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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 Friday, October 5, 2018 at the Grant Sawyer Building, 555 E. Washington Ave., Room 4400, as Vegas, NV 89101

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
Tracy DiFillippo, Esq., Consumer Member

Also present were Board Counsel, Louis Ling, Esq. and Executive Director Julie Strandberg. Mr. Bertoldo, Esq. Consumer Member was absent.

President, Dr. Jaeger determined a quorum was present and called the meeting to order at 8:33 a.m.

Dr. Colucci led those present in the Pledge of Allegiance. Dr. Lurie stated the Purpose of the Board.

Agenda Item 1 Public Interest Comments - No action.

There were no public comments.

Agenda Item 2 Approval of agenda – For possible action.

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

Agenda Item 3 Approval of the July 19, 2018 Meeting Minutes - For possible action.

Dr. Lurie moved to approve the July 19, 2018 meeting minutes. Dr. Colucci seconded, and the motion passed with all in favor.

Agenda Item 6 Legislative Matters – For possible action.

Dan Musgrove provided the Board with the current list of bill draft requests that may affect the Chiropractic Physicians' Board during the 2019 Legislative Session and stated that Speaker Frierson confirmed that the Board's bill will be submitted. Mr. Musgrove stated that he and Dr. Jaeger have spoken with the Physical Therapy Board, Physical Therapy Association, and the Oriental Board to attempt to develop relationships and work in collaboration. Mr. Musgrove and Dr. Jaeger also informed the Boards' that the Chiropractic Physicians' Board would be introducing a bill to the 2019 legislative session. In addition, Mr. Musgrove stated that he has joined a firm called Strategies 360, who are a regional public affairs and lobbying firm in 12 western states. The Nevada office is led by former Senator, John Ocegüera.

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

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

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

Dr. Lurie moved to approve the ratification of granting of CA certificates to those who passed the examinations on August 9, 2018. Dr. Colucci seconded, and the motion passed with all in favor.

Agenda Item 7 Discussion/possible action regarding the Matter of Mark Letterman, 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. Mark Letterman and asked if he would like to go into closed session, and he denied. Pursuant to Dr. Jaeger's request, Dr. Letterman provided the Board with a brief history of his situation and why he had not practiced since graduating from Chiropractic College. Dr. Jaeger asked questions from the Board. Following discussion, Dr. Jaeger made a motion that Dr. Letterman take and pass the SPEC exam. Dr. Colucci seconded. Dr. Lurie recommended that Dr. Jaeger amend his motion to include 18 hours of continuing education in clinical sciences and /or chiropractic. Dr. Jaeger amended his motion to include the 18 hours of continuing education with a focus on clinical competency in addition to the SPEC to complete his application. Dr. Colucci seconded. Dr. Lurie also recommended that the amended motion include that a Board Member work with Dr. Letterman on selecting the course work relevant to clinical and public safety. Dr. Jaeger amended his motion to include that a Board Member be assigned to assist Dr. Letterman with the selection of his course work. Dr. Colucci seconded, and the motion passed with all in favor.

Agenda Item 8 Discussion/possible action regarding the Matter of Jessica McKelvey, 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. Jessica McKelvey and asked if she would like to go into closed session, and she denied. Pursuant to Dr. Jaeger's request Dr. McKelvey provided the Board with a brief history of her situation and why she had not practiced since graduating from Chiropractic College nine years ago. Dr. Jaeger made a motion that Dr. McKelvey take and pass the SPEC exam

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and take 36 hours of continuing education focusing on clinical sciences to complete her application. Dr. Jaeger stated that a Board Member would be assigned to assist Dr. McKelvey with the selection of her the course work. Dr. Lurie seconded, and then recommended that the Board obtain verification that Dr. McKelvey's student loan is current. Dr. Jaeger amended his motion to include the verification that Ms. McKelvey's student loan is current. Dr. Lurie seconded, and the motion passed with all in favor.

Agenda Item 11 NCA Report – No action.

Dr. Overland, President was present on behalf of the NCA. Dr. Overland stated that the NCA is holding a seminar on October 20-21, 2018 in Reno, NV and on October 27-28, 2018 in Las Vegas, NV. Dr. Overland stated that this year commemorates the NCA's 25th year as an association. Dr. Overland stated that effective October 1, 2018 the 2019 ICD-10 codes went into effect and the NCA will look at conducting a seminar since chiropractors continue to be behind with Medicare billing and coding. Dr. Overland stated that the NCA is working on the language for the silent PPO bill, which should benefit all chiropractors in the areas of Med-Pay, Workers' Compensation and those that do permanent partial disability for the Division of Industrial Relations. Dr. Overland stated that the travel to treat bill was passed in the US Senate 93-6, and is awaiting President Trump's signature. Dr. Overland stated that the NCA is working with the Workers' Compensation group of the NJA in Nevada. The NJA's bill requires that 25% of licensees of all health care professions be allowed to treat workers' compensation patients. Dr. Overland informed the Board that the NCA prepared a booklet to distribute to each of the legislators to educate them on chiropractic.

Agenda Item 10 Discussion/decision regarding an applicant's concerns regarding the Nevada jurisprudence examination for DC's – For possible action.

Dr. Lurie stated that a DC applicant submitted a request to the Board identifying specific questions on the DC jurisprudence examination that caused him concern. Dr. Lurie reviewed the questions and referenced them back to NRS and/or NAC. Dr. Lurie stated that following his review, he determined that the questions are fairly worded and spelled out. Dr. Lurie stated that an example of Dr. Silver's concerns, was that there is nothing that references a renewal grace period, however Dr. Lurie stated that it is very clear that the DC's license expires on the 31st of the year, which is in line with some of the other concerns by Dr. Silver. Dr. Lurie stated that the Board may choose to table this agenda item for a discussion at the next meeting, otherwise Dr. Lurie recommended that Dr. Silver retake the jurisprudence examination. Dr. Jaeger confirmed that Dr. Silver took the examination on-line. Dr. Rovetti stated that she also reviewed Dr. Silver's concerns and agreed with Dr. Lurie's review and recommendation that the questions are straight forward. Dr. Lurie recommended that the Board hold a workshop to discuss the examination in accordance with NRS and NAC. Dr. Lurie made a motion that Dr. Silver retake the examination. Dr. Jaeger seconded, and the motion passed with all in favor.

Agenda Item 16 Committee Reports 1:05

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

Dr. Martinez stated that there were several pending continuing education courses from the NCA and the NCC.

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

Dr. Jaeger stated that Mr. Musgrove covered this.

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

Dr. Rovetti stated that there was nothing new to report.

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

Dr. Lurie recommended to move forward with putting the CA examinations online through Mycourse and recommended that the Board hold a workshop to review the examinations.

Agenda Item 9 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.

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 summarized the discussion from the July 18, 2018 Board meeting, stating that the Board decided that Dr. Overland Jr. return to this meeting and identify what actions have been taken to be able to submit a complete application. Dr. Overland Jr. stated that he is scheduled to take the National Board Part IV and will be signing up for the SPEC exam. Dr. Overland Jr. stated that he brought a money order for \$250.00 towards his outstanding fines and Board costs and confirmed that he is committed to pay back his fines and Board costs. Dr. Jaeger asked that Dr. Overland Jr. return before the January Board meeting with the results of his testing.

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

A. District I & IV Meeting – Palm Springs, CA

Dr. Colucci stated that she was in attendance for the District I & IV meeting and gave an overview of the meeting. Dr. Lurie stated that he resigned from the National Board.

B. Other FCLB/NBCE matters

There were no other matters to discuss.

Agenda Item 17 Reassign Committees – For possible action

Dr. Lurie recommended Dr. Rovetti for the test committee. Dr. Jaeger seconded, and the motion passed with all in favor. There were no changes to the other committees.

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 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 August 31, 2018 – No action.

Julie Strandberg gave an overview of the Financial Status reports.

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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)

Dr. Colucci stated that the Advantage Group is finalizing the investigation for the January 2019 meeting.

B. Complaint 17-08S (Lurie)

Dr. Lurie stated that an expert witness has been obtained recommended that this case go to hearing. Mr. Ling stated that this case will need to be reassigned since this is Dr. Lurie's final meeting.

C. Complaint 17-18S (Jaeger)

Dr. Jaeger stated that the complainant alleged that the chiropractor mandated that they pay for their care up front and then stated that the chiropractor billed insurance. The complainant stated that they would provide documentation from their insurance company, however did not follow through and is no longer responsive. Dr. Jaeger recommended that this case be dismissed. Dr. Lurie made a motion to dismiss case 17-18S. Ms. DiFillippo seconded, and the motion passed with all in favor. Dr. Jaeger recused himself as the investigating board member.

D. Complaint 17-24S (Jaeger)

Dr. Jaeger stated that this complaint is pending legal action.

E. Complaint 17-26S (Colucci)

Dr. Colucci stated that the complainant alleged that the DC's were improperly performing MUA, however it has been confirmed that the DC's hold the proper certification to perform MUA and recommended dismissal. Dr. Jaeger made a motion to dismiss complaint 17-26S. Dr. Lurie seconded, and the motion passed with all in favor. Dr. Colucci recused herself as the investigating board member.

F. Complaint 17-28S (Colucci)

Dr. Colucci stated that this complaint was originally assigned to Dr. Lurie and has been reassigned. Dr. Colucci stated that Mr. Ling is waiting to hear from the DC's attorney.

G. Complaint 17-30S (Colucci)

Dr. Colucci stated that the complainant alleged that the DC's were improperly performing MUA, however it has been confirmed that the DC's hold the proper certification to perform MUA and recommended dismissal. Dr. Jaeger made a motion to dismiss complaint 17-30S. Ms. DiFillippo seconded, and the motion passed with all in favor. Dr. Colucci recused herself as the investigating board member.

H. Complaint 17-31S (Martinez)

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Dr. Martinez stated that the meetings held with the organization were successful and sufficient documentation was received. Dr. Martinez recommended that this complaint be dismissed. Dr. Jaeger made a motion to dismiss complaint 17-31S. Dr. Colucci seconded, and the motion passed with all in favor. Dr. Martinez recused himself as the investigating board member.

I. Complaint 18-03S (Colucci)

Dr. Colucci stated that the Advantage Group made several attempts to serve the DC with a citation for allegedly practicing without a Nevada license, however this individual cannot be located at this time. Dr. Colucci recommended that this complaint be placed in dormant status in the event the individual turns up.

J. Complaint 18-06S (Jaeger)

Dr. Jaeger stated that this was an anonymous complaint. The complainant indicated that the DC's website and signage stated that the practice was medical and chiropractic. Dr. Jaeger visited the practice and talked with the DC, who indicated that he had intermittently rented space to MD's in the past, however was not currently, although he felt he could include medical in his signage. Dr. Jaeger stated that the DC immediately updated the signage and the website, so he recommended dismissal. Dr. Rovetti made a motion to dismiss complaint 18-06S. Ms. DiFillippo seconded, and the motion passed with all in favor. Dr. Jaeger recused himself as the investigating board member.

K. Complaint 18-07S (Rovetti)

Dr. Rovetti reached out to the complainant with respect to their concern that the DC changed their impairment rating after speaking with the insurance company. Dr. Rovetti stated that the rating physician was initially not aware of a previous injury, however after the complete review of the patients file Dr. Rovetti determined that the final impairment rating appeared accurate. Dr. Rovetti advised the patient that they should discuss their concerns with the Division of Industrial Relations. Dr. Rovetti recommended that the complaint be dismissed. Dr. Jaeger made a motion to dismiss complaint 18-07S. Ms. DiFillippo seconded, and the motion passed with all in favor. Dr. Rovetti recused herself as the investigating board member.

L. Complaint 18-09S (Rovetti)

Dr. Rovetti stated that the complainant was upset with the amount charged and the way they received some of their treatments and felt that the DC and the attorney were in collusion because the DC offered a discount to the attorney. Dr. Rovetti reviewed the records with the complainant, who confirmed that all treatments that they paid for were received. Dr. Rovetti recommended that this complaint be dismissed. Dr. Lurie made a motion to dismiss complaint 18-09S. Dr. Colucci seconded, and the motion passed with all in favor. Dr. Rovetti recused herself as the investigating board member.

M. Complaint 18-10N (Martinez)

Dr. Martinez stated that he spoke with the complainant who alleged that they were injured as a result of a treatment and also spoke with the DC. Dr. Martinez stated that following his meeting with the DC he found several areas of concern as follows: omissions from the initial treatment record, failure to provide complete medical records,

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and failure to define scope of treatment, failure to obtain verbal consent, failure to record examination findings prior to rendering treatment and share the findings with the patient. Dr. Martinez summarized his recommendations and provided to Mr. Ling.

N. Complaint 18-11S (Jaeger)

Dr. Jaeger stated that complaint 18-11S and 18-12S will be taken together since they were submitted by the same complainant and are similar. The complainant alleged his work was assessed and criticized by an Independent Medical Examiner (IME), however the IME's are not licensed in Nevada. Dr. Jaeger stated that the complainant referenced NRS 683a.378 and NAC 683a.285, however Mr. Ling is not sure at this time how they will apply depending on the outcome of the Board's Attorney General Opinion. Dr. Jaeger stated that this complaint is ongoing.

O. Complaint 18-12S (Jaeger)

This complaint was discussed under agenda item N.

P. Complaint 18-13S (Rovetti)

Dr. Rovetti stated that this complaint is a dispute regarding medical bills and is still under investigation.

Q. Complaint 18-14S (Rovetti)

Julie Strandberg stated that this is the Board complaint against Dr. Nassiri. At the Board's July 19, 2018 meeting Dr. Nassiri appeared before the Board and stated that he had been performing chiropractic without a license. Ms. Strandberg stated that the citation was served and Dr. Nassiri has until October 6, 2018 to appeal the citation.

R. Complaint 18-15S (Jaeger)

Dr. Jaeger stated that this is an anonymous complaint who alleged that the DC was not present during business hours when patients were present for care and that staff was allegedly performing physiotherapy in the absence of the DC. Dr. Jaeger stated that he confirmed that the DC's self-inspection only references front desk staff. Dr. Jaeger stated that this complaint is still under investigation.

Agenda Item 21 Establish dates for future Board meeting(s) – For possible action.

Dr. Jaeger recommended that the 2019 Board meetings be held on Thursdays. The Board agreed on the following dates: January 10th, April 18th, July 18th, and October 10th.

Pursuant to Dr. Lurie's comments during the test committee discussion, Dr. Jaeger recommended that the Board hold a workshop in Reno on Thursday, November 15th and the Board agreed.

Agenda Item 22 Consideration of attendees at the January 24-27, 2019 FARB in New Orleans, LA – For possible action.

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Dr. Jaeger asked if anyone was available or interested in attending the January 2019 FARB conference, however nobody was able to attend.

Agenda Item 23 Correspondence Report – No action.

Julie Strandberg provided an overview of the NBCE correspondence.

Agenda Item 20 Consideration of potential additions, deletions, and/or amendments to NRS and NAC 634 – For possible action.

A. Mandatory Self-Inspection report

Dr. Jaeger reviewed the proposed language and stated his concern with Section 2 (2)(c) with respect to not allowing the independent contractor performing cover work to not bill. Dr. Rovetti stated concern with Section 2(1) with respect to staff who have their own license, i.e. massage therapist, the wording may be confusing whether someone working in the DC's office cannot conduct massage when the DC is not in the office. Mr. Ling clarified that the intent of the language is to stop CA's from performing duties without the DC in the office. Following discussion, Mr. Ling stated that a revised draft will be brought back before the Board at its next meeting.

B. Fines for not meeting deadlines. i.e. Self-Inspection ends at 1:53

Following discussion, Mr. Ling recommended that the Board should initially get the self-inspection language written.

C. NAC 634.339 (1) (d) Shall not supervise more than one student. 1:53:18

Dr. Jaeger recommended that the language in NAC 634.339(1)(d) be revised to allow a Preceptor doctor to supervise up to four students. Dr. Lurie stated that a DC can supervise up to four chiropractor's assistants without any education, so a DC should be able to supervise four students who do have the appropriate education.

Dr. Lurie was not in attendance for the remainder of the meeting.

Agenda Item 12 NCC Report – No action.

Andrea Waller, Executive Director was present on behalf of the NCC. Ms. Waller stated that the NCC held a successful 2018 seminar in Northern Nevada with three speakers and the attendees earned eight continuing education credits. The NCC will also hold a one day seminar on Saturday, October 27, 2018 in Las Vegas, NV and will offer 10 continuing education credits. Ms. Waller stated that the NCC continues its membership drive and the membership continues to grow. Dr. Jaeger asked if there were questions from the Board. Dr. Martinez reflected on the July 19, 2018 meeting and stated that he felt that it was highly inappropriate for the NCC to use their agenda item to cast against a member on the Board and encouraged the NCC leadership to issue a formal apology to Dr. Rovetti, to this Board, and by extension to Governor Brian Sandoval. Ms. Waller stated that she would report Dr. Martinez's comments back to the Board. Dr. Rovetti asked how many members the NCC had? Ms. Waller stated that there are 30 members. Dr. Rovetti continued by saying at the last meeting it was reported there were 30 something and then Dr. Rovetti had someone come to her office last year who said there were about 40. Dr. Rovetti stated as Dr. Martinez was saying, there is a reason why the members come into play. Dr. Rovetti stated that her suspicions are, that the NCC is more of an independent practice organization (IPO or IPA)

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rather than an actual association, because the founder is a CBP, the seminars are focused around CBP, the members are mostly comprised of that organization, and it doesn't seem like the NCC's agenda is for the majority of the profession, but focused toward a specific demographic. Dr. Rovetti stated that certain organizations in Nevada do not recognize the NCC as an association, specifically the Culinary Health Sciences. Dr. Rovetti stated that the reason there is a concern distinguishing between an association and an IPA/IPO is because, as an association there is an item on the agenda to speak on, you get to sponsor seminars, and use titles such as founder, president, or member when advertising. Dr. Rovetti stated that Nevada has a lot of stipulations on how you can advertise yourself, as to not mislead the public. Dr. Rovetti stated that she thinks it's good that Nevada has two associations, because usually, two associations with the same purpose are going to try to outdo each other for members and push each other forward, however in this case Dr. Rovetti does not feel that the NCC is an association, which is why she asks general questions about the NCC at every meeting and based on the defensive response grows her suspicions further. Dr. Rovetti stated that if the NCC didn't have anything to hide, not that she is saying that the NCC is hiding something, it shouldn't be fought with such an aggressive response to general questions. Ms. Waller stated that she is the Executive Director and may not be able to address all the questions/comments. Ms. Waller confirmed that she counted the members who paid this year, however the NCC does have other members that didn't renew, but attended seminars. Ms. Waller confirmed that a number of the NCC's seminars are philosophy based and address different forms of chiropractic practice. Ms. Waller asked Dr. Rovetti what her other questions were. Dr. Rovetti stated that she is trying to understand who the NCC is and who the members are comprised of, and she doesn't feel the Board gets a straight answer. Ms. Waller stated that there were several doctors who created the NCC who practice different types of chiropractic, such as Dr. Brad Pastro and Dr. Stephanie Youngblood as well as Dr. Jason Jaeger and other who she stated that she could not think of at the moment. Ms. Waller stated that the NCC has approached the Culinary Health Sciences to be recognized as a state association and they advised the NCC that they need to hold more seminars, so the NCC will sponsor three seminars this year. Dr. Jaeger confirmed with Ms. Waller that the NCC is a Corporate Charter, 501c, and asked Ms. Waller to state the general purpose of the NCC. Ms. Waller stated that the goal is to preserve the integrity of the chiropractic profession. Dr. Jaeger clarified that he the only founding member who uses the CBP approach, and stated that the NCC is not a CBP club and Ms. Waller agreed. Dr. Jaeger stated that he was an odd-man out, because he practices physiotherapy based and other practitioners are adjustment only. Dr. Jaeger stated that an association does not obtain association status based off of a particular self-funded insurance company, including that association for its membership, which is not a definition of what an association would be. Dr. Jaeger stated that the culinary union approached the NCC when he was involved with the executive board. Dr. Jaeger stated that he also sees value in having two associations as it causes ire within the profession and within the other association to kick in, and do well for chiropractors and look out for the well-being of chiropractors and chiropractic, because that is the purpose of a state association. Dr. Jaeger clarified that when he has been asked to speak by the NCC he has not spoken about CBP, but about chiropractic. Dr. Jaeger stated that he has seen some good dialogue occur between current and former Board members, ACA members, and NCA members at a recent annual convention that was constructive toward some positive things that both associations can do. Dr. Jaeger stated that he was saddened that there was discord at the last meeting. Dr. Jaeger reminded the Board that Dr. Overland directed his comments on behalf of the NCA at him at a prior meeting. Dr. Rovetti stated that this is an open meeting and everyone has the right to express their opinions and she stated that she does not take things personally and stands by the fact that two associations are good. However, Dr. Rovetti is unsure why a separate

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association formed and stated that there is usually a key difference, because if we are all moving toward the same goal, it would probably be more powerful to unite as one. Ms. Waller stated that her understanding of why the NCC was formed was due to philosophical reasons. Dr. Jaeger asked if the Board was comfortable with him answering Dr. Rovetti's questions since he was there and stated that he will not comment as this Board's President. Mr. Ling stated that this conversation doesn't need to take place at a Board meeting, the agenda item is the NCC report and this discussion is going off the agenda item as agendized.

Agenda Item 13 Board Counsel Report – No action.

Mr. Ling stated that he attended the FARB conference in Portland, OR and reported on the highlights of the conference. Mr. Ling stated that the issue between Dry Needling and fighting with Physical Therapists is happening nationwide, along with Board's being audited and scrutinized by the Legislature and the Executive Branches. Mr. Ling stated that Arizona implemented a new law to allowing chiropractors to perform dry needling, but refer to it as percutaneous. Mr. Ling stated that many states are convinced that somehow it is the Board's fault that licensees are not moving to our state and believe that it may be due to the fees charged.

Agenda Item 20 Continued. Consideration of potential additions, deletions, and/or amendments to NRS and NAC 634 – For possible action.

C.NAC 634.339 (1) (d) Shall not supervise more than one student.

Dr. Jaeger recommended that the language in NAC 634.339(1)(d) be revised to allow a Preceptor doctor to supervise up to four students. Dr. Rovetti stated concern with public safety in that a DC may not be able to properly supervise four students, however two may be reasonable. Following discussion, Ms. DiFillippo made a motion that the NAC 634.339(1) (d) be revised from shall not supervise one students to four students. Dr. Martinez seconded, and the motion passed with all in favor with the exception of Dr. Rovetti who opposed.

D. Prohibit applicants from serving on the Board with a history of Board discipline.

Dr. Jaeger stated that a poll of all states was conducted to determine whether language was in place to prohibit licensees with discipline to sit on a regulatory Board. Dr. Jaeger stated that 46% of the respondents do not allow an individual to serve if they have had a history of Board disciplinary action within five years. Dr. Jaeger confirmed that 14% of active Nevada DC's have had disciplinary action so that leaves a robust pool to choose from. Dr. Martinez stated that this is unnecessary, because the Governor reviews the application, which includes questions that covers discipline, and should have the discretion to appoint who he chooses. Dr. Rovetti and Dr. Colucci agreed with Dr. Martinez.

Agenda Item 24 Board Member Comments – No action.

Dr. Martinez asked if the Board wrote the test questions and asked if the questions have been vetted and asked about having the questions reviewed by a psychometrician? Mr. Ling explained that psychometric services are expensive which is why the Board has not gone through this process. Dr. Rovetti thanked Dr. Lurie for his service as well as Dr. Colucci if she is not reappointed. Ms. DiFillippo also thanked Dr. Lurie and Dr. Colucci for their service as they are great assets to the Board. Ms. DiFillippo also asked the Board President to make it clear to the associations to stick to the agenda item and stated that there is a public comment section to cover that are not agendized. Ms. DiFillippo asked that the Board members get the proper information to make an informed decision. Dr. Colucci thanked the Board members for their service and thanked

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Julie Strandberg and Mr. Ling for their efforts. Dr. Jaeger thanked Dr. Lurie for his years of service and believes that Dr. Colucci will be reappointed. Dr. Jaeger stated that he the Board has a great dynamic, which is important and valuable. Julie Strandberg and Mr. Ling echoed Dr. Jaeger in that the Board has a great dynamic and have good discussion.

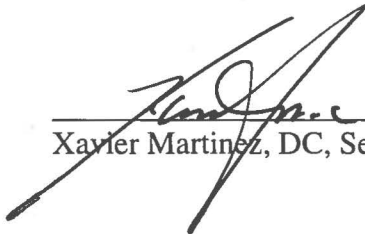
Agenda Item 25 Public Interest Comments – No action.

There were no public comments.

Agenda Item 26 Adjournment – For possible action.

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

January 10, 2019



Xavier Martinez, DC, Secretary-Treasurer