before the Board. Ms. Mercer seconded, and the motion passed with all in favor. Ms. DiFillippo recused herself as the Investigating Board Member.

Agenda Item 10 Discussion/possible action regarding Sabrena Buchanan – 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. Buchanan)

Dr. Lurie welcomed Ms. Buchanan and gave her the opportunity to move into a closed session. Ms. Buchanan declined moving into a closed session. Dr. Lurie explained that Ms. Buchanan is before the Board today for not truthfully answering, questions #3 and #4 with respect to her background on the Chiropractor's Assistant application. Dr. Lurie asked Ms. Buchanan to explain why she did not truthfully answer questions #3 and #4 on her CA application. Ms. Buchanan stated that she didn't think about the incidences when she completed the application. Dr. Lurie opened up questioning to the Board. Dr. Lurie made a motion to deny Ms. Buchanan's application with the condition that she re-apply and correctly answer questions #3 and #4 and upon the Boards' receipt of Ms. Buchanan's complete and accurate application it will be approved. Ms. DiFillippo seconded, and the motion passed with all in favor.

Agenda Item 11 Discussion/possible action regarding Kateryn Hilario – 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. Hilario)

Dr. Lurie welcomed Ms. Hilario and gave her the opportunity to move into a closed session. Ms. Hilario requested to move into a closed session. Dr. Lurie explained that Ms. Hilario is before the Board today for not truthfully answering, questions #3 and #4 with respect to her background on the Chiropractor's Assistant application. Dr. Lurie asked Ms. Hilario to explain why she did not truthfully answer questions #3 and #4 on her CA application. Ms. Hilario stated that she miss-read the question and wasn't aware that a misdemeanor was criminal. Dr. Lurie opened up questioning to the Board. Dr. Lurie opened the meeting back up to the public. Ms. Mercer made a motion to deny Ms. Hilario's application with the condition that she re-apply and correctly answer questions #3 and #4 and upon the Boards' receipt of Ms. Hilario's complete and accurate application it will be approved. Dr. Lurie seconded, and the motion passed with all in favor. Ms. DiFillippo recused herself since she is a patient at Jerian Chiropractic where Ms. Hilario is employed.

Agenda Item 12 Discussion/possible action regarding Juana Contreras – 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. Contreras)

Dr. Lurie welcomed Ms. Contreras and gave her the opportunity to move into a closed session. Ms. Contreras declined moving into a closed session. Dr. Lurie explained that Ms. Contreras is before the Board today for not truthfully answering, question #4 with respect to her background on the Chiropractor's Assistant application. Dr. Lurie asked Ms. Contreras to explain why she did not truthfully answer question #4 on her CA application. Ms. Contreras stated that her attorney appeared in court and then explained that the domestic violence charge would not appear on her record. Ms. Mercer made a motion to deny Ms. Contreras' application with the condition that she re-apply and correctly answer questions #3 and #4 and upon the Boards' receipt of Ms. Contreras' complete and accurate application it will be approved. Dr. Lurie seconded, and the motion passed with all in favor.

Agenda Item 13 Discussion/possible action regarding Sandy Blauvelt – 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. Blauvelt)

Dr. Lurie welcomed Ms. Blauvelt and gave her the opportunity to move into a closed session. Ms. Blauvelt declined moving into a closed session. Dr. Lurie explained that Ms. Blauvelt is before the Board today for not truthfully answering, questions #3 and #4 with respect to her background on the Chiropractor's Assistant application. Dr. Lurie asked Ms. Blauvelt to explain why she did not truthfully answer questions #3 and #4 on her CA application. Ms. Blauvelt stated that she was embarrassed so she reported the reduced charge and since her other charge was dismissed she didn't think it would appear on her background. Dr. Lurie opened up questioning to the Board. Ms. DiFillippo made a motion to approve Ms. Blauvelt's application. Dr. Lurie seconded, and the motion passed with all in favor.

Agenda Item 14 Discussion/possible action regarding Lauren Bartlett – 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. Bartlett)

Dr. Lurie welcomed Ms. Bartlett and gave her the opportunity to move into a closed session. Ms. Bartlett declined moving into a closed session. Dr. Lurie explained that Ms. Bartlett is before the Board today for not truthfully answering, questions #3 and #4 with respect to her background on the Chiropractor's Assistant application. Dr. Lurie asked Ms. Bartlett to explain why she did not truthfully answer questions #3 and #4 on her CA application. Ms. Bartlett stated that her case was initially dropped. However, a couple months later the case was re-opened so she obtained an attorney. Ms. Bartlett stated that based on her understanding all charges were dropped. Dr. Lurie opened up questioning to the Board. Dr. Lurie made a motion to deny Ms. Bartlett's application with the condition that she re-apply and correctly answer questions #3 and #4 and upon the Boards' receipt of Ms. Bartlett's complete and accurate application it will be approved. Dr. Colucci seconded, and the motion passed with all in favor. Ms. Mercer recused herself since she is a patient at the Las Vegas Chiropractic Association where Ms. Bartlett is employed.

Agenda Item 8 Establish dates for the next Chiropractor's Assistant examination and Board meetings – For possible action.

Dr. Lurie moved to set the Chiropractor's Assistant examination for Thursday, February 8, 2018. Ms. DiFillippo seconded, and the motion passed with all in favor.

Dr. Lurie moved to set the final Board meeting of the year for Thursday, October 5, 2017.

Agenda Item 19 Legislative Matters – For possible action.

A. Capitol Partners report on current legislation

Mendy Elliott and Nick Vander Poel were present on behalf of Capitol Partners and gave an overview of the Legislation with respect to the Board. Ms. Elliott stated that the Chiropractic Physicians' Board bill did not make it out of committee, so Ms. Elliott along with legislative staff are researching to determine if there is another way to get the Chiropractic Physicians' Board bill passed.

Agenda Item 20 Board Counsel Report – No action.

Mr. Ling stated that Assembly Bill 328 requires the Board to enter into an independent contract with him if the Board chooses to continue using his legal services. Mr. Ling also stated that this bill currently has an enactment clause, which means that the bill will become effective on July 1, 2017. Dr. Lurie recommended that a Board meeting be held via teleconference at 8:00 a.m. on Thursday, April 27, 2017 to discuss the Board entering into an Independent Contract with Louis Ling.

Agenda Item 31 NCA Report – No action.

Dr. Overland was in attendance and presented on behalf of the NCA. Dr. Overland stated that on March 25-26 the NCA sponsored the sixth module out of ten of the Orthopedic Diplomate program in conjunction with the University of Bridgeport. The NCA is hopeful that the University of Bridgeport will conduct an additional program in Las Vegas, however Los Angeles, CA and Phoenix, AZ are interested in getting involved in the Orthopedic Diplomate program.

Dr. Overland stated that the NCA and Mario Fucinari, DC in conjunction with NCMIC held a Medicare Seminar to discuss the changes.

Dr. Overland stated that on May 13, 2017 the NCA will be cosponsoring a 12 hour course with Northwestern Health Science University titled, "Take Aim at Chronic Pain."

Dr. Overland stated that the NCA did not have a bill this session, but plans to have a bill for the 2019 Legislative Session. Dr. Overland stated that the NCA has been actively involved in the 2017 Legislative Session along with their lobbyist Marlene Lockard. Dr. Overland thanked Mendy Elliott and Peter Krueger for their working relationship with Ms. Lockard.

Dr. Overland discussed AB 179, which is the Board of Massage Therapists bill that included the definition for "structural integration." Dr. Overland stated that the NCA, in conjunction with the Chiropractic Board confirmed that the revised definition read as follows, structural integration is the application of a system of manual therapy without chiropractic adjustment or manipulation.

Dr. Overland discussed SB 292, which is Physicians traveling with sports teams. Dr. Overland stated that the NCA supported this bill and ensured that chiropractors were included in the bill.

Dr. Overland stated that SB 219 was revised by the Department of Health regarding radiology. This bill included terminology that required CA's to take and pass a test to continue taking X-Rays, however CA's were exempted from this bill.

Dr. Overland stated that SB 209 had to do with insurers processing industrial insurance claims out of state and primarily affected the Division of Industrial Relations.

Dr. Overland stated that AB 115 and AB 116 were sponsored by Robin Titus and increased the scope of work for Advanced Practitioners and Physicians Assistant's to include returning athletes to the playing field and administering certificates. Dr. Overland stated that there was also language regarding treating workers' compensation patients and allowed an individual to choose their own doctor. The NCA was not in agreement with these bills and asked Dr. Titus to include chiropractors, but were unsuccessful. Dr. Overland stated that the bills died due to the language increasing a Physicians Assistant's scope of work.

Dr. Overland stated that AB 456, the Chiropractic Physicians' Board bill was supported by the NCA, and they are continuing to try to assist with getting it passed.

Dr. Overland stated that SB 437 was presented by the Physical Therapists Association, which would have allowed PT's, past, present, and future regardless of their education to perform Grade IV mobilization, which is a chiropractic adjustment. Dr. Overland stated that without the knowledge of the NCA or the Chiropractic Physicians' Board the Physical Therapists submitted

two amendments. The PT Association then rescinded the contentious language and their amendment.

Agenda Item 18 Discussion/possible action regarding Alan Bader, 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. Bader)

Dr. Lurie turned the Chair over to Vice President, Dr. Colucci who opened the hearing and noted that Dr. Alan Bader was present. Mr. Ling stated that he, Dr. Lurie, and Dr. Bader agreed on the proposed Settlement Agreement and Order before the Board today based on a complaint related to allegations relating to sexual conduct with patients. Mr. Ling stated that this Settlement Agreement and Order was structured without having to file charges in the matter. Mr. Ling presented the agreed disciplinary action contained in the Settlement Agreement and Order. Dr. Bader shall pay the Board's fees and costs totaling \$1,929.80 and a fine totaling \$5,000.00, take and pass the Ethics and Boundaries Examination and the Nevada jurisprudence examination, pass four hours of continuing education relating to ethics and boundaries and four hours of continuing education relating to making and keeping of patient records. Dr. Bader's license will be on probation for two years and his practice will be monitored by a DC who will provide quarterly reports. Ms. Mercer moved to approve the Settlement Agreement and Order. Ms. DiFillippo seconded, and the motion passed with all in favor. Dr. Lurie recused himself as the Investigating Board Member.

Dr. Lurie resumed the Chair.

Agenda Item 17 Discussion/possible action regarding Devon Luzod, 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. Luzod)

Dr. Lurie turned the Chair to Ms. Mercer who asked Mr. Ling to review the Stipulation and Order between the Chiropractic Physicians' Board of Nevada and Dr. Devin Luzod. Mr. Ling reported that this case began in 2013 with complaints from six individuals against five chiropractors. The core allegations against the chiropractors involved laser therapy. Mr. Ling explained that patients would sit in a lounge and were advised to put the laser on the area where they were having pain and were billed accordingly. Mr. Ling reported that there were also allegations involving insurance payments being received, but were not being credited to the patients account. Mr. Ling stated that the four year delay was due to the unanticipated condition of Dr. Luzod's recordkeeping system. The completion of the audit resulted in Dr. Luzod owing patient refunds totaling \$944,413.07. Letters were sent to all patients identified, requesting that they return the enclosed receipt along with photo identification. Dr. Luzod reviewed the names of the 460 responses and provided proof of refunds completed in previous years. Mr. Ling stated that based on this Stipulation the Board is agreeing that Dr. Luzod owes 330,416.07 to a total of 333 valid claimants and if the Order is approved this matter will come to a close. An additional \$613,997.00 was discovered in the audit, but was not claimed. Mr. Ling summarized Dr. Luzod's requirements identified in the Stipulation and Order Regarding Payments of Claims Pursuant to the Settlement Agreement and Order with Devin Luzod, DC.

Mr. Carranza stated that Mr. Ling provided a concise description of the previous four years of Dr. Luzod's circumstances.

Dr. Colucci made a motion to accept the Stipulation and Order. Ms. Mercer seconded, and the motion passed with all in favor. Dr. Lurie recused himself as the Investigating Board

member. Mr. Carranza stated that he is giving the signed original of the Stipulation and Order to Dr. Lurie which includes his correction on page 3, paragraph 7 indicating the 333 claimants.

Dr. Lurie resumed the Chair.

Agenda Item 21 FARB Forum – No action.

Ms. Mercer provided a summary of the topics discussed at the FARB.

Agenda Item 22 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 15-18N (Dr. Lurie)

This complaint was the Settlement Agreement and Order with Dr. Bader discussed in Agenda Item 18.

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

Mr. Ling stated, on behalf of Dr. Jaeger, the DC honored their one-year agreement to have random urinalysis tests, and recommended dismissal of the complaint. Ms. Mercer moved to dismiss the complaint 16-01S. Dr. Colucci seconded, and the motion passed with all in favor.

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

Dr. Lurie stated that he spoke with the patient who alleged that they were injured by a Physical Therapist who performed a chiropractic adjustment. This complaint was referred to Lisa Cooper, Executive Director at the Physical Therapy Board.

D. Complaint 16-08S (Jaeger)

Dr. Lurie stated, on behalf of Dr. Jaeger, that this complaint remains under investigation.

E. Complaint 16-09S (Lurie)

Dr. Lurie stated that this complaint was dismissed at the January 13, 2017 Board meeting and should not have appeared on this agenda.

F. Complaint 16-11S (Colucci)

Dr. Colucci stated that this complaint is still under investigation.

G. Complaint 16-12S (Colucci)

Dr. Colucci stated that this complaint is still under investigation.

H. Complaint 16-13S (Lurie)

Dr. Lurie stated that he is working on a Settlement Agreement to be presented to the Board at the July 14, 2017 meeting.

I. Complaint 17-01S (Lurie)

Dr. Lurie stated that this is an advertisement complaint where the DC is using false or misleading communications and stems from a magazine article. The DC included a Specialty/Certification which is not recognized by the Board. Dr. Lurie recommended dismissal

with a letter of instruction identifying the Boards advertising policy and the Board approved certifications. Ms. DiFillippo moved to dismiss Complaint 17-01S. Ms. Mercer seconded, and the motion passed with all in favor.

J. Complaint 17-02S (Lurie)

Dr. Lurie stated that this complaint is still under investigation.

K. Complaint 17-03S (Lurie)

Mr. Ling stated that a citation was issued to the DC as a result of record keeping and not complying with patient record requests from a law firm that was delayed for over one year. Dr. Bone-Rapp was ordered and paid the fine in the amount of \$500.00 and the Boards' costs of \$130.00. This matter is now closed.

L. Complaint 17-04N (Rovetti)

Dr. Rovetti stated that this complaint was brought to the attention of the Board from the National Practitioners Data Bank, indicating a malpractice claim, which resulted in a settlement. Dr. Rovetti stated that this complaint is still under investigation.

M. Complaint 17-05N (Jaeger)

Dr. Lurie stated that this complaint will be tabled until the July 14, 2017 Board meeting.

N. Complaint 17-06S (Lurie)

Dr. Lurie stated that the complainant alleges that they were billed for services not rendered. Dr. Lurie has received the patient records for review and will continue to investigate.

O. Complaint 17-07S (Jaeger)

Dr. Lurie stated that this complaint is being investigated by Dr. Jaeger and is under investigation.

P. Complaint 17-08S (Lurie)

Dr. Lurie stated that the complainant indicated that they were becoming uncomfortable with the DC pushing expensive procedures without consideration of their health. Dr. Lurie stated that this complaint is under investigation.

Q. Complaint 17-09S (Lurie)

Dr. Lurie stated that the complainant alleges that they were billed for services not rendered. Dr. Lurie stated that this complaint is still under investigation.

R. Complaint 17-10S (Jaeger)

Dr. Lurie stated that the complainant indicated that the DC became intoxicated and abusive while on vacation. Dr. Jaeger will continue to investigate this complaint.

S. Complaint 17-11S (Colucci)

Dr. Colucci stated that this complaint is still under investigation.

Agenda Item 23 Discussion regarding Board contractors – For possible action.

1. Government Relations/Lobbyist

The Boards' existing contract with Capitol Partners ends June 30, 2017. Dr. Lurie recommended that the Board request bids for lobbyist services. Dr. Colucci moved to request proposals for lobbyist services. Ms. Mercer seconded, and the motion passed with all in favor.

2. Audit Services

Julie Strandberg stated that the Board has utilized the auditing services of Bertrand and Associates for the prior three years and asked if the Board would like to continue with their services. Dr. Lurie moved to continue the Boards' audit services with Bertrand and Associates. Dr. Martinez seconded, and the motion passed with all in favor.

Agenda Item 24 FCLB/NBCE Matters – For possible action.

Dr. Colucci stated that the FCLB conference will be held on May 4-7, 2017. Dr. Colucci asked that the Board consider voting for the nominees for Vice President and Secretary-Treasurer. Dr. Lurie moved that Dr. Jaeger vote for Kirk Shilts, DC for Vice President and Carol Winkler, DC for Secretary-Treasurer. Ms. DiFillippo seconded, and the motion passed with all in favor.

Agenda Item 25 Committee Reports

A. Continuing Education Committee (Dr. Martinez) – For possible action.

Dr. Martinez stated that he had nothing to report.

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

Dr. Lurie stated that Capitol Partners covered this topic. Dr. Lurie thanked Mr. Ling for his time and assistance with legislation.

C. Preceptorship Committee (Dr. Rovetti) – For possible action.

Dr. Rovetti stated that there are currently two new Preceptors. Dr. Lurie asked Dr. Rovetti to put together some information to be included in the next newsletter.

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

Julie Strandberg reviewed the statistics of the CA exams. Dr. Colucci stated that the Board should consider putting the CA exams on-line. Mr. Ling stated that the delay is due to the existing regulation, which states that the passing score is 75 percent and does not account for an increased score if an open-book exam is allowed.

Dr. Rovetti was dismissed from the meeting at 3:30 p.m.

Agenda Item 26 Executive Director Reports:

A. Status of Pending Complaints – No action.

B. Status of Current Disciplinary Actions – No action.

C. Legal/Investigatory Costs – No action.

Julie Strandberg gave an overview of the Executive Director reports.

Agenda Item 27 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 March 31, 2017 – No action.
Julie Strandberg gave an overview of the financial reports.

Agenda Item 28 2017-2018 (FY18/19) Budget – For possible action

Julie Strandberg gave an overview of the Boards' budget for Fiscal Years 2018 and 2019. Due to a required revision, Dr. Lurie tabled this agenda item for the Board meeting being held via teleconference on April 27, 2017.

Agenda Item 30 Discussion/Possible revisions to the Board Policies – For possible action.

Dr. Lurie stated that the Board utilizes proctors for the CA exam, however the Board does not have a policy in place to reimburse proctors for their time. Dr. Lurie made a motion to approve putting the policy in place to reimburse exam proctors at \$18.75 per hour. Dr. Colucci seconded, and the motion passed with all in favor.

Agenda Item 32 NCC Report – No action.

A representative from the NCC was not present.

Agenda Item 29 Consideration of potential additions, deletions, and/or amendments to NRS 634 and NAC 634 – For possible action.

Dr. Lurie stated that this is the list of revisions discussed at the January 13, 2017 meeting. The specific language revisions have been provided for review.

A. NAC 634.290 Examinations required for licensure; passing score

Dr. Lurie recommended the following revisions: Add subsection (b) *an exit examination administered by a chiropractic college accredited by the Council on Chiropractic Education whose examination is approved by the Board, Section 2 include [III] and IV of the examination[s] administered by the National Board of Chiropractic Examiners, may be required to pass the Special Purposes Examination for Chiropractic prepared by the National Board of Chiropractic Examiners if determined by the Board.*

Dr. Lurie made a motion to approve the revisions. Dr. Colucci seconded, and the motion passed with all in favor.

B. NAC 634.320 Authorized persons in waiting area; conduct of applicant

Dr. Lurie recommended to revise section (1) to include *electronic devices unless approved by the Board.* Following discussion, the Board determined that this revision was not necessary.

C. NAC 634.305 Examination for certification as chiropractor's assistant

Dr. Lurie recommended to revise section (3) applicant who receives a score of at least 75 percent for a closed-book examination and a score of at least 90 percent for an open-book examination is entitled to a certificate as a chiropractor's assistant.

Dr. Lurie made a motion to approve the revisions. Ms. Mercer seconded, and the motion passed with all in favor.

D. NRS 634.080 Licenses: Applications for examination

Dr. Lurie recommended to revise section (2) to remove Secretary and replace with Executive Director.

Ms. Mercer made a motion to approve the revisions. Dr. Lurie seconded, and the motion passed with all in favor.

E. NRS 634.090 Licenses: Qualifications of applicants

Dr. Lurie recommended to revise section (1) *Has successfully completed* parts I, II, III and IV, and the portion relating to physiotherapy, of the examination administered by the National Board of Chiropractic Examiners *or equivalent*; or (2) *an exit examination administered by a chiropractic college accredited by the Council on Chiropractic Education whose examination is approved by the Board, or...*

Ms. DiFillippo made a motion to approve the revisions. Ms. Mercer seconded, and the motion passed with all in favor.

F. NRS 634.115 Temporary license: Application; conditions; limitations.

Dr. Lurie recommended to revise section (2) by removing Secretary of the Board and replacing with Executive Director, section (4) (a) revise 10 days with 7 days, and section (5) replace two temporary licenses with four.

Dr. Lurie made a motion to approve the revisions. Ms. Mercer seconded, and the motion passed with the exception of Ms. DiFillippo who opposed.

G. NRS 634.131 Application for reinstatement of expired license; regulations.

Dr. Lurie recommended to revise section (2) *Score 75 percent or higher for a closed-book examination and a score of at least 90 percent for an open-book examination* prescribed by the Board on the provisions of this chapter and the regulations adopted by the Board;

Dr. Lurie made a motion to approve the revisions. Dr. Martinez seconded, and the motion passed with all in favor.

Agenda Item 33 Correspondence Report – No action.

Julie Strandberg stated that there was no correspondence.

Agenda Item 34 Board Member Comments – No action.

Dr. Colucci thanked Dr. Lurie and Mr. Ling for their time and commitment to the chiropractic profession and support at the legislature. She also thanked everyone for taking time away from their families to attend the Board meeting.

Ms. Mercer thanked everyone for all their hard work.

Dr. Lurie stated his appreciation for Mr. Ling and his assistance during the legislative session. Dr. Lurie thanked Julie Strandberg for her work and asking questions to ensure accuracy. Dr. Lurie thanked Dr. Martinez and Dr. Rovetti for stepping up. Dr. Lurie reminded the Board to review NRS and NAC and bring agenda items forward for revision. Dr. Lurie thanked Dr. Parham for his work and participation during the legislature.

Agenda Item 35 Public Interest Comments – No action.


Dr. Jonathan Parham thanked Dr. Lurie and Mr. Ling for showing him the ropes of the Nevada Legislature. He thanked the Board on behalf of the NCA for the unified front.

Agenda Item 36 Adjournment – For possible action.

April 21, 2017 CPBN Meeting Agenda

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

July 14, 2017



Jason C. Jaeger, DC, Secretary/Treasurer