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Consumer Member
JOHN BERTOLDO, ESQ
Consumer Member

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CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

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MEETING MINUTES

A meeting of the Chiropractic Physicians' Board was held on Thursday, July 19, 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:

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

Also present were Deputy Attorney General, Sophia Long and Executive Director Julie Strandberg. Ms. DiFillippo was absent.

President, Dr. Jaeger determined a quorum was present and called the meeting to order at 8:50 a.m.

Dr. Martinez led those present in the Pledge of Allegiance. Dr. 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. Lurie seconded, and the motion passed with all in favor.

Agenda Item 3 Approval of the April 12, 2018 Meeting Minutes – For possible action.

Dr. Jaeger asked that the officers be updated. Dr. Martinez moved to approve the April 12, 2018 meeting minutes. Dr. Colucci seconded, and the motion passed with all in favor.

Agenda Item 4 Ratification of granting of DC licenses to applicants who passed the examination from April to July 2018 – For possible action.

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Dr. Colucci moved to approve the ratification of granting of DC licenses to those who passed the examination from April to July 2018. Dr. Rovetti seconded, and the motion passed with all in favor.

Agenda Item 7 Discussion/possible action regarding the Matter of Bret Brown, 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.

Dr. Jaeger welcomed Dr. Brown and gave him the opportunity to move into a closed session, which he declined. Dr. Jaeger made a motion to move into a closed session. Dr. Lurie seconded, and the motion passed with all in favor. Dr. Jaeger asked questions of the Board. Dr. Lurie made a motion to move out of closed session. Dr. Jaeger seconded, and the motion passed with all in favor. Following discussion, Dr. Jaeger made a motion to deny Dr. Brown's request for early release from probation and practice monitoring. Dr. Lurie seconded, and motion passed with all in favor.

Dr. Jaeger turned the Chair over to Dr. Rovetti.

Agenda Item 6 Discussion/possible action regarding the Matter of Stephen Alexander, 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.

Dr. Rovetti welcomed Dr. Alexander and gave him the opportunity to go into closed session, which he declined. Dr. Jaeger stated that Dr. Alexander was not keeping SOAP notes on family members, staff, private paying patients, and health insurance patients, however he was keeping SOAP notes on personal injury patients. Dr. Rovetti asked Dr. Alexander if he had any comments. Dr. Alexander apologized for the time taken on this matter. Dr. Rovetti made a motion to approve the Settlement Agreement and Order, Dr. Martinez seconded, and the motion passed with all in favor. Dr. Jaeger recused himself as the Investigating Board Member.

The Chair was turned back over to Dr. Jaeger.

Agenda Item 5 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.

The Board contacted Dr. Bader by telephone. Dr. Jaeger gave Dr. Bader the opportunity to go into closed session, which he accepted. Dr. Jaeger asked questions of the Board. Dr. Jaeger made a motion to move out of closed session. Dr. Colucci seconded, and the motion passed with all in favor. Dr. Lurie reminded the Board that record keeping was not the root of this complaint and the quarterly reports completed by practice monitor, Dr. Larry Davis were clean. Dr. Lurie recommended that Dr. Bader be released from probation and practice monitoring. Dr. Rovetti made a motion to release Dr. Bader from practice monitoring and probation. Dr. Martinez seconded, and the motion passed, with the exception of Dr. Jaeger and Dr. Colucci who opposed. Dr. Lurie recused himself as the Investigating Board Member.

Agenda Item 8 Discussion/possible action regarding the Matter of James Overland, Jr., 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.

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Dr. Jaeger welcomed Dr. Overland Jr. and his attorney, Adam Fulton. Dr. Jaeger gave Dr. Overland Jr. the opportunity to go into closed session, and he denied. Dr. Jaeger made a motion to go into closed session. Dr. Lurie seconded, and the motion passed with all in favor.

Dr. Jaeger made a motion to go out of closed session. Dr. Martinez seconded, and the motion passed with all in favor.

Dr. Jaeger asked questions of the Board and continued by asking that the Board consider that Dr. Overland had not taken Part IV, and/or SPEC provided by the National Board, he had not held an active license within the last 7 years, and owes approximately \$50,000 in board costs/fines. Dr. Martinez recommended giving Dr. Overland Jr. a clear path to follow and Dr. Lurie recommended that Dr. Overland Jr. show acts of good faith and return before the Board with a complete application.

Following discussion, Dr. Jaeger made a motion to deny Dr. Overland Jr.'s application, since all requirements had not been met. Dr. Colucci seconded. Following discussion Dr. Jaeger withdrew his motion, and Dr. Colucci withdrew her second. Dr. Jaeger made a motion to table Dr. Overland Jr.'s application. Dr. Martinez seconded, and following discussion withdrew his second. Dr. Rovetti seconded. Dr. Jaeger withdrew his motion and Dr. Rovetti withdrew her second. Mr. Fulton requested that the Board give Dr. Overland Jr. a path to follow. Dr. Rovetti made a motion to table Dr. Overland Jr.'s application. Dr. Jaeger seconded, and the motion passed, with the exception of Dr. Lurie and Dr. Colucci, who opposed.

Agenda Item 10 Legislative Matters – For possible action.

Dan Musgrove stated that the primary election had taken place so the slate was set for November and provided the status on the senate and assembly seats. Mr. Musgrove stated that effective July 1 the legislature began to release bill draft requests, which are requests from legislators, interim committees and state agencies who have submitted changes to legislation for consideration during the 2019 legislative session. Mr. Musgrove stated that there are 160 bill draft requests that have been released. Mr. Musgrove stated that he received confirmation from Speaker Frierson that the CPBN's bill will be re-introduced during the 2019 legislative session.

Agenda Item 11 NCA Report – No action.

Dr. Overland, President, was in attendance and reported on behalf of the NCA. Dr. Overland stated that, as a result of the CPBN's discussion on ethics and boundaries and consent and intent to treat, the NCA held seminars in Reno and Las Vegas presented by Dr. Fucinari from NCMIC and the second half of the seminar covered medicare and coding. Dr. Overland stated that Medicare mentioned that people need to have instruction on structural competency. Dr. Overland stated that Dr. Finnell is holding an Extremity Adjusting seminar in Las Vegas on September 8, 2018 and the NCA will be holding a 12 hour seminar on Effectively Co-managing Personal Injury Cases for Optimal Outcomes in Reno on October 20-21, 2018.

Dr. Overland stated that the NCA is moving forward with the silent PPO bill and a number of other bills are being considered. Dr. Overland stated that he met with the President of the Physical Therapy Association, who confirmed that they will not be introducing a bill, however will be taking the lead from the Physical Therapy Board.

Dr. Overland stated that he met with a group that is interested in pursuing association sponsored health insurance for doctors and their families, in addition to providing association sponsored insurance for employees. Dr. Overland stated that with President Trump's change to healthcare, Nevada came out with requirements for small associations, and the NCA meets the parameters to qualify to have a group association. Dr. Overland stated that this is ongoing and will hopefully come to fruition.

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Dr. Overland stated that he has been contacted by seven licensees who have been visited by special investigative officers from insurance companies requesting to conduct an inspection, look at their X-Ray machine, understand how they perform modalities, etc.

Dr. Overland stated that United Healthcare issued a policy indicating that they will no longer pay for spinal manipulative therapy for headaches. The ACA disagrees with this policy, and have issued peer review papers and will be submitting their review to United Healthcare.

Dr. Overland stated that he was contacted by a licensee who received a complaint from the State Board of Physical Therapy Examiners regarding Physical Therapy being advertised on their website. Dr. Overland indicated that the DC changed the website to advertise Physiotherapy upon receipt of the complaint. The DC then received a complaint from the Attorney General's Office stating that Physiotherapy is synonymous with Physical Therapy.

Agenda Item 12 NCC Report – No action.

Dr. Youngblood, President and Dr. Harmel, Vice President were in attendance on behalf of the NCC. Dr. Youngblood stated that the NCC has six new members and Relax the Back has become a new sponsor. Dr. Youngblood stated that the NCC will be holding a seminar in Reno on September 15, 2018, where Dr. Curry will be speaking about chiropractic and mental disorders and in a seminar in Las Vegas on October 27, 2018. Dr. Youngblood stated that the NCC has continued to move forward with their opioid video. Dr. Youngblood stated that the NCC will submit a bill to the 2019 Legislative session with respect to NRS 634.020 regarding the appointment and qualifications of Board Members. Dr. Youngblood stated that Section 2, subsection 3 states that a Board member has to be engaged in the practice of chiropractic in this State and who have been so engaged in this State for at least 3 years preceding their appointment. At the last Board meeting following the NCC's report they felt discriminated against and singled out by Board member, Dr. Rovetti. Dr. Youngblood referenced, why would you ask if you have to be a CBP practitioner to be a member of the NCC? After further investigation, the NCC questions whether Dr. Rovetti is qualified to sit on this Board. Dr. Rovetti graduated in 2015, her biography states that she studied abroad and was appointed to the Board in 2017. Dr. Youngblood stated that there is no where she could have gained three years of practice experience and the NCC is considering adopting the language from California to increase the years of experience to five. Dr. Youngblood stated that the NCC is also considering adopting language from Idaho, which states to never have been subject of formal disciplinary action in any jurisdiction to sit on the Board. Dr. Youngblood indicated that the NCC is aware of members in the chiropractic profession who have been disciplined, who are submitting applications to sit on this Board. Dr. Youngblood stated that it is unsettling to the NCC that someone with such inexperience is allowed to govern chiropractors. From what the NCC currently understands, Dr. Rovetti is the least experienced Board Member in the country and this concerns the NCC. Should Dr. Rovetti do the right thing and resign, our association would be happy to offer recommendations of doctors who qualify for the position.

Agenda Item 13 Board Counsel Report – No action.

Sophia Long, DAG informed the Board that the Attorney General's office offers an annual training in the north and south to board staff and board members.

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.

Julie Strandberg provided a summary of the Executive Director reports.

Agenda Item 22 Discussion/possible action regarding testifying as an expert without a Nevada DC License– For possible action.

Sophia Long, DAG stated that the Attorney General’s Opinion which was requested by the Board is currently in draft form and addresses when a physician is required to be licensed in Nevada, which covers the issue of testifying as an expert. Ms. Long stated that the AGO should be a general guide, identifying when licensure is required.

Asheesh Bhalla, DAG joined the Board meeting in place of Ms. Long.

Agenda Item 9 Discussion/possible action regarding the Matter of Obteen Nassiri, 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.

Dr. Jaeger welcomed Dr. Nassiri and gave him the opportunity to move into a closed session, which he declined. Dr. Jaeger asked Dr. Nassiri what brought him before the Board today? Dr. Nassiri thanked the Board for their time and stated that he has a desire to get back into practice. Dr. Jaeger reviewed the history of Dr. Nassiri. Dr. Jaeger opened up discussion to the Board. Dr. Jaeger asked Dr. Nassiri if he had performed a chiropractic adjustment on any human being since February 16, 2011. Dr. Nassiri stated that he had performed manipulations on family members. Following discussion, Dr. Jaeger summarized Dr. Nassiri’s request asking to settle the fines and costs owed. Dr. Jaeger stated that the Board is not interested in settling the fines and costs.

Agenda Item 27 Discuss Power poll results – For possible action.

A. CBD

Dr. Jaeger reviewed the power poll results. Dr. Overland indicated that licensees are questioning whether or not they are allowed to sell/offer CBD and the NCA stated that the Board has not made a decision. Dr. Overland stated that the NCA discussed submitting a bill regarding CBD, but would only move forward with a bill if the Board set certain parameters to be used. Julie Strandberg referred to NRS 453 with respect to language regarding CBD. Dr. Jaeger stated although the Board has not discussed CBD as an agenda item in terms of taking a position the existing law appears clear.

B. Grade V Mobilization

Dr. Jaeger reviewed the power poll results received. Dr. Jaeger expressed his surprise that the Attorney General’s office had not acted to enforce the opinions regarding the Physical Therapists scope of practice. Dr. Lurie made a motion that the Chiropractic Physicians’ Board continue to uphold the Attorney General’s opinions. Dr. Jaeger seconded, and the motion passed with all in favor.

Agenda Item 14 Consideration of attendees at the September 27-29, 2018 Federation of Associations of Regulatory Boards in Portland, OR – For possible action.

Dr. Jaeger made a motion to allow Louis Ling and Dr. Rovetti attend the FARB seminar in Portland, OR, September 27-29, 2018. Dr. Colucci seconded, and the motion passed with all in favor.

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

A. Overview of FCLB’s 92nd Annual Educational Congress

Dr. Jaeger gave an overview of the correspondence provided by the FCLB and NBCE. Dr. Lurie stated that the two conferences piggy backed off one another with a lot

of discussion from attorneys on stroke related to chiropractic. The CBLAC attorneys had a panel, which Louis Ling is a part of.

Dr. Lurie stated that the NBCE discussed modifications to Part I and II of the National Board examinations, which the NBCE is looking to combine into one exam with six different sections. Dr. Lurie stated that the NBCE is also planning to move to computerized based testing, expected to go live January 2019. Dr. Lurie stated that he was elected as the District IV Director for two more years and the NBCE put him in charge of providing on-going communication with respect to happenings at the NBCE. Dr. Jaeger brought recognition to Dr. Lurie for serving as the District IV Director and being a great asset to the State.

B. District I & IV Meeting – Palm Springs, CA – September 20-23, 2018

Dr. Lurie stated that he will attend the District meeting on behalf of the NBCE and Dr. Colucci will attend on behalf of the FCLB. Dr. Jaeger made a motion to ask that Dr. Lurie and Dr. Colucci report back to the Board. Dr. Colucci seconded, and the motion passed with all in favor.

C. Other FCLB/NBCE matters

There were no other matters discussed.

Agenda Item 25 Consideration of potential additions, deletions, and/or amendments to NRS and NAC 634 – For possible action.

A. Mandatory Self-Inspection report

Dr. Lurie recommended that the regulation be drafted and brought back before the Board. Dr. Jaeger made a motion to present a regulatory change for the self-inspection to be mandatory. Dr. Martinez seconded, and the motion passed with all in favor.

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

Dr. Lurie recommended that the Board wait to set the fine until the language is drafted and brought back before the Board.

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

Following discussion, Dr. Lurie stated that staff can just follow the existing NAC.

D. Allow DC's to perform dry needling

Dr. Lurie stated that dry needling was previously addressed and approved by the Board.

E. NBCE Parts I-IV (potential revision pursuant to CCE)

Dr. Lurie stated that the National Board testing was previously addressed and approved by the Board.

Agenda Item 17 Committee Reports

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

Dr. Martinez stated that the Board has received an abundance of applications including various topics.

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

Dr. Jaeger stated that the Board will be submitting the bill from the 2017 legislative session with the addition of the dry needling language and has been in contact with Dr. Maggie at the Oriental Medicine Board and the Executive Director of the Physical Therapy Board.

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

Dr. Rovetti stated that the Board has two active preceptors. Dr. Rovetti stated that she spoke to the President at Life West who is interested in expanding their preceptor program to get students out into the field.

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

Dr. Lurie stated that he will present two or three CA exam proposals to the Board at the October meeting.

Agenda Item 16 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 some additional information was received from the investigator and is still under investigation.

B. Complaint 17-07S (Jaeger)

Dr. Jaeger stated that this case was finalized in the Settlement Agreement and Order with Dr. Alexander that was approved today.

C. Complaint 17-08S (Lurie)

Dr. Lurie stated that he and Louis Ling are in the process of finalizing the Notice of Charges to prepare for a hearing.

D. Complaint 17-18S (Jaeger)

Dr. Jaeger stated that the complainant is still interested in pursuing the complaint, however they are awaiting additional information from their insurance company.

E. Complaint 17-24S (Jaeger)

Dr. Jaeger stated that he is working with Louis Ling to prepare the Notice of Charges to prepare for a hearing.

F. Complaint 17-25S (Martinez)

Dr. Martinez stated that he attempted several times to contact the complainant with no return call, so Dr. Martinez recommended dismissal. Dr. Jaeger made a motion to dismiss Complaint 17-25S. Dr. Colucci seconded, and the motion passed with all in favor. Dr. Martinez recused himself as the Investigating Board Member.

G. Complaint 17-26S (Colucci)

Dr. Colucci stated that this complaint is still in process.

H. Complaint 17-28S (Lurie)

Dr. Lurie stated that he is working with Louis Ling. Mr. Ling will be coordinating a meeting between the DC and his attorney.

- I. Complaint 17-30S (Colucci)**
Dr. Colucci stated that this complaint is still in process.
- J. Complaint 17-31S (Martinez)**
Dr. Martinez stated that this complaint is with a chiropractic franchise. Dr. Martinez stated that he held a call with the President of the organization and included Mr. Ling, Julie Strandberg to discuss their policies and procedures on standards of care, which they have provided per our request. Dr. Martinez stated that a call needs to be scheduled to finalize the information provided.
- K. Complaint 17-33S (Jaeger)**
Dr. Jaeger stated that this was finalized in the Settlement Agreement and Order with Dr. Alexander that was approved today.
- L. Complaint 18-02S (Outside Investigator)**
Julie Strandberg stated that this complaint was from a DC that has an open complaint against them. The complainant alleged that the IBM was taking advantage of their position on the Board with respect to their investigation. The Advantage Group conducted the investigation, and the results were reviewed by a former Board Member who found that the IBM was within their scope of responsibility and did not find any violations of NRS or NAC. Dr. Lurie moved to dismiss Complaint 18-02S. Dr. Colucci seconded, and the motion passed with all in favor.
- M. Complaint 18-03S (Colucci)**
Dr. Colucci stated that this chiropractor had been disciplined in another state and is now in Nevada seeing patients, and has accepted money, has drawn blood, advised, recommended, consulted, and provided supplements. Dr. Colucci recommended that a citation be written, which Mr. Ling is preparing.
- N. Complaint 18-04N (Martinez)**
Dr. Martinez stated that he reached out to the complainant on three occasions without a call back. Dr. Martinez stated that after reviewing the patient's records there are several aspects to the complaint, including a workers' compensation claim alleging that the employer and DC conspired to keep it off the radar and the DC administered treatment outside their scope, however the DC is also a Nurse Practitioner. Dr. Martinez recommended to dismiss with a letter of recommendation to follow up with the Nursing Board. Dr. Lurie made a motion to dismiss Complaint 18-04N. Dr. Rovetti seconded, and the motion passed with all in favor. Dr. Martinez recused himself as the investigating board member.
- O. Complaint 18-05S (Lurie)**
Dr. Lurie stated that he spoke to the DC and obtained the records which are within minimum standards. Dr. Lurie spoke with the complainant who indicated that he was upset with the treatment they received from the doctor. Dr. Lurie recommended to dismiss the case with a letter to the DC reminding them of professionalism with patients. Dr. Jaeger made a motion to dismiss

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Complaint 18-05S. Dr. Rovetti seconded, and the motion passed with all in favor. Dr. Lurie recused himself as the Investigating Board Member.

P. Complaint 18-06S (Jaeger)

Dr. Jaeger stated that the complainant alleged that CA's are performing duties absent the DC present in the office and the DC's sign and television commercial is in violation of the CPBN's advertising rules. Dr. Jaeger stated that he has confirmed that the DC's sign is in violation. Dr. Jaeger stated that the investigation is on-going.

Q. Complaint 18-07S (Lurie)

Dr. Lurie stated that the complainant alleged that their PPD rating changed after the DC spoke with the insurance company. This complaint is ongoing.

R. Complaint 18-08S (Jaeger)

Dr. Jaeger stated that this complaint is from a Nevada attorney who provided a judge's ruling that stated in order to be an expert reviewing chiropractic patient records, the chiropractor must be a licensed in Nevada. Dr. Jaeger spoke to the DC and confirmed that they do not hold a license in Nevada, however believes it is appropriate to render opinions without a license in Nevada. Dr. Jaeger stated that this investigation is ongoing.

Agenda Item 19 Financial Status Reports:

- A. **Current cash position & projections – No action.**
 - B. **Accounts Receivable Summary – No action.**
 - C. **Accounts Payable Summary – No action.**
 - D. **Employee Accrued Compensation – No action.**
 - E. **Income/Expense Actual to Budget Comparison as of May 31, 2018 – No action.**
- Julie Strandberg gave an overview of the Financial Status reports.

Agenda Item 20 Review the report provided by the Executive Branch Audit Committee (EBAC) - For possible action.

Dr. Jaeger provided a summary of the EBAC report. Julie Strandberg provided the details of the audit, stating that the focus was on three elements, which included; Comply with Statute and Guidelines for Salaries, Improve Legal Framework, and Establish Standards for Administrative Operations. Ms. Strandberg stated that the Board is in compliance with the three elements noted, with the exception of having a reserve policy in place. Dr. Jaeger made a motion to approve and move forward as recommended with the three items discussed. Dr. Lurie seconded, and the motion passed with all in favor.

Agenda Item 21 Sunset Review Subcommittee Work Session document. – For possible action.

A. Authorization to sell Employers shares – For possible action.

Julie Strandberg explained that the Sunset Committee recognized that the Board was holding stock and questioned whether the Board was authorized to do so. Mr. Ling researched and stated that pursuant to the Nevada Constitution, Article 8, Section 9 the Board is not allowed to hold stock and must sell the remaining 4,000 shares of Employers Holdings stock. Dr. Jaeger made a motion to approve the

authorization to sell the 4,000 shares of Employers Holdings stock. Dr. Martinez seconded, and the motion passed with all in favor.

B. Adopt a reserve policy

Julie Strandberg provided an explanation of the proposed reserve policy. Dr. Jaeger made a motion to adopt the reserve policy as presented. Dr. Colucci seconded, and the motion passed with all in favor.

C. Cost savings measures and D. Improve budget process

Julie Strandberg addressed the Subcommittee's comments regarding costs savings and improving the budget process indicating that there are unknown circumstances that occur well after the budget is prepared with respect to licensing and costs incurred due to disciplinary actions, etc. Dr. Lurie emphasized that at any time the Board could lose licensees or accrue costs not accounted for.

Agenda Item 23 Discuss/approve the allowance of electronic signatures on Board forms - For possible action.

Dr. Jaeger made a motion to allow electronic signatures on Board applications and forms using SignNow for \$180.00 per year, with the exception of the application for licensure as a doctor of chiropractic. Dr. Rovetti seconded, and the motion passed with all in favor.

Agenda Item 24 Consideration to revise the Self-Inspection Board policy. – For possible action.

Julie Strandberg recommended to revise the self-inspection board policy in accordance with the Board's current practice. Following conversation, Julie Strandberg reminded the Board that neither NRS nor NAC 634 currently address the self-inspection. Asheesh Bhalla, DAG stated that the Board must have statutory authority to make a policy, so the self-inspection must be omitted from the Board policies. Mr. Bhalla stated that the Board cannot make ad hoc policies where it applies to licensees.

Agenda Item 26 Establish date(s) for the February CA Exam – For possible action.

Dr. Jaeger made a motion to hold the CA examination on February 5, 2019. Dr. Martinez seconded, and the motion passed with all in favor.

Agenda Item 28 Correspondence Report – No action.

Julie Strandberg provided an overview of the CCE correspondence.

Agenda Item 29 Board Member Comments – No action.

Dr. Rovetti stated that she would like to discuss comments made earlier with respect to her competency on the Board. Dr. Rovetti stated that her position on the Board falls under the Board member who looks out for the indigent and uninsured Nevadans, which does not require this Board member be in practice to hold this seat on the Board. In fact, it states this Board member may have a license. Dr. Rovetti stated that she does not have anything against the NCC and for them to think that she was discriminating against them based on general questions regarding their members is surprising. Dr. Rovetti stated that she would have liked to respond at that time, but was thrown off guard. Dr. Rovetti stated that she hasn't had any correspondence with the NCC or Dr. Youngblood, so she was not sure where the comments were coming from. Dr. Rovetti also noted that it seems

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Dr. Youngblood's comments should have been addressed during public comment rather than part of the NCC report.

Dr. Rovetti stated that she felt like her proximity to having graduated school does not make her less competent, but makes the board more diverse as far as what everyone brings to the Board.

Dr. Martinez stated that he felt the comments made by the NCC officers were unprofessional and inappropriate and appeared to have a personal tinge. Dr. Martinez stated that he felt it was a conversation that would have been better served in a private setting.

Dr. Colucci thanked everyone for their service and taking time away from their families and their practice to be here, and to help protect the citizens of Nevada.

Dr. Lurie thanked everyone on the Board for their work. Dr. Lurie thanked Dr. Jaeger, Mr. Ling and Julie Strandberg for their work on the Sunset Committee review and presenting on behalf of the Board. Dr. Lurie also thanked the AG's office for assisting the Board today.

Dr. Jaeger stated that Dr. Lurie left some big shoes to fill and has set the bar for all of us to live up to. Dr. Jaeger thanked everyone's willingness to descent, because it is important that we get together and say what we feel, that's the democratic process, and then have lunch together.


Agenda Item 30 Public Interest Comments – No action.

There were no public comments.

Agenda Item 31 Adjournment – For possible action.

Mr. Bertoldo moved to adjourn the meeting. Dr. Lurie seconded, and the motion passed unanimously.

Approved October 5, 2018



Xavier Martinez, DC, Secretary-Treasurer