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JOHN BERTOLDO, 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

NOTICE OF MEETING

DATE: Thursday, April 12, 2018

TIME: 8:30 a.m.

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

Nevada State Board of Dental Examiners
6010 S. Rainbow Blvd., Ste. A-1
Las Vegas, NV 89118

Board of Medical Examiners
1105 Terminal Way, Suite 301
Reno, NV 89502

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

AGENDA

Call to order - determine quorum present.

Pledge of Allegiance – Dr. Jaeger
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.

April 12, 2018 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 October 12, 2017 and the January 11, 2018 Meeting Minutes - For possible action.

Agenda Item 4 Ratification of granting of DC licenses to applicants who passed the Nevada jurisprudence examination from January to March 2018 – For possible action.

Agenda Item 5 Ratification of granting of CA certificates to applicants who passed the February 9, 2018 CA and Law examinations – For possible action.

Agenda Item 6 Legislative Matters – For possible action.

- A. Dan Musgrove Advocacy report

Agenda Item 7 Discussion/possible action regarding the Matter of Mark Rubin, DC (Note: The Board may go into closed session pursuant to NRS 241.030 to consider the character, alleged misconduct, or professional competence of the applicants.)

Agenda Item 8 Consideration, deliberation, and decision regarding request for declaratory order or an advisory opinion pursuant to NAC 634.653 from Dr. Robin Mitchell related to telehealth and licensure – For possible action.

Agenda Item 9 Board Counsel Report – No action.

Agenda Item 10 Discussion and selection of a Private Investigation firm – For possible action.

Agenda Item 11 FCLB/NBCE Matters – For possible action.

- A. Potential support for Cynthia Tays for District IV Director
- B. Other FCLB/NBCE matters

Agenda Item 12 Report on the Parker Seminar – No action.

Agenda Item 13 NCA Report – No action.

Agenda Item 14 NCC Report – No action.

Agenda Item 15 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 16-11S (Colucci)
- B. Complaint 17-04N (Rovetti)
- C. Complaint 17-05N (Jaeger)

April 12, 2018 CPBN Meeting Agenda

- D. Complaint 17-07S (Jaeger)
- E. Complaint 17-08S (Lurie)
- F. Complaint 17-12S (Colucci)
- G. Complaint 17-13S (Rovetti)
- H. Complaint 17-18S (Jaeger)
- I. Complaint 17-20S (Lurie)
- J. Complaint 17-21S (Rovetti)
- K. Complaint 17-23S (Colucci)
- L. Complaint 17-24S (Jaeger)
- M. Complaint 17-25S (Martinez)
- N. Complaint 17-26S (Colucci)
- O. Complaint 17-28S (Lurie)
- P. Complaint 17-30S (Colucci)
- Q. Complaint 17-31S (Martinez)
- R. Complaint 17-33S (Jaeger)
- S. Complaint 18-01S (Lurie)
- T. Complaint 18-02S (Outside Investigator)
- U. Complaint 18-03S (Colucci)

Agenda Item 16 Discussion of potential improvements to and best practices for Board members in the discharge of their various duties and obligations – For possible action

Agenda Item 17 Committee Reports

- A. Continuing Education Committee (Dr. Martinez) – For possible action.
- B. Legislative Committee (Dr. Jaeger) – For possible action.
- C. Preceptorship Committee (Dr. Rovetti) – For possible action.
- D. Test Committee (Dr. Lurie) - For possible action

Agenda Item 18 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 19 Discussion/possible action regarding the Matter of Alan Bader, DC (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 20 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 February 28, 2018 – No action.

Agenda Item 21 Consideration to allow electronic signatures on Board forms - For possible action.

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Agenda Item 22 Discussion/determination of DC's performing Cupping Therapy – For possible action.

Agenda Item 23 Consideration of potential additions, deletions, and/or amendments to NRS and NAC 634 – For possible action.

- A. Mandatory Self-Inspection report
- B. Fines for not meeting deadlines. i.e. Self-Inspection
- C. Fine for untimely submission of a CA's second application (NAC 634.305)
- D. Allow DC's to perform Dry Needling
- E. Automatic suspension for late renewal
- F. NBCE Parts I-IV (potential revision pursuant to CCE)

Agenda Item 24 Discuss Power poll Results – For possible action.

- A. CBD
- B. Grade V Mobilization

Agenda Item 25 Correspondence Report – No action.

Agenda Item 26 Board Member Comments – No action.

Agenda Item 27 Public Interest Comments – No action.

This portion of the meeting is open to the public to speak on any topic and may be limited to 3 minutes.

Agenda Item 28 Adjournment – For possible action.

This agenda posted April 6, 2018 at the Chiropractic Physicians' Board of Nevada, 4600 Kietzke Lane, Suite M245, Reno, Nevada 89502; Office of the Attorney General, 100 North Carson Street, Carson City, Nevada 89701; Office of the Attorney General, 555, East Washington Avenue, Las Vegas, Nevada 89101; State Library and Archives, 100 North Stewart St., Carson City, Nevada 89701; CPBN Website: <http://chirobd.nv.gov>; and Notice.nv.gov.

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

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Attention: Julie Strandberg
4600 Kietzke Lane, Suite M245
Reno, Nevada 89502

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

April 12, 2018 CPBN Meeting Agenda

or by e-mailing a request to Julie Strandberg at: 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: **Jason O. Jaeger, DC**

MEETING DATE: **April 12, 2018**

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.

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RECOMMENDED MOTION: **No recommendation.**

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

MEETING DATE: **April 12, 2018**

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 October 12, 2017 and the January 11, 2018 Meeting Minutes - For possible action.**

RECOMMENDED MOTION: **Approve the minutes of the October 12, 2017 and the January 11, 2018 meeting as drafted.**

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

MEETING DATE: **April 12, 2018**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

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NOTICE OF MEETING/HEARING

A meeting of the Chiropractic Physicians' Board was held on Thursday, January 11, 2018 at the Public Utilities Commission, Room B, 9075 W. Diablo Drive, Suite 250, Las Vegas, NV 89148.

The following Board Members were present at roll call:

Benjamin Lurie, DC, President
Maggie Colucci, DC, Vice President
Jason O. Jaeger, DC, Secretary/Treasurer
Xavier Martinez, DC, Member
Morgan Rovetti, DC, Member
John Bertoldo, Esq., Consumer Member

Also present were CPBN Counsel Louis Ling and Executive Director Julie Strandberg. Tracy DiFillippo, Esq., Consumer Member was not present at roll call.

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

Dr. Benjamin Lurie led those present in the Pledge of Allegiance. Dr. Jason Jaeger stated the purpose of the Board.

Agenda Item 1 Public Interest Comments - No action.

There was no public comment.

Agenda Item 2 Approval of agenda – For possible action.

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

Agenda Item 3 Approval of the October 12, 2017 Meeting Minutes. - For possible action.

Dr. Lurie inquired whether the motion made by Dr. Jaeger to approve to accept the modified stipulation took place. Julie Strandberg stated that she would review the minutes and Dr. Lurie stated that agenda item 3 would be tabled until the April 19, 2018 Board meeting.

Agenda Item 4 Welcome New Board Member – No action.

Dr. Lurie welcomed John Bertoldo, Esq to the Board. Mr. Bertoldo gave the Board an overview of his background.

Agenda Item 5 Ratification of granting of DC licenses to applicants who passed the examination from October to December 2017 – For possible action.

Dr. Colucci moved to approve the ratification of granting of DC licenses to those who passed the examination from October through December 2017. Dr. Jaeger seconded, and the motion passed with all in favor.

Ms. DiFillippo arrived at 9:50 a.m. and Dr. Lurie turned the Chair over to her. Ms. Sophia Long was in attendance to advise the Board in the matter of Dr. David Stella.

Agenda Item 7 Consideration/decision related to the stipulation to modify the Settlement Agreement of Dr. David Stella – 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. Stella)

Dr. Jaeger moved to go into closed session pursuant to NRS 241.033. Dr. Martinez seconded, and the motion passed with all in favor. Mr. Ling stated that the psychological report conducted by Dr. Mortillaro was provided to each Board member for review and gave the Board an overview of the terms of the settlement agreement and order that Dr. Stella was under at the time the incident before the Board occurred. Dr. Lurie gave an overview of the evaluation conducted by Dr. Mortillaro.

Dr. Jaeger moved to go out of closed session. Dr. Colucci seconded, and the motion passed with all in favor.

Dr. Jaeger made a motion that Dr. Stella pay a \$2,500 fine, \$1,000 fine for the record keeping violation, reimburse Board costs and the \$2,500.00 fee paid to Dr. Mortillaro within 30 days, follow the psychological therapy recommendations of Dr. Mortillaro, continue probation and have a practice monitor for three years, continue to have a staff member in the room while treating female patients, complete 12 hours of in-person continuing education in ethics and boundaries, Dr. Colucci seconded. Following discussion, Dr. Jaeger amended his motion to require Dr. Stella complete 8 hours of CE in Ethics and Boundaries and 4 hours in record keeping within six months. The Board agreed that if Dr. Stella has difficulty finding in-person courses within the six month time frame he can report back to the Board at its April 19, 2018 meeting. Dr. Colucci seconded, and the motion passed with all in favor.

Ms. DiFillippo turned the chair back to Dr. Lurie.

Agenda Item 9 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 welcomed Dr. Mark Rubin and his attorney, Roger Croteau. Dr. Lurie asked Dr. Rubin if he would like to go into a closed session, and Dr. Rubin declined. Dr. Lurie reviewed the timeline of events of Dr. Rubin since the signing of his Settlement Agreement and Order on September 12, 2016. Mr. Croteau described Dr. Rubin's current circumstances.

Dr. Rovetti made a motion to amend the existing Settlement Agreement and Order that Dr. Rubin apply to reinstate his license from suspended to active status, pay a minimum payment of \$50 per month towards the boards fees and costs, pay the \$1,500 fine, or in lieu of paying the fine, perform 100 hours of community service with the assistance of the Investigating Board Member. Dr. Colucci seconded. Following discussion, Dr. Rovetti amended her motion to continue the compliance monitor. Dr. Lurie requested that the motion be amended to include that Dr. Rubin appear before the board at its April 19, 2018 meeting to provide a succession plan explaining his employment status or what he has done to find employment. Dr. Rovetti accepted Dr. Lurie's

amendment. Dr. Colucci seconded, and the motion passed with all in favor. Ms. DiFillippo recused herself as the Investigating Board Member.

Agenda Item 8 Consideration/decision regarding the application for DC licensure for Braheem Zaki Tolbert, 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. Tolbert)

Dr. Lurie welcomed Dr. Braheem Tolbert and asked if he would like to go into closed session. Dr. Tolbert declined. Dr. Lurie provided an overview of Dr. Tolbert's licensure history and stated that Dr. Tolbert is before the Board pursuant to NAC 634.3475 since he voluntarily surrendered his license in the state of Virginia.

Dr. Tolbert addressed the Board with an opening statement.

Dr. Lurie opened up questioning to the Board and there was considerable discussion.

Dr. Rovetti made a motion that Dr. Tolbert undergo a psychiatric evaluation with a Board approved psychologist and take and pass the EBAS. Dr. Colucci seconded. Following discussion, Dr. Rovetti amended her motion to eliminate the EBAS. Dr. Colucci seconded. Dr. Lurie stated that the motion is to deny the application until the results of the psychological evaluation are received and Dr. Tolbert appears in front of the Board. The motion passed with all in favor, with the exception of Ms. DiFillippo, who opposed.

Agenda Item 10 PUBLIC HEARING for the adoption of a Regulation to Nevada Administrative Code Chapter 634 – For possible action.

Dr. Lurie opened up the public hearing for R064-17 and reviewed each section, taking public comment at the end of each section of NAC 634.

Dr. Lurie reviewed the revisions to Section 1. There were no Board comments and this section was approved with all in favor. Dr. Overland commented with respect to NRS, recommending that language be included to allow DC's in good standing who graduated prior to 1996 an easier process to become licensed in Nevada.

Dr. Lurie reviewed the revisions to Section 2. There were no public or board comments and this section was approved with all in favor.

Dr. Lurie reviewed the revisions to Section 3. Ms. DiFillippo stated that an electronic device is not defined as stated in Section 3. Dr. Lurie stated that the modification be made to Section 3 (3) to allow the Executive Director approve the request from an applicant to bring an electronic device to an exam rather than the Board. Section 3 was approved with all in favor.

Dr. Lurie reviewed the revisions to Section 5 and indicated that there is concern with the revisions based on discussion with the NCA and information received from Dr. David Rovetti. Dr. Overland stated that on behalf of the NCA that Section 5 (2) be removed in its totality, however Section 5(1) and (3) may remain. Following discussion, Dr. Lurie stated that the revisions to Section 5 be omitted.

Agenda Item 11 Discuss the completion of the disciplinary case in the matter of Dr. Devon Luzod – For possible action.

Mr. Ling provided the status of the Board Order in the Matter of Dr. Luzod.

Agenda Item 12 Legislative Matters – For possible action.

A. Dan Musgrove Advocacy report

Dr. Lurie stated that Mr. Musgrove provided the attached report for the Boards' information.

B. Consideration to propose dry needling

Dr. Lurie confirmed the Boards' interest to move forward with legislation to allow chiropractors to perform dry needling with valid licensure through the CPBN or the Osteopathic Board. Dr. Lurie stated that dry needling be included in the Boards' 2019 legislation proposal.

Dr. Overland stated that the NCA is also discussing to propose dry needling and Board members have reached out to other states to discuss.

C. Resubmit BDR with revisions to NRS 634 to the 2019 Legislative Session

Dr. Lurie made a motion to resubmit the revisions to NRS 634 to the 2019 Legislative session, which did not pass during the 2017 Legislative session. Dr. Jaeger seconded, and the motion passed with all in favor.

Agenda Item 13 Board Counsel Report – No action.

Mr. Ling stated that he did not have anything to report.

Agenda Item 14 Review & approval of current Investigator resumes & 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.)

A. Accept applications & schedule interviews to take place by telephone or in-person

Dr. Lurie stated that he will interview the applicants for the Investigator position and will talk to the Advantage Group to see if they would be interested in contracting with the Board to take on the investigator role. Dr. Lurie tabled this agenda item.

Agenda Item 15 FCLB/NBCE Matters – For possible action.

A. Attendance of Board Member(s) and Julie Strandberg at the FCLB Annual Conference May 2-6, 2018 in Dallas, TX

Dr. Lurie asked if any Board members were interested in attending the FCLB annual conference. Dr. Lurie made a motion to approve the attendance of Julie Strandberg. Dr. Jaeger seconded, and the motion passed with all in favor.

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

Dr. Lurie nominated himself as the FCLB voting delegate. Dr. Rovetti seconded, and the motion passed with all in favor.

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

Dr. Lurie recommended that Dr. Colucci be the alternate delegate.

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

Dr. Colucci nominated herself to be the NBCE voting delegate.

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

Dr. Lurie nominated himself to be the NBCE alternate delegate.

E. Selection of Board Member to participate in the Spring National Board Part IV Exam - May 18-20, 2018

Dr. Rovetti stated that she is interested in participating in the spring Part IV exam.

F. Selection of Board Member to participate in the Fall National Board Part IV Exam - November 9-11, 2018

Dr. Rovetti and Dr. Martinez stated that they would be interested in participating in the fall Part IV exam.

G. Selection of Board Member to participate in the National Board Part IV Test Committee meeting - June 8-9, 2018

There were no Board members available to participate.

H. Other FCLB/NBCE matters

Dr. Colucci reminded the Board that the FCLB meeting will be held May 2-6, 2018 in Dallas, TX. Dr. Lurie stated that the NBCE is continuing to work on their online testing. Mr. Ling stated that he has been participating in a group titled CBLAC through the FCLB, which is a group of Chiropractic Board attorneys, and would be interested in attending the one-day meeting. Dr. Lurie made a motion to approve Mr. Ling's attendance. Ms. DiFillippo seconded, and the motion passed with all in favor.

I. Support Dr. Benjamin Lurie for NBCE District IV Director

Dr. Jaeger made a motion to support Dr. Lurie for the District IV Director. Dr. Rovetti seconded, and the motion passed with all in favor.

Agenda Item 16 Discuss annual Board Counsel Evaluation – For possible action.

Dr. Jaeger provided the results and comments of the Boards' evaluations of Mr. Ling.

Agenda Item 17 Discuss annual staff evaluations and possible pay increase of the Executive Director & Licensing Specialist – 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. Canady)

Dr. Jaeger provided the results and comments of the Boards' evaluations of Julie Strandberg. Dr. Lurie made a motion to increase Julie Strandberg's salary by \$1,000.00. Ms. DiFillippo seconded, and the motion passed with all in favor.

The Board reviewed the evaluation and recommendation for an hourly rate increase prepared by Julie Strandberg for Brett Canady, Licensing Specialist. Dr. Lurie made a motion to approve the proposal to increase Ms. Canady's hourly rate to \$17.75. Ms. DiFillippo seconded, and the motion passed with all in favor.

Agenda Item 21 NCC Report – No action.

Dr. Stephanie Youngblood, President of the NCC and Michele Cane, Media Specialist were in attendance on behalf of the NCC. Dr. Youngblood stated that the NCC will be sponsoring a two hour philosophy seminar conducted by Dr. George Curry. Dr. Youngblood stated that the NCC recently named Dr. Jason Jaeger the chiropractor of the year. Dr. Youngblood stated that the NCC now has compliance with Sierra health insurance with respect to insurance parity, and are moving forward with others with the support of the Division of Insurance. Dr. Youngblood expressed the NCC's concern with guidelines being proposed by the ACA, and stated that the NCC will be forming an opinion. Dr. Youngblood stated that the NCC will be addressing the opioid issue and will focus on the educational component. Dr. Youngblood stated that the NCC made the channel 8 news at 11 o'clock to spread the message that the NCC's stance is chiropractic first, drugs second, and surgery last.

Ms. Cane provided information with respect to the opioid issue.

Agenda Item 20 NCA Report – No action.

Dr. Overland, President was in attendance on behalf of the NCA and reported that this is the 25th anniversary of the NCA. Dr. Overland stated that the NCA will be conducting the CA review course on January 27, 2018. Dr. Overland stated that he will be meeting with the President of the Physical Therapy Association. Dr. Overland stated that the NCA is also looking into dry needling by working with individuals in other states. Dr. Overland asked why the CPBN has not taken legal action against the Physical Therapy Board with respect to their in-house policy to allow dry needling in spite of violating the Oriental Board. Dr. Overland inquired whether there was a discussion with the massage board regarding myopractic. Dr. Overland recommended that the

Board re-visit the policy on continuing education credits and look at implementing a 50/50 split. Dr. Overland stated that the NCA feels that there is a conflict of interest with Dr. Jaeger sitting on the CPBN and being the chair of the opioid committee for the NCC. Mr. Ling confirmed that there is not a conflict of interest in this case, because Dr. Jaeger is not an officer of the NCC, but the chair of a subcommittee, which does not have authority to affect the policy of the Board.

Agenda Item 6 Discussion/possible approval to delegate a third Board Member to meet with the Physical Therapy Examiners Board representatives – For possible action.

Dr. Lurie recommended that the Board continue with two Board members meeting with the Physical Therapy Examiners Board.

Agenda Item 18 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 16-11S (Colucci)

Dr. Colucci stated that she has been working with Mr. Ling and this complaint is still under investigation.

B. Complaint 16-13S (Lurie)

Dr. Lurie stated that this is the case in the matter of Dr. Stella previously heard.

C. Complaint 17-02S (Lurie)

Dr. Lurie met with the DC and based on their discussion would like to recommend dismissal of this complaint. Dr. Jaeger made a motion to dismiss complaint 17-02S. Ms. DiFillippo seconded, and the motion passed with all in favor. Dr. Lurie recused himself as the Investigating Board Member.

D. Complaint 17-04N (Rovetti)

Dr. Rovetti stated that this is a malpractice claim and was asked by the Board at the October 12, 2017 meeting to continue the investigation by interviewing the DC's staff. This complaint is still under investigation.

E. Complaint 17-05N (Jaeger)

Dr. Jaeger stated that the complainant alleged that the DC caused them to have a stroke. Dr. Jaeger stated that based upon the hospital records, they did have an acute stroke. Dr. Jaeger stated that after reviewing the patient's records from the DC there appears to be issues with their notes; practice below standard of care, and lack of proper diagnostics. Dr. Jaeger stated that this investigation is ongoing.

F. Complaint 17-07S (Jaeger)

Dr. Jaeger stated that he will work with Mr. Ling to prepare a settlement agreement, which should be heard before the Board at the April 19, 2018 meeting

G. Complaint 17-08S (Lurie)

Dr. Lurie stated that the DC has moved out of state, and has obtained an attorney. Dr. Lurie stated that he will work with Mr. Ling to continue the investigation.

- H. Complaint 17-12S (Colucci)**
Dr. Colucci stated that she is working with Mr. Ling to continue the investigation.
- I. Complaint 17-13S (Rovetti)**
Dr. Rovetti stated that she is working with Mr. Ling to prepare a settlement agreement.
- J. Complaint 17-18S (Jaeger)**
Dr. Jaeger stated that the complainant alleged that the DC's staff advised that they were required to prepay for their care. Dr. Jaeger stated that he requested statements from the DC and the staff member(s), however they have neglected to respond. Dr. Jaeger stated that he is working with Mr. Ling on how to proceed.
- K. Complaint 17-20S (Lurie)**
Dr. Lurie stated that he received the patient records from the insurance company that filed the complaint, and will be working with Mr. Ling to file charges. Dr. Lurie stated that he will have a discussion with the DC to determine if they want to enter into a settlement agreement, or be heard before the Board. Dr. Lurie stated that this complaint is still under investigation.
- L. Complaint 17-21S (Rovetti)**
Dr. Rovetti stated that she is working with Mr. Ling to prepare a settlement agreement.
- M. Complaint 17-23S (Colucci)**
Dr. Colucci stated that she is working with Mr. Ling to continue the investigation.
- N. Complaint 17-24S (Jaeger)**
Dr. Jaeger stated that the complainant alleged that a DC was asking an assistant to sell and deliver marijuana. Upon further investigation, there are allegations of sexual misconduct by a patient, allegations of improper note taking, and that there are assault and battery charges against them.
- O. Complaint 17-25S (Martinez)**
Dr. Martinez stated that a teleconference is scheduled for Thursday, January 18, 2018 to discuss standards of care. This complaint is still under investigation
- P. Complaint 17-26S (Colucci)**
Dr. Colucci stated that she is working with Mr. Ling and the complaint is still under investigation
- Q. Complaint 17-27S (Jaeger)**
Dr. Jaeger stated that he made five attempts to contact the complainant with no response, and recommended to dismiss this complaint. Dr. Lurie made a motion to dismiss complaint 17-27S. Ms. DiFillippo seconded, and the motion passed with all in favor. Dr. Jaeger recused himself as the Investigating Board Member.

R. Complaint 17-28S (Lurie)

Dr. Lurie stated that this complaint was received from the National Practitioners Data Bank informing the Board that a DC had a malpractice settlement; however the DC did not notify the Board. Dr. Lurie stated that this complaint is still under investigation.

S. Complaint 17-30S (Colucci)

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

T. Complaint 17-31S (Martinez)

Dr. Martinez stated that the complainant alleged injury, which lead to insufficient record keeping and standards of care, which will also be addressed during the teleconference scheduled for Thursday, January 18, 2018. This complaint is still under investigation

U. Complaint 17-32S (Lurie)

Dr. Lurie stated that this complaint was received from the NICB and since they are unable to provide records Dr. Lurie recommended that this complaint be dismissed. Dr. Jaeger made a motion to dismiss complaint 17-32S. Ms. DiFillippo seconded, and the motion passed with all in favor. Dr. Lurie recused himself as the Investigating Board Member.

V. Complaint 17-33S (Jaeger)

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

W. Complaint 17-34S (Lurie)

Dr. Lurie stated that the complainant alleged that the DC would not release their patient records. Dr. Lurie confirmed that the patient is now in receipt of their records and recommended that this complaint be dismissed. Dr. Colucci made a motion to dismiss complaint 17-34S. Dr. Jaeger seconded, and the motion passed with all in favor. Dr. Lurie recused himself as the Investigating Board Member.

X. Complaint 18-01S (Lurie)

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

Agenda Item 19 Committee Reports

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

Dr. Martinez stated that he did not have anything to report.

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

Dr. Lurie stated that the Board received a report from Dan Musgrove. Dr. Lurie recommended that the Board member assigned to the Legislative Committee continue to work with the NCA and the NCC.

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

Dr. Rovetti reported that there is currently one pending application. Dr. Lurie recommended that Dr. Rovetti inquire with the associations regarding reaching out to the chiropractic schools about the Preceptor Program.

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

Dr. Colucci recommended that the CA exam be turned over to the CCCA and put the law exam on-line. Dr. Colucci also recommended that the NCA and/or NCC create a CA training program.

Agenda Item 22 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 23 Financial Status Reports:

A. Current cash position & projections – No action.

B. Accounts Receivable Summary – No action.

C. Accounts Payable Summary – No action.

D. Employee Accrued Compensation – No action.

E. Income/Expense Actual to Budget Comparison as of November 30, 2017 – No action.

Julie Strandberg gave an overview of the financial status.

F. 2017 Audit – Bertrand and Associates - For possible action

Dr. Jaeger made a motion to approve the 2017 Audit. Dr. Lurie seconded, and the motion passed with all in favor.

Agenda Item 24 Consideration of potential additions, deletions, and/or amendments to NRS and NAC 634 – For possible action.

A. Mandatory Self-Inspection report

B. Fines for not meeting deadlines. i.e. Self-Inspection

C. Automatic suspension for late renewal

D. Fine for untimely submission of a CA's second application

Dr. Lurie stated that he will bring proposed language for discussion to the April 19, 2018 Board meeting. There was discussion to notify the DC's indicating that if their renewal is not complete by December 31st at 11:59 pm, which includes the submittal of their continuing education certificates, their license will be expired and they will be required to reinstate their license and pay the late fee.

Agenda Item 25 Discuss/approve joint meeting with the State Board of Oriental Medicine – For possible action.

Dr. Lurie stated that he and Dr. Jaeger held a teleconference with representatives from the Oriental Board to discuss scopes of work with respect to dry needling. Dr. Jaeger stated that he would be interested in continued discussions with the Oriental Board.

Agenda Item 26 Discuss/approve revisions to the Self-Inspection form – For possible action.

Dr. Lurie recommended to request the chiropractor's phone number and cellular phone number to the self-inspection form. Dr. Jaeger made a motion to approve the revisions to the self-inspection form. Dr. Rovetti seconded, and the motion passed with all in favor.

Agenda Item 27 Establish date for the August CA Exam – For possible action.

Dr. Lurie moved to set the Chiropractor's Assistant examination for Thursday, August 9, 2018.

Dr. Colucci recommended that the CA exam go on-line, effective 2019.

Agenda Item 28 Discussion regarding complaints involving marijuana – For possible action.

Dr. Jaeger stated that based on assigned complaints, marijuana is becoming much more prominent and wanted to discuss with the Board. Dr. Lurie stated that as Mr. Ling mentioned, the Board will need to treat similar to alcohol complaints.

Agenda Item 30 Discussion/approval to carry and/or recommend CBD products - For possible action.

Dr. Jaeger stated that he would like the Board to discuss chiropractors recommending and selling CBD. Mr. Ling stated that if the product is a supplement, offered over-the-counter, the Boards' position has been that chiropractors may recommend or sell the product.

Agenda Item 32 Discussion on MSO, MD/DC practices, employment of a DC by an MD or DO or other entity in which a licensed chiropractic physician is performing chiropractic services, physiotherapy and maintaining records – For possible action

Dr. Lurie recommended that a bulletin be distributed to Nevada chiropractors explaining that regardless of if a DC is employed by an MD, and the MD has prescribed a specific procedure, the DC should complete their own assessment and keep their own patient records.

Agenda Item 33 Discuss/approve revisions to the Board travel policy – For possible action.

Dr. Lurie reviewed the proposed revisions to the travel policy. Dr. Colucci moved to approve the revisions. Dr. Martinez seconded, and the motion passed with all in favor, with the exception of Dr. Rovetti, who opposed.

Agenda Item 34 Election of Officers – For possible action.

Dr. Lurie announced that an election of officers will be held pursuant to NAC 634.140.

Dr. Lurie opened the nominations for President. Dr. Colucci nominated Dr. Jaeger. Dr. Jaeger was unopposed and accepted the nomination. Dr. Lurie opened the nominations for Vice President. Dr. Jaeger nominated Dr. Colucci for Vice President. Dr. Rovetti nominated herself. Dr. Lurie announced that Dr. Rovetti had the majority vote 4-3. Dr. Lurie opened up the nominations for Secretary-Treasurer. Dr. Jaeger nominated Dr. Martinez. Dr. Martinez was unopposed and accepted the nomination.

Agenda Item 35 Reassign Committees – For possible action.

Dr. Lurie nominated Dr. Jaeger to be assigned to the Legislative Committee and he accepted. Dr. Lurie nominated Dr. Rovetti to continue the preceptor committee, and Dr. Rovetti accepted. Dr. Colucci nominated Dr. Martinez to the test committee, however he was not interested. Dr. Lurie nominated Dr. Colucci to continue the test committee and she indicated that it's time for someone new to take over. Dr. Lurie stated that he would accept the test committee. Dr. Martinez stated that he would maintain the continuing education committee.

Agenda Item 31 Discussion regarding proposed revisions to the CCE Accreditation Standards - For possible action.

Dr. Lurie indicated that colleges are changing their curriculums in accordance with the CCE accreditation standards, so the board will need to monitor the potential changes to address revisions to the Boards' scope of practice,

Agenda Item 29 Discussion regarding healthcare radiation standards – For possible action.

Dr. Jaeger referenced NAC 634.412 (1) (b) and (c) and stated that over the years there has been concern of radiation. Dr. Jaeger provided discussion based on studies conducted regarding if radiation is truly harmful. Dr. Rovetti stated her thoughts regarding radiation.

Agenda Item 36 Correspondence Report – No action.

Dr. Lurie gave an overview of the NBCE notifications and other notifications received by the Board.

Agenda Item 37 Board Member Comments – No action.

Mr. Bertoldo expressed his thoughts of his first Board meeting. Dr. Rovetti thanked Dr. Lurie for his role as President. Dr. Martinez expressed his thanks for the Boards help and guidance. Dr. Jaeger expressed his appreciation of the Board, and stated that he is looking forward to 2018. Dr. Colucci thanked the individual Board members for their service, and staff for their assistance. Ms. DiFillippo suggested that the agendas may have too many items to be covered in one meeting and requested that agenda items provide sufficient information to be understood. Dr. Lurie stated that it is good for a new president to come in with new ideas and congratulated Dr. Jaeger. Dr. Lurie also congratulated Dr. Rovetti and Dr. Martinez.

Agenda Item 38 Public Interest Comments – No action.

Dr. Overland stated that his charge is to keep this Board under control. Dr. Overland stated that the NCA will send a letter to the profession in Nevada encouraging them to visit the aspect of having a consent to treat and an informed consent.

Agenda Item 39 Adjournment – For possible action.

Dr. Jaeger moved to adjourn the meeting. Dr. Colucci seconded, and the motion passed unanimously.

Approved April 12, 2018

Xavier Martinez, DC

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

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MEETING/HEARING MINUTES

A meeting of the Chiropractic Physicians' Board was held on Thursday, October 12, 2017 at the Public Utilities Commission, Room B, 9075 W. Diablo Drive, Suite 250, Las Vegas, NV 89148.

The following Board Members were present at roll call:

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

Also present were CPBN Counsel Louis Ling and Executive Director Julie Strandberg. Tracy DiFillippo, Consumer Member was not present.

President, Dr. Benjamin Lurie determined a quorum was present and called the meeting to order at 8:30 a.m.

Dr. Xavier Martinez 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 2 Approval of agenda – For possible action.

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

Agenda Item 3 Approval of the July 14, 2017 Meeting and August 15, 2017 Workshop Minutes. - For possible action.

Dr. Colucci moved to approve the July 14, 2017 and the August 15, 2017 minutes. Ms. Mercer 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 July 15 to October 5, 2017 – For possible action.

Ms. Mercer moved to approve the ratification of granting of DC licenses to those who passed the examination from July 15 to October 5, 2017. Dr. Jaeger 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 August 17, 2017 – For possible action.

Ms. Mercer moved to approve the ratification of granting of CA certificates to those who passed the examination on August 17, 2017. Dr. Jaeger seconded, and the motion passed with all in favor.

Agenda Item 6 Discussion/approval to delegate two Board Members to meet with the Physical Therapy Examiners Board representatives – For possible action.

Dr. Lurie asked that the Board delegate two Board members to meet with the Physical Therapy Board members. Dr. Jaeger, Dr. Colucci, and Dr. Rovetti expressed interest. Dr. Lurie made a motion for Dr. Jaeger to represent the CPBN. Dr. Lurie also stated that the NCC, NCA, and the Boards' lobbyist, Dan Musgrove be invited to attend. Dr. Colucci seconded, and the motion passed with all in favor. Ms. Mercer moved to approve Dr. Colucci to represent the CPBN. Dr. Lurie seconded, for discussion and stated that the January 11, 2018 agenda include the addition of a third member. The motion passed with all in favor.

Agenda Item 14 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)

Dr. Jaeger stated that this complainant alleged that they were billed for services not rendered. Dr. Jaeger spoke to the DC who denied the allegations and spoke to the complainant who then became unresponsive to complete the investigation. Dr. Jaeger recommended that the complaint be dismissed. Dr. Lurie moved to dismiss complaint 16-08S. Ms. Mercer seconded, and the motion passed with all in favor. Dr. Jaeger recused himself as the Investigating Board Member.

B. Complaint 16-11S (Colucci)

Dr. Colucci stated that she has been working with Mr. Ling and this complaint is still under investigation.

C. Complaint 16-12S (Colucci)

Dr. Colucci stated that this complaint involved the legality of multiple corporations which appear to be set up appropriately and recommended that the complaint be dismissed. Dr. Lurie moved to dismiss complaint 16-12S. Dr. Jaeger seconded, and the motion passed with all in favor. Dr. Colucci recused herself as the Investigating Board Member.

D. Complaint 16-13S (Lurie)

Dr. Lurie stated that this complaint will be addressed today under agenda item #7.

E. Complaint 17-02S (Lurie)

Dr. Lurie stated that he will be meeting with the DC in the next couple weeks and will have a resolution at the January 11, 2018 Board meeting.

F. Complaint 17-04N (Rovetti)

Dr. Rovetti stated that this is a malpractice claim and also stated that it is alleged that the DC didn't follow standard of care. Dr. Rovetti requested feedback from the Board on how to proceed. Following discussion, Dr. Lurie recommended that additional review be completed and Dr. Rovetti agreed.

G. Complaint 17-05N (Jaeger)

Dr. Jaeger stated that this complainant alleged that they had a stroke following their treatment. Dr. Jaeger spoke to the DC who indicated that the treatment performed could not have caused a stroke. Dr. Jaeger stated that this investigation is ongoing.

H. Complaint 17-06S (Lurie)

Dr. Lurie stated that the complainant alleged that they were billed for services not rendered. Dr. Lurie reviewed the records which matched the treatments that were performed and the billings were in accordance with the records. Dr. Lurie recommended that this complaint be dismissed. Ms. Mercer made a motion to dismiss complaint 17-06S. Dr. Jaeger seconded, and the motion passed with all in favor. Dr. Lurie recused himself as the Investigating Board Member.

I. Complaint 17-07S (Jaeger)

Dr. Jaeger stated that there was a verbal altercation between a DC and another tenant in the office complex, who filed the complaint. Dr. Jaeger interviewed witnesses treated by the DC and found that there were not appropriate SOAP notes taken on certain individuals. Dr. Jaeger met with the DC, who admitted to not completing SOAP notes at all or completing notes months later on certain patients. Dr. Jaeger recommended to dismiss this complaint with a letter of instruction. Following discussion, Dr. Lurie stated that Dr. Jaeger will take the advice of the Board to continue on with the investigation of this complaint. Mr. Ling recommended that the Board move forward with a Settlement Agreement, etc.

J. Complaint 17-08S (Lurie)

Dr. Lurie stated that the complainant indicated that they were uncomfortable with procedures that the DC recommended as well as the DC's aggression to purchase equipment for home use. Dr. Lurie stated that this case is still under investigation.

K. Complaint 17-09S (Lurie)

Dr. Lurie stated that the complainant alleged that based on their records there was fraudulent billing. Dr. Lurie reviewed the patient's records and the DC's notes which matched the patients billing. Dr. Lurie recommended that this complaint be dismissed. Dr. Martinez seconded, and the motion passed with all in favor. Dr. Lurie recused himself as the Investigating Board Member.

L. Complaint 17-10S (Jaeger)

Dr. Jaeger stated that the complainant alleged that their fiancé assaulted them while on vacation out of the country. Dr. Jaeger spoke to the DC who admitted to the details provided by the complainant. The DC signed an agreement with the Board to be monitored by a psychologist for one year. Mr. Ling stated that this complaint is not for public consumption since the DC was not charged with a crime in the other country or in the United States. Dr. Jaeger recommended to keep this complaint open for one year and continue receiving reports from the psychologist on the DC's conduct.

M. Complaint 17-11S (Colucci)

Dr. Colucci stated that the complainant alleged that their infant contracted ringworm from a DC's unsanitary practice. Dr. Colucci visited the office, which is one open treating room and observed that the DC was not cleaning instruments or treatment tables between patients. Dr. Colucci recommended that this complaint be dismissed with a letter of instruction to the DC and that a follow-up to the DC's practice occur in six months. Dr. Lurie made a motion to dismiss complaint 17-11S. Ms. Mercer seconded, and the motion passed with all in favor. Dr. Colucci recused herself as the Investigating Board Member.

N. Complaint 17-12S (Colucci)

Dr. Colucci stated that she is working with Mr. Ling and this complaint is still under investigation.

O. Complaint 17-13S (Rovetti)

Dr. Rovetti stated that this complaint is against a repeat advertising offender and would like to get the Boards' recommendation since this DC has received warning letters and continues to violate the advertising laws. Dr. Rovetti stated that she would work with Mr. Ling.

P. Complaint 17-14S (Martinez)

Dr. Martinez stated that the complainant alleged that they were injured as a result of an adjustment and their records were altered. Dr. Martinez reviewed the patient's records and was unable to substantiate a direct correlation based on the records. Dr. Martinez held a video meeting with the DC to confirm the computer system had measures in place to document the date changes were made. Dr. Martinez recommended that this complaint be dismissed. Dr. Lurie made a motion to dismiss complaint 17-14S. Dr. Jaeger seconded, and the motion passed with all in favor. Dr. Martinez recused himself as the Investigating Board Member. Dr. Martinez recommended that another complaint be opened with respect to documentation for public protection.

Q. Complaint 17-15S (Rovetti)

Dr. Rovetti stated that the complainant alleged that the DC's newspaper advertisement was misleading as well as the treatment explanation by the DC. Dr. Rovetti reviewed the advertisement, which was compliant and spoke to the DC who provided appropriate paperwork with respect to the treatment provided. Dr. Rovetti spoke to the patient who felt they were misled, because the treatment did not help their symptoms. Dr. Rovetti recommended to dismiss this complaint with a letter in the file. Dr. Jaeger made a motion to dismiss complaint 17-15S. Dr. Lurie seconded, and the motion passed with all in favor. Dr. Rovetti recused herself as the Investigating Board Member.

Agenda Item 7 Consideration/decision related to the stipulation to modify the Settlement Agreement of Dr. David Stella – 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. Stella)

Dr. Lurie turned the chair over to Ms. Mercer. Ms. Mercer welcomed Dr. Stella and asked Mr. Ling to brief the Board. Mr. Ling stated that Dr. Stella entered into a Settlement Agreement and Order with the Board effective November 2013, which included his license be on probation

for three years, pay a fine, obtain a practice monitor, have a female in the room while treating female patients, obey all laws, and if there were problems there could be additional discipline. Mr. Ling stated that the Board received a complaint alleging misconduct, however following the investigation it was determined that Dr. Stella treated female patients after the office was closed, so there were no staff available and there were no records made, which constitute violations of the existing probation. Mr. Ling stated that Dr. Stella has agreed to the facts with Dr. Lurie to enter into a Stipulation to Modify the Settlement Agreement and Order.

Based on the facts, Dr. Lurie recommended that Dr. Stella continue to obtain a practice monitor, take and pass the Nevada jurisprudence exam, pay a fine, reimburse the Board its fees and costs, three more years of probation, and have a female staff present when treating female patients. Dr. Lurie opened up questioning and comments to the Board.

Dr. Stella stated that he agreed with Mr. Ling and Dr. Lurie and would comply with the Boards' recommendations. Questioning was opened to the Board.

Ms. Sophia Long, DAG, advised that the Board make two motions, one to accept the modified stipulation agreement as presented and the second motion be accept the modification to the agreement. Dr. Jaeger made a motion to accept the modified stipulation. Ms. Mercer seconded, and the motion passed with all in favor. Dr. Lurie recused himself as the Investigating Board Member.

Dr. Jaeger made a motion that Dr. Stella undergo a psychological evaluation within 30 days, reimburse the boards' fees and costs, his license be on probation for three years, obtain a practice monitor, and that the Board have the opportunity to review the recommendations from the psychologist at the next meeting for final Settlement Agreement and Order.

Ms. Long recommended that the Board either go with the recommendation or review the results of the psychologist's evaluation at the Boards' next meeting and then modify the order. Dr. Jaeger withdrew his motion. Dr. Jaeger made a motion for Dr. Stella to undergo a psychological evaluation within 30 days and at the next Board meeting a decision will be made based on the results. Dr. Jaeger modified his motion for Dr. Stella to immediately impose a practice monitor, and have a female staff person in the room while treating female patients. At the Boards' next meeting the length of the practice monitor will be determined as well as additional discipline if needed, based on the results of the psychological evaluation. Dr. Martinez seconded, and the motion passed with all in favor with the exception of Dr. Rovetti, who opposed. Dr. Lurie recused himself as the Investigating Board Member.

Ms. Mercer turned the chair back over to Dr. Lurie.

Agenda Item 8 Discussion/possible action regarding the Application for Chiropractor's Assistant of Ms. Lizbeth Sarabia - 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. Sarabia)

Dr. Lurie welcomed Ms. Sarabia and her supervisor, Dr. Hermansen. Dr. Lurie explained that Ms. Sarabia 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. Sarabia to explain why she did not truthfully answer questions #3 and #4 on her CA application. Ms. Sarabia stated that she was embarrassed. Dr. Lurie opened up questioning to the Board. Dr. Lurie made a motion to deny Ms. Sarabia's application with the condition that she re-apply and correctly answer questions #3 and #4 and upon the Boards' receipt of Ms. Sarabia's complete and accurate application it will be approved. Dr. Jaeger seconded, and the motion passed with all in favor with exception of Dr. Martinez, who opposed.

Agenda Item 17 Legislative Matters – For possible action.

Dan Musgrove was in attendance and provided the Board with an update following the end of the 2017 legislative session.

Agenda Item 9 PUBLIC HEARING for the adoption of a Regulation to Nevada Administrative Code Chapter 634 – For possible action.

Dr. Lurie opened the public hearing at 11:08 a.m. Dr. Lurie reviewed each section, taking public comment at the end of each section of NAC 634.

There were no public or board comments with respect to Sections 1, 2, 3, 5, 8, 9, 10, 11, 12, 14, 15 and these sections were approved with all in favor.

Dr. Overland commented on Section 4, stating that the language is not clear with respect to reciprocity for those individuals with long term licenses in other states. Dr. Lurie clarified that the Board currently has proposed NAC language which will be noticed for hearing at the Boards' January 2018 meeting. Dr. Lurie made a motion to approve Section 4 and it was approved with all in favor.

Dr. Rovetti recognized a discrepancy with the language written in Sections 6 and 7. Dr. Lurie made a motion to approve section 6 as written and it was approved with all in favor. Dr. Lurie made a motion to strike 634.341 (1) (b) (1) in Section 7 and the revision was approved with all in favor.

Dr. Rovetti inquired whether the language in Section 13 was clear as to who was responsible for the content of the advertisement and following discussion Mr. Ling recommended to strike the second "of" in Section 13(3) and replace with, "that identifies." Dr. Lurie made a motion to remove the second "of" in Section 13(3) and replace with, "that identifies" and the revision was approved with all in favor.

The public hearing closed at 11:55 a.m.

Agenda Item 10 Discussion/approval regarding the use of Extracorporeal Shock Wave Therapy - For possible action.

Dr. Lurie stated that this request came from a Nevada licensee and welcomed Dr. Shana Singer. Dr. Singer introduced Ulyss Bidkaram, DC who provided an explanation of the Extracorporeal Shock Wave Therapy device. Dr. Bidkaram stated that this device is a class I modality that targets shock waves directly to the area that is experiencing pain and is FDA approved. Dr. Lurie stated that the Board will not take a position on the device, however made a motion that the device does fall under physiotherapy. The motion passed with Drs. Rovetti, Martinez, Lurie, and Colucci in favor. Dr. Jaeger abstained and Ms. Mercer stated that she did not feel qualified to comment.

R. Complaint 17-16S (Jaeger)

Dr. Jaeger stated that the complainant was referred to the DC for a shoulder/scapular condition, however received an adjustment to the lower back, which resulted in damage to the lower back which resulted in them being disabled. Dr. Jaeger met with the DC and reviewed the patient's records and all data indicated there was treatment to the neck and thoracic spine region. Based on the information received, there is no way to substantiate either statement. Dr. Jaeger recommended that this complaint be dismissed. Dr. Lurie moved to dismiss Complaint 17-16S. Dr. Colucci seconded, and the motion passed with all in favor. Dr. Jaeger recused himself as the Investigating Board Member.

S. Complaint 17-18S (Jaeger)

Dr. Jaeger stated that the complainant alleged that the DC's staff told them that they had to prepay for their care. Dr. Jaeger stated that this complaint is still under investigation.

T. Complaint 17-20S (Lurie)

Dr. Lurie stated that this complaint was received from an insurance company and is still under investigation.

U. Complaint 17-21S (Rovetti)

Dr. Rovetti stated that this complaint is against a repeat advertising offender who does not refer to themselves as a chiropractor in radio advertisements and has received warning letters, yet continues to violate the advertising laws. Dr. Rovetti stated that she will work with Mr. Ling to finalize this complaint.

V. Complaint 17-22N (Rovetti)

Dr. Rovetti stated that the complainant alleged that the DC billed their insurance and billed the patient for the same charges. Dr. Rovetti stated that she reviewed the records and the patient signed a form indicating that insurance may not cover all charges and the patient would be responsible for the difference. Dr. Rovetti recommended to dismiss this complaint. Dr. Colucci moved to dismiss complaint 17-22N. Ms. Mercer seconded, and the motion passed with all in favor.

W. Complaint 17-23S (Colucci)

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

X. Complaint 17-24S (Jaeger)

Dr. Jaeger stated that the complainant stated that a former employee alleged that a DC was selling and using marijuana out of the office and instructing staff to sell marijuana to patients. Dr. Jaeger had a discussion with the DC and asked that they voluntarily submit to a drug testing, which they said they would do. Dr. Jaeger stated that this complaint is ongoing.

Y. Complaint 17-25S (Martinez)

Dr. Martinez stated that this complainant states they were sold a wellness package and later denied services. Dr. Martinez stated that this complaint is still under investigation.

Z. Complaint 17-26S (Colucci)

Dr. Colucci stated that this complaint is against the same DC named in complaint 17-23S and is still under investigation.

AA. Complaint 17-27S (Jaeger)

Dr. Jaeger stated that this complainant was under the care of several doctors and alleged that the treating chiropractor was racist, prejudice, and hateful. Dr. Jaeger spoke with a witness named by the complainant and found out the complainant also filed a complaint against them. Dr. Jaeger stated that he has attempted to reach out to the complainant with no response. Dr. Jaeger stated that this complaint is on-going.

BB. Complaint 17-28S (Lurie)

Dr. Lurie stated that the Board received notification from the National Practitioners Data Bank that a DC settled a malpractice suit, however the DC did not notify the Board. Dr. Lurie stated that this complaint is still under investigation.

CC. Complaint 17-29S (Lurie)

Dr. Lurie stated that this complaint was received from a CE provider regarding a CA who paid for their courses using a fraudulent credit card. Dr. Lurie has attempted to contact the CA, however was unable to reach them. Dr. Lurie stated that this complaint would be re opened if the CA reinstates their certificate.

Agenda Item 12 Consideration to approve the application for Temporary Licensure for Dr. Daniel McClure – For possible action.

Dr. McClure joined via telephone to discuss why he failed to disclose information to questions #4 and #5 on the application for temporary licensure. Dr. McClure stated that it was an oversight since these incidents occurred quite some time ago. Following discussion, Dr. Jaeger made a motion to deny the current application, however Dr. McClure may submit a new application. Dr. Rovetti seconded the motion. Dr. Jaeger amended his motion to give latitude on the 30 day application period. Dr. Rovetti seconded, and the motion passed with all in favor. Dr. Colucci recused herself due to her involvement with ProSport.

Agenda Item 11 Discussion/approval regarding the use of Bio-Electro-Magnetic-Energy-Regulation (BEMER) – For possible action.

Chris Enomoto and Pamela Clark were present from BEMER to provide an explanation on how the equipment is used and what it is used for. Dr. Enomoto explained that BEMER is a Class I electro-magnetic device that enhances general blood circulation and is FDA approved. Dr. Rovetti recommended that this device be classified as physiotherapy. Following discussion, Dr. Lurie stated that the Board will not take a position on the device, however it does fall under physiotherapy.

Agenda Item 13 Consideration for the CPBN to contract or hire former Board member to assist with investigations or management of investigations – For possible action.

Dr. Lurie stated that a past Board member requested this agenda item based on the increased number of complaints before the Board and offered to provide their service for a fee. The Board discussed different options to address complaints more timely and to potentially hire an investigator. Dr. Lurie recommended obtaining proposals from outside investigators and bring them before the Board at its next meeting.

Agenda Item 18 NCA Report – No action.

Dr. Overland was in attendance and thanked Ms. Mercer for her commitment to the Board. Dr. Overland stated that the NCA donated two and half car loads of goods to those in need following the Las Vegas tragedy. Dr. Overland stated that the NCA has reached out to the President of the Physical Therapy Board and will be holding a meeting along with representatives from the CPBN to discuss their concerns. Dr. Overland stated that the State of Washington allows Physical Therapists to perform chiropractic adjustments. Dr. Overland stated that there is a new pseudo-profession called myopractic, which consists of a massage therapist doing deep tissue, muscular rehabilitation to provide spinal realignment without the crunch and is similar to chiropractic and osteopractic. Dr. Overland asked that the CPBN reach out to the massage therapy Board regarding

licensed massage therapists conducting myopractic. Dr. Overland stated that the NCA has been contacted by several DC's regarding dry needling and would like to discuss adding dry needling into the scope of a chiropractic. Dr. Overland stated that due to the number of complaints before the Board the NCA would be willing to conduct seminars to address specific issues identified by the Board. Dr. Overland stated that the NCA's lobbyist has attended the Healthcare committee meetings regarding the opioid issue and has been given assurance that chiropractic would be involved. Dr. Overland stated that the NCA has been a member of the Health Education Advocacy Leaders of Southern Nevada (HEALS) which was given \$10 Million by the Governor's Office of Economic Development to strengthen medical care and retain medical doctors. Dr. Overland stated that Senator Spearman was the guest speaker, who stated that chiropractic needs to be involved with respect to the opioid epidemic. Dr. Overland stated that the NCA received a Governors proclamation announcing that October is chiropractic health month. Dr. Overland stated that the annual NCA conference held in Reno was successful and presented the Chiropractor of the Year award to Dr. Xavier Martinez and the Presidential award was presented to Dr. Benjamin Lurie. Dr. Overland stated that the NCA would like to work closely with the Board moving forward.

Agenda Item 19 NCC Report – No action.

Andrea Waller and Dr. Nicole Harmel were in attendance on behalf of the NCC. Ms. Waller stated that the NCC will hold its 2nd annual seminar on Saturday, October 21, 2017 and announced the speakers. Dr. Harmel stated that the ACA has adopted a position that radiology is not necessary for up to six weeks following the onset of acute pain and stated that the NCC has adopted a position to consider the necessity of radiology.

Agenda Item 16 Board Counsel Report – No action.

Mr. Ling reported on the FARB conference and thanked the Board for its contribution to his trip.

Agenda Item 15 Committee Reports

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

Dr. Martinez stated the process is going well.

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

Dr. Lurie stated that he will be meeting with Dan Musgrove on Friday, October 13, 2017.

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

Dr. Rovetti reported that there is one active preceptor in Carson City and two in Las Vegas. Dr. Rovetti stated that she would like to plan a trip to Las Vegas to visit the preceptors. Dr. Rovetti made a motion for the Board to approve her travel to Las Vegas to visit the active preceptors. Dr. Martinez moved to approve. Following discussion, Dr. Jaeger recommended that Dr. Rovetti conduct site visits in the north and a southern Board member conduct those in the south. Dr. Colucci recommended that Dr. Rovetti coordinate her preceptor visit in coordination with a Board meeting. Dr. Rovetti voted in favor of the motion. Dr. Martinez, Dr. Jaeger, Dr. Lurie, Ms. Mercer, and Dr. Colucci opposed, so the motion did not carry.

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

Dr. Colucci stated that the CA's continue to not do well on the exam and the Board needs to come up with a solution. Dr. Lurie stated that the CA exam be added to the next Board meeting agenda.

Agenda Item 28 Establish dates for future Board meeting(s) – For possible action.

Dr. Jaeger made a motion to set the January 2018 Board meeting for the 11th. Dr. Lurie seconded, and the motion passed with all in favor. Dr. Lurie made a motion to set the April 2018 Board meeting for the 19th. Dr. Jaeger seconded, and the motion passed with all in favor. Dr. Lurie made a motion to set the July 2018 Board meeting for the 19th. Dr. Jaeger seconded, and the motion passed with all in favor. Dr. Lurie made a motion to set the October 2018 Board meeting for the 18th, Dr. Rovetti seconded, and the motion passed with all in favor.

Agenda Item 25 Consideration to revise the Board policies to allow rental car reimbursement – For possible action.

Dr. Rovetti stated that she was not reimbursed for her rental car rented for the January 13, 2017 Board meeting and referred to the existing travel policy and stated that she feels the Board should cover the cost of transportation to and from the Board meeting. Dr. Rovetti made a motion to allow all reasonable forms of transportation be approved by the Board. Mr. Ling stated that if a rental car is needed while on state business the car must be rented through the states Fleet Services Division and recommended that the travel policy be revised.

Dr. Lurie moved to reimburse Dr. Rovetti for her rental car rented for the January 13 and October 12, 2017 Board meetings. Dr. Jaeger seconded, and the motion passed with all in favor.

Agenda Item 20 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 and reported that Mr. Heriberto Soltero had satisfied his Board Order and would no longer appear on the status of current disciplinary actions report.

Agenda Item 21 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 August 31, 2017 – No action.**
- F. Income/Expense Actual to Budget Comparison for Fiscal Year 2017 – No action.**

Julie Strandberg gave an overview of the Executive Director reports.

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

- A. Mandatory Self-Inspection report**
- B. Fines for not meeting deadlines. i.e. Self-Inspection**
- C. Automatic suspension for late renewal**
- D. Fine for untimely submission of a CA's second application**

Dr. Lurie tabled this agenda item until the January 11, 2018 Board meeting.

Agenda Item 23 Discussion regarding healthcare radiation standards – For possible action.

Dr. Lurie tabled this agenda item until the January 11, 2018 Board meeting.

Agenda Item 24 Consideration/approval of the revised Chiropractor’s Assistant Application – For possible action.

Dr. Lurie moved to approve the revisions to the CA application and recommended the same revisions be added to the DC application for licensure. Dr. Jaeger seconded, and the motion passed with all in favor.

Agenda Item 26 FCLB/NBCE Matters/Updates – For possible action.

A. Update on the FCLB Districts I and IV meeting in Portland, OR October 5-8, 2017.

B. Other FCLB/NBCE matters.

Dr. Lurie tabled this agenda item until the January 11, 2018 Board meeting.

Agenda Item 27 Attendance at the Annual FARB Forum, January 25-28, 2018 Coronado, CA – For possible action.

Dr. Lurie made a motion to allow Ms. DiFillippo attend the FARB conference if she is available. Dr. Rovetti seconded and the motion passed with all in favor.

Agenda Item 29 Discussion/approval of Nevada Deferred Compensation Program – For possible action.

Julie Strandberg asked for the Boards’ approval of the contract for Board staff to enroll in the Nevada Deferred Compensation Program. Dr. Lurie made a motion to approve the contract. Dr. Jaeger seconded, and the motion passed with all in favor.

Agenda Item 30 Discussion regarding proposed revisions to the CCE Accreditation Standards - For possible action.

Dr. Lurie tabled this agenda item until the January 11, 2018 Board meeting.

Agenda Item 31 Correspondence Report – No action.

Dr. Lurie tabled this agenda item until the January 11, 2018 Board meeting.

Agenda Item 32 Board Member Comments – No action.

Dr. Lurie announced that this is Ms. Mercer’s eighth year on the Board and expressed his gratitude of Ms. Mercer’s service and the rest of Board concurred. The Board congratulated Dr. Martinez on his award from the NCA for Chiropractor of the Year.

Dr. Jaeger stated that he would like the Board to have a discussion regarding marijuana due to the complaints that are surfacing.

Dr. Lurie announced that John Bertoldo, Esq. has been appointed to the Board.

Agenda Item 33 Public Interest Comments – No action.

Dr. Overland recommended that the Board provide coffee or water at the meetings.

October 12, 2017 CPBN Meeting Agenda

Agenda Item 34 Adjournment – For possible action.

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

April 19, 2018

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 January to March 2018 – For possible action

RECOMMENDED MOTION: Ratify granting of licenses to those who passed their examinations from January to March 2018.

PRESENTED BY: Jason O. Jaeger, DC

MEETING DATE: April 12, 2018

TIME REQUIRED: 2 minutes

BACKGROUND INFORMATION: The exams from October through December 31, 2017 were taken online.

<u>January</u>	<u>February</u>	<u>March</u>
	Les D. Gilbert, DC Cayla D. Lairmore, DC Jamison B. Sellars, DC Clinton D. Whittler, DC	Jordan S. Baker, DC Douglas A. Brady, DC Thomas J. B. Godfrey, DC Michael S. Nevius, DC Melissa A. Vega, DC

REVIEWED BY: X President X Secretary X Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 5** Ratification of granting of CA certificates to applicants who passed the examinations on February 8, 2017 – For possible action

RECOMMENDED MOTION: **Ratify granting of licenses to those who passed the February 8, 2018 exam.**

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

MEETING DATE: **April 12, 2018**

TIME REQUIRED: **2 minutes**

BACKGROUND INFORMATION:

CA Exam Pass Rate was 54%

Law Exam Pass Rate was 64%

Nestor Argueta	Bryan Gonzalez	Damaris Obando-Pensamiento
Joel Arzola	Echo Grube	Dailin Ochoa-Aguero
Jesli Benitez	Zachary Holloway	Nitzel Padilla
Joshlyn Butay-Fillon	Tara LeMaitre	Mariah Pangelinan
Kathleen Camal	Christian Lira	Maria Ramos
Yesica Chavez-Gonzalez	Maria Lopez-Sosa	Karina Rivas
Michelle Christman	Andrew Marczak	Ana Karen Robledo-Vicente
Greysi Flores	Christa Mortensen	Lizbeth Sarabia
Leonor Gastelum-Gonzalez	Shaquita Nieto	Annette Thompson
Katrina Gerry	Primavera Nunez	Mitchell Young

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 5

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 6 Legislative Matters – For possible action**
A. Dan Musgrove Advocacy report

RECOMMENDED MOTION: **No recommendation.**

PRESENTED BY: **Dan Musgrove**

MEETING DATE: **April 12, 2018**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

SEAT	DEMOCRATS	REPUBLICANS	Other Political Parties and Info relative	REGISTRATION
State Senate 1 Clark	Patricia Spearman (next election 2020)		Senator Sprearman running for Congress	Democrat - 34,727 Republican - 18,750 Non-partisan - 15,748
State Senate 2 Clark	Mo Denis	Calvin Border		Democrat - 23,020 Republican - 5,301 Non-partisan - 9,972
State Senate 3 Clark	Tick Segerblom (next election 2020)		Senator Segarblom running for County Commission	Democrat - 26,450 Republican - 12,614 Non-partisan - 12,361
State Senate 4 Clark	Kelvin Atkinson (next election 2020)			Democrat - 34,577 Republican - 8,441 Non-partisan - 12,792
State Senate 5 Clark	Joyce Woodhouse (next election 2020)			Democrat - 27,956 Republican - 24,279 Non-partisan - 16,041
State Senate 6 Clark	Nicole Cannizzaro (next election 2020)			Democrat - 29,747 Republican - 24,702 Non-partisan - 15,369
State Senate 7 Clark	David Parks (next election 2020)			Democrat - 29,771 Republican - 16,158 Non-partisan - 15,671
State Senate 8 Clark	Marilyn Dondero Loop Stephanie Alvarado Garrett Leduff (no party)	Valerie Weber Elizabeth (Halseth) Helgelien Dan Rodimer		Democrat - 26,709 Republican - 26,184 Non-partisan - 15,682
State Senate 9 Clark	Melanie Scheible Lawrence McCullough Justin Rebollo Brandon West	Tiffany Jones		Democrat - 31,801 Republican - 25,507 Non-partisan - 20,254

Filing Ends: March 16
Primary Election: June 12
General Election: November 6

State Senate 10 Clark	Yvanna Cancela Bryce Henderson			Democrat - 28,013 Republican - 11,190 Non-partisan - 14,424
State Senate 11 Clark	Aaron Ford (next election 2020)		Senator Ford running for Attorney General	Democrat - 25,854 Republican - 14,752 Non-partisan - 13,878
State Senate 12 Clark	Craig Jordahl	Joe Hardy		Democrat - 26,591 Republican - 35,304 Non-partisan - 17,342
State Senate 13 Washoe	Julia Ratti	Charlene Young (IAP)		Democrat - 26,931 Republican - 17,043 Non-partisan - 14,068
State Senate 14 North Counties	Wendy Boszak (D) Thomas Kennedy (NP)	Ira Hansen		Democrat - 21,453 Republican - 32,808 Non-partisan - 13,590
State Senate 15 Washoe		Heidi Gansert (next election 2020)		Democrat - 28,065 Republican - 29,865 Non-partisan - 15,756
State Senate 16 Washoe, Carson	Tina Davis-Hersey	Ben Kieckhefer Gary Schmidt	John Wagner (IA)	Democrat - 24,665 Republican - 37,319 Non-partisan - 15,265
State Senate 17 Central Counties	Curtis Cannon	James Settlemeier		Democrat - 19,568 Republican - 45,678 Non-partisan - 15,011
State Senate 18 Clark		Scott Hammond (next election 2020)	Senator Hammond is running for Congress	Democrat - 28,431 Republican - 31,399 Non-partisan - 17,017
State Senate 19 Northern Counties		Pete Goicoechea (next election 2020)		Democrat - 17,056 Republican - 35,671 Non-partisan -13,686

Filing Ends: March 16
Primary Election: June 12
General Election: November 6

State Senate 20 Clark	Julie Pazina Paul Aizley	Keith Pickard, Byron Brooks, Rich Bronstein (L)		Democrat - 28,893 Republican - 28,259 Non-partisan - 17,579
State Senate 21 Clark	James Ohrensall Jay Craddock Christine Glazer	Ron McGinnis		Democrat - 29,770 Republican - 15,237 Non-partisan - 14,197
AD 1 Clark	Daniele Monroe-Moreno			Democrat - 17,270 Republican - 10,822 Non-partisan - 8,035
AD 2 Clark	David Orentlicher Jennie Sherwood	John Hambrick Jim Small		Democrat - 13,223 Republican - 15,293 Non-partisan - 8,546
AD 3 Clark	Selena Torres (caucus app)	Stephen Sedlmeyer		Democrat - 13,828 Republican - 6,380 Non-partisan - 6,465
AD 4 Clark	Connie Munk (caucus app) Tony T. Smith Bob Lystrup (IA)	Richard McArthur Kenneth Rezendes Luis Vega		Democrat - 15,433 Republican - 15,412 Non-partisan - 8,924
AD 5 Clark	Brittney Miller Connie Beers	Mack Miller Jason Burke		Democrat - 13,486 Republican - 10,891 Non-partisan - 7,136
AD 6 Clark	William McCurdy			Democrat - 17,070 Republican - 2,619 Non-partisan - 6,057

Filing Ends: March 16
Primary Election: June 12
General Election: November 6

Names in Bold Hold the Seat

Revised February 23, 2018

AD 7 Clark	Dina Neal			Democrat - 15,507 Republican - 5,822 Non-partisan - 6,735
AD 8 Clark	Jason Frierson Tiffany Ann Watson	Tina Peetris		Democrat - 13,709 Republican - 8,563 Non-partisan - 7,801
AD 9 Clark	Steve Yeager	Barry Keller Linda Cannon		Democrat - 15,453 Republican - 12,140 Non-partisan - 9,659
AD 10 Clark	Chris Brooks	Noel Searles Jonathan Friedrich (IAP)		Democrat - 12,622 Republican - 6,234 Non-partisan - 5,896
AD 11 Clark	Olivia Diaz	Gianna Miceli		Democrat - 11,417 Republican - 2,558 Non-partisan - 5,102
AD 12 Clark	Gabrielle D'Ayr, Anat Levy, Cinthia Moore, Walter Lee Seip II, Gregory York, Susan Martinez, Brandon Casutt	Richard Fletcher Mary Martinez (IAP)		Democrat - 15,977 Republican - 10,645 Non-partisan - 7,899
AD 13 Clark	Leonard Foster (IA)	Tom Roberts James Kemp Steve Sanson		Democrat - 12,998 Republican - 15,987 Non-partisan - 8,093
AD 14 Clark	Maggie Carlton			Democrat - 13,793 Republican - 4,592 Non-partisan - 6,298
AD 15 Clark	Howard Watts (caucus app), Michael Gandy, Juan Michael Chavez, Lou Toomin, Andrew Spivak	Stan Vaughn		Democrat - 14,586 Republican - 5,711 Non-partisan - 6,715

Filing Ends: March 16
Primary Election: June 12
General Election: November 6

Names in Bold Hold the Seat

Revised February 23, 2018

AD 16 Clark	Heidi Swank			Democrat - 13,427 Republican - 5,479 Non-partisan - 7,709
AD 17 Clark	Tyrone Thompson	Patricia Little Ronald Newsome (lib)		Democrat - 17,457 Republican - 7,928 Non-partisan - 7,713
AD 18 Clark	Richard Carrillo	Richard Hawkins Mathew Sadler		Democrat - 15,219 Republican - 7,447 Non-partisan - 8,091
AD 19 Clark		Chris Edwards		Democrat - 12,272 Republican - 14,021 Non-partisan - 7,818
AD 20 Clark	Ellen Spiegel	Alexander Bacon (no political party) Michael L. McDonald		Democrat - 14,552 Republican - 8,711 Non-partisan - 7,580
AD 21 Clark	Oswaldo "Ozzie" Fumo	Cherlyn Arrington, Garo Atamian		Democrat - 13,213 Republican - 10,889 Non-partisan - 7,369
AD 22 Clark	Kristee Watson Luis Aguirre-Insua	Richard Bunce Melissa Hardy		Democrat - 14,301 Republican - 16,693 Non-partisan - 9,069
AD 23 Clark	Ralph Preta (IA)	Glen Leavitt (caucus app), Matt McCarthy		Democrat - 14,319 Republican - 21,283 Non-partisan - 9,524
AD 24 Washoe	Deonne Contine (caucus app) Edward Coleman Sarah Peters Tom Stewart			Democrat - 14,296 Republican - 7,134 Non-partisan - 7,634

Filing Ends: March 16
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AD 25 Washoe	Gregory Shorts	Jill Tolles		Democrat - 14,508 Republican - 18,893 Non-partisan - 8,262
AD 26 Washoe	June Joseph	Lisa Krasner		Democrat - 13,870 Republican - 20,550 Non-partisan - 8,978
AD 27 Washoe	Teresa Benitez-Thompson			Democrat - 13,557 Republican - 10,972 Non-partisan - 7,494
AD 28 Clark	Edgar Flores			Democrat - 11,603 Republican - 2,743 Non-partisan - 4,870
AD 29 Clark	Lesley Cohen Terry Watson	Stephen Silberkraus, Bruce James-Newman (Lib)		Democrat - 14,743 Republican - 13,390 Non-partisan - 8,672
AD 30 Washoe	Mike Sprinkle			Democrat - 12,635 Republican - 9,909 Non-partisan - 6,434
AD 31 Washoe	Skip Daley	Jill Dickman		Democrat - 13,113 Republican - 15,609 Non-partisan - 7,428
AD 32 North Central	Paula Povilaitis	Alexis Hansen Tom Fransway		Democrat - 8,340 Republican - 17,199 Non-partisan - 6,162
AD 33 Elko		John Ellison Chris Johnson		Democrat - 5,651 Republican - 16,684 Non-partisan - 5,675
AD 34 Clark	Shannon Bilbray-Axelrod	Anthony Laurie Janice Wesen		Democrat - 14,949 Republican - 10,133 Non-partisan - 7,537

Filing Ends: March 16
Primary Election: June 12
General Election: November 6

AD 35 Clark	Michelle Gorelow (caucus app Paul Nimsuwan Daniel Hofstein (No party))	Davd Schoen Aimee Jones		Democrat - 16,348 Republican - 13,367 Non-partisan - 10,595
AD 36 Pahrump	Lesia Romanov	James Oscarson Dennis Hof Joseph Bradley		Democrat - 11,405 Republican - 18,987 Non-partisan - 8,011
AD 37 Clark	Rick Cornstuble Shea Backus Robbie Lucille Pearce	James Marchant		Democrat - 14,798 Republican - 14,569 Non-partisan - 7,832
AD 38 Churchill		Robin Titus		Democrat - 7,918 Republican - 19,757 Non-partisan - 6,635
AD 39 Lyon, Storey	Patricia Ackerman	Jim Wheeler	Paul Cwalina (Lib)	Democrat - 11,650 Republican - 25,921 Non-partisan - 8,376
AD 40 Carson	Autumn Zemke	Al Kramer		Democrat - 10,795 Republican - 16,669 Non-partisan - 6,287
AD 41 Clark	Sandra Jauregui	Paris Wade Bryan Baltazar		Democrat - 14,592 Republican - 11,566 Non-partisan - 8,510
AD 42 Clark	Alexander Assefa Landon Henry Kathleen Lackner			Democrat - 12,145 Republican - 6,189 Non-partisan - 6,077

Filing Ends: March 16
Primary Election: June 12
General Election: November 6

Governor	Chris Giunchigliani Steve Sisolak Henry Thorn Asheesh Dewan John Bonaventura David Jones	Adam Laxalt Dan Schwartz Jared Fisher Stan Lusak, William Boyd, Dan Schwartz, Frederick Conquest, Stepanie Carlisle, Edward Dundas	Russell Best (IA), Ryan Bundy (No party), Jared Lord (Lib)	Democrat - 570,083 Republican - 496,429 Non-partisan - 315,731
Lt. Governor	Kate Marshall, Laurie Hansen	Michael Roberson Brent Jones Gary Anthony Meyers, Eugene Hoover, Scott Lafata.	Ed Uehling (No Party) Janine Hansen (IA)	Democrat - 570,083 Republican - 496,429 Non-partisan - 315,731
Attorney General	Aaron Ford Stuart MacKie	Wes Duncan, Craig Mueller	Joel Hansen (IA)	Democrat - 570,083 Republican - 496,429 Non-partisan - 315,731
Secretary of State	Nelson Araujo	Barbara Cegavske, Ernest Aldridge		Democrat - 570,083 Republican - 496,429 Non-partisan - 315,731
Treasurer	Andrew Martin Zach Conine	Bob Beers Derek Uehara	Bill Hoge (IA)	Democrat - 570,083 Republican - 496,429 Non-partisan - 315,731
Congressional 1	Dina Titus Reuben D'Silva	Freddy Horne Joyce Bentley	Robert Strawder (Lib) Dan Garfield (IA)	Democrat - 142,066 Republican - 62,885 Non-partisan - 68,610
Congressional 2	Rick Shepard Clint Koble Vance Alm Patrick Fogerty Jesse Douglas Hurley	Mark Amodei Sharron Angle Ian Luetkehans Joel Beck		Democrat - 122,192 Republican - 170,595 Non-partisan - 76, 658
Congressional 3	Susie Lee Michael Weiss, Steven Schiffman, Jack Love, Rick Hart, Guy Pinjuv, Eric Stolz	Danny Tarkanian Scott Hammond Victoria Seaman Michelle Mortensen, Jim Murphy, Annette Teijeiro, Patrick Carter, Eddie Hamilton, David McKeon, Thomas Mark La Croix, Stephanie Jones	Gil Eisner (no party), Harry Vickers (IA), Tony Gumina (no party)	Democrat - 152,224 Republican - 145,213 Non-partisan - 93,063

Filing Ends: March 16
Primary Election: June 12
General Election: November 6

Names in Bold Hold the Seat

Revised February 23, 2018

Congressional 4	Steven Horsford Pat Spearman Allison Stephens Amy Vilela John Anzalone, Sid Zeller,	Crescent Hardy David Gibbs Miller Kenneth Wegner Monroe	Jeff Bill Townsend Mike	Greg Luckner (Lib), Dean McGonigle (NP), Rodney Smith (NP), Warren Markowitz (IA)	Democrat - 153,570 Republican - 117,674 Non-partisan - 77,375
US Senate	Jacky Rosen, Jesse Sbah Danny Burleigh Allen Rheinhard David Drew Knight Bobby Mahendra	Dean Heller Tom Heck Sherry Brooks Vic Harrell Sarah Gazala		Barry Michaels (Non Partisan) Ricardo Charles (no party) Kamau Bakari (iA) Tim Hagen (Lib)	Democrat - 570,083 Republican - 496,429 Non-partisan - 315,731

Filing Ends: March 16
Primary Election: June 12
General Election: November 6

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 7 Discussion/possible action regarding the Matter of 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)

RECOMMENDED MOTION: No recommendation

PRESENTED BY: Jason O. Jaeger, DC

MEETING DATE: April 12, 2018

TIME REQUIRED: 15 minutes

BACKGROUND INFORMATION:

Effective January 31, 2018 Dr. Rubin entered into an Order Modifying Settlement Agreement. Pursuant to the Order Dr. Rubin has requested to appear before the Board to present an update regarding his employment and the terms of the Order. The Order stated that the Board may further modify the probationary terms and conditions as it deems appropriate and necessary based upon Dr. Rubin's presentation before the Board.

REVIEWED BY: X President X Secretary X Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Mark Rubin, DC

Settlement Agreement & Order dated September 10, 2016

Probation September 10, 2016 through September 10, 2019

September 20, 2016

Dr. Rubin completed the following:

- Provided confirmation that he was in compliance with the Social Security Administration
- Provided the location of his patient records
- Notified the IBM of malpractice insurance
- Obtained a practice monitor
- Maintain health care records in compliance with NAC 634.435

September 1, 2016

- Took and passed the Boards' jurisprudence exam.

March 28, 2017

A certified letter was sent to Dr. Rubin explaining that as of March 10, 2017 he was not in compliance with his Board order with respect to not completing the EBAS by March 10, 2017 and not following through with his payment arrangements. This letter indicated that if he was unable to satisfy these terms his license would be suspended effective April 17, 2017.

April 10, 2017

Dr. Rubin emailed a request to be heard before the Board to discuss modifying his Board order due to a financial hardship.

April 17, 2016

A certified letter was sent to Dr. Rubin for failure to comply with the Settlement Agreement & Order. Dr. Rubin failed to take and pass the EBAS by March 10, 2017. Dr. Rubin also discontinued making payments of \$100.00 per month towards the Board's fee and costs and his fine. Dr. Rubin made payments from October 2016 through February 2017 for a total of \$500.00 to date.

April 21, 2017

- Dr. Rubin appeared before the Board and requested that the Board relieve him of the remainder of his Settlement Agreement due to financial hardship.
- The Board voted to deny Dr. Rubin's request until he is in compliance with the Board Order at which time he could return before the Board.

October 24, 2017

Dr. Rubin emailed a request for the Board hold a special meeting pursuant to NRS 634.042 due to a financial hardship.

November 1, 2017

- Dr. Rubin withdrew his request for a special meeting.

Mark Rubin

Page 2

December 19, 2017

- *Dr. Rubin emailed a request to come before the Board to discuss modifying his Board order.*

January 11, 2018

- Dr. Rubin and his attorney came before the Board and entered into an Order Modifying Settlement Agreement and Order effective January 31, 2018.

February 22, 2018

- Dr. Rubin notified the Board that he would be performing 100 hours of community service with the People's Autism Foundation, which has been confirmed.

March 7, 2018

- Dr. Rubin's application to reinstate his license to active status was received as well as his payment toward the Board costs of \$50.00.

March 8, 2018

- Pursuant to the January Board order Dr. Rubin emailed a request to come before the Board to discuss the terms of his Order at the April 12, 2018 Board meeting.

BEFORE THE CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

IN THE MATTER OF:)	
)	Case Nos. 15-06S
MARK RUBIN D.C.)	
License No. B648,)	ORDER MODIFYING SETTLEMENT
)	AGREEMENT AND ORDER
Respondent.)	
)	

On September 9, 2016, the Board entered a Settlement Agreement and Order (SAO) in this matter. By the SAO, the Board agreed to a resolution of a matter involving the failure to make, maintain, and provide medical records, the failure to notify patients of his lack of malpractice insurance, and the making of false statements to the Board's investigating board member. Dr. Rubin agreed to discipline that involved three-years' probation with terms and conditions and the payment of fines and fees and costs.

Dr. Rubin sought modification of the SAO due to a change in circumstances, and the Board scheduled an appearance by Dr. Rubin at the Board's regular meeting on January 11, 2018. On January 11, 2018, the Board convened regarding Dr. Rubin's request to modify the SAO. At the meeting, the Dr. Rubin appeared and represented himself, and the Board's staff was represented by the Investigating Board Member, Tracy DiFillipo, and the Board's Counsel, Louis Ling. The Board asked Dr. Rubin and Ms. DiFillipo questions.

Based upon the Board's review of the matter, the Board hereby orders that the SAO entered on September 9, 2016 be modified as follows:

1. All of the terms and conditions in the SAO entered September 9, 2016 shall remain in full force and effect except as those terms are modified or supplemented in the following paragraphs.
2. Dr. Rubin shall pay to the Board the \$2,500.00 in the Board's fees and costs incurred in the matter as ordered in the SAO except that he may pay the at the rate of a minimum of \$50.00 per month, due on the first day of each month, until paid in full.
3. Dr. Rubin shall pay to the Board the \$1,500.00 fine as ordered in the SAO except that he may pay the at the rate of a minimum of \$50.00 per month, due on the first day of each month, until

paid in full, or he may perform 100 hours of community service in lieu of paying the fines. Dr. Rubin shall notify the Investigating Board Member within 10 days from the effective date of this Order whether he opts to pay the fine or to perform community service in lieu thereof. If Dr. Rubin opts to perform community service, he shall inform the IBM of the community service he intends to perform, which the IBM shall approve or not in her discretion. If Dr. Rubin opts to perform community service, he shall complete the 100 hours no later than six months from the effective date of this Order.

4. Dr. Rubin may appear at the Board's next regular meeting, presently scheduled for April 19, 2018, to present to the Board any update he might have regarding his employment as a chiropractic physician and how he intends to comply with the probationary terms and conditions in the SAO based upon his employment situation. The Board may further modify the probationary terms and conditions as it deems appropriate and necessary based upon Dr. Rubin's presentation at the April 2018 meeting.

5. Dr. Rubin's extended probationary period as set out in this Order shall not terminate unless and until Dr. Rubin has paid all of the fines and fees and costs ordered herein.

6. Dr. Rubin shall meet with the Board or its representatives upon reasonable request and shall reasonably cooperate with such representatives in their supervision, monitoring, investigation, or auditing to assure compliance with the terms and conditions of this order.

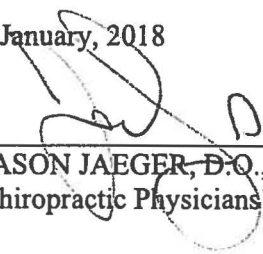
7. In the event the IBM is presented with information reasonably indicating that Dr. Rubin has failed to materially comply with any term of this Order or the SAO, the IBM shall inform Dr. Rubin of what he believes to constitute the non-compliance and shall give Dr. Rubin no more than ten days to respond to the IBM describing what actions he intends to take to remedy the non-compliance. If Dr. Rubin cannot or does not satisfy the IBM with his response, the IBM may take such action as he deems necessary to assure compliance by Dr. Rubin, which may include but is not limited to negotiating a resolution or amendment to this Settlement Agreement and Order, summarily suspending Dr. Rubin's license, commencing additional disciplinary action, or taking any other administrative or legal action the IBM deems necessary to effectuate compliance with this Settlement Agreement and Order. Board Staff may take any and all actions it deems necessary to collect any sums ordered that remain unpaid.

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If Board Staff is required to pursue judicial action to effect such collections, it shall be entitled to recover its attorney's fees and costs incurred in pursuing such judicial action.

Signed and effective this 31 day of January, 2018


DC, FCBP

JASON JAEGER, D.O., President
Chiropractic Physicians' Board of Nevada

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 8 Consideration, deliberation, and decision regarding request for declaratory order or an advisory opinion pursuant to NAC 634.653 from Dr. Robin Mitchell related to telehealth and licensure – For possible action.

RECOMMENDED MOTION: No recommendation.

PRESENTED BY: Jason O. Jaeger, DC/Louis Ling, Esq.

MEETING DATE: April 12, 2018

TIME REQUIRED: 10 minutes

BACKGROUND INFORMATION: See attached Declaratory Order or Advisory Opinion request from Robyn Mitchell, DC, DACBR

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

March 19, 2018

Nevada Board of Chiropractic Physicians
4600 Keitzke Lane, Ste. M245
Reno, NV 89502

RE: NRS 629.515 Declaratory order or Advisory opinion

This letter serves as a petition to the Board for a declaratory order or advisory opinion in regards to NRS 629.515.

Does an out of state (located at a distant site) health care provider require a license in the state of Nevada to provide via teleradiology, a written, signed diagnostic radiology report for a physician and patient who reside in Nevada.

NAC 634.653 Declaratory orders and advisory opinions. (NRS 233B.120, 634.030)

1. A petition to the Board for a declaratory order or advisory opinion may only be filed by the holder of or an applicant for a license issued by the Board.
2. The filing must include the original and 10 copies of the petition.
3. A petition that is filed with the Board not less than 10 days before its next regularly scheduled meeting will be reviewed by the Board at that meeting. The Board will issue a declaratory order or advisory opinion within 30 days after reviewing the petition.

(Added to NAC by Chiropractic Physicians' Bd. by R101-08, eff. 12-17-2008)

Respectfully submitted by:



Robyn B. Mitchell, D.C., DACBR
65 Foothill Rd., #3
Reno, NV 89511

NV License: B445

10 copies were submitted and mailed by USPS certified mail on 03/19/18.

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 9 Board Counsel Report – For possible action.**

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Louis Ling**

MEETING DATE: **April 12, 2018**

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 10 Discussion and selection of a Private Investigation firm – For possible action.

RECOMMENDED MOTION: No recommendation.

PRESENTED BY: Ben Lurie, DC

MEETING DATE: April 12, 2018

TIME REQUIRED: 10 minutes

BACKGROUND INFORMATION: At the Boards' January 11, 2018 meeting it was determined that Dr. Lurie would review the proposals and make a determination on the Board's investigator.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 11 FCLB/NBCE Matters – For possible action.**

- A. Support Dr. Cynthia Tays for District IV Director**
- B. Other FCLB/NBCE matters**

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Ben Lurie, DC**

MEETING DATE: **April 12, 2018**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 11

February 21, 2018

Dear FCLB District IV:

I am writing to announce my intention to run for re-election as FCLB District Director for District IV. I have enjoyed my past three years as District Director and want to point out some achievements during my tenure.

Financially, the FCLB has an improved economic status during the past two years due to excellent fiscal management and the expansion of the PACE program. Each District Director has responsibilities to promote PACE as well as the other programs of the FCLB, and I have worked to bring my home state of Texas in as one of states accepting the PACE credentials. I have brought other states into the program as well and am continuing to work with those states in my district that are evolving in this direction. At the beginning of my term as District Director I became concerned with the automatic 5% increase in member dues each year and successfully worked to eliminate this by providing economic statistical information to the BOD during our planning processes and by persuading other members of the FCLB Board of Directors. This has resulted in savings to all your individual boards.

I am currently working on an FCLB project to organize and standardize the various chiropractic specialties, and have been invited to present information to the Academy of Chiropractic Orthopedists in April 2018.

I have strived to persuade all states in my district to be active members and have members attend the FCLB fall district meeting and the spring annual meeting. Last May I attended the California Board of Chiropractic Examiners meeting and presented FCLB materials. I have enjoyed presenting the educational program at the fall Districts I and IV meetings and look forward to my future involvement. I am pleased that after our 2017 fall meeting we distributed further follow-up information to the Districts I and IV boards concerning topics discussed during the meeting. I have been engaged in improving our FCLB course contents for increased value to our member boards. We are now putting more emphasis on board training.

Last May I was honored to be voted Board Chair by the FCLB Board of Directors and currently hold that position. This places me as moderator of all the BOD meetings and as a member of the Executive Committee; this has been a challenging but fulfilling opportunity to be involved and knowledgeable about all FCLB issues.

One of my previous election promises to District IV was to be in regular communication with my district. I have sent out email updates after our BOD meetings and at other times so that all member boards in District IV are up-to-date on FCLB news. I look forward to continuing these efforts.

I thank all of you for your dedication and service to FCLB and our profession and have been honored to serve as your representative.

Respectfully,



Cynthia Tays, DC, FACO

Fellow, Academy of Chiropractic Orthopedists

Designated Doctor, TDI-DWC

District IV Director and Board Chair, Federation of Chiropractic Licensing Boards

CYNTHIA L. TAYS, DC, FACO

4633 Far West Blvd., #3
Austin, Texas 78731
Voice: (512) 944-5677
Email: drtaysdc@gmail.com

CURRICULUM VITAE

- ◆ B. A., Biology, with honors, St. Cloud State University, MN, 1977.
- ◆ D.C., Texas Chiropractic College, with honors, 1983.
- ◆ Texas chiropractic license number 2990, July 1983 to present.
- ◆ Minnesota chiropractic license number 2012, January 1984 to present, currently inactive.
- ◆ Certified in acupuncture, Texas Chiropractic College, 1986.
- ◆ Certified Chiropractic Sports Practitioner, Academy of Chiropractic Sports Practitioners, 1987.
- ◆ Certificate of Proficiency, Manipulation under Anesthesia, April 1993.
- ◆ Board Certified, Chiropractic Orthopedics, American Board of Chiropractic Orthopedists, 1995.
- ◆ Completed many postgraduate trainings in impairment rating from American Academy of Disability Rating Physicians, Texas Chiropractic College, Parker College of Chiropractic, Texas Medical Association, American Board of Independent Medical Examiners and Texas Department of Insurance. Most recent was in 04/2016.
- ◆ Designated Doctor status maintained with the Texas Department of Insurance, Division of Workers' Compensation, with annual continuing education.

Experience and Honors

President, Texas Board of Chiropractic Examiners, May 2011 through August 2016.

Secretary/Treasurer, May 2009 to April 2011.

Chairperson of the Enforcement Committee May 2009 to April 2011.

Appointed by Governor Perry to board, February 2008

I have lead a chiropractic state regulatory agency, licensing over 5000 chiropractors, in regulation of the chiropractic profession and protection of the public in Texas. I have been at the helm of leadership during the time of legal challenge of chiropractic rules in Texas regarding diagnosis, needle EMG, manipulation under anesthesia, vestibular testing and acupuncture.

Federation of Chiropractic Licensing Boards, a national organization to support and promote chiropractic regulation

Elected **Chair and District IV Director** position on the **Board of Directors**

Presenter and Speaker, Federation of Chiropractic Licensing Boards meetings, May 2012, May 2013, October 2015, May 2016, October 2016 and May 2017.

Awarded Pillar of Regulation award, May 2014. Recognized for superior effectiveness in state chiropractic practice regulation.

Examiner, Chiropractic National Board, Part IV Oral/Practical Examinations, May 2008, May 2009, November 2009, May 2011, May 2013, May 2015 and November 2017.

Test Committee, Chiropractic National Board, Part IV Oral/Practical Examinations, June 2012, June 2013, June 2016. Helped to create questions for the upcoming examinations Chiropractic National Boards Oral Examinations.

Designated Doctor, Texas Department of Insurance, Division of Workers' Compensation, 1993 to present:

Provide Designated Doctor evaluations for cases referred by the Texas Department of Insurance, Division of Workers' Compensation.

Physician Adviser, JI Specialties, March 2006 through May 2007: Provide pre-authorization determinations, peer review, billing and utilization reviews on chiropractic and medical claims in the Texas workers' compensation system. Case reviews averaged between 20-30 cases per month.

P & S Network, September 2006 to October 2007: Assisted a California peer review company in attaining Texas IRO approval and recruitment of peer review physicians.

Texas Lead Chiropractic Case Manager, Professional Dynamics, Inc., February 2005 through January 16, 2006, when the position was eliminated. Part-time chiropractic case management work as described below but with additional responsibility for Texas marketing and client services. Worked as liaison to state government, potential new clients and existing customers. Contacted potential new clients and provided sales presentations. Supplied expertise and completion of Texas Department of Insurance IRO provider application, Texas Department of Insurance CEU provider application, and presented continuing education courses to nurses and claims personnel. Produced company presentations and newsletters for marketing purposes. Converted California templates and written forms to Texas law formats.

Chiropractic Case Manager, Professional Dynamics, Inc., July 2004 through September 25, 2006: Responsibilities included chiropractic case management, utilization review and peer review of workers' compensation cases for insurance companies, large employers and government entities. Goals were to educate treating Drs. of Chiropractic to obtain patient treatment success using published guidelines and references for assistance in making clinical decisions. Company clients included the State of Texas (SORM), University of Texas, Houston Transit Authority, St. Paul Travelers Insurance Company, and Costco.

Peer Reviewer/IME Specialist for workers' compensation claims, 1993 to December 2007, for various contracting companies, including NHR Partners, Medical Evaluation Specialists, Crawford and Company, Medical Consultants Network (MCN), and MCMC.

Expert Witness, SOAH hearings and automobile liability cases for Stone Loughlin & Swanson (WC), Allstate, State Farm Insurance and plaintiff attorneys (for injured patients).

Private practice, May 1984 to July 1, 2013.

Consultant to St. Edward's University Athletic Department, Ballet Austin and Tapestry Dance Company, University of Texas Dance Program

Consultant to American Specialty Health Network, 2002-2013. Member of the Clinical Provider Review Committee, the Provider Hearing Panel and the Provider Quality and Credentialing Committee.

Membership: American Chiropractic Association, Texas Chiropractic Association, ACA Council of Sports Medicine, ACA Council on Physiological Therapeutics and Rehabilitation, The American College of Chiropractic Orthopedists.

Clinical Faculty member, Texas Chiropractic College, 1983-84. Employed as clinical supervisor in outpatient clinic.

Intern Clinician of the Year award, Texas Chiropractic College, 1983.



2017 Lifetime Achievement Award

The American Public Health Association (APHA) Chiropractic Health Care (CHC) Section recently

Richard Brown; it was originally published in the World Federation of Chiropractic, *Quarterly World*

also to the CHC, having served as CHC Chair for two

h his efforts in improving quality of certification through the NBCE. When asked how being involved with public health efforts makes a difference, Dr. Hyland replied, "Members of the APHA-CHC raise awareness of the availability of this vital service, and contribute to improving the health of our communities through various collaborations and research. When I first



Dr. John Hyland

community. As I learned about the field of Health Education and Promotion, I realized I needed to pursue a Master's degree in Public Health. Once I had an MPH, I participated in collaborative research projects (several of which were presented at APHA meetings) and taught public health as an adjunct instructor. I have now come full circle, and am actively engaged in protecting the public's health in my position with the NBCE, which assists state regulatory boards in assuring the licensing of safe and effective chiropractors. All of this would have been impossible without the professional friendships and knowledge I gained through the APHA-CHC." Story kindly submitted by Dr. Claire Johnson.

Dr. Hyland currently serves as NBCE's Chief Technical Advisor as well as Director of the International Board of Chiropractic Examiners. The NBCE Board of Directors and staff joins in congratulating Dr. Hyland on his commitment to serve and his dedication



NBCE Hosts Student Leadership Forum



Pictured left to right: NBCE Exec. Vice President Dr. Norman Ouzts, Brandon Mason, Aidan Kaye, Jacob Mills, Emily Choate, Damion Stevens, Brittany Schmidt, Ryan Burdick, Jennifer Razey, Samuel Feinberg, NBCE President Dr. Salvatore LaRusso

Greeley, Colo.--The National Board of Chiropractic Examiners (NBCE) hosted its 15th annual student leadership forum on January 26-27, 2018. This year's participants represented nine chiropractic colleges, including three national student organizations, and three winners of the 2017 NBCE Essay Scholarship Competition.

NBCE President Dr. Salvatore D. LaRusso welcomed students, praising their academic excellence as well as their commitment to leadership in the chiropractic profession. During the forum, NBCE staff updated attendees on the science behind the development and administration of written and practical exams, the cost of exams, the importance of valid, reliable, accurate and fair exams, and the psychometrics of the scoring process. During a structured focus group, student leaders were invited to give feedback to the NBCE about their personal experiences with applications, exam administration and security, score reporting and transcript delivery.

NBCE Treasurer Dr. John Nab presented an enrichment program entitled, "Leadership Starts with You." Dr. Nab acknowledged that, "the toughest person to lead is always yourself." He also highlighted the importance of understanding your leadership style and the importance of the choices you make. Dr. Nab presented four keys to leading yourself: learn followership, develop self-discipline, practice patience, and seek accountability.

Attendees included:

Student American Black Chiropractic Association

- Damion Stevens, National Student Rep., Palmer College of Chiropractic, FL

Student American Chiropractic Association

- Jennifer Razey, National Vice-Chair, National University of Health Sciences

Student International Chiropractic Association

- Brandon Mason, Student Representative, Palmer College of Chiropractic, IA

College Representatives

- Emily Choate, D'Youville College
- Samuel Feinberg, Sherman College of Chiropractic
- Jacob Mills, Parker University

2017 NBCE Scholarship Winners

- Ryan Burdick, Cleveland University
- Aidan Kaye, New York Chiropractic College
- Brittany Schmidt, Northwestern Health Sciences University

Headquartered in Greeley, Colo., the NBCE is the international testing organization for the chiropractic profession. Established in 1963, the mission of the NBCE is to ensure professional competency through excellence in testing.

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 12 Parker Seminar Report – Non-Action item.**

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

PRESENTED BY: **Dr. Maggie Colucci**

MEETING DATE: **April 12, 2018**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION: **The annual Parker Seminar was held March 1-3, 2018 at the Paris Las Vegas Hotel. There were ten temporary licenses issued.**

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 NCA Report – No action**

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

PRESENTED BY: **James Overland, DC**

MEETING DATE: **April 12, 2018**

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 14** NCC Report – No action

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

PRESENTED BY: **Nicole Harmel, DC**

MEETING DATE: **April 12, 2018**

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 15 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.

RECOMMENDED MOTION: No recommendation

PRESENTED BY: Jason O. Jaeger, DC

MEETING DATE: April 12, 2018

TIME REQUIRED: 45 minutes

BACKGROUND INFORMATION:

- A. Complaint 16-11S (Colucci)
- B. Complaint 17-04N (Rovetti)
- C. Complaint 17-05N (Jaeger)
- D. Complaint 17-07S (Jaeger)
- E. Complaint 17-08S (Lurie)
- F. Complaint 17-12S (Colucci)
- G. Complaint 17-13S (Rovetti)
- H. Complaint 17-18S (Jaeger)
- I. Complaint 17-20S (Lurie)
- J. Complaint 17-21S (Rovetti)
- K. Complaint 17-23S (Colucci)
- L. Complaint 17-24S (Jaeger)
- M. Complaint 17-25S (Martinez)
- N. Complaint 17-26S (Colucci)
- O. Complaint 17-28S (Lurie)
- P. Complaint 17-30S (Colucci)
- Q. Complaint 17-31S (Martinez)
- R. Complaint 17-33S (Jaeger)
- S. Complaint 18-01S (Lurie)
- T. Complaint 18-02S (Outside Investigator)
- U. Complaint 18-03S (Colucci)

REVIEWED BY: X President X Secretary X Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15A 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 16-11S (Dr. Colucci)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Maggie Colucci, DC

MEETING DATE: April 12, 2018

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 15A

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 15B** 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 17-04N (Dr. Rovetti)

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Morgan Rovetti, DC**

MEETING DATE: **April 12, 2018**

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 pursuant to NAC 634.018.**

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15B

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15C 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 17-05N (Dr. Jaeger)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Jason O. Jaeger, DC

MEETING DATE: April 12, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: The complainant alleged 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 15C

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15D 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 17-07S (Dr. Jaeger)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Jason O. Jaeger, DC

MEETING DATE: April 12, 2018

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 15E 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 17-08S (Dr. Lurie)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Ben Lurie, DC

MEETING DATE: April 12, 2018

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: X President X Secretary X Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15E

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15F 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 17-12S (Dr. Colucci)

RECOMMENDED MOTION: Recommend dismissal.

PREPARED BY: Maggie Colucci, DC

MEETING DATE: April 12, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: The complainant alleged that two DC's are practicing outside the scope of chiropractic and embezzled from the business.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15F

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15G 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 17-13S (Dr. Rovetti)

RECOMMENDED MOTION: No recommendation

PREPARED BY: Morgan Rovetti, DC

MEETING DATE: April 12, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: A citation was issued to the DC for an advertising violation. The DC paid the fine and costs.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15G

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 15H** 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 17-18S (Dr. Jaeger)

RECOMMENDED MOTION: **No recommendation**

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

MEETING DATE: **April 12, 2018**

TIME REQUIRED: **5 minutes**

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

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15H

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 15I** 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 17-20S (Dr. Lurie)

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Ben Lurie, DC**

MEETING DATE: **April 12, 2018**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION: **The complainant is questioning the billing practices and business operations of the DC.**

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15I

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15J 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 17-21S (Dr. Rovetti)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Morgan Rovetti, DC

MEETING DATE: April 12, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: A citation was issued to the DC for an advertising violation. The DC paid the fine and costs.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15J

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 15K** 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 17-23S (Dr. Colucci)

RECOMMENDED MOTION: **Recommend dismissal.**

PREPARED BY: **Maggie Colucci, DC**

MEETING DATE: **April 12, 2018**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION: **The complainant alleged the DC is capping/fee splitting.**

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15K

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15L 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 17-24S (Dr. Jaeger)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Jason O. Jaeger, DC

MEETING DATE: April 12, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: The complainant alleges that the DC conducted chiropractic outside the hours of operation of the clinic to which the services have not been documented in the point of sale system or patient record system, so there is no evidence that payment was made. In addition, the DC is allegedly solicited patients under a no compete clause to visit another practice which the DC has a vested interest.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15M 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 17-25S (Dr. Martinez)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Xavier Martinez, DC

MEETING DATE: April 12, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: The complainant alleged that they were sold a package and treated by the DC in January 2017, however upon this visit they were told by the DC that they could not treat them and referred them to another DC.

REVIEWED BY: X President X Secretary X Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15M

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15N 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 17-26S (Dr. Colucci)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Maggie Colucci, DC

MEETING DATE: April 12, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: The complainant is questioning the billing practices and business operations of the DC.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15N

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 150 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 17-28S (Dr. Lurie)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Ben Lurie, DC

MEETING DATE: April 12, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: The Board was notified by the National Practitioners Data Bank that a DC settled a malpractice claim, which is to be reported to the Board by the DC within 15 days pursuant to NAC 634.425. To date the DC has not notified the Board of this action.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15P 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 17-30S (Dr. Colucci)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Maggie Colucci, DC

MEETING DATE: April 12, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: The complainant alleged fraudulent billing and invoices reflect an address of a UPS Store.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15P

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15Q 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 17-31S (Dr. Martinez)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Xavier Martinez, DC

MEETING DATE: April 12, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: This complaint was recommended by the Board to review the business structure of a chiropractic practice.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15R 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 17-33S (Dr. Jaeger)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Jason O. Jaeger, DC

MEETING DATE: April 12, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: The complainant alleged that the DC is not keeping patient records.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15R

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15S 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 18-01S (Dr. Lurie)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Ben Lurie, DC

MEETING DATE: April 12, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: The complainant is questioning the billing practices and business operation of the DC.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 18S

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15T 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 18-02S (Outside Investigator)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Louis Ling/Julie Strandberg

MEETING DATE: April 12, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: This complaint is against a sitting Board member and will be investigated by an outside investigator.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15T

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15U 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 18-03S (Dr. Colucci)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Maggie Colucci, DC

MEETING DATE: April 12, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: Alleged unlicensed practice.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15U

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 16 - Discussion of potential improvements to and best practices for Board members in the discharge of their various duties and obligations - For possible action

RECOMMENDED MOTION: No recommendation

PRESENTED BY: Jason O. Jaeger, DC

MEETING DATE: April 12, 2018

TIME REQUIRED: 10 minutes

BACKGROUND INFORMATION: In an effort to streamline Board processes and provide guidelines to ensure various duties are being handled in a timely manner.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Board Member - Best Practices

Board Members shall adhere to the procedures and timelines stated below:

- Emails - Respond/acknowledge within 2 business days
- Review and approve requests, i.e. Temporary License, Preceptor Applications, Continuing Education, Financials, within 3-5 business days
- Board Minutes - Review and approve within three weeks of the next Board meeting
- Send all Board correspondence through the Board assigned email addresses (avoid text)
- Complaints - Review and make initial contact (Louis, Dr. Jaeger, DC, complainant, etc.) within 1 week of the complaint being assigned.

If additional time is required please communicate with the necessary party.

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 17** Committee Reports - For possible action

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

RECOMMENDED MOTION: **No recommendation**

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

MEETING DATE: **April 12, 2018**

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

Agenda Item 17

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 18** – 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**

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

PRESENTED BY: **Julie Strandberg**

MEETING DATE: **April 12, 2018**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

STATUS OF PENDING COMPLAINTS – April 12, 2018

16-11S	9/7/2016	Colucci	Erroneous records and billings	Under investigation	\$707.84
17-04N	2/22/2017	Rovetti	Failure to report malpractice claim	Under investigation	\$60.94
17-05N	2/22/2017	Jaeger	Alleged malpractice	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	\$738.40
17-08S	3/3/2017	Lurie	Alleged misconduct	Under investigation	
17-12S	4/27/2017	Colucci	Alleged unprofessional conduct	Recommend dismissal	
17-13S	4/25/2017	Rovetti	Advertising complaint	Citation	\$396.87
17-18S	6/21/2017	Jaeger	Alleged unprofessional conduct and over-billling	Under investigation	
17-20S	7/28/2017	Lurie	Alleged fraudulent billing	Under investigation	
17-21S	7/28/2017	Rovetti	Allegedly failing to identify yourself as a chiropractor.	Citation	\$538.44
17-23S	8/1/2017	Colucci	Alleged unprofessional conduct-fee splitting	Under investigation	\$3,751.83
17-24S	8/9/2017	Jaeger	Alleged unprofessional conduct	Under investigation	\$430.00
17-25S	8/10/2017	Martinez	Alleged unprofessional conduct	Under investigation	
17-26S	8/10/2017	Colucci	Alleged unprofessional conduct	Under investigation	
17-28S	9/12/2017	Lurie	Failure to report malpractice claim	Under investigation	
17-30S	10/16/2017	Colucci	Alleged fraudulent billing	Under investigation	
17-31S	10/19/2017	Martinez	Business structure	Recommend dismissal	

<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>
17-33S	11/15/2017	Jaeger	Allegedly not keeping patient records	Under investigation	
18-01S	1/2/2018	Lurie	Alleged fraudulent billing	Under investigation	
18-02S	2/1/2018	Outside investigator	Alleged unethical process	Under investigation	
18-03S	2/20/2018	Colucci	Alleged unlicensed practice	Under investigation	
DORMANT COMPLAINTS:					
11-23S	11/7/2011		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		Possible malpractice	To be held in abeyance; to be addressed if the licensee requests reinstatement in the future	

STATUS OF CURRENT DISCIPLINARY ACTIONS at February 28, 2018**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 was approved. The IBM may speak to Dr. Francis at his discretion to ensure Dr. Francis is following the correction plan that was agreed to. Dr. Francis made a payment in the amount of \$50,000.00; **the current balance of his costs owed is \$10,484.16.**

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 in the amount of \$1,500.00 and pay the Board's costs in the amount of \$2,500.00.

Dr. Rubin appeared before the Board at its January 11, 2018 meeting and entered into an Order Modifying Settlement Agreement and Order. All the terms and conditions in the SAO entered September 10, 2016 shall remain in full force and effect, except he may pay the Board's costs at the minimum rate of \$50.00 per month and in lieu of paying the \$1,500.00 fine he may perform 100 hours of community service, which he has commenced with the People's Autism Foundation. **The current balance of the Board costs due is \$2,000.00.**

7. David Stella, DC, License No. B753

Dr. Stella entered an Order Imposing Discipline Pursuant to Supplemental Stipulation to Modify SAO on January 31, 2018. Dr. Stella will be on probation for three years effective January 31, 2018. Dr. Stella shall reimburse the Board \$2,500.00 for Dr. Mortillaro's fees within 30 days, which he paid on January 18, 2018. Dr. Stella shall pay a fine of \$3,500 (\$2,500.00 for the violation of his SAO and \$1,000.00 for violation of his recordkeeping obligations) and board costs & fees in the amount of \$1,280.00 within 60 days of the effective date of this order. Within six months of the effective date of this Order, Dr. Stella shall provide the Board's office written evidence of satisfactory completion of eight hours of continuing education related to ethics and boundaries and four hours related to medical recordkeeping. **Dr. Stella has submitted two hours of continuing education in record keeping.**

Disciplinary Actions with No Probation

8. 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 \$16,171.00.** Dr. Raines is in compliance with the terms of the Order.

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, which was paid on February 27, 2017. Upon successfully completing #1 and #2 Dr. Brown shall take and pass the Nevada jurisprudence exam, which have all been completed. Dr. Brown was granted his license on February 28, 2017 under the condition that his license be on probation for three years and he will have a practice monitor for the duration of his probation effective February 28, 2017. Dr. Brown must submit twelve hours of continuing education related to chiropractic ethics and boundary issues by December 1, 2017, which was completed on November 17, 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.

IAN YAMANE, D.C.
2851 N. TENAYA WAY, STE. 103
LAS VEGAS, NEVADA 89128
(702) 309-4878
(702)309-4879 fax

QUARTERLY REPORT

March 10, 2018

Ben Lurie, D.C.
Chiropractic Physician's Board of Nevada
4600 Kietzke Lane, M-245
Reno, NV 89502

RE: Brett Brown, D.C.

Probationary Period: 4/2017-4/2020

Dear Dr. Lurie:

Facility Inspection

On March 6th of 2018 I conducted a quarterly inspection at Dr. Brown's place of employment. He is employed by Dr. Albert Simoncelli with Mountainwest Chiropractic. Since my last visit, Johanna Hadrichs was hired on 1/22/18 as a back office CA and Alexis Gomez was hired on 1/22/18 to work the front desk. Dr. Brown has made no changes to his office layout.

Record Keeping

I reviewed a random selection of patient charts (WH, MS, JM, RM, PY, EL) to assure their compliance with NAC 634.435. Diagnosis codes did match up with the appropriate complaints and objective findings. Reevaluations were performed in a timely manner. The results were documented on paper and then transcribed into the EMR system. Dr.

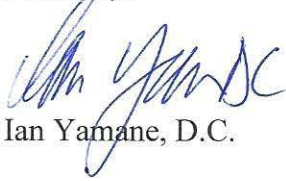
Brown's initials were found on the hard copy. Back office therapies were performed by chiropractic assistants where they did indicate who applied which therapy in an appropriate section within the EMR system. Each note did contain the brand of laser and therapeutic frequency utilized on each patient. The billing ledger and services performed indicated on the SOAP notes did match accordingly.

Conclusion

Dr. Brown continues to utilize the EMR system appropriately. Patient management and documentation are appropriate and within the standard of care.

My next visit will be in June of 2018.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ian Yamane, D.C.", written over a light blue horizontal line.

Ian Yamane, D.C.

Cc: Brett Brown, D.C.
CPBN Office

Julie Strandberg

From: doclrd@aol.com
Sent: Sunday, April 01, 2018 8:36 PM
To: Julie Strandberg
Subject: Dr. Alan Bader Compliance Report

April 1, 2018

Monitor Report

A review of additional records reveals Dr. Alan Bader's record keeping continues to be in accordance with NRS/NAC 634 requirements.

He has met all disciplinary requirements as reported in the January monitor report. Dr. Bader will have completed one year of monitoring as of April 21, 2018.

I am comfortable in recommending that Dr. Bader be released from his probation at the completion of this first year of his 2 year probation period taking into consideration that the record keeping component of his discipline was not the chief causation of his disciplinary action.

Respectfully submitted,

Dr. Lawrence Davis

From: doclrd@aol.com
To: chirobd@chirobd.nv.gov
Sent: 1/4/2018 10:10:50 PM Pacific Standard Time
Subject: Re: Dr. Alan Bader

January 4, 2018

Monitor Report

Dr. Alan Bader, License B567

Purpose of monitoring : Health Care Records Review and compliance with disciplinary actions.

- 1. Board Costs of 1929.80 paid May 17th 2017**
- 2. Fine of \$5000 paid May 17th 2017**
- 3. CPBN Jurisprudence Exam Passed July 12th 2017**
- 4. EBAS Passed July 26th 2017**
- 5. 4 Hours of CE in Ethics and Boundaries Completed Sept 6th 2017**
- 6. 4 Hours of CE in Patient Record Keeping Completed Sept 7th 2017**
- 7. Review of Patient Records showed complete SOAP notes in compliance with record keeping requirements.**

Respectfully Submitted,

Dr. Lawrence Davis

CHIROPRACTIC PHYSICIANS' BOARD

Legal/Investigatory Costs

Costs Incurred	Since Last Report November 2017	Year-To-Date Fiscal Year 2017/2018
Advantage Group	4,034.14	7,034.07
Attorney General	231.54	231.54
Sub-Total	4,265.68	7,265.61
Staff Attorney	1,875.00	13,407.00
Total	\$ 6,140.68	\$ - \$ 20,672.61
Costs Reimbursed		
Alan Bader, DC	\$ 1,629.80	\$ 1,629.80
Timothy Francis, DC	\$ 50,000.00	\$ 50,000.00
Paul Rovetti, DC	-0-	\$ -
Mark Rubin, DC	-0-	\$ 500.00
Totals	\$ 51,629.80	\$ 52,129.80
No Activity		
Corazon Murillo, DC	-0-	\$ 10,024.21
Obteen Nassiri, DC	-0-	\$ 114,614.24
	\$ -	\$ 124,638.45

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 19** – Discussion/possible action regarding the Matter of Alan Bader, DC
(Note: The Board may go into closed session pursuant to NRS 241 to consider the character, alleged misconduct, or professional competence of the applicants.)
For possible action.

RECOMMENDED MOTION: **No recommendation.**

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

MEETING DATE: **April 12, 2018**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION:

Dr. Bader entered a Settlement Agreement & Order effective April 21, 2017 and was ordered to:

- *Pay the Board's fees and costs totaling \$1,929.80 and fine in the amount of \$5,000.00
- *Take & pass the Ethics & Boundaries examination & the Nevada jurisprudence examination
- *Take & pass four hours of continuing education relating to ethics and boundaries and four hours related to making and keeping patient records
- *Dr. Bader's license shall be on probation for two years and have a practice monitor.

Dr. Bader has satisfied his Board Order with the exception of the terms of probation and practice monitor.

Dr. Bader is requesting that the Board terminate him from probation and the practice monitor effective April 21, 2018 (1 year early). Pursuant to Dr. Davis' quarterly report he has recommended that Dr. Bader be released from probation and practice monitoring. Please see the attached SAO and letters requesting the termination.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Julie Strandberg

From: ALAN BADER <ab89503@aol.com>
Sent: Wednesday, April 04, 2018 12:50 PM
To: Julie Strandberg
Subject: Termination of Probation and Practice Monitor

To Whom it may concern:

As of April 21, 2017 I Alan S. Bader, D.C. entered into an agreement with the Chiropractic Physicians board of Nevada and was ordered to complete 2 years of probation and be assigned a practice monitor to review my medical records on a quarterly basis and report to the board on there compliance. Dr. Larry Davis was assigned to act as my monitor over the past year. Pursuant to Dr. Davis's request to the Board and compliance of my records over the past 12 months am requesting that my probation and practice monitor be terminated as of April 21, 2018. Thank you for this consideration.

Sincerely,

Alan S. Bader, D.C.

APR 21 2017

RECEIVED RENO, NEVADA 89502

BEFORE THE CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

3	IN THE MATTER OF:)	
4	ALAN BADER, D.C.)	Case Nos. 15-18N
5	License No. B567,)	SETTLEMENT AGREEMENT AND
6	Respondent.)	ORDER

7 The Chiropractic Physicians' Board of Nevada (the Board), by and through its investigating board
 8 member Benjamin S. Lurie, D.C., hereby enters into this Settlement Agreement with Alan Bader, D.C.
 9 (License No. B567). Pursuant to chapter 233B and chapter 634 of the Nevada Revised Statutes (NRS)
 10 and Nevada Administrative Code (NAC), it is hereby stipulated and agreed, by and between the parties in
 11 the above-entitled matter, that this matter shall be settled and resolved upon the following terms:

PERTINENT FACTS

13 1. On November 8, 1993, Dr. Bader became licensed as a chiropractor in Nevada (License No.
 14 B567).

15 2. On May 2, 2015, the Board office received a complaint from Mr. Dave Raschen in which Mr.
 16 Raschen alleged that Dr. Bader had been having a sexual relationship with Mr. Raschen's wife, Katrina.
 17 The case was assigned to Dr. Benjamin S. Lurie to serve as the Investigating Board Member (IBM). Once
 18 the case was assigned Dr. Lurie, he commenced an investigation that involved obtaining medical and
 19 other records and interviewing various parties involved.

20 3. The IBM's investigation determined that Dr. Bader met his ex-wife Lona, when they attended
 21 high school together. Dr. Bader and Lona began dating in 2002, at which time he continued to treat her
 22 on occasion as her chiropractic physician. Dr. Bader began living with Lona in approximately 2005, they
 23 became engaged in approximately 2007, and they married in 2011. Throughout their dating and marital
 24 relationship, Dr. Bader, on occasion, treated Lona as her chiropractic physician.

25 4. The IBM's investigation determined that in 2008, Dr. Bader employed Katrina Raschen as his
 26 office manager. In 2014, Dr. Bader and Katrina began a sexual relationship. Throughout the time that
 27 Katrina was employed as an office manager by Dr. Bader and during their relationship, Dr. Bader treated
 28 Katrina as her chiropractic physician in his clinic and at their respective homes.

1 Order is in the best interests of both parties, the Board will not file a Notice of Charges in this matter
2 and the parties agree, instead, that the Board should rule upon this Settlement Agreement and Order as
3 containing all necessary elements of due process to authorize the Board to take such action. If the Board
4 approves this Settlement Agreement and Order, it shall be deemed and considered disciplinary action by
5 the Board against Dr. Bader.

6 10. Dr. Bader and Dr. Lurie, the Investigating Board Member in this matter, agree that this
7 matter should be resolved without a full hearing on the merits.

8 11. Dr. Bader is aware of, understands, and has been advised of the effect of this Settlement
9 Agreement, which he has carefully read and fully acknowledged. Dr. Bader acknowledges that he could
10 have reviewed this Settlement Agreement with and consulted with legal counsel, but he chose not to do
11 so before entering into this Settlement Agreement.

12 12. Dr. Bader has freely and voluntarily entered into the Settlement Agreement, and he is aware
13 of his rights to contest the charges pending against him. These rights include representation by an
14 attorney at his own expense, the right to a public hearing on any charges or allegations formally filed, the
15 right to confront and cross-examine witnesses called to testify against him, the right to present evidence
16 on his own behalf, the right to testify on his own behalf, the right to obtain any other type of formal
17 judicial review of this matter, and any other rights which may be accorded to him pursuant to the
18 provisions of Chapters 233B, 622, 622A, and 634 of the NRS and the NAC. Dr. Bader is voluntarily
19 waiving all these rights in exchange for the Board's acceptance of this Settlement Agreement.

20 13. Should the Settlement Agreement be rejected by the Board, it is agreed that presentation to
21 and consideration by the Board of such proposed Settlement Agreement or other documents or matters
22 pertaining to the consideration of this Settlement Agreement shall not unfairly or illegally prejudice the
23 Board or any of its members from further participation, consideration, adjudication, or resolution of
24 these proceedings and that no Board member shall be disqualified or challenged for bias.

25 14. Dr. Bader acknowledges that the Settlement Agreement shall only become effective after both
26 the Board and he have duly executed it.

AGREED DISCIPLINARY ACTION

THE PARTIES DO HEREBY AGREE as a result of the acknowledgements contained in paragraphs 1 through 14 above that the following discipline is fair and appropriate and should be imposed by the Board by way of resolution of this matter:

1. Dr. Bader shall pay the Board's fees and costs in the investigation and prosecution of this matter totaling \$1,929.80, payable by cashier's or certified check or money order made payable to: "Chiropractic Physicians' Board of Nevada." The payment must be received by the Board's office within 30 days of the effective date of the Board's adoption of this Settlement Agreement.

2. Dr. Bader shall pay a fine in the amount of \$5,000.00 (\$3,500.00 for the sexual misconduct, \$1,000.00 for allowing an unlicensed person to perform chiropractor's assistant duties, and \$500.00 for recordkeeping) payable by cashier's or certified check or money order made payable to: "Chiropractic Physicians' Board of Nevada." The payment must be received by the Board's office within 30 days of the effective date of the Board's adoption of this Settlement Agreement. Dr. Bader may combine the amount due under this paragraph with the amount due under paragraph #1 so that he may pay both by a single cashier's or certified check or money order.

3. Dr. Bader shall take and pass the Ethics & Boundaries Examination related to chiropractic administered by the Ethics and Boundaries Assessment Services, LLC (EBAS) within six (6) months of the effective date of this Settlement Agreement and Order. Dr. Bader shall pay the costs associated taking and passing the EBAS Ethics & Boundaries Examination.

4. Dr. Bader shall take and pass the Nevada jurisprudence examination within 90 days of the effective date of this Settlement Agreement and Order. Dr. Bader may opt to take the examination in-person or online.

5. Dr. Bader shall take and pass four hours of continuing education relating to ethics and boundaries and four hours of continuing education related to the making and keeping of patient records within 180 days of the effective date of this Settlement Agreement and Order. The continuing education courses must be approved by the IBM before the classes are taken and may not be counted as part of the 36 continuing education hours required for Dr. Bader to renew his license.

1 6. Dr. Bader's license shall be on probation for a period of two years from the effective date of
2 this Settlement Agreement and Order. As terms and conditions of the probation, Dr. Bader agrees that
3 he will assure that his chiropractic practice conforms to the following terms, conditions, and practices:

4 (a) Medical Records. For every patient Dr. Bader treats after the effective date of this
5 Settlement Agreement and Order, regardless of the setting within which the treatment is
6 provided, Dr. Bader shall make and maintain health care records in compliance with NAC
7 634.435. The records shall be readily identifiable as being made in SOAP format (Subjective,
8 Objective, Assessment, Plan). Within ten business days of the effective date of this Settlement
9 Agreement and Order, Dr. Bader shall submit to the IBM a copy of his proposed form or
10 computer program (EHR) that he will use for his health care records. The IBM shall review the
11 form or computer program (EHR) and shall either approve it or provide Dr. Bader with direction
12 as to what the proposed form lacks. Once the form or computer program (EHR) is approved by
13 the IBM, Dr. Bader will use it in the treatment of all of his patients thereafter.

14 (b) Recordkeeping. Dr. Bader shall store all medical records, billing records, and other
15 records incident to his chiropractic practice in compliance with Nevada and federal law.

16 (c) Practice Monitoring. Within 30 days of the effective date of this Settlement
17 Agreement and Order, Dr. Bader and the IBM shall consult and determine a chiropractic
18 physician who shall serve as a practice monitor throughout the remainder of the period of
19 probation. The practice monitor shall be provided with a copy of this Settlement Agreement and
20 Order and shall be expected to visit Dr. Bader's practice and recordkeeping facility at such times
21 and with such frequency to view and review his practice, including reviewing health care records
22 and other records made and maintained by the practice related to patients treated by Dr. Bader,
23 to assure that the practice complies with paragraph 6 of the "Agreed Disciplinary Action" section
24 herein. Throughout the period of probation, Dr. Bader shall assure that the practice monitor has
25 access to whatever the practice monitor reasonably requests to assure that Dr. Bader and his
26 practice are in compliance with this paragraph 6. If the practice monitor identifies something
27 that is not in compliance this paragraph 6, the practice monitor shall communicate his or her
28 concerns with Dr. Bader and they shall address the non-compliance to get it back into

1 compliance. The practice monitor shall provide to the Board's office with quarterly reports
2 regarding Dr. Bader's compliance with the terms of paragraph 6, which report shall document
3 those things that are in compliance and those things, if any, which Dr. Bader were required to
4 bring into compliance pursuant to this subparagraph.

5 (d) Personnel Changes. Dr. Bader will notify the Board of any and all changes in his
6 personnel, regardless of position in his office, within 15 business days of each such change.

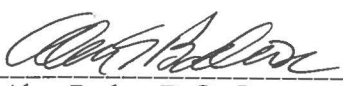
7 (e) Costs. Dr. Bader shall be responsible to pay any and all reasonable and necessary costs
8 associated with compliance with all portions of paragraph 6. Any failure to pay such costs as they
9 become due shall be deemed a breach of this Settlement Agreement and Order.

10 7. Dr. Bader shall meet with the Board or its representatives upon request and shall cooperate
11 with such representatives in their supervision, monitoring, investigation, or auditing to assure compliance
12 with the terms and conditions of this order. Dr. Bader shall pay any and all reasonable and necessary
13 costs incurred by the Board resultant from this paragraph.


14 8. In the event Dr. Bader fails to materially comply with any term of this Settlement Agreement,
15 Dr. Bader agrees his chiropractor's license in the State of Nevada shall be automatically suspended
16 without any action of the Board other than the issuance of an Order of Suspension by the Executive
17 Director. Upon complying with the term, Dr. Bader's chiropractor's license in the State of Nevada will
18 be automatically reinstated, assuming all other provisions of the Settlement Agreement are in compliance.
19 Additionally, Dr. Bader's failure to comply with any term or condition of this Settlement Agreement may
20 result in further discipline by the Board, up to and potentially including revocation of his license. Board
21 Staff may take any and all actions it deems necessary to collect any sums ordered that remain unpaid. If
22 Board Staff is required to pursue judicial action to effect such collections, it shall be entitled to recover its
23 attorney's fees and costs incurred in pursuing such judicial action.

24 Signed this 21 ^{April} day of ~~March~~ 2017.

25 Respondent Alan Bader

26
27 By 
28 Alan Bader, D.C., Respondent

Chiropractic Physicians' Board of Nevada

By 
Benjamin S. Lurie, D.C.
Investigating Board Member

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 20 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 February 28, 2018**

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

PRESENTED BY: **Julie Strandberg**

MEETING DATE: **April 12, 2018**

TIME REQUIRED: **5 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 February 28, 2018**

AGENDA ITEM 20A

CHECKING ACCOUNT	52,171.91
SAVINGS ACCOUNT	260,405.23
SAVINGS ACCOUNT - Restricted	19,458.00
Paypal	653.64
Total Cash Balance @ 02/28/18	<u>\$332,688.78</u>

ACCOUNTS RECEIVABLE SUMMARY AS OF February 28, 2018

AGENDA ITEM 20B

A/R	0.00
Fines	67,170.55
Cost Reimbursements	132,457.30
Total A/R	<u>\$199,627.85</u>

**ACCOUNTS PAYABLE SUMMARY
As of February 28, 2018**

AGENDA ITEM 20C

State Treasurer - Fines collected/payable	3,829.00
Total Accounts Payable	<u>\$ 3,829.00</u>

Extraordinary Items

AGENDA ITEM 20E

***Employee Accrued Compensation as of 02/28/18**

	Vacation Hours	Sick-Leave Hours
Julie Standberg	93.32	893.97
Brett Canady	11.50	5.50

Chiropractic Physicians' Board of Nevada
Income/Expense Report To Budget - CASH BASIS
For the Period Ending February 28, 2018

AGENDA ITEM 20E

	Actual July 1, 2017 thru February 28, 2018	Budget FY 06/30/18
Revenue		
License & Fees	35,296.25	270,250.00
Application & Fees	18,117.50	26,450.00
Interest/Gain Loss on Invest	1,332.03	1,000.00
Exam Fees	10,274.24	9,375.00
Reinstatement Fees	690.00	7,500.00
Miscellaneous	16,054.50	21,875.00
Reimbursement Income	52,695.55	34,018.00
TOTAL REVENUE	\$ 134,460.07	\$ 370,468.00
Expenses		
Background Checks	4,748.00	7,000.00
Banking Expenses	3,669.62	7,720.00
Dues & Registration	3,848.91	4,000.00
Equipment Repair	-	-
COMPUTER: Equipment/Software/Websites	11,312.75	12,500.00
Insurance	887.13	1,500.00
Legal & Professional	37,443.76	81,800.00
Operating Supplies	964.15	4,000.00
Printing & Copying	1,898.56	3,500.00
Postage	2,998.46	5,000.00
Casual Labor - Clerical	-	5,000.00
Personnel	-	-
Office Salaries	75,628.97	126,000.00
Board Salaries	3,431.26	10,000.00
Workman's Compensation	(255.14)	5,750.00
Retirement - PERS	13,341.39	31,857.00
Employee Insurance - PEBP	13,516.00	21,000.00
Unemployment	866.02	2,275.00
Medicare & Social Security	1,254.59	4,965.00
Payroll Processing	430.00	450.00
Rent	9,978.04	14,205.00
Telephone	1,475.27	4,000.00
Travel	-	-
In State	3,201.75	10,000.00
Out State	3,456.55	10,000.00
TOTAL EXPENSES	\$ 194,096.04	\$ 372,522.00
NET RESULT	\$ (59,635.97)	\$ (2,054.00)
BEGINNING CASH BALANCE 07/01/17	374,958.53	
NET OPERATING RESULT	315,322.56	

**Chiropractic Physicians' Board of Nevada
Income/Expense Report - CASH BASIS
For the Period July 1, 2017 thru February 28, 2018**

AGENDA ITEM 20E

	Actual July 1, 2017 thru February 28, 2018	Actual July 1, 2016 thru February 28, 2017
Revenue		
License & Fees	35,296.25	483,200.00
Application & Fees	18,117.50	17,313.75
Interest/Gain Loss on Invest	1,332.03	370.15
Exam Fees	10,274.24	10,198.25
Reinstatement Fees	690.00	7,725.04
Miscellaneous	16,054.50	19,576.46
Reimbursement Income	52,695.55	1,300.00
TOTAL REVENUE	\$ 134,460.07	\$ 539,683.65
Expenses		
Background Checks	4,748.00	4,051.50
Banking Expenses	3,669.62	16,887.92
Dues & Registration	3,848.91	2,170.00
Equipment Repair	-	-
COMPUTER: Equipment/Software/Websites	11,312.75	11,396.37
Insurance	887.13	1,043.98
Legal & Professional	37,443.76	25,616.20
Operating Supplies	964.15	1,937.64
Printing & Copying	1,898.56	2,541.86
Postage	2,998.46	4,452.78
Casual Labor - Clerical	-	-
Personnel	-	-
Office Salaries	75,628.97	93,100.86
Board Salaries	3,431.26	2,100.00
Workman's Compensation	(255.14)	1,080.32
Retirement - PERS	13,341.39	12,667.35
Employee Insurance - PEBP	13,516.00	12,936.86
Unemployment	866.02	1,273.92
Medicare & Social Security	1,254.59	2,098.33
Payroll Processing	430.00	435.89
Rent	9,978.04	10,993.98
Telephone	1,475.27	1,487.99
Travel	-	-
In State	3,201.75	4,388.99
Out State	3,456.55	1,971.86
TOTAL EXPENSES	\$ 194,096.04	\$ 214,634.60
NET RESULT	\$ (59,635.97)	\$ 325,049.05
BEGINNING CASH BALANCE 07/01/17	374,958.53	
NET OPERATING RESULT	315,322.56	

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 21 Consideration to allow electronic signatures on certain Board applications and forms – For possible action.**

RECOMMENDED MOTION: **No recommendation.**

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

MEETING DATE: **April 12, 2018**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION: The Board currently requires that applications and forms be submitted with an original signature, however in many cases the process could be expedited if electronic (facsimile or scanned signatures in lieu of original signatures) signatures were allowed. Please see the attached draft of the proposed policy.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Electronic Signatures

The Board shall allow the signature requirement be met by receipt of facsimile and/or scanned signatures in lieu of original signatures. The following applications/forms require a signature.

- DC Licensing Information and Application Request Form
- Active DC Renewal Application
- Inactive DC Renewal Application
- Renewal of Chiropractor's Assistant Application
- Reinstatement of Chiropractor's Assistant Application
- Preceptor Program Applications
- Continuing Education Requirements and Application

The following applications require a notarized signature

- DC Application for Activation of License
- Application for Chiropractor's Assistant Certificate
- Application for Re-Activation of License to Practice Chiropractic
- Application for Temporary License

The use of electronic signatures will allow the approval process to be expedited and handled more efficiently.

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 22** Discussion/determination of DC's performing Cupping Therapy – For possible action.

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Julie Strandberg**

MEETING DATE: **April 12, 2018**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION: This inquiry was received from a licensee asking if they can perform cupping therapy. Does cupping fall under physiotherapy? Please see the attached article for additional information.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued



CUPPING

R E S O U R C E



How does Chinese cupping therapy work?

Chinese cupping is a form of Oriental healing and traditional Chinese medicine that is believed to be around three thousand years old, and from the first accounts, it is known to heal pulmonary tuberculosis. In relatively more recent times, it is mentioned in the documentation, *A Handbook of Prescriptions for Emergencies*, written in 300 AD by Ge Hong, a Taoist herbalist. This form of healing cup therapy is non-invasive in nature and works on the Chinese surmise that ailments are caused when the “qi” or “chi” or the life force of the body is disrupted because of some ailment or injury. Cupping therapy works to restore this equilibrium and thus heal the patient and provide pain management.



Chinese Cupping Therapy takes its name from the cups that the practitioner uses to create vacuums over the affected points of the body. In a way, it is an extension of the acupressure form of treatment because it also focuses treatment on specific points on the body. For more background on the **rich history of cupping** or Chinese Medicine as a whole be sure to check out one of our best articles, ***An Overview of Traditional Chinese Medicine***.





Even complete professional grade cupping sets with a pump are very affordable. This **AcuZone Cupping Set is the best.**

How is the suction created?

Small cups made of glass, bamboo cups, iron or pottery cups are used to create a vacuum or suction. Materials like alcohol are either rubbed on the bottom of the cup or a cotton swab soaked in alcohol is placed in the cup. Herbs and paper can also be used. These materials are then ignited, and as the fire goes out, the cup is carefully placed upside down on specific areas of the body. The cooling air inside the cup creates a vacuum and provides an adequate amount of suction that causes blood vessels directly below the skin to dilate. The therapy cup is typically left in place for 5 to 10 minutes at a time, and the therapist may choose to use several cups at different points in several different meridians at the same time. Patients receiving cupping therapy can rest assured that there is rarely any burning of the skin.

In prior years, the therapy cups were typically made from hollowed-out animal horns, rather than the materials we use today in modern times. The hollowed-out horns were placed on different meridians of the body and the methods used previously are the same methods we use today when practicing traditional Chinese Cupping Therapy.

How does the treatment work?



Chinese Cupping Therapy treatments are believed to act as the reverse of massage treatments. That is because placing the therapy cups against the skin



applies pressure and creates suction on the skin. Cupping uses vacuum pressure to pull the skin upwards using a variety of **different cupping sets**. Once the vacuum is created, the therapy cup can also be moved across the skin in a procedure called sliding cupping.

However, care must be taken that the sliding therapy cup does not move over bony areas of the body such as the shoulder blades or the ridges of the spine. Ancient Chinese Cupping therapy works by loosening muscles and stimulating blood flow to a particular region to increase blood circulation. Thus, it can help relieve the stiffness of muscles. Since it works to calm the nervous system, cup therapy is also used to treat a host of mental ailments. It relaxes patients and induces a sense of mental and physical peace.

What are the ailments cupping can help?

Cupping therapy can be used to lower high blood pressure, treat rheumatism, and back and neck pain. Mental conditions such as migraines, anxiety, depression and fatigue also respond very well to the cup therapy treatment. Cup therapy has shown to have cosmetic benefits also and can help remove cellulite and promote weight loss. Though, cosmetic treatment may also involve the application of oil before vacuum. Patients having respiratory problems such as allergies, asthma and the common cold have found that the therapy helps clear congestion and passages in the lungs. Varicose veins, gastrointestinal disorders, gynecological problems and blood disorders like anemia and hemophilia are other disorders that can be corrected using cupping therapy. Be sure to view our **full list of benefits** cupping has been known to provide.

Chinese Cupping Therapy can be considered an advanced physical therapy option because Chinese Cupping Therapy helps remove toxins from the body while relieving tense and tight muscles and joint pain. It is a non-invasive physical therapy option that has been seen to yield positive results concerning pain management and relaxation.

The negative pressure that is experienced during the cupping method helps to soften muscles and lift connective tissue. It aids in increasing the blood flow to the treated areas and drain excess fluids and toxins. It encourages the bodies natural healing processes which is why it is a method often utilized as a form of alternate physical therapy.

Check out our eBook, "Beginner's Guide to Cupping". Everything you ever wanted to know about cupping therapy in an easy to read format. This eBook includes our best content and more.

[Learn More](#)

What are the types of Chinese cupping techniques?

Cupping can be of two kinds—dry cupping and wet cupping (here's a **full comparison of wet and dry cupping**). Dry cupping therapy is the typical treatment in which only vacuum is used. But wet cupping goes a step further. After the cup is left on the skin for about 3 minutes, the expert therapist removes the cup and makes a series of very slight cuts on the skin using a scalpel. At times, in place of a scalpel, the therapist might also use a needle to puncture the skin to draw two or three drops of blood. Then, using a second vacuum cup, the minute quantity of blood is sucked up. The cuts or punctures are then dressed with the proper medication so that they heal quickly. The theory behind this treatment is that it eliminates toxins and unhealthy materials from the body and thus induces healing. For further information view our more detailed guide to **all different types of cupping techniques**.

What are the meridian lines of Chinese medicine?

Traditional Chinese medicine believes that there are five meridian lines on the back of a person and these meridians are the paths through which life energy moves through the body. This energy flows through all the veins, arteries, organs and tissues. As long as this energy flow is smooth, the person is healthy, but any disruptions can



cause disorders. Cupping treatment acts on up to 4 inches in depth from the surface of the skin and is thus highly beneficial. Possibly the most effective of deep tissue therapies, it can remove toxins and clear blockages from different meridian points in the body. Cupping can also be



used on the legs, ankles, wrists and hands. It is believed that **specific points** on these sections of the body correlate to the different organs inside the body that are thus healed. For more information, check out our article, ***Overview of Traditional Chinese Medicine.***

Can Anyone Receive Treatment?

Although a non-invasive form of treatment, Chinese cupping is not recommended for pregnant or menstruating women. Patients that have bone fractures or muscle spasms also cannot be given treatments. Further, in the case of patients that have a form of cancer that is spreading from one part of the body to the other, cupping is not advised. If the patient suffers from a condition because of which he/she bleeds easily or if he/she has a high fever with convulsions, the therapist may refrain from providing treatment. There are certain areas of the body where cupping must not be used such as an artery, ulcer, pulse points or any part where there is evidence of deep vein thrombosis. Since cupping treatments are usually performed on the soft tissues such as the fleshy parts of the body, therapists might not provide treatment to very thin patients. It is also not viable for very obese patients.

Chinese Cupping Therapy can be used to help with pain management and healing processes associated with the following disorders: orthopedic conditions, fibromyalgia, neuromuscular disorders, asthma, arthritis, and even depression. Cupping therapy should only be performed by those that are knowledgeable practitioners of traditional Chinese medicine. The Chinese Cupping method of treatment is often used in conjunction with acupuncture and massage therapy.

Are there any side-effects?

Patients usually do not experience any serious side-effects due to cup therapy except for some minor discomfort, circular bruises, swelling or slight burning. These effects are generally not painful and disappear in a few days and leave no lasting impressions. In rare cases, the patient might develop a skin infection. More on the ***Side Effects of Chinese Cupping Therapy.***

Although cupping therapy has been used in many cultures for thousands of years, including traditional Chinese medicine, modern medicine is still skeptic about its effectiveness. Research into this form of healing is a yet inconclusive and patients are advised to use it only as a supplement to more reliable forms of treatment such as medicines and when needed surgery.

Chinese Cupping Therapy uses suction that can cause capillaries to break and improve blood circulation. When these capillaries break, there can be signs of bruising on the treated areas. The cups should not be placed at the same points several times. The cups should be moved around so that there will not be an instance of burning left on the skin. If the skin is burned, then the patient can see the effects of the burn in the form of blisters.

Furthermore, if the cupping treatment is repeatedly done in the same locations then there is a chance that the skin will die and when the skin dies, it will burn more easily. The burn will terminate the outer layer of skin and lead to blisters and infection. It is important that any Chinese Cupping Therapy is done by a knowledgeable and professional Chinese medicine practitioner.

If the individual is being treated for a condition such as hemophilia or any other bleeding disorders, it is not advised that Chinese Cupping Therapy is performed. The cupping therapy causes the blood to rise to the surface of the skin and causes bruising. If the individual is currently taking anticoagulants and bloodletting is involved in the cupping therapy, it can increase bleeding.

Chinese Cupping Therapy should also not be performed on people that have skin irritation, inflammation, burns, or any infections. There will be a mild amount of discomfort due to the removal of the stagnant blood and the loosening of the tissue and muscles. The bruising can last for a few days to a couple of weeks but the

bruising was not due to blunt trauma and therefore should be relatively painless. As the stagnant blood is removed, the bruising should decrease. The bruising will also decrease as a number of toxins in the body are reduced.

Several people practice Chinese Cupping Therapy to help treat joint and muscle pain and soreness, loosen connective tissue, and treat a variety of other ailments; this includes Olympic athletes who use their muscles daily during events and training. While it is not scientifically recognized in the medical community as a form of treatment, it is still commonly practiced.

Olympic athletes have been seen with dark red circular spots and bruises on their backs, and this is due to their involvement with the Chinese Cupping Method treatment to help them with pain management and detoxification. While alarming, the bruises left on these Olympic athletes are not a cause for concern.

The Chinese Cupping Method as a form of physical therapy and alternative therapy has seen to be beneficial for many people. It has provided pain relief, reduced blood stagnation, and helps ease sore muscles while loosening stiff and tense muscle and connective tissue to promote improved blood circulation.

Before beginning any new therapy or treatment plan, it is important that you discuss all the risks and benefits associated with this cup therapy method with a trained professional or an individual that is well versed in traditional Chinese medicine and other forms of alternative medicine.

Traditional Chinese Medicine has expanded and evolved over the centuries and is regarded in modern times as a natural and alternative method of healing and prevention. The Chinese Cupping Method boasts of many beneficial properties and is a more affordable option than traditional medicine. Traditional Chinese medicine believes that cupping will dispel stagnant blood and Chi and strengthen the body and immune system. Modern science is still researching the possible benefits and risks associated with this alternate form of treatment.

References:

1. <http://www.webmd.com/balance/guide/cupping-therapy?page=2>
2. ~~From Our Blog~~ <http://www.pacificcollege.edu/acupuncture-massage-news/articles/677-the-many-benefits-of-chinese-cupping-sp-268299911.html>
Cupping Therapy for Shoulder and Neck Pain
3. <http://www.acupuncturetoday.com/abc/cupping.php>
4. <http://www.cancer.org/treatment/treatmentsandsideeffects/complementaryandalternative/relieve-stress-with-cupping-therapy>
5. http://www.wikipedia.org/wiki/Cupping_therapy

Cupping Therapy vs Acupuncture – Which Modality Should You Choose

Top 7 Benefits of Cupping Therapy

Best Tools for Myofascial Release Therapy

Myofascial Release Therapy for Athletes

Understanding How Myofascial Release Benefits Athletes

How You Can Benefit from Myofascial Decompression

CUPPING RESOURCE

Understanding the Ethos Behind Guided Imagery

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Beginner's Guide to Cupping LOW US



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CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 23** Consideration of potential additions, deletions, and/or amendments to NRS 634 and NAC 634 – For possible action

RECOMMENDED MOTION: **No recommendation**

PRESENTED BY: **Jason O. Jaeger, DC/Ben Lurie, DC**

MEETING DATE: **April 12, 2018**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION:

- A. Mandatory Self-Inspection report**
- B. Fines for not meeting deadlines. i.e. Self-Inspection**
- C. Fine for untimely submission of a CA's second application (NAC 634.305)**
- D. Allow DC's to perform Dry Needling**
- E. Automatic suspension for late renewal**
- F. NBCE Parts I-IV (potential revision pursuant to CCE)**

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

NAC 634.419 Authorization of person to provide other services for patients in office of licensee. (NRS 634.030)

1. A licensee may authorize a person to provide services for his or her patients in the office of the licensee, other than chiropractic or clerical services, only if the licensee submits the information required by subsection 2 to the Board, on a form prescribed by the Board, at least 15 days before the person commences providing the services.

2. The form prescribed by the Board pursuant to subsection 1 must include:

- (a) The name, business telephone number and license number of the licensee;
- (b) The name of the person who will be providing the services for the patients of the licensee;
- (c) The type of services that the person will be providing for the patients of the licensee;
- (d) The address of the location at which the person will be providing the services for the patients of the licensee;
- (e) The date on which the person will begin providing the services for the patients of the licensee;

(f) A statement indicating that the person will not be providing chiropractic services, including, without limitation, taking radiographs, and services that involve the use of physiotherapeutic equipment;

(g) A statement indicating whether the person who will be providing the services is an employee of the licensee or is retained by the licensee as an independent contractor;

(h) A copy of any license or certificate that authorizes the person to provide the services that he or she will be providing for the patients of the licensee;

(i) A statement indicating that the licensee will ensure that a copy of any license or certificate that is provided to the Board pursuant to paragraph (h) is available to each patient of the licensee for whom the person provides services; and

(j) The signature of the licensee.

3. A licensee shall ensure that each employee of the licensee who provides services for the patients of the licensee in the office of the licensee, other than chiropractic or clerical services, provides those services only under the direct supervision of the licensee.

4. A licensee who authorizes an independent contractor to provide services in the office of the licensee pursuant to the provisions of this section shall establish procedures which ensure that each patient of the licensee to whom the independent contractor provides services is notified that:

- (a) The independent contractor is not an employee of the licensee;
- (b) The services provided by the independent contractor in the office of the licensee are not provided under the supervision or control of the licensee; and

(c) The licensee will not bill the patient or the insurance company of the patient for any services provided by the independent contractor.

5. A licensee shall notify the Board within 15 days after an employee or independent contractor who is authorized pursuant to this section to provide services to the patients of the licensee leaves the employ of or is no longer retained by the licensee.

(Added to NAC by Chiropractic Physicians' Bd. by R140-05, eff. 11-17-2005; A by R150-13, 3-28-2014)

NAC 634.305 Examination for certification as chiropractor's assistant. ([NRS 634.030](#))

1. At least once each year, the Board will administer an examination to applicants for a certificate as a chiropractor's assistant.

2. The examination will consist of the following subjects, including, without limitation:

- (a) Radiographic technology, protection, quality control and positioning of the patient;
- (b) Ancillary procedures and applications relating to chiropractic; and
- (c) The provisions of NRS and NAC that are related to the practice of chiropractic.

3. An applicant who receives a score of at least 75 percent on the examination is entitled to a certificate as a chiropractor's assistant.

4. If an applicant fails to receive a score of at least 75 percent on the examination the first time he or she takes the examination, the applicant may retake the examination within 1 year without payment of an additional fee.

5. If an applicant who receives training and employment as a chiropractor's assistant trainee pursuant to subparagraph (2) of paragraph (a) of subsection 2 of [NAC 634.355](#) fails to receive a score of at least 75 percent on the examination after two attempts and wishes to continue working as a chiropractor's assistant trainee, the supervising licensee must, within 30 days after the date of the notice from the Board of the results of the examination, submit a plan for additional training to the Board. The chair of the test committee will:

(a) Approve or deny the plan; and

(b) Determine whether the chiropractor's assistant trainee may continue working as a chiropractor's assistant trainee.

6. If, pursuant to paragraph (b) of subsection 5, the chair of the test committee determines that a chiropractor's assistant trainee may continue working as a chiropractor's assistant trainee, the chiropractor's assistant trainee may continue working as a chiropractor's assistant trainee if he or she:

(a) Pursuant to [NAC 634.350](#), submits a new application for a certificate as a chiropractor's assistant and pays the required fee; and

(b) Provides the chair of the test committee with proof that the chiropractor's assistant trainee is enrolled in an educational course in a subject described in subsection 2.

7. If a chiropractor's assistant trainee who has submitted an application pursuant to paragraph (a) of subsection 6 fails to pass any portion of the examination after two attempts, the chiropractor's assistant trainee shall not work as a chiropractor's assistant trainee until the chiropractor's assistant trainee has passed all the portions of the examination.

8. An applicant for a certificate as a chiropractor's assistant who fails on two occasions to appear for an examination that he or she has been scheduled to take:

(a) Shall be deemed to have withdrawn his or her application;

(b) Forfeits any application fees paid to the Board; and

(c) Must, if he or she has been receiving training and employment as a chiropractor's assistant trainee pursuant to subparagraph (2) of paragraph (a) of subsection 2 of [NAC 634.355](#), cease working as a chiropractor's assistant trainee.

↪ If the applicant applies thereafter for a certificate, the applicant must establish eligibility for the certificate in accordance with the provisions of this chapter and [chapter 634](#) of NRS.

9. As used in this section, "chair of the test committee" means the member of the Board who is assigned by the Board to serve as the chair of the committee that is created by the Board to administer an examination to applicants for a certificate as a chiropractor's assistant.

(Added to NAC by Bd. of Chiropractic Exam'rs, eff. 5-13-82; A 1-31-94; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R095-03, 10-22-2003; R014-10, 5-5-2011)

NRS 634.130 Renewal of license or certificate; continuing education; waiver of educational requirement or renewal fee; expiration and reinstatement; regulations.

1. Licenses and certificates must be renewed biennially. Except as otherwise provided in subsection 9, each person who is licensed or holds a certificate as a chiropractor's assistant pursuant to the provisions of this chapter must, upon the payment of the required renewal fee and the submission of all information required to complete the renewal, be granted a renewal license or certificate which authorizes the person to continue to practice for 2 years.

2. Except as otherwise provided in subsection 9, the renewal fee must be paid and all information required to complete the renewal must be submitted to the Board by January 1 of:

- (a) Each odd-numbered year for a licensee; and
- (b) Each even-numbered year for a holder of a certificate as a chiropractor's assistant.

3. Except as otherwise provided in subsection 5, 6 or 7, a licensee in active practice within this State must submit satisfactory proof to the Board that, during the 24 months immediately preceding the renewal date of the license, the licensee has attended at least 36 hours of continuing education which is approved or endorsed by the Board.

4. Except as otherwise provided in subsection 5, 6 or 8, a holder of a certificate as a chiropractor's assistant in active practice within this State must submit satisfactory proof to the Board that, during the 24 months immediately preceding the renewal date of the certificate, the certificate holder has attended at least 12 hours of continuing education which is approved or endorsed by the Board or the equivalent board of another state or jurisdiction that regulates chiropractors' assistants. The continuing education required by this subsection may include education related to lifesaving skills, including, without limitation, a course in cardiopulmonary resuscitation. The Board shall by regulation determine how many of the required 12 hours of continuing education must be course work related to such lifesaving skills. Any course of continuing education approved or endorsed by the Board or the equivalent board of another state or jurisdiction pursuant to this subsection may be conducted via the Internet or in a live setting, including, without limitation, a conference, workshop or academic course of instruction. The Board shall not approve or endorse a course of continuing education which is self-directed or conducted via home study.

5. The educational requirement of subsection 3 or 4 may be waived by the Board if the licensee or holder of a certificate as a chiropractor's assistant files with the Board a statement of a chiropractic physician, osteopathic physician or doctor of medicine certifying that the licensee or holder of a certificate as a chiropractor's assistant is suffering from a serious or disabling illness or physical disability which prevented the licensee or holder of a certificate as a chiropractor's assistant from completing the requirements for continuing education during the 24 months immediately preceding the renewal date of the license or certificate.

6. The Board may waive the educational requirement of subsection 3 or 4 for a licensee or a holder of a certificate as a chiropractor's assistant if the licensee or holder of a certificate submits to the Board proof that the licensee or holder of a certificate was in active military service which prevented the licensee or holder of a certificate from completing the requirements for continuing education during the 24 months immediately preceding the renewal date of the license or certificate.

7. A licensee is not required to comply with the requirements of subsection 3 until the first odd-numbered year after the year the Board issues to the licensee an initial license to practice as a chiropractor in this State.

8. A holder of a certificate as a chiropractor's assistant is not required to comply with the requirements of subsection 4 until the first even-numbered year after the Board issues to the holder of a certificate an initial certificate to practice as a chiropractor's assistant in this State.

9. The Board may waive the renewal fee for a licensee or holder of a certificate as a chiropractor's assistant if the licensee or holder of a certificate submits proof to the Board that the licensee or holder of a certificate was in active military service at the time the renewal fee was due.

10. If a licensee fails to:

(a) Except as otherwise provided in subsection 9, pay the renewal fee by January 1 of an odd-numbered year;

(b) Except as otherwise provided in subsection 5 or 6, submit proof of continuing education pursuant to subsection 3;

(c) Notify the Board of a change in the location of his or her office pursuant to [NRS 634.129](#); or

(d)

↳ the license automatically expires and, except as otherwise provided in [NRS 634.131](#), may be reinstated only upon the payment, by January 1 of the even-numbered year following the year in which the license expired, of the required fee for reinstatement in addition to the renewal fee.

11. If a holder of a certificate as a chiropractor's assistant fails to:

(a) Except as otherwise provided in subsection 9, pay the renewal fee by January 1 of an even-numbered year;

(b) Except as otherwise provided in subsection 5 or 6, submit proof of continuing education pursuant to subsection 4;

(c) Notify the Board of a change in the location of his or her office pursuant to [NRS 634.129](#); or

(d) Submit all information required to complete the renewal,

↳ the certificate automatically expires and may be reinstated only upon the payment of the required fee for reinstatement in addition to the renewal fee.

[Part 8:23:1923; A 1951, 258]—(NRS A 1963, 279; [1969, 349](#); [1971, 358](#); [1975, 642](#); [1977, 965](#); [1981, 1340](#); [1983, 422](#); [1991, 2084](#); [1993, 331](#); [1995, 2750](#); [1997, 821, 2131](#); [2003, 3446](#); [2005, 2730, 2807, 2817](#); [2007, 2935](#); [2011, 1821](#); [2013, 549](#); [2015, 511](#))

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 24 Discuss Power Poll results – For possible action.**

A. CBD

B. Grade V Mobilization

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Jason O. Jaeger, DC/Louis Ling, Esq.**

MEETING DATE: **April 12, 2018**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION: **See attached.**

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

PowerPoll CBD
 NV 1-29-2018

Q1: Has your board discussed the use or sale of CBD (cannabinoid in a hemp tincture) in the chiropractic practice?

Q2: If so has your board taken a stance on this? How is your board handling this?

Board	Q1	Q2
Arizona	No	
Arkansas	<p>June of 2017 the AR Board received a letter from a vendor asking if he was allowed to sell a new topical analgesic to chiropractors in Arkansas. The ingredients are the same as Bio Freeze and Ortho Gel and made from hemp oil. A letter was sent referring him to Arkansas law (17-81-102(6)(A) The practice of chiropractic includes therapy, the normal regimen, and rehabilitation of the patient for the purpose of removing any injury, deformity or abnormality of human beings without the use of drugs or surgery). If he responds, he will be directed to seek advice from his attorney. (Arkansas State Board of Chiropractic Examiners Board Meeting / June 20, 2017)</p>	Arkansas has not taken any other stances or actions at this time.
Florida	No	
Idaho	No	
Illinois	<p>The issue of CBD has not come up to my knowledge. However, I'm fairly certain that if it does, we will not allow it.</p> <p>Our medical cannabis act is very strict in separating dispensaries from practices and</p> <p>Our definition of chiropractor would not allow this (we'd consider it a drug)</p>	
Minnesota	No	
Missouri	No	
Ohio	No	
Oklahoma	We have not addressed CBD	
South Dakota	It hasn't come up yet	
Texas	<p>The State of Texas enacted the Texas Compassionate Use Act in 2015 allowing for the use of low-level cannabidiol. The state law mandates that all sellers be licensed by the Texas Department of Public Safety. The Texas Act restricts the use of cannabidoil to the treatment of intractable epilepsy only. The treatment of epilepsy is outside of the scope of practice for a Texas-licensed chiropractor.</p>	

PowerPoll CBD
NV 1-29-2018

Q1: Has your board discussed the use or sale of CBD (cannabinoid in a hemp tincture) in the chiropractic practice?

Q2: If so has your board taken a stance on this? How is your board handling this?

Board	Q1	Q2
Washington	<p>Yes, and the following statement was taken out of their June 8, 2017 business meeting minutes. RCW 69.50.575. is the law that comes out of the Uniform Controlled Substances Act http://app.leg.wa.gov/RCW/default.aspx?cite=69.50: “Committee members continued reviewing a Classification of Chiropractic Procedures and Instrumentation List request pertaining to the use of hemp oil for pain relief, and the chiropractic scope of practice in RCW 18.25.005. The chiropractic scope of practice does not include the prescription or dispensing of any medicine or drug. The Commission cannot provide legal advice. If you have specific questions about whether a treatment modality is within your scope of practice as a chiropractor, you should consult an attorney.”</p>	<p>The chiropractic scope of practice does not include the prescription or dispensing of any medicine or drug. The Commission cannot provide legal advice. If you have specific questions about whether a treatment modality is within your scope of practice as a chiropractor, you should consult an attorney.</p>

PowerPoll - Grade IV Mobilization by PTs
 NV 1-29-2018

Board	Does your jurisdiction allow physical therapists to perform Grade IV mobilization and manipulation?
Arizona	Yes
Arkansas	To my knowledge, this question has not come up before. However, if it helps, Arkansas Physical Therapy Code Ann. § 17-93-102(7)(c) states, "Manual therapy techniques, including soft tissue massage, manual traction, connective tissue massage, therapeutic massage, and mobilization, i.e., passive movement accomplished within normal range of motion of the joint, but excluding spinal manipulation and adjustment;"
Florida	No
Idaho	Please see the PT Board's laws and rules: https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH22/SECT54-2203/ https://adminrules.idaho.gov/rules/current/24/1301.pdf – particularly Rule 010, Definitions, pages 2-4
Illinois	I believe our PT act does allow this.
Minnesota	I believe at one time, the PT statute did allow for some sort of "manipulation" which they claimed was not a chiropractic manipulation, and any audible release was unintentional. However, I cannot find that language anymore. Current language: 148.76 PROHIBITED CONDUCT. Subd. 2. Prohibitions. (a) No physical therapist may: (2) use any chiropractic manipulative technique whose end is the chiropractic adjustment of an abnormal articulation of the body;
Missouri	Physical therapists are regulated by an advisory committee to the Board of Healing Art so this office is unable to respond to this question.
Ohio	We have no jurisdiction over PTs. The Ohio PT Board permits PTs to manipulate.
Oklahoma	Physical therapy" means the use of selected knowledge and skills in planning, organizing and directing programs for the care of individuals whose ability to function is impaired or threatened by disease or injury, encompassing preventive measures, screening, tests in aid of diagnosis by a licensed doctor of medicine, osteopathy, chiropractic, dentistry, or podiatry and evaluation and invasive or noninvasive procedures with emphasis on the skeletal system, neuromuscular and cardiopulmonary function, as it relates to physical therapy.

PowerPoll - Grade IV Mobilization by PTs
 NV 1-29-2018

Board	Does your jurisdiction allow physical therapists to perform Grade IV mobilization and manipulation?
Utah	<p>Utah Code Annotated provides: 58-24b-102(10) (a) "Physical therapy" or "physiotherapy" means: ...</p> <ul style="list-style-type: none"> (iii) formulating a therapeutic intervention plan for the treatment of a physical impairment, injury, or pain; (iv) assessing the ongoing effects of therapeutic intervention for the treatment of a physical impairment or injury; (v) treating or alleviating a physical impairment by designing, modifying, or implementing a therapeutic intervention; <p>Utah Code Annotated provides: 58-24b-102 (15) "Therapeutic intervention" includes: ...</p> <ul style="list-style-type: none"> (iii) joint mobilization, as defined by the division, by rule; <p>Utah Administrative Rule provides: R156-24b-102(6) "Joint mobilization"... means a manual therapy technique comprising a continuum of skilled passive movements to the joints and/or related soft tissues that are applied at varying speeds and amplitudes, including a small-amplitude/high velocity therapeutic movement.</p>
Washington	<p>The physical therapy spinal manipulation scope of practice is in RCW 18.74.190 http://app.leg.wa.gov/RCW/default.aspx?cite=18.74.190 and the rules that further defines the law can be found in WAC 246-915-380 through WAC 246-915-382:</p> <p>246-915-380 Spinal manipulation—Endorsement. (Effective July 1, 2015, until June 30, 2020.)</p> <p>246-915-381 Spinal manipulation—Endorsement. (Effective July 1, 2020.)</p> <p>246-915-382 Spinal manipulation—Clinical supervisor. (Effective July 1, 2015, until June 30, 2020.)</p> <p>Note: The Washington State Chiropractic Quality Assurance Commission does not regulate physical therapists, as they are under a different jurisdiction. Additionally, Washington State licensed chiropractors cannot perform “physical therapy” but can perform exercise rehabilitation. The chiropractic scope of practice under RCW 18.25.005 includes physiological therapeutic procedures as traction and light, but does not include the application of sound, diathermy, or electricity.</p>

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 25 Correspondence Report – No action**

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

PREPARED BY: **Jason O. Jaeger, DC/Julie Strandberg**

MEETING DATE: **April 12, 2018**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION: **See attached.**

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued



ADMINISTRATIVE OFFICE
8049 N. 85th Way—SCOTTSDALE, AZ 85258-4321—TEL: 480-443-8877—FAX 480-483-7333

- MEMORANDUM -

DATE: January 29, 2018
TO: National & State Professional Organizations/Associations
FROM: Craig S. Little, D.C., M.Ed., President
CC: CCE Administrative Office
RE: CCE *Bylaws* and *Manual of Policies*, January 2018 editions

The Council on Chiropractic Education (CCE) reviewed proposals and approved revisions to the *CCE Bylaws* and *Manual of Policies* at the Annual Council Meeting on January 12, 2018. The documents may be viewed via the CCE website at www.cce-usa.org under the “Publications” tab.

To assist in your review, the following summary provides a list of those bylaws and policies that were revised during this process along with a brief explanation of the revisions and/or process leading up to the change for your information:

CCE Bylaws

Based on recommendations from the Standing Committee Structure Task Force, the Council restructured the Council Executive Committee (CEC) from 7 to 5 members, forming a five-member body to include: Council Chair; Associate Chair; Treasurer; Councilor at Large; and President/CEO and adopted a minimum two-year term for CEC members with a two-term (4 year) term limit for any position. The Council retained the Site Team Academy Committee (STAC) and will staff it with a balance of Academy and Council members. The Council Finance Committee and Bylaws, Standards & Policies Committee were removed to promote efficiency and eliminate redundancy in CCE processes. The Bylaws were also revised for clarity and revisions were approved in the following areas:

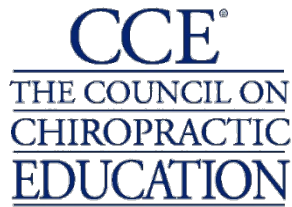
- Section 5.14, Voting page 5
(added electronic voting option)
- Section 6.03(a), Nomination and Election pages 8
(revised language due to change in committee structure)
- Section 8.01, Officers pages 13
(revised language due to change in committee structure)
- Section 8.02(a), Election and Term of Office pages 13
(revised terms of Council Executive Committee)

- Section 8.06, Associate Chair (added language for Associate Chair position) pages 14
- Section 8.07, Treasurer (added language for Treasurer position) pages 14
- Section 8.09, CCE Administrative Office (added language to President responsibilities) pages 14-15
- Section 8.10(a)(1), Council Executive Committee, Composition (revised language for composition of Council Executive Committee from 7 to 5 members) pages 15
- Section 8.10(b), Council Development Committee (revised language due to change in committee structure) pages 16-17
- Section 8.10(c), Site Team Academy Committee (revised language due to change in committee structure; added language to include two Academy members on committee) pages 17-18
- Section 8.10(d), Audit Committee (revised language due to change in committee structure) pages 18-19

CCE Manual of Policies

- Policy 1 Substantive Change (revised dates applications must be received to allow for scheduling on the Council meeting agenda) page 3
- Policy 8 Appeals of Decisions by the Council (revised language due to change in committee structure) page 14
- Policy 24 Authority, Responsibility and Action Regarding CCE Bylaws (revised language due to change in committee structure) page 36
- Policy 25 Authority, Responsibility and Action Regarding CCE Policies (revised language due to change in committee structure) page 37
- Policy 29 CCE Election Processes (revised language due to change in committee structure) pages 38-39
- Policy 45 Council Executive Committee Elections (revised language due to change in composition of Council Executive Committee) page 42
- Policy 73 Financial Actions (revised language due to change in committee structure) page 54

If further information is necessary, please contact Mr. Ray Bennett, Vice President for Accreditation & Operations, in the CCE Administrative Office at your convenience.



Announcement CCE Accreditation Standards

In accordance with CCE Policy 23, *Authority, Responsibility and Action Regarding CCE Standards*, the Council on Chiropractic Education (CCE) determined that portions of the Standards (in Section 1 only) were in need of clarification to remain compliant with USDE criteria/requirements and as a result completed a review process for revision of the standards. On September 29, 2017, CCE sent an announcement to all constituents and posted the proposed revisions to the website for a public comment period from October 1 – November 30, 2017 regarding the proposed revisions that were limited in scope to Section 1 of the CCE Accreditation Standards. At its January 2018 annual meeting, the Council reviewed the proposed revisions and public comments, and approved the Standards by unanimous vote.

NOTE: There were six (6) public comments received during this process with four (4) in favor of the revisions as proposed and two (2) others with comments and suggested changes.

Periodic review of accreditation standards is not only necessary to satisfy USDE requirements, but it is also an essential responsibility of an accrediting agency to continually monitor and improve its effectiveness, and thereby provide a means to ensure continuous quality improvement in its accredited programs and institutions.

The following information summarizes changes that occurred during the revision process:

- Clarified accreditation actions language;
- Moved 'Deferral' action description to separate location for consistency;
- Revised noncompliance actions for compliance and clarity regarding USDE requirements; and,
- Revised notification language from 'state' to 'jurisdictional' licensing boards.

Please feel free to disseminate this announcement to your constituents, volunteer leadership, and/or staff. This announcement may also be viewed on the homepage of our website at www.cce-usa.org.



COUNCIL ON CHIROPRACTIC EDUCATION®
8049 NORTH 85TH WAY - SCOTTSDALE, AZ 85258-4321
PHONE: 480-443-8877 - FAX: 480-483-7333

ACCREDITATION ACTIONS
- ANNOUNCEMENT -

February 2, 2018

Annual Council Meeting
January 12-13, 2018

The Council on Chiropractic Education (CCE) is the agency recognized by the U.S. Department of Education (USDE) and the Council for Higher Education Accreditation (CHEA) for accreditation of programs leading to the Doctor of Chiropractic (DC) degree and single-purpose institutions offering the Doctor of Chiropractic Program. CCE seeks to ensure the quality of chiropractic education in the United States by means of accreditation, educational improvement and public information. CCE develops accreditation criteria to assess how effectively programs or institutions plan, implement and evaluate their mission and goals, program objectives, inputs, resources and outcomes of their chiropractic programs. The CCE is also a member of the Association of Specialized and Professional Accreditors (ASPA) and the CHEA International Quality Group (CIQG).

The following are the accreditation actions taken by the Council at its Annual Meeting:

Reaffirmation of Accreditation (8-Year Cycle) – *The process for reaffirmation of accreditation begins with the program providing a letter of intent to seek continued accreditation with CCE. Approximately 12 months later, the program provides the Council with their Self-Study Report (self-assessment of their program based on the current CCE Accreditation Standards). A peer review site visit is conducted at the program to verify and validate the information presented in the self-study report. Lastly, the Council reviews the self-study report, the program response to the site visit report and meets with program representatives in a status review meeting where the Council determines if the program meets the Standards and subsequently makes a decision to reaffirm, defer or revoke the accreditation status of the program and/or impose sanctions, if applicable.*

National University of Health Sciences
Doctor of Chiropractic Medicine Program
200 East Roosevelt Road
Lombard, IL 60148

Additional Educational Site

- 7200 66th Street North, Pinellas Park, FL 33781

Joseph P. D. Stiefel, Ed.D., D.C., President
Accreditation Action: Reaffirmation
Next Comprehensive Site Visit: Fall 2025

Interim Site Visits - *Interim Site Visits are conducted midway through the accreditation cycle of a program and focus on the major elements of the CCE Accreditation Standards, to include; planning, assessment, finance, faculty, distance/correspondence education and student learning outcomes and meta-competencies. This visit also provides an opportunity for dialogue and collegiality between the*

program and the Council. The Council reviews the program interim report, the response to the site visit report and meets with program representatives (optional) in a progress review meeting where the Council determines if the program meets the Standards and subsequently makes a decision to continue, defer or revoke the accreditation status of the program and/or impose sanctions, if applicable.

Cleveland University – Kansas City
College of Chiropractic
10850 Lowell Avenue
Overland Park, KS 66210
Carl S. Cleveland, III, D.C., President
Accreditation Action: Continued
Next Comprehensive Site Visit: Fall 2021

Initial Accreditation - *The process for initial accreditation begins with the program submitting an application, which includes; a letter of intent to seek accreditation with CCE and evidence of the requirements of eligibility (based on the respective CCE Standards). Following review, the Council determines if further documentation is required or establishes timelines for the program regarding the self-study report, peer review site visit and status review meeting where the Council determines if the program meets the Standards and subsequently makes a decision to award, defer or deny the accreditation status of the program.*

None

Program Characteristics Reports (PCRs) - *PCRs are submitted by programs every 4 years and in-between their reaffirmation and interim site visit schedule. These reports are required as one of the reporting requirements the Council utilizes to continue its monitoring and reevaluation of its accredited programs, at regularly established intervals, to ensure the programs remain in compliance with the CCE Accreditation Standards in accordance with US Department of Education (USDOE) and Council for Higher Education Accreditation (CHEA) criteria. The Council reviews the report in a progress review meeting where the Council determines if the program meets the Standards and subsequently makes a decision to continue, defer or revoke the accreditation status of the program and/or impose sanctions, if applicable.*

Palmer College of Chiropractic
1000 Brady Street
Davenport, IA 52803
Branch Campuses
- 4777 City Center Parkway, Port Orange, FL 32129
- 90 East Tasman Drive, San Jose, CA 95134
Dennis Marchiori, D.C., Ph.D., Chancellor
Accreditation Action: Reaffirmation
Next Comprehensive Site Visit: Fall 2023

Progress Reports - *Progress reports are submitted as requested by the Council and may address; 1) previously identified areas of noncompliance with accreditation requirements, or, 2) areas that require monitoring.*

The Council conducted review of four (4) progress reports.

Program Enrollment & Admissions Reports (PEARs) - *PEARs are annual reports submitted by programs at the end of each calendar year. These reports are required by the Council to monitor the overall growth of its accredited programs, in accordance with US Department of Education (USDOE) criteria, as well as review of program admission requirements/data in accordance with CCE policies and procedures.*

The Council conducted reviews of the following (15) program PEARs (listed alphabetically):

Cleveland University – KC, College of Chiropractic, Overland Park, KS
D’Youville College – Doctor of Chiropractic Program, Buffalo, NY
Life Chiropractic College West, Hayward, CA
Life University – College of Chiropractic, Marietta, GA
Logan University - College of Chiropractic, Chesterfield, MO
So. Calif. University of Health Sciences - Los Angeles College of Chiropractic, Whittier, CA
National University of Health Sciences, Lombard, IL & Pinellas Park, FL
New York Chiropractic College, Seneca Falls, NY
Northwestern Health Sciences University - College of Chiropractic, Bloomington, MN
Palmer College of Chiropractic, Davenport, IA; San Jose, CA & Port Orange, FL
Parker University – College of Chiropractic, Dallas, TX
Sherman College of Chiropractic, Spartanburg, SC
Texas Chiropractic College, Pasadena, TX
University of Bridgeport – College of Chiropractic, Bridgeport, CT
University of Western States – College of Chiropractic, Portland, OR

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Academy of Site Team Visitors
National Professional Organizations/Associations (ACA, ACC, COCSA, FCLB, ICA & NBCE)
National, Regional & Specialized Accrediting Agencies
State/Jurisdictional Licensing Boards
U. S. Department of Education (ASL Records Manager)
Council for Higher Education Accreditation

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 26 Board Member Comments – No action**

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

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

MEETING DATE: **April 12, 2018**

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

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 27 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: **Jason O. Jaeger, DC**

MEETING DATE: **April 12, 2018**

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 28** Adjournment – For possible action

RECOMMENDED MOTION: **Adjourn the meeting.**

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

MEETING DATE: **April 12, 2018**

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