

BRIAN SANDOVAL  
*Governor*  
BENJAMIN LURIE, DC  
*President*  
MAGGIE COLUCCI, DC  
*Vice President*  
JASON O. JAEGER, DC  
*Secretary-Treasurer*

STATE OF NEVADA



XAVIER MARTINEZ, DC  
*Member*  
MORGAN ROVETTI, DC  
*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](mailto:chirobd@chirobd.nv.gov)

**NOTICE OF MEETING**

**DATE:** Friday, July 14, 2017 **TIME:** 8:30 a.m.

**LOCATION:** Board meeting to take place via videoconference at the following locations:

Public Utilities Commission

Hearing Room B  
9075 W. Diablo Drive, Suite 250  
Las Vegas, NV 89148

Hearing Room B  
1150 E. William Street  
Carson City, NV 89701

**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.

Pledge of Allegiance – Dr. Martinez

Statement of Purpose – Dr. Rovetti

**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.
- E. 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.

July 14, 2017 CPBN Meeting Agenda

**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** Approval of the April 21, 2017 and the April 27, 2017 Meeting Minutes. - For possible action.

**Agenda Item 4** Ratification of granting of DC licenses to applicants who passed the examination from April to July 14, 2017 – For possible action.

**Agenda Item 5** 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)

**Agenda Item 6** FARB Forum – For possible action.

1. Annual FARB Regulatory Law Seminar, October 5-8, 2017 Savannah, GA

**Agenda Item 7** FCLB/NBCE Matters/Updates – For possible action.

1. Update from Board attendance at the Spring Part IV Exam and the Part IV Test Committee
2. Attendance of Board Member(s) and Julie Strandberg at the FCLB District meeting October 5-8, 2017 in Portland, OR.

**Agenda Item 8** Board Counsel Report – No action.

1. Explanation of the State Treasurers' Unclaimed Property Fund

**Agenda Item 9** Legislative Matters – For possible action.

1. Capitol Partners final report on the 2017 Legislative Session

**Agenda Item 10** Review Government Relations/Lobbyist proposals– 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 the applicants.)

**Agenda Item 11** 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 16-08S | (Jaeger)  |
| B. | Complaint 16-11S | (Colucci) |
| C. | Complaint 16-12S | (Colucci) |
| D. | Complaint 16-13S | (Lurie)   |
| E. | Complaint 17-02S | (Lurie)   |
| F. | Complaint 17-04N | (Rovetti) |
| G. | Complaint 17-05N | (Jaeger)  |
| H. | Complaint 17-06S | (Lurie)   |

July 14, 2017 CPBN Meeting Agenda

- I. Complaint 17-07S (Jaeger)
- J. Complaint 17-08S (Lurie)
- K. Complaint 17-09S (Lurie)
- L. Complaint 17-10S (Jaeger)
- M. Complaint 17-11S (Colucci)
- N. Complaint 17-12S (Colucci)
- O. Complaint 17-13S (Rovetti)
- P. Complaint 17-14S (Martinez)
- Q. Complaint 17-15S (Rovetti)
- R. Complaint 17-16S (Jaeger)
- S. Complaint 17-17N (Rovetti)
- T. Complaint 17-18S (Jaeger)
- U. Complaint 17-19S (Lurie)

**Agenda Item 12** Committee Reports

- A. Continuing Education Committee (Dr. Martinez) – 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.

**Agenda Item 13** 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. DC Self-Inspection Statistics – No action

**Agenda Item 14** 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 May 31, 2017 – No action.

**Agenda Item 15** Chiropractor’s Assistant Application review – For possible action.

**Agenda Item 16** NCA Report – No action.

**Agenda Item 17** NCC Report – No action.

**Agenda Item 18** Correspondence Report – No action.

**Agenda Item 19** Board Member Comments – No action.

**Agenda Item 20** 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 21** Adjournment – For possible action.

July 14, 2017 CPBN Meeting Agenda

This agenda posted July 11, 2017 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.

A request for copies of an agenda and/or a supporting document or documents may be obtained from:

Julie Strandberg, Executive Director  
Chiropractic Physicians' Board of Nevada  
775-688-1921

by picking up the document(s), or by mailing a written request to:

Chiropractic Physicians' Board of Nevada  
Attention: Julie Strandberg  
4600 Kietzke Lane, Suite M245  
Reno, Nevada 89502

by faxing a request to: Julie Strandberg at: Facsimile No.: 775-688-1920

or by e-mailing a request to Julie Strandberg at: [chirobd@chirobd.nv.gov](mailto:chirobd@chirobd.nv.gov)

Note: A request for notice lapses 6 months after it is made pursuant to NRS 241.020.3(b). Mailing a copy of the Chiropractic Physicians' Board meeting agendas will not be continued unless a request for reinstatement on the mailing list is submitted in writing every 6 months.



**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **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.**
- E. 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.**

RECOMMENDED MOTION: **Non-Action item.**

PRESENTED BY: **Ben Lurie, DC**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **3 minutes per person per topic**

BACKGROUND INFORMATION: **The public may speak to the Board about any topic not on the agenda but no action may be taken.**

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **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.**

RECOMMENDED MOTION: **No recommendation.**

PRESENTED BY: **Ben Lurie, DC**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION: **Agenda items may be addressed out of order to accommodate those present.**

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 3** Approval of the April 21, 2017 and April 27, 2017 Meeting Minutes. - For possible action.

RECOMMENDED MOTION: **Approve the minutes of the April 21, 2017 and April 27, 2017 meeting as drafted.**

PRESENTED BY: **Ben Lurie, DC**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION:

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued

BRIAN SANDOVAL  
*Governor*  
BENJAMIN LURIE, DC  
*President*  
MAGGIE COLUCCI, DC  
*Vice President*  
JASON O. JAEGER, DC  
*Secretary-Treasurer*

## STATE OF NEVADA



XAVIER MARTINEZ, DC  
*Member*  
MORGAN ROVETTI, DC  
*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](mailto:chirobd@chirobd.nv.gov)

### 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 O. Jaeger, DC, Secretary/Treasurer

BRIAN SANDOVAL  
*Governor*  
BENJAMIN LURIE, DC  
*President*  
MAGGIE COLUCCI, DC  
*Vice President*  
JASON O. JAEGER, DC  
*Secretary-Treasurer*

## STATE OF NEVADA



XAVIER MARTINEZ, DC  
*Member*  
MORGAN ROVETTI, DC  
*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](mailto:chirobd@chirobd.nv.gov)

### MINUTES OF MEETING

A meeting of the Chiropractic Physicians' Board was held on Thursday, April 27, 2017 by telephone conference call at 8:00 a.m. A telephone was available for public use at 4600 Kietzke Lane, Suite M245, Reno, NV 89502.

The following Board Members were present at roll call:

Benjamin Lurie, DC, President  
Maggie Colucci, DC, Vice President  
Morgan Rovetti, DC, Member  
Tracy DiFillippo, Consumer Member

Also present were CPBN Counsel Louis Ling and Executive Director Julie Strandberg. Secretary-Treasurer, Jason O. Jaeger, DC, Xavier Martinez, DC, and Ms. Mercer were not present.

President, Dr. Benjamin Lurie determined a quorum was present and call the meeting to order at 8:04 a.m.

#### **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. Ms. DiFillippo seconded, and the motion passed with all in favor.

#### **Agenda Item 3 Discussion/Approval of Independent Contract for legal services with Louis Ling – For possible action.**

Dr. Lurie gave a summary of the proposal submitted by Mr. Ling to continue providing legal services to the Board. Dr. Lurie made a motion to accept the independent legal contract for continued legal services with Louis Ling. Dr. Rovetti seconded, and the motion passed with all in favor.

#### **Agenda Item 4 Discussion/Approval 2017/2018 (FY18/19) Budget – For possible action.**

Dr. Lurie made a motion to approve the 2017/2018 budget with revisions. Dr. Colucci seconded, and the motion passed with all in favor.

#### **Agenda Item 5 Establish date for Board meeting – For possible action.**

Dr. Lurie stated that at the April 21, 2017 Board meeting an October meeting was set for Thursday, October 5, 2017, however this conflicts with the FCLB District IV meeting. Dr. Lurie



April 27, 2017 Meeting Agenda

moved that the meeting be changed to Thursday, October 12, 2017. Dr. Rovetti seconded, and the motion passed with all in favor.

**Agenda Item 6 Board Member Comments – No action.**

There was no board member comments.

**Agenda Item 7 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.**

There was no public comment.

**Agenda Item 8 Adjournment – For possible action.**

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

Approved July 14, 2017

---

Jason O. Jaeger, DC, Secretary-Treasurer

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

**TITLE: Agenda Item 4 Ratification of granting of DC licenses to applicants who passed the examinations from April to June 2017 – For possible action**

**RECOMMENDED MOTION: Ratify granting of licenses to those who passed their examinations from April to June 2017.**

**PRESENTED BY: Ben Lurie, DC**

**MEETING DATE: July 14, 2017**

**TIME REQUIRED: 2 minutes**

**BACKGROUND INFORMATION: The exams from April 1, 2017 to June 30, 2017 were taken online with the exception of one. The average score was 90%.**

**April**

Michael Dauria, DC  
Crystal Glaser, DC  
Mark Kirk, DC  
Jennifer Mulford, DC

**June**

Steven Parsons, DC  
Gregory Shepard, DC  
Darren Smith, DC  
Brent Whitley, DC

**July**

Roger Fischel, DC  
Lloyd Decker III, DC

**REVIEWED BY:  President  Secretary  Executive Director**

**ACTION:  Approved  Approved w/Modifications  Denied  Continued**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

**TITLE: Agenda Item 5 Discussion/possible action regarding the Application for Doctor of Chiropractic of Jeffrey Church, 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. Church.)**

**RECOMMENDED MOTION: No recommendation.**

**PREPARED BY: Ben Lurie, DC**

**MEETING DATE: July 14, 2017**

**TIME REQUIRED: 10 Minutes**

**BACKGROUND INFORMATION:** Dr. Church appeared before the Board at its January 13, 2017 meeting. At that time Dr. Church was not eligible to apply for licensure since he had not passed Part IV of the National Board and due to the time that lapsed in his practice of chiropractic. The Board made a motion for Dr. Church to take and pass the SPEC, submit a new application and then reappear before the Board. Dr. Church passed the SPEC and submitted a new application effective April 2017.

**REVIEWED BY:** \_\_\_X\_\_\_ President \_\_\_X\_\_\_ Secretary \_\_\_X\_\_\_ Executive Director

**ACTION:** \_\_\_ Approved \_\_\_ Approved w/Modifications \_\_\_ Denied \_\_\_ Continued

**Agenda Item 5**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 6** FARB Forum – For possible action.

RECOMMENDED MOTION: **No recommendation**

PRESENTED BY: **Ben Lurie, DC**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION: **Determine whether anyone is interested in attending the FARB Forum in Savannah, Georgia on October 5-8, 2017.**

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued

**Agenda Item 6**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 7** FCLB/NBCE Matters/Updates – For possible action.

RECOMMENDED MOTION: **No recommendation**

PRESENTED BY: **Ben Lurie, DC**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION:

1. Update from Board attendance at the Spring Part IV Exam and the Part IV Test Committee
2. Attendance of Board Member(s) and Julie Strandberg at the FCLB District meeting October 5-8, 2017 in Portland, OR.

**Attached Correspondence**

District IV Highlights

FCLB - Final Decision-Milestone CE

FCLB - 91<sup>st</sup> Annual Education Congress – Orlando, FL

NBCE – Leroy Otto – Tullio Award

NBCE Seats Board and Elects Officers – 2017 Annual Meeting

NBCE - District V Director – Dr. McGinnis

NBCE – Correction: McGinnis' term 1 year

NBCE- CCAT/HSAT Adopting a Unified Purpose; Promoting Usage

REVIEWED BY:   X   President   X   Secretary   X   Executive Director

ACTION:        Approved        Approved w/Modifications        Denied        Continued

## Julie Strandberg

---

**From:** Kelly Webb <kwebb@fclb.org>  
**Sent:** Tuesday, May 23, 2017 8:44 AM  
**Subject:** Highlights from District IV



### Elections

President  
Dr. Maggie Colucci  
(NV)

Vice President  
Dr. Kirk Shilts  
(MA)

Treasurer  
Dr. Carol Winkler  
(ND)

District I Director  
Dr. James Buchanan  
(WY)

District II Director  
Dr. Robert Daschner  
(MN)

District I Alternate  
Dr. Lisa Kouzes  
(OR)

District II Alternate  
Dr. Brian McIntyre  
(MO)

The Federation of Chiropractic Licensing Boards hosted its 91st Annual Educational Congress May 3-7 in Orlando, Florida. The conference focused on leadership and accountability in regulation.

Approximately 130 attendees from North America represented chiropractic licensing boards, testing, associations, and chiropractic colleges.

On Thursday, the educational portion of the conference opened with the 27th Annual Joseph Janse Lecture delivered by Dr. Fabrizio Mancini. Thursday's presenters also included Dr. Matthew Antonucci, Director of the Department of Brain Performance and Rehabilitation for the Carrick Institute; and Dr. Bill Moreau, Managing Director of Sports Medicine for the United States Olympic Committee.

Friday's portion of the conference was hosted by the National Board of Chiropractic Examiners and included a keynote address by Dr. William Morgan, President of Parker University. Dr. Morgan spoke on visionary leadership in chiropractic.

Other educational sessions at the conference included:

- NC Dental Board v. FTC
- Regulatory Ethics
- Chiropractic Mobility

- Board Member Conflict
- Licensure Exams and Services of the National Board of Chiropractic Examiners
- Sunset Reviews
- Effective Use of Settlement Agreements

### **Elections – FCLB Board of Directors**

- President: Dr. Maggie Colucci (NV)
- Vice President: Dr. Kirk Shilts (MA)
- Treasurer: Dr. Carol Winkler (ND)
- District I Director: Dr. James Buchanan (WY)
- District II Director: Dr. Robert Daschner (MN)
- District I Alternate Director: Dr. Lisa Kouzes (OR)
- District II Alternate Director: Dr. Brian McIntyre (MO)

Also continuing on the board are Dr. Farrel Grossman (SC), Immediate Past President; Dr. Keita Vanterpool (DC), District III Director; Dr. Cynthia Tays (TX), District IV Director; Dr. Ned Martello (LA), District V Director; and Ms. Patricia Oliver (LA), Administrative Fellow Director.

### **Bylaws and Resolutions**

The delegate body voted to pass the bylaws amendments proposed this year. *Amendment 1* clarified that the Delegates voting during an Annual Meeting of the Delegate Assembly represent those Delegates who are both properly registered and present at the time of said vote.

Also approved by the delegate body was a resolution affirming chiropractic pediatric practice.

The complete text of this year's bylaws amendments and resolution is [available online](#).

### **Awards and Recognition**

Dr. Grossman presented awards to the following individuals and organizations:

- Special Presidential Recognition: Dr. William Rademacher (IL)
- 2017 Dr. Wayne Wolfson Scholarship Award: Ms. Cariann Paul (Palmer College of Chiropractic - Florida)
- 2017 Donna Liewer-Cohen Regulatory Scholarship: (special thanks to NBCE for sponsoring four of these scholarships): Ms. Laura Carrillo (AK), Mr. Robert Puleo (CA), Mr. Thomas Ryan (WI), Mr. Tom Sullivan (NC), Dr. Brian Zachariah (IL)
- 2017 Pennebaker/Wiley Outstanding Board Award: Washington Chiropractic Quality Assurance Commission

- 2017 George R. Arvidson Award for Meritorious Service: Dr. LeRoy Otto (MN)

A complete agenda, list of faculty, awards presentations and many of the 2017 educational sessions are available on the Federation’s website at [www.fclb.org](http://www.fclb.org).



**IS YOUR LEGAL COUNSEL ON BOARD?**

The Chiropractic Board Legal Advisers Committee (CBLAC) held their first meeting in Orlando, Florida. The committee discussed clarification and standardization of scope, fellowship programs, and the Supreme Court rules in FTC vs. NC Dental Board.

If your legal counsel isn’t participating in CBLAC, he or she might be missing out on important information and resources. Find out more at [www.fclb.org](http://www.fclb.org) (click the CBLAC link under “New at FCLB.”)

**LICENSE PORTABILITY**

The FCLB's developing Passport program will offer selective authentication of licensure status for temporary mobility. Our new program will include verification of good standing and clean criminal backgrounds for DCs interested in traveling to treat.

Find us on FaceBook! The FCLB has launched our FaceBook page to help us keep in touch with public, professionals, and our member boards.

<b>TAKE NOTE: FCLB 2017 DISTRICT MEETINGS</b>	<u>Districts I &amp; IV</u>	<u>District II</u>	<u>Districts III &amp; V</u>
	Portland, OR	Fort Walton Beach, FL	Quebec City, QC
	Oct 5-8, 2017	October 5-8	Sept 14-17, 2017
	Portland Marriott City Center (503) 226-6300	Seaspray Condos (800) 428-2726	Le Bonne Entente Hotel (800) 463-4390

--  
Kelly R. Webb  
PR and PACE Coordinator





## Providers of Approved Continuing Education – Chiropractic

---

5401 W. 10<sup>th</sup> Street, Suite 101, Greeley, CO 80634  
970.356.3500 · 970.356.3599 (F) · [www.fclb.org](http://www.fclb.org) · [PACE@fclb.org](mailto:PACE@fclb.org)

### FINAL DECISION –COMPLAINT AGAINST MILESTONE CE

Issued May 3, 2017 by FCLB Board of Directors

After careful consideration of the submitted documents and the recommendations of the PACE Committee, the FCLB Board of Directors has decided to require the following steps for Milestone CE's continued PACE Recognition.

1. Milestone will be placed on a one-year probation. Probation status must be posted on both the Milestone and PACE websites.
2. Milestone must submit a plan to modify attendance procedures so that attendees cannot purchase and then complete a course in fewer hours than are earned for CEU.
3. Milestone must submit quarterly progress reports to the PACE committee demonstrating this corrective action. Reporting dates are July 15, 2017; October 15, 2017; January 15, 2018; April 15, 2018

FCLB Board of Directors' next review is May, 2018.

What will happen in May 2018? FCLB's Board of Directors will consider PACE Recognition status of Milestone CE following review of compliance with the above mentioned steps. The Board of Directors will have the following options:

1. Remove the organization from probation without an additional report;
2. Continue Recognition for good cause, continue probation, and request additional reporting; and
3. Remove the organization from Recognized status for failure to comply with the principles and procedures of PACE.

FCLB staff will not speculate on what decision might be made by FCLB Board of Directors in May, 2018.



May 10, 2017

# NEWS RELEASE

## FCLB Hosts 91st Annual Educational Congress in Orlando, FL

---

The Federation of Chiropractic Licensing Boards hosted its 91st Annual Educational Congress May 3-7 in Orlando, FL. The conference focused on leadership and accountability in regulation. Approximately 130 attendees from North America represented chiropractic licensing boards, testing, associations, and chiropractic colleges.

On Thursday, the educational portion of the conference opened with the 27th Annual Joseph Janse Lecture delivered by Dr. Fabrizio Mancini. Thursday's presenters also included Dr. Matthew Antonucci, Director of the Department of Brain Performance and Rehabilitation for the Carrick Institute; and Dr. Bill Moreau, Managing Director of Sports Medicine for the United States Olympic Committee.

Friday's portion of the conference was hosted by the National Board of Chiropractic Examiners and included a keynote address by Dr. William Morgan, President of Parker College of Chiropractic. Dr. Morgan spoke on visionary leadership in chiropractic.

Other educational sessions at the conference included:

- NC Dental Board v. FTC
- Regulatory Ethics
- Chiropractic Mobility
- Board Member Conflict
- Licensure Exams and Services of the National Board of Chiropractic Examiners
- Sunset Reviews
- Effective Use of Settlement Agreements

Elections – FCLB Board of Directors

- President: Dr. Maggie Colucci (NV)
- Vice President: Dr. Kirk Shilts (MA)
- Treasurer: Dr. Carol Winkler (ND)
- District I Director: Dr. James Buchanan (WY)
- District II Director: Dr. Robert Daschner (MN)
- District I Alternate Director: Dr. Lisa Kouzes (OR)
- District II Alternate Director: Dr. Brian McIntyre (MO)

The FCLB Board of Directors named District IV Director Dr. Cynthia Tays (TX) to serve as Board Chair.

Awards and Recognition

Dr. Grossman presented awards to the following individuals and organizations:

- Special Presidential Recognition: Dr. William Rademacher (IL)
- 2017 Dr. Wayne Wolfson Scholarship Award: Ms. Cariann Paul (Palmer College of Chiropractic - Florida)
- 2017 Donna Liewer-Cohen Regulatory Scholarship (special thanks to NBCE for sponsoring four of these scholarships): Ms. Laura Carrillo (AK), Mr. Robert Puleo (CA), Mr. Thomas Ryan (WI), Mr. Tom Sullivan (NC), Dr. Brian Zachariah (IL)

- 2017 Pennebaker/Wiley Outstanding Board Award: Washington Chiropractic Quality Assurance Commission
- 2017 George R. Arvidson Award for Meritorious Service: Dr. LeRoy Otto (MN)

A complete agenda, list of faculty, awards presentations and many of the 2017 educational sessions are available on the Federation's website at [www.fclb.org](http://www.fclb.org).

Next year's meeting is scheduled for May 2-6, 2018, in Dallas, TX.

###



For more information, contact:

Jon Schwartzbauer, D.C., Executive Director  
Federation of Chiropractic Licensing Boards

5401 W. 10<sup>th</sup> Street, Ste 101

Greeley, CO 80634

(970) 356-3500 / Fax (970) 356-3599

Web: [www.fclb.org](http://www.fclb.org) / e-mail: [info@fclb.org](mailto:info@fclb.org)

## LEROY OTTO RECEIVES PAUL M. TULLIO AWARD FOR DISTINGUISHED SERVICE TO THE NBCE

**GREELEY, Colo.**— Dr. LeRoy F. Otto, NBCE District II Director, was presented with the Paul M. Tullio Award for Distinguished Service to the National Board of Chiropractic Examiners (NBCE) during National Board Day in Orlando, Florida, on May 5, 2017.

The Tullio Award recognizes a distinguished leader in chiropractic whose contributions in testing, licensing and legislative issues have benefitted the profession. This year, the NBCE Board of Directors honored Dr. Otto with the award, in recognition of his contributions to the board of directors as well as to the growth and continuing development of the Part IV Practical Exam.

Dr. Otto began his long association with the NBCE Part IV examination in June 1993, serving as a chiropractic examiner during the initial piloting of the practical examination at Northwestern College of Chiropractic. When the Part IV test site in Bloomington, Minn., opened in 1997, the NBCE board appointed Dr. Otto to be chief examiner. Dr. Otto continued his tireless devotion to the selection and training of his cadre of chiropractic examiners during his time in that role.

In 2011, Dr. LeRoy Otto began his service as director to the NBCE Board of Directors, where his unique leadership style remains centered on the principles that have made the chiropractic profession the most recognized and well-respected non-medical health care provider in the world. Dr. Otto's history of dedication and service were recognized again in 2016 with his election as NBCE District II Director.

Dr. Otto, a graduate of Palmer College of Chiropractic, formerly served as president of the Federation of Chiropractic Licensing Boards. Dr. Otto's service to chiropractic also includes the Minnesota Board of Chiropractic Examiners, where he has served as both president and vice president.

Headquartered in Greeley, Colo., NBCE's mission is: Ensuring professional competency through excellence in testing. Established in 1963, the NBCE develops, administers and scores legally defensible, standardized written and practical examinations for candidates seeking chiropractic licensure throughout the United States and in several foreign countries.



LeRoy F. Otto, D.C.



**NBCE SEATS BOARD AND ELECTS OFFICERS AT  
2017 ANNUAL MEETING**

Greeley, Colo.—The National Board of Chiropractic Examiners (NBCE) held its annual meeting on May 5, 2017, in Orlando, Fla.

After the meeting, the NBCE elected the following officers: **Dr. Salvatore LaRusso** (Florida) will serve as president, **Dr. Steven Conway** (Wisconsin) will serve as vice president, **Dr. Paul Morin** (Maine) will serve as secretary, and **Dr. John Nab** will serve as treasurer.

The NBCE board also has four at-large positions, two of which were open for election in 2017. **Dr. Salvatore LaRusso** (Florida) and **Dr. Farrel Grossman** (South Carolina) were elected to serve two-year terms. **Dr. Steven Conway** (Wisconsin) and **Dr. John Nab** (Wisconsin) will continue their terms.

State delegates elected **Dr. John McGinnis** (South Carolina) as District V Director. Three other district directors continue their terms on the NBCE board. They are **Dr. Daniel Côté** (Oregon) in District I, **Dr. LeRoy Otto** (Minnesota) in District II, and **Dr. Paul Morin** (Maine) in District III.

The Federation of Chiropractic Licensing Boards (FCLB) fills two NBCE board positions. For 2017, FCLB President **Dr. Margaret Colucci** (Nevada) and FCLB Vice President **Dr. Kirk Shilts** (Massachusetts) have been appointed to serve in this capacity.

Headquartered in Greeley, Colo., NBCE's mission is: Ensuring professional competency through excellence in testing. Established in 1963, the NBCE develops, administers and scores legally defensible, standardized written and practical examinations for candidates seeking chiropractic licensure throughout the United States and in several foreign countries.



### NBCE SEATS MCGINNIS AS DISTRICT V DIRECTOR

**Greeley, Colo.**—At the annual meeting of the National Board of Chiropractic Examiners in Orlando, Fla., on May 5, Dr. John R. McGinnis was elected District V Director. District V includes the states of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, Virginia, and West Virginia.

Dr. McGinnis was previously appointed to the NBCE board in April 2017 to fill the unexpired term of Dr. Norman Ouzts, Jr. Dr. McGinnis' recent election is for a three-year term, and he will be eligible for re-election in 2020.

A graduate of Life University, Dr. McGinnis received his Orthopedic Diplomate from National College of Chiropractic. He has served in many leadership roles in chiropractic over the past 25 years, including his current role as Chair of the South Carolina Board of Chiropractic Examiners (Vice Chair from 2014-2016).

Dr. McGinnis served on the American Chiropractic Association Board of Governors from 2010-2014. He has been a voting delegate for the NBCE from 2013-2016. He served on the Board of Directors of the South Carolina Chiropractic Association from 1989-1993.

Headquartered in Greeley, Colo., NBCE's mission is: Ensuring professional competency through excellence in testing. Established in 1963, the NBCE develops, administers and scores legally defensible, standardized written and practical examinations for candidates seeking chiropractic licensure throughout the United States and in several foreign countries.

The logo features the letters 'NBC' in a white, sans-serif font, followed by a large, stylized blue 'e' that has a white outline and a slight shadow. To the right of the 'e', the word 'COMMUNICATOR' is written in a smaller, white, all-caps, sans-serif font. The background is a dark blue gradient with abstract, glowing green and yellow shapes on the left side.

# NBCe COMMUNICATOR

## **CORRECTION: NBCE SEATS MCGINNIS AS DISTRICT V DIRECTOR**

**Greeley, Colo.** – In the release sent earlier today, it was reported that Dr. McGinnis' election is for a three-year term. This is incorrect.

On May 5, 2017, Dr. McGinnis was elected for one year to complete the unexpired term previously held by Dr. Norman Ouzts, which ends in 2018.

We apologize for any confusion caused by this error.

---

[communications@nbce.org](mailto:communications@nbce.org) | 970-356-9100 | [www.nbce.org](http://www.nbce.org)  
901 54th Avenue Greeley, CO 80634



## **CCAT/HSAT Adopting a Unified Purpose; Promoting Usage**

The concept of developing an entrance examination for the chiropractic profession originated with the Federation of Chiropractic Licensing Boards (FCLB) in the late 1980's and early 1990's. The regulatory powers of our profession felt it would be in the best interest of the public for us to create an entrance examination that would allow the colleges to have an index or barometer on the quality of students they were accepting into their academic programs. Additional discussion emphasized the fact that Chiropractic was, at that time, the lone profession that did not have an entrance examination such as the MCAT or LSAT.

Eventually, the FCLB commissioned the National Board of Chiropractic Examiners (NBCE) to produce an entrance examination. This task was completed in 1997 and underwent progressive changes until 2000, when the current format was adopted. The examination has consistently been underutilized since its inception, and is currently used by just a few colleges. As a result, although the NBCE has developed a valuable entrance examination that can be utilized by the chiropractic colleges, the exams' impact on the student population and any positive perception from the public remains limited.

Utilization of the CCAT has the potential to improve the public's perception of the chiropractic colleges' matriculation policy standards, and through association, will have a positive impact on the profession. Data obtained from this exam can assist with assessing an applicant's preparedness for the doctor of chiropractic educational curriculum and identify areas of remediation necessary for the success of the student. Early identification of the need for additional coursework could make the difference between success or failure in chiropractic college.

Information obtained from this test can serve several additional purposes for the colleges. At least one college is using the test as a baseline measurement for incoming students and plans to incorporate it into their exit exam to evaluate the level of improvement attained. Another college uses the test to determine if a student qualifies for an accelerated track through the academic cycle. On those infrequent occasions where the student's previous gpa doesn't reflect their true academic ability, the CCAT can provide affirmation for the student and the college that they are ready to proceed with their chiropractic career.

A significant correlation exists between incoming gpa, CCAT scores, and Part I NBCE exam scores, which was affirmed through a study conducted by Dr. Kevin Cunningham several years ago. With better participation from the schools, additional studies can be conducted to evaluate the degree of



correlation between the above factors in addition to possible correlations between CCAT scores and success in chiropractic college.

One of the greatest benefits of the CCAT is identifying areas of academic insufficiency which can be improved, thereby resulting in the student successfully graduating and becoming a proficient doctor of chiropractic. Improved success in chiropractic also decreases the possibility of the student defaulting on school loans generated from a partially-completed education.

***In order to improve the utilization of this test which has multiple benefits to students, colleges, and even the profession, it is recommended that the NBCE adopt a specific stated purpose for the CCAT which can be used to educate the colleges, state boards, and the public.*** Consistent utilization of entrance exams by other professions has helped to support a positive public image for their educational programs, and the chiropractic profession would benefit from universal utilization of the CCAT. In order to maintain a valid and useful exam, new forms are currently being developed and will be hosted on the NBCE servers for use in electronic form once norming studies are completed for both the chiropractic (CCAT) and other health science programs (HSAT).

Some members of state boards have indicated that they support chiropractic colleges implementing the CCAT and that the overall quality of students, and eventually practitioners, might be positively influenced by increasing matriculation standards, which includes administration of the CCAT. If the majority of state licensing boards required, or even recommended colleges to administer the CCAT, it would quickly become the standard.

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 8 Board Counsel Report – For possible action.**

**1. Explanation of the State Treasurers' Unclaimed Property Fund**

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Louis Ling**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **20 minutes**

BACKGROUND INFORMATION:

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 9** Legislative Matters – For possible action.

**1. Capitol Partners final report on the 2017 Legislative Session.**

RECOMMENDED MOTION: **No recommendation**

PRESENTED BY: **Ben Lurie, DC**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION: **Capitol Partners will present the attached report on the outcome of the bills from the 2017 Legislative Session.**

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued

**Agenda Item 9**



## CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA FINAL LEGISLATIVE REPORT 2017

<b>Bill No.</b>	<b>Bill Sponsor</b>	<b>Effective Date</b>	<b>Purpose</b>	<b>Next Steps</b>
<a href="#">AB 106</a>	Assemblywoman Spiegel	Jun 04, 2017 Approved by the Governor. Chapter 342. Effective June 4, 2017, for the purpose of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act and on January 1, 2018, for all other purposes. Expires by limitation on June 30, 2021.	AN ACT relating to state governmental procurement; requiring the Administrator of the Purchasing Division of the Department of Administration to establish by regulation a program of certification of vendors who pay equal pay for equal work without regard to gender; requiring the Purchasing Division to include the certification of such a vendor in certain records; authorizing a certified vendor to include its certification in advertising and promotional materials; providing a limited bidding preference for certified vendors under certain circumstances; and providing other matters properly relating thereto.	The Administrator of the Purchasing Division shall, within the limits of available resources, establish by regulation a program to certify vendors that pay their employees equal pay for equal work without regard to gender.
<a href="#">AB 108</a>	Assemblyman Oscarson	May 19, 2017 Approved by the Governor. Chapter 44. Effective July 1, 2017.	AN ACT relating to Medicaid; requiring the Division of Health Care Financing and Policy of the Department of Health and Human Services periodically to review Medicaid reimbursement rates; and providing other matters properly relating thereto.	On or before January 1, 2018, and every 4 years thereafter, the Division shall: 1. Review the rate of reimbursement for each service or item provided under the State Plan for Medicaid to determine whether the rate of reimbursement accurately reflects the actual cost of providing the service or item; and 2. If the Division determines that the rate of reimbursement for a service or item does not accurately reflect the actual cost of providing the service or item, calculate the rate of reimbursement that accurately reflects the actual cost of providing the service or item and recommend that rate to the Director for possible inclusion in the State Plan for Medicaid.



<u>Bill No.</u>	<u>Bill Sponsor</u>	<u>Effective Date</u>	<u>Purpose</u>	<u>Next Steps</u>
<a href="#">AB 179</a>	Assemblywoman Carlton	Jun 01, 2017 Approved by the Governor. Chapter 275. Effective June 1, 2017, for the purpose of adopting regulations and performing any other preparatory tasks that are necessary to carry out the provisions of this act; and on July 1, 2017, for all other purposes.	AN ACT relating to massage therapy; changing the name of the Board of Massage Therapists to the Board of Massage Therapy; authorizing the Board to issue a license and a temporary license to practice reflexology and structural integration; requiring the Board to adopt regulations concerning the certification of a massage, reflexology and structural integration establishment; authorizing a local government to regulate a massage, reflexology and structural integration establishment; requiring that the Board consist of nine members; requiring the Board to adopt certain additional regulations; providing that a license is valid for 2 years; increasing the fee amount for the renewal of a license; creating a fee for the issuance and renewal of the certification of a massage, reflexology and structural integration establishment; providing a penalty; and providing other matters properly relating thereto.	The Massage Therapist Board will need to adopt regulations, it is suggested that the Chiropractic Physicians Board insure that the legislative intent is followed: Sec. 5. 1. "Structural integration" means the application of a system of manual therapy, movement education and embodiment education that is intended to improve the functional relationship of the parts of the human body to each other within the influences of gravity. 2. The term does not include: (a) The practice of physical therapy, as defined in NRS 640.024; or (b) The practice of chiropractic, as defined in NRS 634.013, including, without limitation, chiropractic adjustment or manipulation, as defined in NRS 634.014 and 634.0173, respectively.
<a href="#">AB 19</a>	Government Affairs	May 02, 2017 Approved by the Governor. Chapter 10. Effective July 1, 2017.	Each regulatory body shall provide the total number of veterans and service members [applying for licensure by the regulatory body.] who have: (a) Applied for a license from the regulatory body. (b) Been issued a license by the regulatory body. (c) Renewed a license with the regulatory body.	The Nevada Chiropractic Physicians Board shall submit the information for the immediately preceding fiscal year to the Council not later than November 30 of each year and shall provide the information in aggregate and in digital form, and in a manner such that the data is capable of integration by the Council.



<b>Bill No.</b>	<b>Bill Sponsor</b>	<b>Effective Date</b>	<b>Purpose</b>	<b>Next Steps</b>
<a href="#">AB 328</a>	Assemblyman Pickard and Bustamante-Adams	Jun 06, 2017 Approved by the Governor. Chapter 424. Effective October 1, 2017.	AN ACT relating to professions; establishing limitations on the employment or retention of attorneys by certain regulatory bodies; requiring attorneys who contract with certain regulatory bodies to act as legal counsel for the regulatory body to carry professional liability insurance that satisfies certain criteria; requiring the Department of Administration to adopt regulations relating to the financial operation and administration of certain regulatory bodies; revising the qualifications for the executive director or executive secretary of certain regulatory bodies; revising the disciplinary process for certain regulatory bodies which administer occupational licensing; revising requirements for certain regulatory bodies of this State to prepare a balance sheet or hire a public accountant or accounting firm to conduct an audit of the body for a fiscal year. The bill also no longer exempts the Chiropractic Physicians Board from the requirement to follow Chapter 622A.130. The bill does not prohibit the Board from adopting stricter rules as long as public safety is not hindered.	1. Each regulatory body shall contribute to the Fund for Insurance Premiums as required by NRS 331.187. 2. If a regulatory body employs an attorney as legal counsel, the attorney may not be employed as legal counsel of another regulatory body. 3. If a regulatory body retains an attorney to act as legal counsel for the regulatory body as an independent contractor, the attorney: (a) May contract with more than one regulatory body to act as legal counsel as an independent contractor. (b) Shall obtain or otherwise carry, before acting as legal counsel for a regulatory body, a policy of professional liability insurance which insures the attorney against any liability arising from acting as legal counsel for the regulatory body. Sec. 3. The Department of Administration shall adopt regulations establishing standards for the financial operation and administration of regulatory bodies. The regulations must include, without limitation, provisions which establish the minimum level of professional liability insurance that an attorney who contracts with a regulatory body to act as legal counsel must carry pursuant to subsection 3 of section 2 of this act
<a href="#">AB 454</a>	Assembly Commerce and Labor	Jun 09, 2017 Approved by the Governor. Chapter 512. Sections 1 to 13, inclusive, 14, 15 to 31, inclusive, and 32 to 45, inclusive, and 46 of this act effective June 9, 2017. Sections 41.1 to 41.9, inclusive, of this act effective July 9, 2017, for the purpose of adopting regulations and performing any	AN ACT relating to professions; revising provisions relating to the qualifications and appointment of members of the Nevada State Board of Accountancy; revising provisions relating to the adoption or amendment of rules of professional conduct by the Board; revising the qualifications for a certificate of certified public accountant; revising certain educational and work experience requirements for a certificate of certified public accountant; authorizing the issuance of a cease and desist order to a person believed to be engaged in the unlawful practice of accounting; repealing provisions relating to the registration of	SB 292 was amended in AB 454 in a conference committee. This was Senator Hardy's Athletic Trainer bill. Sec. 41.35. Chapter 634 of NRS is hereby amended by adding thereto a new section to read as follows: 1. Except as otherwise provided in subsection 5, if a chiropractic physician who holds a valid and unrestricted license to practice chiropractic in another state or territory of the United States or another country has entered into a written or oral agreement to provide services to members of a visiting athletic team or organization, the chiropractic physician is temporarily exempt from licensure and may practice chiropractic in this State while providing services



<u>Bill No.</u>	<u>Bill Sponsor</u>	<u>Effective Date</u>	<u>Purpose</u>	<u>Next Steps</u>
		<p>other administrative tasks that are necessary to carry out the provisions of this act, and on January 1, 2018, for all other purposes. Sections 13.5, 14.2 to 14.8, inclusive, and 31.5 of this act effective on January 1, 2019.</p>	<p>public accountants and business entities formed by public accountants; exempting certain professionals who hold a valid and unrestricted license to practice in another jurisdiction from provisions governing the practice of those professions for certain purposes relating to athletics; increasing a penalty; and providing other matters properly relating thereto.</p>	<p>pursuant to the agreement to members of the visiting athletic team or organization who are present in this State for the purpose of engaging in competition or training. 2. Except as otherwise provided in subsection 5, if a chiropractic physician who holds a valid and unrestricted license to practice chiropractic in another state or territory of the United States or another country has been invited by the governing body of a national organization to provide services to persons participating in an athletic event or training sanctioned or operated by the organization, the chiropractic physician is temporarily exempt from licensure and may practice chiropractic in this State while providing services to such persons. 3. Except as otherwise provided in this subsection and subsection 4, an exemption described in this section is valid for a period of not more than 10 days for each competition or training session. Upon the application of a chiropractor, the Board may grant an exemption of not more than 20 additional days for each competition or training session. 4. A chiropractic physician who is practicing chiropractic under an exemption described in this section shall not: (a) Practice chiropractic at a medical facility; (b) Provide services to persons who are not described in subsection 1 or 2, as applicable; or (c) Practice chiropractic under such an exemption for more than 60 days in a calendar year. 5. The provisions of this section do not apply to any contest or exhibition of unarmed combat conducted pursuant to chapter 467 of NRS. 6. As used in this section, "visiting athletic team or organization" means an athletic team or organization which is primarily based at a location outside of this State</p>



<b>Bill No.</b>	<b>Bill Sponsor</b>	<b>Effective Date</b>	<b>Purpose</b>	<b>Next Steps</b>
<a href="#">AB 458</a>	Assembly Commerce and Labor	May 30, 2017 Approved by the Governor. Chapter 216. Effective July 1, 2017.	AN ACT relating to industrial insurance; providing that certain phrases relating to a claim for compensation may be used interchangeably; authorizing an injured employee to obtain an independent medical examination under certain circumstances; setting forth the manner in which a vocational rehabilitation counselor is to be appointed; increasing the amount of medical benefits required to be paid during the first 12 months after a claim is opened; revising provisions relating to permanent partial disability; revising provisions concerning the payment in lump sum for a permanent partial disability; and providing other matters properly relating thereto.	Certain phrases relating to a claim for compensation for an industrial injury or occupational disease and used by a physician or chiropractor when determining the causation of industrial injury or occupational disease are deemed to be equivalent and may be used interchangeably. Those phrases are: 1. "Directly connect this injury or occupational disease as job incurred"; and 2. "A degree of reasonable medical probability that the condition in question was caused by the industrial injury." Sec. 3. 1. An injured employee may obtain an independent medical examination: (a) Except as otherwise provided in subsections 2 and 3, whenever a dispute arises from a determination issued by the insurer regarding the approval of care, the direction of a treatment plan or the scope of the claim; (b) Within 30 days after an injured employee receives any report generated pursuant to a medical examination requested by the insurer pursuant to NRS 616C.140;
<a href="#">AB 481</a>	Assembly Government Affairs	Jun 01, 2017 Approved by the Governor. Chapter 292. Effective July 1, 2017.	AN ACT relating to internal audits; eliminating the requirement for the appointment of a Manager of Internal Controls to the Division of Internal Audits of the Office of Finance; and providing other matters properly relating thereto.	Deletes the requirement to have a Manager of Internal Controls in the Department of Finance. No Board Action Required
<a href="#">SB 369</a>	Senate Commerce and Labor	Jun 09, 2017 Approved by the Governor. Chapter 518. Sections 1 to 8.5, inclusive, and 10 to 14, inclusive, effective June 9, 2017. Section 9.5 effective on July 1, 2017, if and only if Senate Bill No. 516 (SB 516 was approved on 6-15- 17) of this session is enacted by the	AN ACT relating to state government; requiring certain regulatory bodies to adopt regulations governing the issuance of a license by endorsement to a natural person who holds a comparable license issued by the District of Columbia or any state or territory of the United States and meets certain other requirements; prohibiting the appointment as a member of a regulatory body of a person who has served as a member for 12 years or more under certain circumstances; revising provisions relating to the payment of fees	Chiropractic Physicians Board of Nevada will be required to adopt regulations government the issuance of a license by endorsement as prescribed by SB 369





<u>Bill No.</u>	<u>Bill Sponsor</u>	<u>Effective Date</u>	<u>Purpose</u>	<u>Next Steps</u>
		<p>Legislature and approved by the Governor. Section 9 effective on the date on which the provisions of 42 U.S.C. Â§ 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who: have failed to comply with a subpoena or warrant relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or are in arrears in the payment for the support of one or more children, ( are repealed by the Congress of the United States.</p>	<p>for legal services on a contingent basis; and providing other matters properly relating thereto.</p>	
<a href="#">SB 437</a>	<p>Senate Commerce and Labor</p>	<p>Jun 01, 2017 Approved by the Governor. Chapter 300. Effective October 1, 2017.</p>	<p>AN ACT relating to physical therapy; changing the name of the State Board of Physical Therapy Examiners to the Nevada Physical Therapy Board; authorizing the Board to appoint nonvoting advisory members to the Board; authorizing the Board to issue citations for certain violations; changing the designation of physical therapists' assistants and physical therapists' technicians; revising the membership and duties of the Board; requiring the Board to elect certain officers annually; amending provisions governing the supervision and authorized activities of physical</p>	<p>This bill is informational</p>



<u>Bill No.</u>	<u>Bill Sponsor</u>	<u>Effective Date</u>	<u>Purpose</u>	<u>Next Steps</u>
			<p>therapist technicians; revising provisions governing the supervision of physical therapist assistants; exempting certain providers of health care from the provisions governing the practice of physical therapy; revising terminology concerning the education of physical therapists and physical therapist assistants; combining similar provisions governing physical therapists and physical therapist assistants; authorizing the licensure by endorsement of physical therapist assistants; removing the requirement that the Board administer an examination to applicants for a license as a physical therapist; revising provisions prohibiting the use of certain names, titles and initials related to the practice of physical therapy; providing penalties; and providing other matters properly relating thereto.</p>	

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

**TITLE: Agenda Item 10 Review Government Relations/Lobbyist proposals– 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 the applicants.)**

**RECOMMENDED MOTION: No recommendation**

**PRESENTED BY: Ben Lurie, DC**

**MEETING DATE: July 14, 2017**

**TIME REQUIRED: 30 minutes**

**BACKGROUND INFORMATION: The Board requested bids from five firms and received three responses, which are attached and listed below. Please note, the contract with Capitol Partners expired on June 30, 2017, so the Board is currently not in a contract with a firm at this time.**

- 1. Capitol Partners**
- 2. Dan Musgrove Advocacy Inc.**
- 3. David Goldwater Consulting**

**REVIEWED BY:  President  Secretary  Executive Director**

**ACTION:  Approved  Approved w/Modifications  Denied  Continued**

GOVERNMENT RELATIONS SERVICES  
PROPOSAL FOR THE  
CHIROPRACTIC PHYSICIANS'  
BOARD OF NEVADA



**Nevada Legislative Consulting Services  
Capitol Partners, LLC**





Capitol Partners

Community And Government Relations

[www.CapitolPartners.us](http://www.CapitolPartners.us)

June 30, 2017

Dr. Benjamin S. Lurie, President  
Dr. Margaret Colucci, Vice President  
Dr. Jason O. Jaeger, Secretary-Treasurer  
Dr. Xavier Martinez, Member  
Dr. Morgan Rovetti, Member  
Ms. Tracy DiFillippo, Member  
Ms. Shell Mercer, Member

Chiropractic Physicians' Board of Nevada  
4600 Kietzke Lane, Building M, Suite 245  
Reno, Nevada 89502

Dear Dr. Lurie and Members of the Board:

Beginning with the 2011 Nevada Legislative Session, Capitol Partners has advocated for and on behalf of the Chiropractic Physicians' Board of Nevada (CPBN). During the 4 legislative sessions that Capitol Partners has represented CPBN in Carson City, the organization has enjoyed many legislative successes:

2011 – Chiropractic Assistant Protocol changes (SB 215)  
2013 – Unprofessional Conduct (AB73)  
2015 – CPBN Clean Up (AB231)

Capitol Partners also assisted with supporting the efforts of the Nevada Chiropractic Association as requested.

The 2017 legislative session was both good and bad for CPBN. The board's bill, AB 456, was a disappointing loss for both the CPBN and Capitol Partners. However, engaging and opposing the Physical Therapists scope of practice bill, SB 437, was a huge success for all of chiropractors. Additional successes:

AB 179 – Massage Therapist

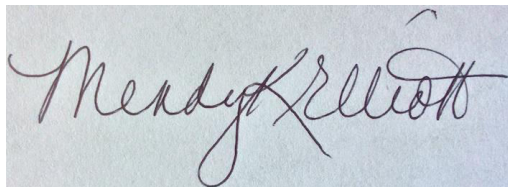
AB 328 – Professional Licensing Boards

AB454 – Exempting certain professionals for certain purposes relating to athletics

SB 219 – X-Ray exempt chiropractic assistants

We have expanded our partnership to include Mr. Nick Vander Poel. Nick comes to us with experience both at the federal and state executive and legislative levels. The addition of Mr. Vander Poel broadens the established experience of Mrs. Mendy Elliott and Mr. Peter Krueger. We are proud of our legislative successes for CPBN over the past four legislative sessions and look forward to advancing the priorities of CPBN.

Sincerely,

A handwritten signature in cursive script, reading "Mendy Elliott", written in dark ink on a light-colored background.

Mendy Elliott  
Capitol Partners, LLC  
Managing Partner



**June 30, 2017**

**PROPOSAL**

**2017- 2019 CAPITOL PARTNERS, LLC: GOVERNMENT AFFAIRS  
& COMMUNITY RELATIONS FOR THE CHIROPRACTIC PHYSICIANS'  
BOARD OF NEVADA**

**OVERVIEW**

Capitol Partners, LLC will represent the Chiropractic Physicians' Board of Nevada (CPBN) to advocate the mission and priorities of the board. This will include the board becoming more proactive in the legislative process. Capitol Partners, LLC will engage board members to participate in interviewing and meeting legislative candidates who need to understand and support the chiropractic industry and regulatory body. We will encourage the CPBN to identify their legislative initiatives but no later than November 2018 so that your Capitol Partners team can educate legislators as to the purpose and positive impact on public safety which the changes to NRS will represent.

## **OUR TEAM**

The Capitol Partners team is well respected in state and local government agencies as strong and thoughtful advocates for our clients. We maintain especially strong, day-to-day relationships with legislative leadership and key staff at the Governor's office and heads of multiple agencies.

**Mendy Elliott, Managing Partner:** Mendy Elliott has an extensive career in Community, Corporate and Government Relations. She was most recently with the State of Nevada began when she was appointed by Governor Jim Gibbons to serve as Director of Business and Industry in 2007, a post she held until July 2008 when the Governor promoted her to the serve as his Deputy Chief of Staff.

**Peter Krueger, Partner:** Master's Degree in Business with more than 30 years' experience in government and community relation. Mr. Krueger has developed relationships with legislators on both sides of the aisle, has worked effectively with administrations and regulatory agencies in Nevada. He has navigated numerous leadership changes in the Legislature and the Governor's office.

**Nick Vander Poel, Partner:** Graduated from California State University, Fresno with a Bachelor of Science in Agricultural Economic after growing up in Northern Nevada. Nick began his professional career on Capitol Hill in 2003 interning for a Nevada Congressman until he was recruited for a Nevada U.S. Senator working on a variety of issues appointments and community outreach. He served in Governor Jim Gibbons administration handling appointments to Boards and Commissions.



## APPROACH

Capitol Partners agrees to provide the following services:

### 2017 – 2018 Nevada Legislative Interim Period:

- Attend all legislative meetings involving interim studies potentially impacting the Board.
- Work with any and all agencies preparing regulations impacting the board and/or assists with changes or language that better serves the purpose of the board.
- Assist with development of legislation:
  - Respond and coordinate interactions with state agencies covering issues impacting the Board;
  - Assists with other issues as directed by the Board;
- Meet with legislators assigned to key committees in the interim studies:
  - Schedule and arrange meetings with seated legislators and legislative candidates throughout the state;
  - Meet with Board representatives to discuss goals and objectives from the studies and develop and coordinate strategies to support those efforts;
  - Work on key legislative campaigns to assure the Board's interests are brought before the state and legislators.

### 2019 Nevada Legislative Session:

Direct lobbying on behalf of the Board

Our strategic legislative initiatives and services:

- Maintain a fulltime presence in the building during the legislative session and/or during the legislative committee meetings;
- Bill tracking through our proprietary computerized system;
- Routine meetings with key Legislators serving on Commerce and Labor and other relevant committees, which could impact and influence the Board's responsibilities.
- Attend committee hearings which potentially could introduce new legislation impacting the Board both positively and negatively;

- Meeting with legislative strategists representing other associations and organizations in health care and weekly meetings with the business advisory delegation;
- Meet with the Board and staff as directed or upon request whenever issues require Board review or direction;
- Review all Bill Draft Requests, Legislation, and media reports for any impact to the legislative goals and policy positions of the Board;
- Meet with leadership in both houses from both parties regarding possible legislation impacting the Board;
- Draft letters or talking points on legislation as necessary and lobby/testify on legislation as necessary;
- Assure advocacy of the Board's legislative priorities.
- Provide frequent verbal contact with designated board staff;
- Provide ongoing legislative updates and annual reports summarizing legislative activities and issues of importance to the Board;
- Meet with the Board or designated members upon request either by teleconference or face-to-face meeting;
- Attend political meetings covering issues that might impact the board

### **Proposed Services**

- ***State Outreach*** | Continue to expand legislator and candidate's understanding of the chiropractic industry; what it is and isn't, scope of practice and differences from other modalities. Survey legislators to determine their understanding and biases toward the practice of chiropractic. Invite key legislators to board member's practices.
- ***Access*** | On behalf of CPBN, organize and coordinate introductions and meetings with key legislators to begin a dialogue with the goal of raising awareness of the practice of chiropractic medicine.
- ***Legislative*** | Prepare legislation and identify a sponsor(s) friendly to chiropractic's for the 2019 session. Create and use effective grassroots lobbying to support proposed legislation.

- **Structure** | Capitol Partners will assign one lead lobbyist to CPBN who is directly responsible to the CPBN President or designee. The other principals' work with the lead lobbyist to insure client needs and strategy are met. To best accomplish this, we prefer to work with our clients on a retainer-based structure and we would propose to represent CPBN in the same manner.
- **Retainer** | Capitol Partners proposes a retainer of \$1,250 per month from September, 2017 to January, 2018 Interim legislative period and \$4,000 per month during the 2019 Legislative session. This is the same amount the Capitol Partners was paid during 2014-2017 contract period.
- **Expenses** | Capitol Partners, LLC assumes all normal operating expenses, except for travel and entertaining expenses incurred at the direction of the client, which would be billed separately.

Thank you for the opportunity to present this proposal.



Capitol Partners

Community And Government Relations

[www.CapitolPartners.us](http://www.CapitolPartners.us)

## ***Dan Musgrove Biography***

Dan Musgrove, the President and CEO of Dan Musgrove Advocacy has over 30 years' experience in the fields of communications, labor relations, and government affairs advocacy, in both the private and public sector. Dan has successfully negotiated labor contracts, developed and executed communication strategies, and successfully delivered on major legislative and government relations advocacy strategies on a city, county, state, and federal level.

Prior to forming Dan Musgrove Advocacy in 2010, Dan was a Vice President of Government Affairs for the McDonald Carano Wilson Government Affairs Group for almost three years. His client list included NAIOP of Southern Nevada, the Nevada League of Cities, and Edison Energy. Dan also served as the chief legislative advocate for Clark County, Nevada, the University Medical Center of Southern Nevada, the University of Nevada Las Vegas, and as a principal lobbyist for the City of Las Vegas. Since leaving local government to enter the private sector, Dan has lobbied on behalf of the Valley Health System of Hospitals since 2007 (a subsidiary of Universal Health Services) the largest hospital group in Nevada, Amerigroup of Nevada (a subsidiary of Anthem) who provides Medicaid managed care services for the State of Nevada since 2008, the City of North Las Vegas, and the Southern Nevada Health District. Other clients have included Intermedix, LegalZoom, the Barrett-Jackson Collector Car Auction Company, Safelite Auto Glass, Scion Dental, and the Subcontractors Legislative Coalition. While advocating on behalf of Clark County and the University Medical Center, Dan was responsible for representing and understanding the legislative needs of 35 county departments as diverse as Air Quality and Environmental Management, Building and Development Services, Aviation, Juvenile Justice Services, and Children and Family Services. Since becoming a Legislative Advocate, Dan has represented clients at the Nevada Legislature for 10 regular sessions, and thirteen special sessions. While with Clark County and McDonald Carano – Dan worked with the Nevada Federal Delegation on issues of importance.

Dan is a native Nevadan, born in Reno and a resident of Las Vegas since 1971. A graduate of the University of Nevada-Las Vegas with a degree in Communications, he spent three years as a news photographer/field producer for KLAS TV-8 in Las Vegas and then ten years as the personnel director for the 1,400 union employees of Silver State Disposal Service in Las Vegas. With KLAS-TV, he covered the 1983 Session of the Nevada Legislature and won numerous national awards for local news coverage. While at Silver State Disposal – Dan developed, and honed his experience in negotiations and mediation. He successfully arbitrated labor complaints, unemployment claims and negotiated complex labor agreements and served as a management trustee on the Teamsters Health Trust.

Dan is an avid endurance athlete, Boston Marathon finisher, and now a very happy Grandfather. His son is the father of that first grandchild and his only other child is his daughter who is in Law School in San Diego.

Dan can be reached at: [dan@dmadvocacy.com](mailto:dan@dmadvocacy.com) or 702.860.9900.

# Dan Musgrove Advocacy Inc.

## **ADVOCACY SERVICES ON BEHALF OF THE NEVADA BOARD OF CHIROPRACTIC PHYSICIANS:**

Dan Musgrove Advocacy Inc. (hereinafter referred to as Dan) provides advocacy and consulting services at all levels of government in Nevada. Dan manages clients' government affairs, public policy initiatives, and lobbying before local and state governmental entities, regulatory bodies, state agencies and the Nevada State Legislature.

Dan helps clients develop and execute strategic local and state government affairs advocacy initiatives that are consistent with the clients' long-term business goals. In the 30 plus years that Dan has worked to build his government affairs advocacy skill set, he would bring the following principles to bear upon behalf of the Chiropractic Physicians Board of Nevada: the thoughtful evaluation of the needs of the Board; a seasoned expert's design of strategies to accomplish those needs on whatever level of government that it may be required – be it with state regulators and staff, state legislators or with the executive branch of State Government. Those strategies of advocacy encompass working with those staff and elected officials, as well as interest groups and allies for grassroots support. That advocacy is put forth in an effective and coordinated manner.

## **BACKGROUND ON DAN MUSGROVE ADVOCACY:**

Dan Musgrove, the President and CEO of Dan Musgrove Advocacy has over 30 years' experience in the fields of communications, labor relations, and government affairs advocacy, in both the private and public sector. Dan has successfully negotiated labor contracts, developed and executed communication strategies, and successfully delivered on major legislative and government relation's advocacy strategies on a city, county, state, and federal level.

Prior to forming Dan Musgrove Advocacy in 2010, Dan was a Vice President of Government Affairs for the McDonald Carano Wilson Government Affairs Group for three years. His client list included NAIOP of Southern Nevada, the Nevada League of Cities, and Edison Energy. Dan also served as the chief legislative advocate for Clark County, Nevada, the University Medical Center of Southern Nevada, the University of Nevada Las Vegas, and as a principal lobbyist for the City of Las Vegas. Since leaving local government to enter the private sector, Dan has lobbied on behalf of the Valley Health System of Hospitals since 2007 (a subsidiary of Universal Health Services); on behalf of Amerigroup of Nevada (a subsidiary of Anthem) that provides Medicaid Managed Care services for the State of Nevada since 2008; the City of North Las Vegas, the Southern Nevada Health District, WestCare of Nevada, and the Mechanical Contractors Association. Other clients include or have included Intermedix, LegalZoom, Nathan Adelson Hospice, PersonalMD, Safelite Auto Glass, the Barrett-Jackson Collector Car Auction Company, the Nevada Board of Oriental Medicine, and the Subcontractors Legislative Coalition. He has represented clients at the Nevada Legislature for 10 regular sessions, and 13 special sessions.

Dan is a native Nevadan; born in Reno and a resident of Las Vegas since 1971 and is a graduate of the University of Nevada-Las Vegas with a degree in Communications.



## Dan Musgrove Advocacy Inc.

Fees for the Government Affairs Advocacy and Consulting Services outlined above are proposed at the following rate:

\$1,500 per month beginning on July 1<sup>st</sup>, 2017 for a period of two (2) years through June 30<sup>th</sup>, 2019. This monthly retainer is paid in advance of the month and is for all non-legislative months.

\$4,000 per month beginning on February 1<sup>st</sup>, 2019 through May 30<sup>th</sup>, 2019 for legislative months. This agreement could be extended upon agreement and understanding.

### **Expenses**

Professional services fees do not include expenses related to general office costs such as copying, mailing, producing exhibits, etc. Those will be billed on a cost basis.

Expenses for meals, entertainment, travel and lodging will be billed on a cost basis when travel is warranted and approved in advance (not expected) by the Board and will be supported by receipts. Expenses for meals and entertainment that occur anytime because of advocacy on behalf of the Board may be billed on a cost basis and supported by receipt. Living expenses during the Legislative session while in Carson City will not be billed to the Board.

### **NO GUARANTEE**

Dan Musgrove Advocacy Inc. makes no representations or warranties with respect to the outcome or results of any lobbying or advocacy services provided hereunder. Dan Musgrove Advocacy Inc. shall use its very best efforts consistent with applicable laws, the direction it receives from the Board, and customary industry practices and standards to achieve the desired outcome and results of its services, but makes no guarantees or promises with respect to any such results or outcomes.

### **EXECUTION OF AGREEMENT**

The Chiropractic Physicians Board of Nevada would agree to retain Dan Musgrove Advocacy Inc. beginning on or about July 1, 2017. Throughout the term of this Agreement, Dan agrees to provide services as required by the Board within the scope of this Agreement. This agreement can be terminated by either party with thirty (30) days written notice.

Submitted on June 20, 2017 by:

Daniel C. Musgrove, President and CEO on behalf of Dan Musgrove Advocacy, Inc.  
9975 Oak Creek Canyon Avenue  
Las Vegas, Nevada 89147  
702.860.9900 / dan@dmadvocacy.com  
Tax ID #: 27-2293011



David Goldwater Consulting  
for



**CHIROPRACTIC  
PHYSICIANS' BOARD OF  
NEVADA**

**NEVADA LEGISLATIVE LOBBYING AND  
PUBLIC AFFAIRS**



# Who We Are



**David Goldwater**



**Nikki Bailey-Lundahl**



David Goldwater  
8517 Highland View Ave Las Vegas, NV 89109  
Mobile Phone: 702-810-9698  
Email: [dgoldh20@gmail.com](mailto:dgoldh20@gmail.com)

---

## Government Affairs-Lobbyist

---

---

## Professional Experience

---

### *Investment Consultant-Merrill Lynch, Everen Securities, Wachovia*

- Developing a book of business in order to meet and exceed required performance.
- Effectively sourcing prospective clients, obtaining referrals, assessing customer needs, working with vendors and service providers, and executing sophisticated financial strategies.
- Recommending investment products and services that are suitable for prospects and clients based on their objectives, resources, time horizon, risk profile and preferences.
- Planning and managing resources (time, people, budget) to run a productive practice  
Completing mandated training, assessments, performance goals and continuing education requirements
- Maintained a Series 7, 64, and 65 securities license as well as a life and health insurance license.

---

### *Consultant-Marco Consulting Group*

- Investment performance monitoring, manager search, proxy voting, to Taft-Hartley investment trusts
- Conveyed sophisticated investment information to a non-technical audience
- Competent in quantitative analysis, writing, persuasion and consulting skills
- Delivered compelling presentations and assist with RFP responses
- Enthusiastic, strong work ethic with the highest professional standards and integrity
- Represented the West Coast for Marco Consulting Group. Traveled extensively on behalf of the firm

---

### *President-Goldwater Capital, Llc.*

- Wrote and developed business plan for a private money lending business
- Recruited and trained employees in client relations, borrower relations, office and administrative staff
- Underwrote and negotiated nearly \$100 million in development and construction funding
- Raised investment funding from multiple beneficiaries through direct solicitation, referral, advertising, and seminars
- Obtained and maintained a Nevada Mortgage Brokerage license

---

### *Nevada State Legislator, Assembly*

- Elected member of the Nevada Assembly for 10 years
- Chairman of Assembly Infrastructure Committee, Taxation Committee, Commerce and Labor Committee
- Chairman of Subcommittee on Higher Education, K-12 Education, Ways and Means
- Passed legislation enacting a .25% sales tax to pay for water infrastructure; 3-way worker's compensation system, tenant's rights to include withholding of rent for services not provided, a mil assessment for low-income energy assistance, complete revision of mortgage brokerage statute, provision for self-settled trusts, and a ballot measure repealing the constitutional prohibition against perpetuities.
- Member of the National Conference of State Legislatures Special Committee on the Streamlined Sales Tax

---

### *Government and Public Affairs*

- Advocate for clients interest in State Government
- Tax Specialist for Barrick Mining \*
- Special Project for Google, Self-Driving Cars
- Taxi Cab general business advocate
- Sierra Nevada Resources Solar Distributive Generation Program Advocate
- Cordish Company, Downtown Stadium
- Leading Builders of America, Construction Defect Specialist\*
- Novartis Pharmaceutical \*
- Uber Autonomous Vehicles\*
- Las Vegas Motor Speedway
- Nevada Ticket Broker's Association

---

### *Education*

- Bachelor's of Science in Business Administration degree, 1992, University of Nevada Las Vegas, Major: Finance.
- Semester Abroad program at Scuola de Amministrazione Aziendale, Italy 1990
- Executive Master's Program in Leadership, University of Virginia, Darden School of Business, 2001

---

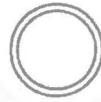
### *Awards and Achievements*

- Member, Hillary Clinton's White House Health Care Task Force 1992-1993
- Nevada Insurance Scholar

- Toll Fellow
- HIV/AIDS Legislator of the Year
- Mortgage Broker's Association Advocate of the Year
- In Business Magazine's Top 40 Under 40
- Delegate to the American Council of Young Political Leaders, Argentina
- Educational Surrogate to Foster Children with special needs
- Board member, Lied Discovery Children's Museum
- Coach of the Season, Boy's and Girls Club
- Board of Directors, Nevada Capital Investment Corporation
- Nevada Sunset Commission, Commissioner
- Nevada Spending And Government Efficiency (SAGE) Commission, Commissioner

Nikki Bailey-Lundahl has been involved in Nevada politics since 2006. Based in Northern Nevada, Nikki brings a wealth of legislative experience and personal relationships to any project she takes on. With nearly 10 years of experience working at the Nevada Legislature, she was able to utilize the skills she developed working for Majority Leader William Horne to make the transition to lobbying in 2015. Along with lobbying, Nikki also has a robust background in campaign finance and has worked on a number of successful local and statewide races.

# Services



- Monitor, identify, and prioritize challenges and opportunities for the CPBoN.
- Understand and navigate issues related to the Board
- Interact with legislators, executive branch agencies, and interested parties



# Fees



- **Off-Session**
  - \$2000 monthly retainer
- **During Session**
  - \$5000 monthly retainer

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 11 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 16-08S (Jaeger)
- B. Complaint 16-11S (Colucci)
- C. Complaint 16-12S (Colucci)
- D. Complaint 16-13S (Lurie)
- E. Complaint 17-02S (Lurie)
- F. Complaint 17-04N (Rovetti)
- G. Complaint 17-05N (Jaeger)
- H. Complaint 17-06S (Lurie)
- I. Complaint 17-07S (Jaeger)
- J. Complaint 17-08S (Lurie)
- K. Complaint 17-09S (Lurie)
- L. Complaint 17-10S (Jaeger)
- M. Complaint 17-11S (Colucci)
- N. Complaint 17-12S (Colucci)
- O. Complaint 17-13S (Rovetti)
- P. Complaint 17-14S (Martinez)
- Q. Complaint 17-15S (Rovetti)
- R. Complaint 17-16S (Jaeger)
- S. Complaint 17-17N (Rovetti)
- T. Complaint 17-18S (Jaeger)
- U. Complaint 17-19S (Lurie)

RECOMMENDED MOTION: **No recommendation**

PRESENTED BY: **Ben Lurie, DC**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **45 minutes**

BACKGROUND INFORMATION:

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued



**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

**TITLE: Agenda Item 11A 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 16-08S (Dr. Jaeger)**

**RECOMMENDED MOTION: No recommendation**

**PREPARED BY: Jason O. Jaeger, DC**

**MEETING DATE: July 14, 2017**

**TIME REQUIRED: 5 minutes**

**BACKGROUND INFORMATION: The complainant alleges that a DC is conducting an unethical practice and not performing proper standard of care. The complainant was referred to a pain specialist by the DC who was also unprofessional. It is possible that there is a partnership between the DC and the pain specialist.**

**The complainant has also filed a complaint with the Medical Board against the Pain Specialist.**

**REVIEWED BY:  President  Secretary  Executive Director**

**ACTION:  Approved  Approved w/Modifications  Denied  Continued**

**Agenda Item 11A**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

**TITLE: Agenda Item 11B 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:**

**B. Complaint 16-11S (Dr. Colucci)**

**RECOMMENDED MOTION: No recommendation.**

**PREPARED BY: Maggie Colucci, DC**

**MEETING DATE: July 14, 2017**

**TIME REQUIRED: 5 minutes**

**BACKGROUND INFORMATION: The Board received copies of two depositions involving an Associate DC who, under the direction of another DC allegedly utilized a template for all patients which identified the same treatment codes, x-rays, etc. for all patients.**

**REVIEWED BY:  President  Secretary  Executive Director**

**ACTION:  Approved  Approved w/Modifications  Denied  Continued**

**Agenda Item 11B**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

**TITLE: Agenda Item 11C 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:**

**C. Complaint 16-12S (Dr. Colucci)**

**RECOMMENDED MOTION: No recommendation.**

**PREPARED BY: Maggie Colucci, DC**

**MEETING DATE: July 14, 2017**

**TIME REQUIRED: 5 minutes**

**BACKGROUND INFORMATION: The complainant indicated that a Chiropractic office is claiming to perform MRI's out of their office, but only for auto accidents. Possible conflict of interest.**

**REVIEWED BY:  President  Secretary  Executive Director**

**ACTION:  Approved  Approved w/Modifications  Denied  Continued**

**Agenda Item 11C**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 11D** 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:

**D. Complaint 16-13S (Dr. Lurie)**

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Benjamin Lurie, DC**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION: **The Complainant stated that the DC conducted inappropriate sexual behavior during their exam.**

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued

**Agenda Item 11D**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

**TITLE: Agenda Item 11E 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:**

**E. Complaint 17-02S (Dr. Lurie)**

**RECOMMENDED MOTION: No recommendation.**

**PREPARED BY: Benjamin Lurie, DC**

**MEETING DATE: July 14, 2017**

**TIME REQUIRED: 5 minutes**

**BACKGROUND INFORMATION: The supervising DC allegedly allowed an applicant to perform chiropractic adjustments prior to having an approved DC application on file with the Board.**

**REVIEWED BY:   X   President   X   Secretary   X   Executive Director**

**ACTION:        Approved        Approved w/Modifications        Denied        Continued**

**Agenda Item 11E**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

**TITLE: Agenda Item 11F 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:**

**F. Complaint 17-04N (Dr. Rovetti)**

**RECOMMENDED MOTION: No recommendation.**

**PREPARED BY: Morgan Rovetti, DC**

**MEETING DATE: July 14, 2017**

**TIME REQUIRED: 5 minutes**

**BACKGROUND INFORMATION: The Board was notified by the National Practitioner Data Bank that a DC settled a malpractice claim, which is to be reported to the Board by the DC within 15 days.**

**REVIEWED BY:  President  Secretary  Executive Director**

**ACTION:  Approved  Approved w/Modifications  Denied  Continued**

**Agenda Item 11F**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 11G** 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:

**G. Complaint 17-05N (Dr. Jaeger)**

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Jason O. Jaeger, DC**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION: **The complainant stated that the DC caused her to have a stroke following treatment.**

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued

**Agenda Item 11G**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 11H** 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:

**H. Complaint 17-06S (Dr. Lurie)**

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Ben Lurie, DC**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION: **The complainant stated that the DC billed them for services not rendered.**

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued

**Agenda Item 11H**



**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

**TITLE: Agenda Item 11I 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:**

**I. Complaint 17-07S (Dr. Lurie)**

**RECOMMENDED MOTION: No recommendation.**

**PREPARED BY: Jason O. Jaeger, DC**

**MEETING DATE: July 14, 2017**

**TIME REQUIRED: 5 minutes**

**BACKGROUND INFORMATION: Complainant stated that a DC conducted unprofessional behavior.**

**REVIEWED BY:  President  Secretary  Executive Director**

**ACTION:  Approved  Approved w/Modifications  Denied  Continued**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

**TITLE: Agenda Item 11J 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:**

**J. Complaint 17-08S (Dr. Lurie)**

**RECOMMENDED MOTION: No recommendation.**

**PREPARED BY: Ben Lurie, DC**

**MEETING DATE: July 14, 2017**

**TIME REQUIRED: 5 minutes**

**BACKGROUND INFORMATION: The complainant stated that they were becoming uncomfortable with the DC's aggressive behavior of pushing expensive procedures, without consideration of the individual's health or the benefits to their recovery.**

**REVIEWED BY:  President  Secretary  Executive Director**

**ACTION:  Approved  Approved w/Modifications  Denied  Continued**

**Agenda Item 11J**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

**TITLE: Agenda Item 11K 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:**

**K. Complaint 17-09S (Dr. Lurie)**

**RECOMMENDED MOTION: No recommendation.**

**PREPARED BY: Ben Lurie, DC**

**MEETING DATE: July 14, 2017**

**TIME REQUIRED: 5 minutes**

**BACKGROUND INFORMATION: The complainant stated that the DC billed them for services not rendered.**

**REVIEWED BY:  President  Secretary  Executive Director**

**ACTION:  Approved  Approved w/Modifications  Denied  Continued**

**Agenda Item 11K**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

**TITLE: Agenda Item 11L 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:**

**L. Complaint 17-10S (Dr. Jaeger)**

**RECOMMENDED MOTION: No recommendation.**

**PREPARED BY: Jason O. Jaeger, DC**

**MEETING DATE: July 14, 2017**

**TIME REQUIRED: 5 minutes**

**BACKGROUND INFORMATION: The complainant stated that while they were on vacation with the DC the DC became intoxicated and very abusive. The complainant was taken to the hospital for injuries.**

**REVIEWED BY:  President  Secretary  Executive Director**

**ACTION:  Approved  Approved w/Modifications  Denied  Continued**

**Agenda Item 11L**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 11M** 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:

**M. Complaint 17-11S (Dr. Colucci)**

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Maggie Colucci, DC**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION: **The complainant stated that the DC does not use sanitary measures in their office.**

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued

**Agenda Item 11M**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

**TITLE: Agenda Item 11N 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:**

**N. Complaint 17-12S (Dr. Colucci)**

**RECOMMENDED MOTION: No recommendation.**

**PREPARED BY: Maggie Colucci, DC**

**MEETING DATE: July 14, 2017**

**TIME REQUIRED: 5 minutes**

**BACKGROUND INFORMATION: The complainant alleges that two DC's are practicing outside the scope of chiropractic.**

**REVIEWED BY:  President  Secretary  Executive Director**

**ACTION:  Approved  Approved w/Modifications  Denied  Continued**

**Agenda Item 11N**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 11O** 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:

**O. Complaint 17-13S (Dr. Rovetti)**

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Morgan Rovetti, DC**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION: **This is an advertising complaint that failed to identify the chiropractor and allegedly provided misleading information.**

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued

**Agenda Item 11O**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

**TITLE: Agenda Item 11P 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:**

**P. Complaint 17-14S (Dr. Martinez)**

**RECOMMENDED MOTION: No recommendation.**

**PREPARED BY: Xavier Martinez, DC**

**MEETING DATE: July 14, 2017**

**TIME REQUIRED: 5 minutes**

**BACKGROUND INFORMATION: The complainant alleges that the DC caused injury to their ribs and fabricated information about them.**

**REVIEWED BY:  President  Secretary  Executive Director**

**ACTION:  Approved  Approved w/Modifications  Denied  Continued**

**Agenda Item 11P**



**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

**TITLE: Agenda Item 11Q 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:**

**Q. Complaint 17-15S (Dr. Rovetti)**

**RECOMMENDED MOTION: No recommendation.**

**PREPARED BY: Morgan Rovetti, DC**

**MEETING DATE: July 14, 2017**

**TIME REQUIRED: 5 minutes**

**BACKGROUND INFORMATION:** The complainant alleges false or misleading advertisement since the infrared therapy failed to alleviate their neuropathy pain.

**REVIEWED BY:**  President  Secretary  Executive Director

**ACTION:**  Approved  Approved w/Modifications  Denied  Continued

**Agenda Item 11Q**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

**TITLE: Agenda Item 11R 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:**

**R. Complaint 17-16S (Dr. Jaeger)**

**RECOMMENDED MOTION: No recommendation**

**PREPARED BY: Jason O. Jaeger, DC**

**MEETING DATE: July 14, 2017**

**TIME REQUIRED: 5 minutes**

**BACKGROUND INFORMATION: The complainant stated they were referred to the DC for shoulder pain. The complainant alleges that the DC ignored the intake assessment, and the patient's explanation for the visit and provided an alternate method of treatment that injured his back and has left him in pain.**

**REVIEWED BY:  President  Secretary  Executive Director**

**ACTION:  Approved  Approved w/Modifications  Denied  Continued**

**Agenda Item 11R**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

**TITLE: Agenda Item 11S 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:**

**S. Complaint 17-17N (Dr. Rovetti)**

**RECOMMENDED MOTION: No recommendation.**

**PREPARED BY: Morgan Rovetti, DC**

**MEETING DATE: July 14, 2017**

**TIME REQUIRED: 5 minutes**

**BACKGROUND INFORMATION: Following five years of the CA's employment the DC alleged that the CA was embezzling funds from the practice. The DC notified the Board and filed a police report.**

**REVIEWED BY:  President  Secretary  Executive Director**

**ACTION:  Approved  Approved w/Modifications  Denied  Continued**

**Agenda Item 11S**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

**TITLE: Agenda Item 11T 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:**

**T. Complaint 17-18S (Dr. Jaeger)**

**RECOMMENDED MOTION: No recommendation**

**PREPARED BY: Jason O. Jaeger, DC**

**MEETING DATE: July 14, 2017**

**TIME REQUIRED: 5 minutes**

**BACKGROUND INFORMATION: The complainant alleges unprofessional conduct and possible over-billing.**

**REVIEWED BY:  President  Secretary  Executive Director**

**ACTION:  Approved  Approved w/Modifications  Denied  Continued**

**Agenda Item 11T**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

**TITLE: Agenda Item 11U 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:**

**U. Complaint 17-19S (Dr. Lurie)**

**RECOMMENDED MOTION: No recommendation.**

**PREPARED BY: Ben Lurie, DC**

**MEETING DATE: July 14, 2017**

**TIME REQUIRED: 5 minutes**

**BACKGROUND INFORMATION: The complainant stated that a DC is using another DC's practice address in their advertisements.**

**REVIEWED BY:  President  Secretary  Executive Director**

**ACTION:  Approved  Approved w/Modifications  Denied  Continued**

**Agenda Item 11U**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 12** Committee Reports - For possible action

- A. Continuing Education Committee (Dr. Martinez) – No action**
- B. Legislative Committee (Dr. Lurie) – No action**
- C. Preceptorship Committee (Dr. Rovetti) – No action**
- D. Test Committee (Dr. Colucci) – For possible action**

RECOMMENDED MOTION: **No recommendation**

PRESENTED BY: **Ben Lurie, DC**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION: **The Committee Chairs will report on their committee's activities since the last meeting.**

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 13** – 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. DC Self-Inspection – No action**

RECOMMENDED MOTION: **Non-Action item.**

PRESENTED BY: **Julie Strandberg**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION:

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued

## STATUS OF PENDING COMPLAINTS – July 14, 2017

<u>Complaint No.</u>	<u>Date Received</u>	<u>Investigator</u>	<u>Nature of Complaint</u>	<u>Current Status</u>	<u>Costs To Date</u>
16-08S	8/31/2016	Jaeger	Alleged malpractice/misconduct	Under investigation	
16-11S	9/7/2016	Colucci	Erroneous records and billings	Under investigation	
16-12S	10/12/2016	Colucci	Valid use of MRI machine	Under investigation	
16-13S	10/20/2016	Lurie	Possible sexual misconduct,	Under investigation	
17-02S	1/13/2017	Lurie	634.227-Treating without a license	Under investigation	
17-04N	2/22/2017	Rovetti	Failure to report malpractice claim	Under investigation	
17-05N	2/22/2017	Jaeger	Alleged malpractice	Under investigation	
17-06S	2/23/2017	Lurie	Allegedly billing for services not rendered	Under investigation	
17-07S	2/27/2017	Jaeger	Alleged misconduct and employing any person as a CA unless issued a certificate or has applied for a certificate	Under investigation	
17-08S	3/3/2017	Lurie	Alleged misconduct	Under investigation	
17-09S	3/13/171	Lurie	Allegedly billing for services not rendered	Under investigation	
17-10S	4/3/2017	Jaeger	Alleged unprofessional conduct	Under investigation	
17-11S	4/10/2017	Colucci	Alleged unsanitary measures	Under investigation	
17-12S	4/27/2017	Jaeger	Alleged unprofessional conduct	Under investigation	
17-13S	4/25/2017	Rovetti	Advertising complaint	Under investigation	
17-14S	5/26/2017	Martinez	Alleged unprofessional conduct	Under investigation	
17-15S	6/12/2017	Rovetti	Alleged false or misleading advertisement	Under investigation	



<b>Complaint No.</b>	<b>Date Received</b>	<b>Investigator</b>	<b>Nature of Complaint</b>	<b>Current Status</b>	<b>Costs To Date</b>
17-16S	6/15/2017	Jaeger	Alleged malpractice.	Under investigation	
17-17N	6/19/2017	Rovetti	CA embezzled funds from the DC's practice.	Under investigation	
17-18S	6/21/2017	Jaeger	Alleged unprofessional conduct and over-billing	Under investigation	
17-19S	6/22/2017	Lurie	Alleged unprofessional conduct	Under investigation	
<b>DORMANT COMPLAINTS:</b>					
11-23S	11/7/2011	Rovetti	Unredeemable "nsf" check written on Doctor's business account	To be held in abeyance; to be addressed if the licensee requests reinstatement in the future	
13-23N	9/30/2013	Rovetti	Possible malpractice	To be held in abeyance; to be addressed if the licensee requests reinstatement in the future	

**STATUS OF CURRENT DISCIPLINARY ACTIONS at June 30, 2017**

**Disciplinary Action with Probation**

**1. Alan Bader, DC, License No. 567**

On April 21, 2017 Dr. Bader entered into a Settlement Agreement and Order with the Board. Dr. Bader will be on probation for two years with a practice monitor who will assure compliance with the terms and conditions of the settlement agreement. Dr. Bader shall take and pass the Ethics and Boundaries exam as well as the Nevada jurisprudence examination. Dr. Bader shall take and pass four hours of continuing education relating to ethics and boundaries and four hours related to the making and keeping of patient records. Dr. Bader was ordered to pay a fine in the amount of \$5,000.00 and the Boards' costs in the amount of \$1,629.80, which was satisfied on May 17, 2017. Dr. Bader is in compliance with the Board Order.

**2. Daniel Brady, DC, License No. B1391**

By Settlement Agreement, Dr. Brady shall comply with all terms and conditions of the California Board's Decision and Order dated April 24, 2012 (eff. May 24, 2012) which placed him on probation for five years with certain terms and conditions. He reimbursed the Board's \$325.00 costs on November 12, 2012 and passed the Board's jurisprudence examination with a score of 81%. **Dr. Brady returned to Active status and is no longer tolling as of February 2015. He is currently in compliance with the requirements of his probation.**

**3. Timothy Francis, DC, License No. B309**

Pursuant to the Board Order Dr. Francis is on probation for three years effective August 21, 2015 and shall pay the costs incurred in the investigation and prosecution within the three years in the amount of **\$60,484.16**. Dr. Francis passed the Ethics and Boundaries Assessment Services (EBAS) Essay Examination on October 22, 2015 and passed the Board's jurisprudence exam on October 9, 2015. Dr. Francis submitted the written correction plan to address policies, procedures, and steps he intends to take regarding teaching and chiropractic practices to assure that he maintains proper and distinct professional boundaries between his students, his mentees, his personal friends, his paramours, and his patients, which is in the process of review and approval. The IBM may speak to Dr. Francis at his discretion to ensure Dr. Francis is following the correction plan that was agreed to.

**4. Casey D. Robinson, DC, License No. B1263**

Dr. Robinson was granted a license on September 14, 2007 under the condition that he comply with all of the terms and conditions of his Agreement on Conditions for Licensure with California and monitoring of his practice by Board-appointed Compliance Monitor, Dr. Jeff Andrews. Dr. Robinson's 5-year probation with California commenced on February 14, 2006. He was required to reimburse the California Board's costs of \$3,103.75 and serve 4 hours per month of community service for 2-1/2 years of his probation. It was subsequently determined that Dr. Robinson did not comply with the terms and conditions of his agreement with California. This was addressed at the June 4, 2011 meeting and a new Agreed Settlement was approved that extends his probation for another five years concurrent with and under the same terms and conditions as his settlement agreement with California. **Dr. Robinson was placed in tolling status effective November 18, 2015 and has a five year tolling limit. Dr. Robinson is current and in compliance with the terms and conditions of his California probation per the California Board.**

**5. Paul Rovetti, DC, License No. B328**

On April 7, 2016 the Board ordered Dr. Rovetti's license be suspended for three months, but the suspension shall be stayed pending successful completion of the following terms: The term of probation

shall be from the effective date of this Order until December 31, 2018. Take and pass the Board's jurisprudence exam and the EBAS within 90 days of the effective date of this Order. Provide written evidence of completion of at least 4.5 hours of continuing education every 90 days throughout the period of probation. Pay the Boards' fees and costs totaling \$1,718.90 and pay a fine of \$1,000.00. Dr. Rovetti's failure to comply with the Board's order within 90 days has resulted in suspension of his license effective July 28, 2016.

**6. Mark Rubin, DC, License No. B753**

On September 10, 2016 Dr. Rubin entered into a Settlement Agreement and Order with the Board. Dr. Rubin will be on probation for three years with a practice monitor who will assure compliance with the terms and conditions of the settlement agreement. Dr. Rubin shall provide documentation as noted in the Settlement Agreement and Order to the Investigating Board Member within the time frames identified. Dr. Rubin was ordered to pay a fine and the Boards' costs in the amount of \$4,000.00. Dr. Rubin's failure to comply with the Boards' order has resulted in suspension of his license effective April 17, 2017.

**Disciplinary Actions with No Probation**

**7. Francis Raines, DC, License No. B0187**

Under the March 12, 2013 Board Order, Dr. Raines shall be monitored by the Investigating Board Member, a chiropractic physician, and a mental health monitor for 24 months from the date he begins practicing, which occurred on December 8, 2015. Dr. Raines' wife is serving as the business and financial manager and is currently the only employee. Dr. Raines was ordered to pay a fine in the amount of \$20,000.00 and has been making monthly payments of \$75.00 per month since May 30, 2013 and continues to do so. **The current balance is \$16,921.00.** Dr. Raines is in compliance with the terms of the Order.

**8. Heriberto "Eddie" Soltero, NVMT.3862**

Under the December 8, 2015 settlement agreement, Mr. Soltero was found in violation of performing chiropractic without a valid license. Mr. Soltero shall pay a fine totaling \$500 and pay board costs totaling \$2,295.55. Mr. Soltero is making monthly payments in excess of the agreed upon \$100.00 per month. **The current balance is \$695.55.**

**Probation Only**

**1. Bret Brown, DC, License No. B01639**

The Board approved Dr. Brown's application for DC licensure at the January 13, 2017 meeting subject to the following conditions: #1 Take and pass the Ethics & Boundaries Examination and #2 pay a fine in the amount of \$1,500.00. Upon successfully completing #1 and #2 Dr. Brown shall take and pass the Nevada jurisprudence exam, which have been completed. Dr. Brown was granted his license on February 28, 2017 under the condition that his license be on probation and he will have a practice monitor for three years effective February 28, 2017. Dr. Brown must submit twelve hours of continuing education related to chiropractic ethics and boundary issues by December 1, 2017. Dr. Brown may be asked to provide lab testing and must provide the requested sample within four hours of any such request. Failure to comply with any term of this probation shall result in the automatic suspension of Dr. Brown's license. Upon complying his license will automatically be reinstated. Dr. Brown is in compliance with this order.

**CHIROPRACTIC PHYSICIANS' BOARD****Legal/Investigatory Costs**

<b>Costs Incurred</b>	<b>Since Last Report March 30, 2017</b>	<b>Year-To-Date Fiscal Year 2017/2018</b>
Advantage Group	1,233.40	2,395.60
Attorney General	-	370.45
Sub-Total	1,233.40	2,766.05
Staff Attorney	1,157.00	9,136.00
<b>Total</b>	<b>\$ 2,390.40</b>	<b>\$ 11,902.05</b>

<b>Costs Reimbursed</b>		
Alan Bader, DC	\$ 1,629.80	\$ 1,629.80
Stacy Bone-Rapp, DC	\$ 130.00	\$ 130.00
Timothy Francis, DC	-0-	\$ -
Heriberto "Eddie Soltero	\$ 300.00	\$ 1,700.00
Paul Rovetti, DC	-0-	\$ -
Mark Rubin, DC	-0-	\$ 500.00
<b>Totals</b>	<b>\$ 2,059.80</b>	<b>\$ 3,959.80</b>

<b>No Activity</b>		
Corazon Murillo, DC	-0-	\$ 10,024.21
Obteen Nassiri, DC	-0-	\$ 114,614.24
	<b>\$ -</b>	<b>\$ 124,638.45</b>

<b>Deemed Uncollectible</b>	<b>Date Assessed</b>	<b>Amount Due</b>
<u>Assigned to the State Controller for collection 4/1/10:</u>		
Verl Bel	7/16/2009	\$ 14,240.00
David Buanno	6/27/2008	\$ 19,439.00
James T. Overland, Jr.	8/1/2007	\$ 64,427.36
Sub-Total		\$ 98,106.36
<u>Assigned to the State Controller for collection 12/14/11:</u>		
Charles Musich	3/13/2009	\$ 3,757.34
Reginald Profant	9/11/2009	\$ 4,843.11
Sub-Total		\$ 8,600.45
<b>Total assigned to the State Controller for collection</b>		<b>106,706.81</b>

Debt Written Off @ 6/30/13		
Edward Johnson, DC (deceased)	\$	28,653.56

**2017 Self - Inspection Report**

Mailed Self-Inspection to Actively Licensed DC's	637
Total Received as of 6/30/17	<b>603</b>
Percent Received	95%

Certified letters mailed to the supervising DC

Expired CA detected	0
Reinstated	0
Non-Certified CA's detected	7
Applied	5
Non-Licensed NVMT detected	5
Reinstated	2

\* Verified email addresses

\* Verified CA's reported in GL Suites under each DC coincided with the Self-Inspection.

\* Approximately 25 emails sent to DC's to confirm accurate information, i.e. CA termination date

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 14 Financial Status Reports– No action**

- A. Current cash position & projections**
- B. Accounts Receivable Summary**
- C. Accounts Payable Summary**
- D. Employee Accrued Compensation**
- E. Income/Expense Actual to Budget Comparison as of May 30, 2017**

RECOMMENDED MOTION: **Non-Action item.**

PRESENTED BY: **Julie Strandberg**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION:

REVIEWED BY:   X   President   X   Secretary   X   Executive Director

ACTION:        Approved        Approved w/Modifications        Denied        Continued

**CHIROPRACTIC PHYSICIANS' BOARD  
BANK BALANCE REPORT  
As of May 31, 2017**

**AGENDA ITEM 14A**

CHECKING ACCOUNT	149,224.88
SAVINGS ACCOUNT(S)	260,240.52
Paypal	0.00
<b>Total Cash Balance @ 05/31/17</b>	<b>\$409,465.40</b>

**ACCOUNTS RECEIVABLE SUMMARY AS OF May 31, 2017**

A/R	125.00
Fines	19,921.00
Cost Reimbursements	64,798.61
<b>Total A/R</b>	<b>\$84,844.61</b>

**ACCOUNTS PAYABLE SUMMARY  
As of May 31, 2017**

**AGENDA ITEM 14C**

State Treasurer - Fines collected/payable	20,579.00
<b>Total Accounts Payable</b>	<b>\$ 20,579.00</b>

**Extraordinary Items**

**\*Employee Accrued Compensation as of 05/31/17**

	Vacation Hours	Sick-Leave Hours	Comp-Time Hours
Julie Standberg	115.32	827.97	-
Brett Canady	25.50	3.00	-

**Chiropractic Physicians' Board of Nevada**  
**Income/Expense Report To Budget - CASH BASIS**  
**For the Period Ending May 31, 2017**

	(Over) / Under Budget	Actual July 1, 2016 thru May 31, 2017		Variance
<b>Revenue</b>				
License & Fees	-	486,600.25	488,750.00	2,149.75
Application & Fees	-	25,730.00	26,450.00	720.00
Interest/Gain Loss on Invest	-	1,589.94	1,200.00	(389.94)
Exam Fees	-	11,453.00	9,375.00	(2,078.00)
Reinstatement Fees	-	10,250.04	7,500.00	(2,750.04)
Miscellaneous	-	24,247.46	22,125.00	(2,122.46)
Reimbursement Income	-	3,459.80	12,582.00	9,122.20
<b>TOTAL REVENUE</b>	<b>\$ -</b>	<b>\$ 563,330.49</b>	<b>\$ 567,982.00</b>	<b>4,651.51</b>
<b>Expenses</b>				
Background Checks	-	6,739.75	7,000.00	260.25
Banking Expenses	-	18,102.91	4,000.00	(14,102.91)
Dues & Registration	-	4,090.39	4,000.00	(90.39)
Equipment Repair	-	-	-	-
COMPUTER: Equipment/Software/Websites	-	15,627.97	12,500.00	(3,127.97)
Insurance	-	1,043.98	1,500.00	456.02
Legal & Professional	-	40,161.50	59,800.00	19,638.50
Operating Supplies	-	2,860.31	4,000.00	1,139.69
Printing & Copying	-	3,253.47	3,500.00	246.53
Postage	-	4,714.66	5,000.00	285.34
Casual Labor - Clerical	-	0.00	4,000.00	4,000.00
Personnel				
Office Salaries	-	133,956.88	170,000.00	36,043.12
Board Salaries	-	3,150.00	10,000.00	6,850.00
Workman's Compensation	-	1,946.00	5,750.00	3,804.00
Retirement - PERS	-	18,520.00	21,810.00	3,290.00
Employee Insurance - PEBP	-	19,374.39	21,818.00	2,443.61
Unemployment	-	2,263.35	4,550.00	2,286.65
Medicare & Social Security	-	3,239.61	10,002.00	6,762.39
Payroll Processing	-	453.89	162.00	(291.89)
Rent	-	14,788.21	13,937.00	(851.21)
Telephone	-	1,837.52	4,000.00	2,162.48
Travel				
In State	-	4,793.05	10,000.00	5,206.95
Out State	-	4,077.40	10,000.00	5,922.60
<b>TOTAL EXPENSES</b>	<b>\$ -</b>	<b>\$ 304,995.24</b>	<b>\$ 387,329.00</b>	<b>\$ 82,333.76</b>
<b>NET RESULT</b>	<b>\$ -</b>	<b>\$ 258,335.25</b>	<b>\$ 180,653.00</b>	
<b>BEGINNING CASH BALANCE 07/01/16</b>		<b>144,738.94</b>		
<b>NET OPERATING RESULT</b>		<b>403,074.19</b>		
Equipment Purchases			1,000.00	



Chiropractic Physicians' Board of Nevada  
Income/Expense Report - CASH BASIS  
For the Period July 1, 2016 thru May 31, 2017

**AGENDA ITEM 14E**

	Actual July 1, 2016 thru May 31, 2017	Actual July 1, 2015 thru May 31, 2016
<b>Revenue</b>		
License & Fees	486,600.25	38,960.00
Application & Fees	25,730.00	27,736.75
Interest/Gain Loss on Invest	1,589.94	808.04
Exam Fees	11,453.00	10,351.75
Reinstatement Fees	10,250.04	5,060.00
Miscellaneous	24,247.46	18,742.18
Reimbursement Income	3,459.80	258.42
<b>TOTAL REVENUE</b>	<b>\$ 563,330.49</b>	<b>\$ 101,917.14</b>
<b>Expenses</b>		
Background Checks	6,739.75	6,159.75
Banking Expenses	18,102.91	4,123.78
Dues & Registration	4,090.39	3,122.47
Equipment Repair	-	-
COMPUTER: Equipment/Software/Websites	15,627.97	15,208.20
Insurance	1,043.98	1,041.03
Legal & Professional	40,161.50	60,289.38
Operating Supplies	2,860.31	1,770.95
Printing & Copying	3,253.47	3,468.78
Postage	4,714.66	4,138.52
Casual Labor - Clerical	-	-
Personnel	-	-
Office Salaries	133,956.88	138,453.01
Board Salaries	3,150.00	5,413.65
Workman's Compensation	1,946.00	1,404.66
Retirement - PERS	18,520.00	16,517.96
Employee Insurance - PEBP	19,374.39	15,936.06
Unemployment	2,263.35	2,352.87
Medicare & Social Security	3,239.61	3,610.72
Payroll Processing	453.89	404.59
Rent	14,788.21	14,383.55
Telephone	1,837.52	1,894.58
Travel	-	-
In State	4,793.05	8,350.58
Out State	4,077.40	2,760.27
<b>TOTAL EXPENSES</b>	<b>\$ 304,995.24</b>	<b>\$ 310,805.36</b>
<b>NET RESULT</b>	<b>\$ 258,335.25</b>	<b>\$ (208,888.22)</b>
<b>BEGINNING CASH BALANCE 07/01/16</b>	<b>144,738.94</b>	
<b>NET OPERATING RESULT</b>	<b>403,074.19</b>	

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 15** Chiropractors Assistant Application – For possible action

RECOMMENDED MOTION: **No recommendation.**

PRESENTED BY: **Julie Strandberg**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION: **Due to the number of CA applications received by the Board with questions #3 and #4 being misunderstood or answered incorrectly there was discussion at the April 21, 2017 meeting to revise these questions. Please see the attached recommendations.**

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued

**Agenda Item 15**

2" x 2"  
Photo Here

4600 KIETZKE LANE, SUITE M-245  
RENO, NEVADA 89502  
(775) 688-1921

# DO NOT FAX APPLICATIONS

## APPLICATION FOR CERTIFICATION OF CHIROPRACTOR'S ASSISTANT

<b>THE FOLLOWING MUST ACCOMPANY THIS APPLICATION:</b>	
1	\$136.25 Check, Money Order or Pay by Phone with Credit Card
2	One (1) completed fingerprint cards
3	Signed and dated civil applicant waiver form
4	A recent passport-type photograph

**PLEASE NOTE:** Failure to answer ALL questions completely and truthfully will result in denial of this application.  
**FEES ARE NOT REFUNDABLE.**

<b>TYPE OR PRINT ONLY:</b>					
LAST	FIRST	MIDDLE	WORK EMAIL:	SEX: ___M ___F	
CURRENT RESIDENCE ADDRESS					
CITY/STATE/ZIP				TELEPHONE	
SOCIAL SECURITY NUMBER	DATE OF BIRTH	US CITIZEN?	YES	NO	BIRTH PLACE

<b>TWO PERSONAL REFERENCES OF AT LEAST FIVE (5) YEARS ACQUAINTANCE:</b>	
NAME	
ADDRESS	
CITY/STATE/ZIP	TELEPHONE
NAME	
ADDRESS	
CITY/STATE/ZIP	TELEPHONE

<b>CURRENT EMPLOYER:</b>	
EMPLOYER'S NAME	
EMPLOYER'S ADDRESS	
CITY/STATE/ZIP	EMPLOYER'S PHONE & FAX

1. List all states where you have ever applied for certification as a Chiropractor's Assistant, the result of each application, and the current status of each application:

---

2. If you have ever been certified as a Chiropractor's Assistant in any other state are you now or have you ever been the subject of a proceeding to discharge, dismiss or discipline you or any other proceeding of a like nature:

\_\_\_\_\_ YES \_\_\_\_\_ NO      If yes, name the state and give disposition of charges:

---

---



**PLEASE READ QUESTIONS #3 & #4 CAREFULLY**

3. Have you ever been arrested for or charged with any crime other than a traffic violation (include any DUI's)? NOTE: Even if you have had records sealed and you have been told that your file has been cleared, you must report this information, including juvenile records.

\_\_\_\_\_ YES \_\_\_\_\_ NO If yes, name the state and give disposition:

\_\_\_\_\_

4. Have you ever been convicted of a crime other than a traffic violation (include any DUI's)? NOTE: Even if you have had records sealed and you have been told that your file has been cleared, you must report this information, including juvenile records.

\_\_\_\_\_ YES \_\_\_\_\_ NO If yes, name the state and give disposition:

\_\_\_\_\_

5. Have you ever defaulted on a HEAL (Health Education Assistance Loan)?

\_\_\_\_\_ YES \_\_\_\_\_ NO If yes, give details and current status:

\_\_\_\_\_

6. Have you ever been drug or alcohol dependent and/or enrolled in a drug or alcohol rehabilitation program?

\_\_\_\_\_ YES \_\_\_\_\_ NO If yes, give details and current status:

\_\_\_\_\_

7. Have you ever served in the military? Yes \_\_\_\_\_ No \_\_\_\_\_ Dates of Service: From \_\_\_\_\_ To \_\_\_\_\_

Branch(es) of Service \_\_\_\_\_

8. Please mark the appropriate response regarding child support - **even if you have no children** (FAILURE TO MARK ONE OF THE BOXES BELOW WILL RESULT IN DENIAL OF THE APPLICATION):

I AM NOT subject to a court order for the support of a child or children.

I AM subject to a court order for the support of one or more children and I AM in compliance with the order or I AM in compliance with a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

I AM subject to a court order for the support of one or more children and AM NOT in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

9. Regarding **child abuse**, the following block **MUST BE READ AND INITIALED:**

Initial Here	Date	I have been informed that I am required by law to report the abuse or neglect of a child to an agency that provides child welfare services or to a law enforcement agency no later than 24 hours after I knew or had reasonable cause to believe the child has been abused or neglected.

CERTIFICATION OF CHIROPRACTOR'S ASSISTANT TRAINING	
EMPLOYER/SUPERVISING DC:	DATE OF HIRE
ADDRESS	
CITY/STATE/ZIP	TELEPHONE

**INDICATE PREVIOUS TRAINING OR CERTIFICATION:**

1.  FORMAL PROGRAM **(TRANSCRIPT MUST BE SENT FROM SCHOOL)**

SCHOOL ATTENDED:

DATES ATTENDED: FROM \_\_\_\_\_ THROUGH \_\_\_\_\_ TOTAL NUMBER OF CLASSROOM HOURS ATTENDED: \_\_\_\_\_

**IF YOU HAVE ALREADY RECEIVED FORMAL TRAINING AS A CHIROPRACTOR'S ASSISTANT AND COMPLETED NO. 1, SKIP NOS. 2 AND 3 AND SIGN AT THE BOTTOM OF THIS PAGE IN THE PRESENCE OF A NOTARY.**

**NOTE: TO APPLICANTS WHO ARE APPLYING FOR CERTIFICATION UNDER THE PROVISION FOR ON-THE-JOB TRAINING - APPLICATIONS MUST BE SUBMITTED WITHIN 15 DAYS OF BEGINNING OF TRAINING.**

2.  ON-THE-JOB TRAINING IN CHIROPRACTIC FACILITY

3.  ON-THE-JOB TRAINING IN A HEALTH CARE FACILITY OTHER THAN CHIROPRACTIC

**IF 2 OR 3 ABOVE APPLY, PLEASE COMPLETE THE FOLLOWING:**

NAME OF PERSON RESPONSIBLE FOR YOUR TRAINING

ADDRESS

CITY/STATE/ZIP

TELEPHONE

DATES OF TRAINING: BEGINNING: \_\_\_\_\_ ENDING: \_\_\_\_\_

**AFFIDAVIT:**

The undersigned, being duly sworn under penalty of perjury, deposes and says that the statements contained herein are true, complete and correct to the best of his/her knowledge and belief; that he/she has not suppressed any information which might affect this application; that he/she has not omitted any information relevant to his/her current fitness to practice; that he/she is of good moral character and will conform to the ethical standards and conduct of the chiropractic profession; that he/she will notify the CPBN of any and all changes to the information in this application, including changes of address and that he/she has otherwise met all statutory requirements and will abide by the provisions of NRS and NAC 634 including that he/she will not perform chiropractic adjustments or any other act prohibited by NAC 634.460 and that he/she has read and understands this affidavit.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
APPLICANT'S SIGNATURE

COUNTY OF \_\_\_\_\_  
STATE OF \_\_\_\_\_

SIGNED AND SWORN TO BEFORE ME ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

ARREST QUESTION:

Have you EVER been arrested, investigated for, charged with, convicted of, or plead guilty or nolo contendere to any offense or violation of any federal; (including the Uniform Code of Military Justice), state or local law, or the laws of any foreign country, which is a misdemeanor, gross misdemeanor, felony, violation of the uniform Code of Military Justice, or synonymous thereto in a foreign jurisdiction, excluding any minor traffic offense (driving or being in control of a motor vehicle while under the influence of a chemical substance, including alcohol, is not considered a minor traffic offense), or for any offense which is related to the manufacture, distribution, prescribing, or dispensing of controlled substances? \*Please note that you MUST disclose ANY investigation or arrest, including those where the final disposition was dismissal, or expungement.

If Yes, you must submit the following:

1. A detailed letter of explanation
2. Copies of court documents, including the actual conviction, sentence, and current status of sentence (i.e. all fines paid in full, completion letter from Parole and Probation Officer, etc.) or a letter/form from the court indicating no records are available.

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 16 NCA Report – No action**

RECOMMENDED MOTION: **Non-Action item.**

PRESENTED BY: **James Overland, DC**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION:

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 17** NCC Report – No action

RECOMMENDED MOTION: **Non-Action item.**

PRESENTED BY: **To Be Determined**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION:

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued

**Agenda Item 17**



**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 18 Correspondence Report – No action**

RECOMMENDED MOTION: **Non-Action item.**

PREPARED BY: **Ben Lurie, DC**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION:

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued

## Julie Strandberg

---

**From:** Benjamin S. Lurie  
**Sent:** Thursday, June 29, 2017 7:41 AM  
**To:** Julie Strandberg  
**Subject:** Fwd: LEGISLATIVE REPORT FOR 2017

Dr. Benjamin S. Lurie  
Chiropractic Physician  
President - Chiropractic Physicians Board of Nevada  
4600 Kietzke Lane, Suite M-245  
Reno, NV 89502  
(O) 775-688-1921  
(F) 775-688-1920  
(C) 702-236-8500  
Email: [DrLurie@chirobd.nv.gov](mailto:DrLurie@chirobd.nv.gov)  
Web: [chirobd.nv.gov](http://chirobd.nv.gov)  
Sent from my iPhone. Please pardon any typos.

Begin forwarded message:

**From:** Nevada Chiropractic Association <[nvchiroassoc@cs.com](mailto:nvchiroassoc@cs.com)>  
**Date:** June 26, 2017 at 4:45:58 PM PDT  
**To:** [drbenjaminlurie@neckandback.org](mailto:drbenjaminlurie@neckandback.org)  
**Subject:** LEGISLATIVE REPORT FOR 2017  
**Reply-To:** [nvchiroassoc@cs.com](mailto:nvchiroassoc@cs.com)



June 26, 2017  
To all Nevada Chiropractors and Chiropractic Assistants:

I am pleased to send you the NCA's 2017 Legislative Report.

As you will read in Ms. Marlene Lockhart's comprehensive report, the NCA was able to successfully navigate this session with great results.

The NCA is grateful to have such a fine lobbyist as Ms. Lockhart. She has been our lobbyist for the past four sessions.

In my 20 plus years practicing in Nevada and the past 10 years on the NCA's Board of Directors, I feel this has been our most successful legislative session I have witnessed and participated in. While the NCA did not have a bill, the efforts spent along with the CPBN, specifically Dr. Ben Lurie and our lobbyists, we distinguished the efforts of the Physical Therapy Association's attempt to have all PT's being given the authorization to perform Grade V mobilization with a thrust (our Adjustment). I also would like to thank all who sent emails and letters to the Labor and Commerce, Committee members.

While this would have been devastating to our Scope of Practice, it would have been the first state in our nation to succumb to the PT's national goal of wanting to perform the Grade V procedure. Without the intervention of the NCA, I truly feel their bill would have had a good possibility of passing. They had considerable support within the Legislature. This fight is far from over.

I would like to thank the countless numbers of DC's who reached out acknowledging our success. To those and all others, we are, and should be a united profession, not only in Nevada but nationwide.

Respectfully,

James T. Overland, Sr., D.C., M.S., DABFP, FACO  
NCA President

---

**NEVADA CHIROPRACTIC ASSOCIATION  
LEGISLATIVE WRAP UP  
Marlene Lockard, Lobbyist**

The 2017 Legislature adjourned sine die on June 5<sup>th</sup>. During the course of the session, On behalf of the NCA, I tracked and monitored over 25 bills that would potentially affect the Chiropractic profession. Below is a list of significant bills that passed and a few that did not. Often, the most successful session can be the one where a good defense wins the day. That is true of this session since clearly our biggest success was our ability to stave off a significant movement to encroach upon our profession's scope of practice. However, acting proactively on behalf of the NCA, I am very pleased to report to you that I was able to position the NCA to be an important participant in development of the next phase of the Governor's Opiod Agenda.

## **GOVERNOR'S OPIOID AGENDA**

- The Governor successfully passed AB 474 which implemented several recommendations of Track 1 from the Governor's Prescription Drug Abuse Summit. The passage of this important legislation now paves the way for Track 2: Treatment Options & Third-Party Payers. I was able to interact and have have extensive discussions with the Governor's key staff for this project. I have been assured that we will be included in the development and implementation of this next phase whose initial recommendations include:

- Coverage for Non-Opioid Pain Management Therapies: Non-opioid pain management therapies have been identified as viable strategies for the management of chronic pain.

Non-opioid therapy options identified include Chiropractic among others.

- A wide range of non-opioid treatment options should be made available to meet the unique needs of each patient and if prioritized, Chiropractic is at the top of the list.
- Non-traditional providers need to have a mechanism to be Medicaid eligible for service reimbursement.

I will continue our work with the Governor's office and the Insurance Commissioner and will inform you of developments as they occur.

### **LEGISLATION:**

#### **AB 179**

- Massage Therapist bill. I was able to successfully work with the sponsors of the bill to amend out portions that we felt conflicted with our scope of practice.

#### **AB 328**

- Professional Licensing Board - Requires regulatory boards to comply with administrative procedures.

- This bill prohibits an attorney from being employed as legal counsel by more than one regulatory body
- Requires an attorney who contracts with a regulatory body to act as legal counsel as an independent contractor to carry a policy of professional liability insurance
- Prohibits a person from being employed as an executive director or executive secretary by more than one regulatory body and requires a person employed by a regulatory body as an executive director or executive secretary to be a resident of this State
- Requires the Department of Administration to adopt regulations that establish standards for the financial operation and administration of regulatory bodies

#### **AB 456**

- Chiropractic Board bill - failed deadline. I worked in concert with the Board's lobbyists in an unsuccessful effort to amend their language into another bill.

**AB 458**

- Workers' Compensation - Fixes court rulings that adversely affected the workers' compensation system and streamlines the claim process

- Resolves an issue of the C-4 form to conform to a recommendation from the Court of Appeals
- Allows a second opinion for an independent medical examination for claimants if there is a dispute
- Allows for a claimant to have a say in which vocational counselor he or she can select
- Raises from \$300 to \$800 for small claims to close administratively
- Stronger and clearer definitions for all parties when defining "retirement"
- Clarifies calculation of permanent partial disability evaluations and the way benefits are awarded
- Puts policy determination into statute that a person can take up to 30 percent of his PPD award in a lump sum
- Streamlines calculations of lump sum PPD benefits specifying the mortality table to be used and requires DIR to update these tables on July 1 of each year, allowing claimants to get the present value of their PPDs

**SB 219**

- Requires licenses before performing radiologic imaging. I worked with the bill sponsors to amend the bill exempting Chiropractic Assistants from this requirement. The bill ultimately failed

**SB 291**

- Health Care Records

- Requires custodian of health care records to retain the records of patients for at least 5 years
- Make relevant records available to investigators of a patient who is suspected of having operated a motor vehicle while intoxicated
- Maintain a record of information provided by a patient relating to health insurance coverage
- Provide to the Department of Corrections the health care record of an offender at the State prison.
- Make relevant records available for inspection including any records that reflect the amount charged for medical services or care provided to a patient
- Make records available for inspection by a coroner or medical examiner
- A health care records custodian who is not licensed and violates the requirements is guilty of a gross misdemeanor, a civil penalty of not more than \$5,000 may be collected for each violation as applied to a patient's entire health care record
- Authorized the Board of Medical Examiners to take possession of health care records of a licensee's patients in the event of the licensee's death, disability, incarceration or other incapacitation. The Board may provide a patient's records to the patient or the patient's subsequent provider of health care
- A licensee must provide certain disclosures to patients concerning such records.

- A physician may affix his or her signature to an uncompleted death certificate after completing the portions of the death certificate applicable to the physician

**SB 292**

- This bill would have allowed physicians traveling with a sports team for training or competition to practice medicine in the state of Nevada. We amended this bill to include Chiropractors. The bill ultimately failed the deadline.

**SB 437**

- This is the physical therapists' bill that required weeks of discussion and negotiation. The NCA was integral in removing the offensive portions of this bill that would have encroached upon Chiropractors' scope of practice.

---

Nevada Chiropractic Association, 2700 E. Lake Mead Blvd Ste #10, North Las Vegas, NV 89030

[SafeUnsubscribe™\\_drbenjaminlurie@neckandback.org](mailto:SafeUnsubscribe™_drbenjaminlurie@neckandback.org)

[Forward this email](#) | [Update Profile](#) | [About our service provider](#)

Sent by [nvchiroassoc@cs.com](mailto:nvchiroassoc@cs.com) in collaboration with

**Constant Contact** 

Try it free today

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 19 Board Member Comments – No action**

RECOMMENDED MOTION: **Non-Action item.**

PREPARED BY: **Ben Lurie, DC**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION: **Board members may comment on any topic but no action may be taken.**

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued

**Agenda Item 19**

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 20 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**

RECOMMENDED MOTION: **Non-Action item.**

PREPARED BY: **Ben Lurie, DC**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **3 minutes per person per topic**

BACKGROUND INFORMATION: **The public may speak to the Board about any topic not on the agenda but no action may be taken.**

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued

**Agenda Item 20**



**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

**AGENDA ACTION SHEET**

TITLE: **Agenda Item 21** Adjournment – For possible action

RECOMMENDED MOTION: **Adjourn the meeting.**

PRESENTED BY: **Ben Lurie, DC**

MEETING DATE: **July 14, 2017**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION: **The meeting should be formally adjourned when all matters on the agenda have been addressed.**

REVIEWED BY:  President  Secretary  Executive Director

ACTION:  Approved  Approved w/Modifications  Denied  Continued