

Steve Sisolak
Governor

Jason O. Jaeger, DC
President
Morgan Rovetti, DC
Vice President
Xavier Martinez, DC
Secretary-Treasurer



Maggie Colucci, DC
Member
Nicole Canada, DC
Member
Tracy DiFillippo, Esq.
Consumer Member
John Bertoldo, Esq.
Consumer Member

Julie Strandberg
Executive Director

CHIROPRACTIC PHYSICIAN'S BOARD OF NEVADA

4600 Kietzke Lane, M-245 | Reno, Nevada 89502-5000

Phone: (775) 688-1921 | Fax: (775) 688-1920

Website: <http://chirobd.nv.gov> | Email: chirobd@chirobd.nv.gov

NOTICE OF MEETING

DATE: Thursday, June 13, 2019 **TIME:** 8:00 a.m.

LOCATION: Telephone Conference Call

Instructions for attending conference call:

1. Call toll-free number: (888) 240-3210
(or call paid number: (646) 364-1250
2. Enter access code: 7911671

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. Canada

Statement of Purpose – Dr. Colucci

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.

June 13, 2019

- 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.

Agenda Item 2 Approval of agenda – For possible action.

The Board reserves the right to address items in a different order or combine two or more items to accomplish business in the most efficient manner. An item may be removed from the agenda or discussion may be delayed relating to an item at any time.

Agenda Item 3 Approval of the April 23, 2019 Board Meeting Minutes. - For possible action.

Agenda Item 4 Ratification of granting of DC licenses to applicants who passed the examination from April to June 2019 – For possible action.

Agenda Item 5 Legislative Matters – For possible action.

- A. Strategies 360 – Dan Musgrove report on final legislation

Agenda Item 6 Discussion and potential action regarding the continuation of the existing contract for lobbyist services with Strategies 360 – Dan Musgrove. For possible action.

Agenda Item 7 Discussion and potential action regarding the Application for Re-activation of DC license for Dan F. Stellavato, 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. Stellavato)

Agenda Item 8 Discussion and potential action regarding the Matter of James Overland Jr., 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. Overland)

Agenda Item 9 Board Counsel Report – No action.

Agenda Item 10 NCA Report – No action.

Agenda Item 11 NCC Report – No action.

Agenda Item 12 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. Rovetti) - For possible action.

Agenda Item 13 Discussion regarding the chiropractor’s assistant program – No action.

Agenda Item 14 Discussion and potential action regarding the grading of the CA and DC written exams – For possible action

June 13, 2019

Agenda Item 15 Discussion and potential action regarding CA applicants who misrepresent response(s) on their application – For possible action.

Agenda Item 16 Discussion and potential action regarding additions, deletions and/or amendments to NRS 634 and NAC 634 – For possible action.

A. NAC 634.385 – Continuing Education

Agenda Item 17 Executive Director Reports:

- A. Status of Pending Complaints – No action.
- B. Status of Current Disciplinary Actions – No action.
- C. Legal/Investigatory Costs – No action.

Agenda Item 18 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 April 30, 2019 – No action.
- F. Correction to the GL Suite monthly cost.
- G. Correction to Brett Canady's salary calculation.

Agenda Item 19 Correspondence Report – No action.

Agenda Item 20 Public Interest Comments – No action.

This portion of the meeting is open to the public to speak on any topic NOT on today's agenda and may be limited to 3 minutes.

Agenda Item 21 Adjournment – For possible action.

This agenda posted June 7, 2019 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

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

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

June 13, 2019

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

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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: **June 13, 2019**

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

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

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 2** Approval of Agenda – For possible action.

The Board reserves the right to address items in a different order or combine two or more items to accomplish business in the most efficient manner. An item may be removed from the agenda or discussion may be delayed relating to an item at any time.

RECOMMENDED MOTION: **No recommendation.**

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

MEETING DATE: **June 13, 2019**

TIME REQUIRED: **5 minutes**

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

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 3** Approval of the April 23, 2019 Meeting Minutes. - For possible action.

RECOMMENDED MOTION: **Approve the minutes of the April 23, 2019 meeting as drafted.**

PRESENTED BY: **Jason Jaeger, DC/Morgan Rovetti, DC**

MEETING DATE: **June 13, 2019**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 3

Steve Sisolak
Governor

Jason O. Jaeger, DC
President
Morgan Rovetti, DC
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Xavier Martinez, DC
Secretary-Treasurer



Maggie Colucci, DC
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MEETING MINUTES

A meeting of the Chiropractic Physicians' Board was held on Tuesday, April 23, 2019 at the Grant Sawyer Building, 555 E. Washington Ave., Room 1100, Las 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
Nicole Canada, DC, Member
Tracy DiFillippo, Esq., Consumer Member

Also present were Board Counsel, Louis Ling, Esq. and Executive Director, Julie Strandberg.

President, Dr. Jaeger determined a quorum was present and called the meeting to order at 8:40 a.m.

Dr. Canada led those present in the Pledge of Allegiance. Dr. Rovetti stated the Purpose of the Board.

Dr. Jaeger stated to mark Maggie Colucci, DC, Member and John L. Bertoldo, Esq., Consumer Member present.

Agenda Item 1 Public Interest Comments - No action.

There were no public comments.

Agenda Item 2 Approval of agenda – For possible action.

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

Agenda Item 3 Approval of the January 10, 2019 Board Meeting Minutes. - For possible action.

Dr. Canada moved to approve the January 10, 2019 meeting minutes. Dr. Martinez seconded, and the motion passed with all in favor. Dr. Jaeger requested clarification of agenda item 24C. Dr. Jaeger asked whether the Board determined to keep the language, "reasonable

time” regarding sexual misconduct as is, and then take each situation on a case by case basis, which was confirmed.

Agenda Item 6 Legislative Matters – For possible action.

The Board contacted Dan Musgrove by telephone. Mr. Musgrove reported that the Boards’ bill, Assembly Bill 457 was on the agenda for approval by the full Assembly today, April 23, 2019. Mr. Musgrove discussed the status of the other bills that could potentially affect the Board, one being Senate Bill 355, presented by the Oriental Medicine Board. Mr. Musgrove asked for direction from the Board, with respect to including language to allow chiropractic physicians to perform dry needling. Dr. Rovetti asked Mr. Musgrove if he was representing another chiropractic bill. Mr. Musgrove stated that he was not. Dr. Martinez made a motion to expand the scope of chiropractic physicians, to include dry needling. Dr. Canada seconded, and the motion passed with all in favor with the exception of Ms. DiFillippo, who opposed.

Agenda Item 8 PUBLIC WORKSHOP: Will begin at 9:00 a.m. at the Grant Sawyer Building, 555 E. Washington Ave., Room 1100, Las Vegas, NV 89101. Discussion to consider amendments to Nevada Administrative Code 634. – For possible action.

Mr. Ling provided an overview of the revisions to NAC 634.

Dr. Pasquale Laurito, DC was present and stated his concern with allowing anonymous complaints. Dr. Mehran Soudbakhsh, DC was present, and also stated his concern with allowing anonymous complaints. Mr. Ling explained that NRS 634.160 allows the Board to accept anonymous complaints, the language being revised today is provided in NAC and is omitting the language stating that the complaint be signed and notarized.

Dr. Jaeger made a motion to accept the proposed revisions to NAC 634. Dr. Martinez seconded, and the motion passed with all in favor.

Agenda Item 4 Ratification of granting of DC licenses to applicants who passed the examination from January to March 2019 – For possible action.

Dr. Jaeger moved to approve the ratification of granting of DC licenses to those who passed the examination from January to March 2019. Dr. Colucci seconded, and the motion passed with all in favor.

Agenda Item 5 Ratification of granting of CA certificates to applicants who passed the examinations on February 5, 2019. – For possible action.

Dr. Jaeger moved to approve the ratification of granting of the CA certificates to those who passed the examination on February 5, 2019. Dr. Colucci seconded, and the motion passed with all in favor.

Agenda Item 11 NCA Report – No action.

Dr. Marcia Tinberg, President was present, and reported on behalf of the NCA. Dr. Tinberg stated that the Southern Director is Dr. Peter Randall, and the Northern Directors are Dr. Lawrence Davis and Dr. David Rovetti. Dr. Tinberg stated that Dr. James Overland, Sr., serves as the Legislative Chair. Dr. Tinberg stated that the current focus of the NCA has been legislation. Dr. Tinberg stated that SB365, which discusses silent PPO passed out of the Senate unanimously and will be heard before the Assembly. Dr. Tinberg stated that Dr. Overland Sr. and Marlene Lockard, Lobbyist met with Richard Whitley, Director of DHHS, prior to the

introduction of SB 484, which includes chiropractors in the Medicaid system, and it was well received. SB484 then passed unanimously out of the Assembly and will now be heard before the Senate. Dr. Tinberg stated that there will be a second attempt at SB130, which provides for licensing and regulation of persons including chiropractic assistants. Dr. Tinberg stated that the NCA is working with the sponsor of SB 228, which provides provisions relating to marijuana and industrial hemp to allow DC's to offer products that are absent of THC. Assemblywoman Titus was not willing to amend AB147 to allow DC's to sign off on sports head injuries. The NCA is monitoring the Oriental Medicine Boards' bill regarding piercing the skin.

Dr. Tinberg stated that the NCA continues to reach out to their members to address their needs, regarding education and training to protect the health and safety of the State of Nevada.

Agenda Item 7 Discussion and potential action regarding the fee for late renewal – For possible action.

Dr. Jaeger stated that this agenda item was included in the workshop discussion under agenda item 8.

Agenda Item 10 Board Counsel Report – No action.

Mr. Ling stated that he had nothing to report.

Agenda Item 9 Discussion and potential action regarding the Matter of James Overland Jr., 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. Overland)

Dr. James Overland Jr. was present and reported that he had taken the SPEC exam, and his score would be sent to the Board. Dr. Overland Jr. indicated that he is scheduled to take Part IV of the National Board Examinations on May 17, 2019 and will report back to the Board at its next meeting. Dr. Overland Jr. stated that he mailed a payment to the Board and hand delivered a payment today to put towards his outstanding fine/Board costs.

Agenda Item 13 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)

Mr. Ling stated that the Board was provided with deposition transcripts, which alleged that the DC was using identical records on personal injury cases. The patient records and other pertinent documents were given to the Boards' outside investigator to review and determine if the allegation was founded and they were not. Mr. Ling recommended that this complaint be dismissed. Ms. DiFillippo made a motion to dismiss complaint 16-11S. Mr. Bertoldo seconded, and the motion passed with all in favor. Dr. Colucci recused herself as the investigating Board member.

B. Complaint 17-08S (Martinez)

Dr. Martinez stated that this case was set for a hearing, however the complainant confirmed that they were not willing to testify. Dr. Martinez recommended that this complaint be dismissed. Dr. Canada made a motion to dismiss complaint 17-08S. Ms. DiFillippo

seconded, and the motion passed with all in favor. Dr. Martinez recused himself as the investigating Board member.

C. Complaint 17-24S (Jaeger)

Dr. Jaeger stated that the DC has a criminal charge that is in abeyance and will be ruled on by the end of April 2019. Dr. Jaeger requested that this complaint be held until the next Board meeting.

D. Complaint 17-28S (Colucci)

Mr. Ling stated that the DC retained an attorney and has not been able to get the attorney to allow access to the DC. Mr. Ling requested that this complaint be held until the next Board meeting.

E. Complaint 18-08S (Jaeger)

Dr. Jaeger requested to take agenda items 13 (E), (F) and (G) together since they are similar, with regard to out of state chiropractors rendering medical opinions regarding Nevada residents without a Nevada license. Dr. Jaeger indicated that he has made contact with two of the out of state doctors who will either apply for licensure or cease practice in Nevada. Dr. Jaeger stated that this investigation is ongoing.

F. Complaint 18-11S (Jaeger)

This agenda item was discussed under 13E.

G. Complaint 18-12S (Jaeger)

This agenda item was discussed under 13E.

H. Complaint 18-13S (Rovetti)

Dr. Rovetti stated that she will be reaching out to Mr. Ling to discuss, so this complaint is still under investigation.

I. Complaint 18-15S (Jaeger)

Dr. Jaeger stated that this is an anonymous complaint alleging that staff is performing chiropractic assistant duties while the DC is out of the office. This complaint is still under investigation.

J. Complaint 18-17S (Jaeger)

Dr. Jaeger stated that the complainant alleged that the DC is representing themselves as a MD or at least not disclosing on their signage, website, advertising, etc. that they are a DC. This complaint is still under investigation.

K. Complaint 18-18N (Martinez)

Dr. Martinez stated that the DC was advertising outside the scope of chiropractic, which has been corrected. There is concern, however, whether the DC is legally performing an advanced credential properly under the laws of another discipline. This complaint is still under investigation.

L. Complaint 19-01N (Martinez)

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

M. Complaint 19-02S (Colucci)

Dr. Colucci stated that this complaint was received from a third party, alleging that a trainer at a gym was performing chiropractic. Dr. Colucci recommended that this complaint be dismissed since the witness is not willing to come forward. Mr. Bertoldo made a motion to dismiss complaint 19-02S. Ms. DiFillippo seconded, and the motion passed with all in favor with the exception of Dr. Rovetti, who opposed. Dr. Colucci recused herself as the investigating Board member. Dr. Canada also recused herself.

Agenda Item 17 Financial Status Reports: A2/4 42:50

- 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 January 31, 2019 – No action.**
- Julie Strandberg gave an overview of the financial status reports. Dr. Martinez expressed his concern regarding the cost of the software database with GL Solutions and indicated that the Board may wish to obtain quotes from other vendors.

Agenda Item 16 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 18 Discussion and potential action regarding the approval of the Boards' 2019/2020 (FY20/21) Budget – For possible action.

Julie Strandberg provided an overview of the budget projections. Dr. Jaeger made a motion to approve the budget as submitted for fiscal years 2020 and 2021. Dr. Canada seconded, and the motion passed with all in favor.

Agenda Item 20 Discussion and potential action regarding Guidelines for Timely Response – For possible action.

Dr. Jaeger stated that he reviewed the January 10, 2019 meeting minutes and thanked the Board for their comments with respect to his proposal. Dr. Jaeger explained that the intent was to ensure that the Board was acting functional, productive, and responsive, however since the concern appears to be resolved, no further action shall be taken.

Agenda Item 22 Discussion and potential action regarding the interpretation of NAC 634.3475(l) – For possible action.

Dr. Jaeger stated that a licensed DC requested an interpretation of NAC 634.3475 (1) (l) from the Board. Following discussion, Mr. Ling stated that it would be necessary to review the facts and circumstances of the specific case, in order to determine whether the complaint meets fraudulent or deceitful conduct.

Agenda Item 14 Committee Reports

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

Dr. Martinez shared his thoughts regarding the need for the continuing education committee when there is little or no discretion when approving or disapproving courses. Dr. Martinez stated that if the interpretation of NAC 634.385 does not allow any discretion with respect to the content of a course, it doesn't seem necessary to have a continuing education committee. Dr. Martinez recommended that the Board look at the language and provide some discretion or include specific parameters.

Dr. Jaeger recommended that Dr. Martinez submit a policy shifting the approval to the Executive Director and staff and identify specific parameters when CE should be reviewed by the Continuing Education committee. Dr. Jaeger recommended that NAC 634.385 be added to the agenda for the next Board meeting.

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

Dr. Jaeger stated that legislation was covered with Mr. Musgrove

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

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

Agenda Item 28 Correspondence Report – No action.

Dr. Jaeger provided an overview of the memo from The Council on Chiropractic Education.

Agenda Item 27 FCLB/NBCE Matters – For possible action.

Dr. Jaeger reminded the Board that the FCLB annual conference is being held May 2-5, 2019 in San Diego, CA.

Agenda Item 24 Discussion and potential action regarding the board counsel's annual evaluation – For possible action.

Dr. Martinez summarized the evaluations completed by the Board members of Board Counsel, Louis Ling.

Agenda Item 12 NCC Report – No action.

Dr. Teddy Sim, Vice President, was present on behalf of the NCC. Dr. Sim stated that the NCC will be revealing a public information video, promoting pain management on May 6, 2019 at Relax the Back, Las Vegas, NV. Dr. Sim also stated that the NCC will be holding a seminar in Reno on September 14, 2019 and in Las Vegas on October 19, 2019.

Agenda Item 21 Discussion and potential action regarding the Attorney General Opinion 2018-03 – For possible action.

The Board contacted Dr. Robyn Mitchell by telephone. Dr. Jaeger provided an overview of the Attorney General Opinion (AGO) 2018-03, stating that in order for an individual to practice as a chiropractic radiologist in Nevada they must obtain a Nevada chiropractic license. The opinion also indicated that the individual should have a chiropractic physicians' license or a chiropractor's assistant certification working under a chiropractic licensee.

Dr. Jaeger made a motion that a chiropractic radiologist performing reads and interpretations on films of patients that reside in the State of Nevada require a Nevada chiropractic license. Dr. Rovetti seconded.

Dr. Jaeger made a motion that a notification regarding the AGO be issued to include, but not limited to, requiring Nevada chiropractors to maintain verification of the radiologists' license, require that an individual have 60 days to submit their application for DC licensure, and amend the self-inspection report. Dr. Jaeger asked that Julie Strandberg work with Dr. Robyn Mitchell to share the notification with the DACBR licensees. Mr. Ling clarified Dr. Jaeger's motion, confirming that a notification regarding the AGO be distributed to the Boards' licensees, utilizing the Boards' website and constant contact. Mr. Ling also confirmed that the notification include, but not limited to, requiring radiologists reading films of Nevada residents obtain Nevada licensure, explain that an individual will have 60 days to submit an application for DC licensure upon notice that a Nevada license is required, reference NRS 634.018 (12), and provide instructions on how to verify a license. Dr. Jaeger recommended that his motion be updated based on Mr. Ling's comments. Dr. Rovetti seconded, and the motion passed with all in favor.

Dr. Jaeger made a motion that the Board provide notification of the AGO that individuals conducting Independent Medical Exam's (IME) in the State of Nevada, of Nevada residents is required to hold a Nevada license. Dr. Canada seconded, and the motion passed with all in favor.

Agenda Item 14 Committee Reports

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

Dr. Rovetti stated that she and Julie Strandberg have been working together to get the DC and CA exams in place.

Agenda Item 15 Discussion and potential action regarding the on-line CA examination process – For possible action.

Dr. Rovetti explained her concerns with moving forward with the online CA exam and recommended that the Board not move forward at this time.

Dr. Jaeger reminded the Board that the legislature voiced that their intent is to expedite licensing. Dr. Colucci suggested that the Board use the entry level CA exam offered by the FCLB, the Board offer the x-ray and law exams, and provide the DC with a chiropractic assistant training checklist for submittal to the Board.

Dr. Rovetti made a motion that the Board not put the CA exam online now and she will bring a plan to the next Board meeting. Dr. Canada seconded, and the motion passed with all in favor.

Agenda Item 23 Discussion and potential action regarding the continuation of existing contracts – For possible action.

A. Louis Ling, Board Counsel

Dr. Jaeger made a motion to approve the first amendment to the original contract with Louis Ling, Esq. Mr. Bertoldo seconded, and the motion passed with all in favor.

B. The Advantage Group, Investigator

Dr. Jaeger made a motion to approve the first amendment to the original contract with The Advantage Group. Mr. Bertoldo seconded, and the motion passed with all in favor.

C. Strategies 360, Lobbyist

Dr. Jaeger stated that the quote from Strategies 360 is requesting a \$6,074.00 increase over the original contract. Dr. Martinez made a motion to table this agenda item. Dr. Colucci seconded, and motion passed with all in favor.

D. Freya Oberer-Brown, Accountant

Dr. Jaeger made a motion to approve the first amendment to the original contract with Freya Oberer-Brown, Accounting Solutions. Dr. Martinez seconded, and the motion passed with all in favor.

Agenda Item 26 Consideration of attendees at the October 3-6, 2019 FARB in St. Louis, MO – For possible action.

There was not any interest from the attorneys to attend the fall 2019 FARB conference.

Agenda Item 19 Discussion and potential action regarding Board meeting dates. – For possible action.

Dr. Martinez recommended that the meetings be held on Saturdays, as to not interrupt his practice during the week. Dr. Rovetti agreed. Dr. Jaeger stated that he would look at changing the meeting dates for the remainder of the year.

Agenda Item 25 Discussion and potential action regarding 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. Martinez reviewed the evaluations for Julie Strandberg. Dr. Jaeger made a motion to increase Ms. Strandberg's annual salary by 4.72% to account for the 3% increase for fiscal year 2018 and 3% increase for fiscal year 2019 in accordance with AB 517 and SB 368 of the 2017 legislative session. Dr. Colucci seconded. Dr. Jaeger amended his motion to include a \$2,000 bonus. Ms. DiFillippo seconded, and the motion passed with all in favor.

Julie Strandberg provided the Board with the evaluation for Brett Canady. Dr. Jaeger made a motion to increase Ms. Canady's pay by 1.67% to account for the 3% increase for fiscal year 2018 and 3% increase for fiscal year 2019 in accordance with AB 517 and SB 368 of the 2017 legislative session and recommended a \$500.00 bonus based on her review. Dr. Rovetti seconded, and the motion passed with all in favor.

Agenda Item 29 Public Interest Comments – No action.

This portion of the meeting is open to the public to speak on any topic NOT on today's agenda and may be limited to 3 minutes.

There were no public interest comments.

Agenda Item 30 Adjournment – For possible action.

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

June 13, 2019

Xavier Martinez, DC, Secretary-Treasurer

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 4** Ratification of granting of DC licenses to applicants who passed the examinations from April to June 2019 – For possible action

RECOMMENDED MOTION: **Ratify granting of DC licenses to those who passed their examinations from April to June, 2019.**

PRESENTED BY: **Jason O. Jaeger, DC/Morgan Rovetti, DC**

MEETING DATE: **June 13, 2019**

TIME REQUIRED: **2 minutes**

BACKGROUND INFORMATION:

| <u>April</u> | <u>May</u> | <u>June</u> |
|-----------------------|--|-----------------------|
| Krissada Scott Varner | Skyler James Campbell John Jay Fernandez Karen Anne Handy Mark Brandon Letterman Robert James Martinez Rick Sproule | Jacob Perry Almanrode |

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 5 Legislative Matters – For possible action**
A. Strategies 360 - Dan Musgrove report on final legislation

RECOMMENDED MOTION: **No recommendation.**

PRESENTED BY: **Dan Musgrove**

MEETING DATE: **June 13, 2019**

TIME REQUIRED: **15 minutes**

BACKGROUND INFORMATION:

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 6** Discussion and potential action regarding the continuation of the existing contract for lobbyist services with Strategies 360 – Dan Musgrove. For possible action.

RECOMMENDED MOTION: **No recommendation.**

PRESENTED BY: **Jason Jaeger, DC**

MEETING DATE: **June 13, 2019**

TIME REQUIRED: **15 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: X President X Secretary X Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Strategies 360, Inc.
Government Affairs, Lobbyist
Contract

Requesting an increase of \$8,093.00 from the previous contract.

| | Original Contract | Proposed Contract | Increase |
|---|-------------------|-------------------|----------------------|
| Off-Season July 2019-January 2021 | \$1,663/month | \$2,000/month | $337 * 19 = \$6,403$ |
| Legislative Season February 2021-June 2021 | \$4,162/month | \$4,500/month | $338 * 5 = \$1,690$ |
| Total Contract | \$52,407/year | \$60,500/year | \$8,093/year |



CHIROPRACTIC PHYSICIANS BOARD OF NEVADA

PROPOSAL FOR:

State Government Affairs Lobbyist



STRATEGIES360.COM



Project Overview

The Chiropractic Physicians Board of Nevada (CPBN) has asked for a proposal from Dan Musgrove and Strategies 360 for a consultant contract to work collaboratively with CPBN to represent them as their State Government Lobbyist for the 2021 session of the Nevada Legislature. The consultant will provide advice and provide assistance to the CPBN in the development of strategy so that the CPBN can achieve its legislative and policy priorities in an effective and efficient manner.

Project Goals

Our goals for this project are to:

- Conduct strategic planning sessions with key Board leadership to identify and prioritize key issues.
- Monitor all interim committees
- Identify any proposed legislation that would be of interest to the Board
- Continue the work with similar licensing boards and the Attorney General regarding Scope of Practice.
- Represent the Board at political events (if appropriate)
- Advocate positions to key elected and appointed officials within Nevada State Government.
- Provide government affairs-related analysis or research
- Collect and disseminate relevant intelligence
- Represent and position the Board with all relevant state officials and agencies who might serve as advocates for the interests of the Board as well as those that might be in contradiction of the goals of the Board and work to mitigate their influence or opposition.
- Provide continued advocacy, consultative and strategy support on behalf of the Board.



About Us

We are Strategies 360 and our calling is to drive lasting change. We shape business, politics, and culture in the spirit of the west, where innovation, an entrepreneurial spirit, and moving beyond the status quo have long been what it takes to make an impact and create a brighter future.

We are a full-service research, public affairs, and communications firm, bringing deep expertise, providing a full range of services, and promising sharp strategic thinking that gets results. By offering more services under one roof, we guarantee every client a seamless, tailored approach.

By working together across state offices, our teams have redefined the best practices of public policy, business, marketing and strategic communications. Our services include:

- Government Relations: State, Federal, and Local
- Communications: Reputation Management, Crisis Communications, Media Relations, and Public Relations
- Research: Message Development, Targeting and Segmentation, Campaign Polling, and Executive and Opinion Leader Research
- Public Affairs: Coalition Building, Initiatives & Campaigns; Bonds & Levies; Siting & Permitting
- Marketing & Advertising: Brand & Creative Strategy, Digital Marketing, Design & Copy, Web Engineering

Learn more about our work and teams at www.strategies360.com.



Scope of Work

In accordance with the standards and criteria of the Chiropractic Physicians Board of Nevada, Strategies 360 will assist the CPBN in furthering its legislative and policy agenda to ensure its core purpose that the practice of chiropractic is a learned profession having an effect on public safety and the welfare of the public. Specific responsibilities of the Legislative Consultant will include:


1. Development of Legislation and a strategy for passage: Provide assistance to the CPBN in the development of strategy so that the CPBN can achieve its legislative and policy priorities in an effective and efficient manner.

Strategies 360 will work with leadership in the development of strategy to achieve their legislative and policy priorities. We will participate in strategy sessions, assess and share the challenges and opportunities in front of us in the pursuit of any legislation, and will develop a plan for carrying them out. Developing a strategy includes assessing the makeup of the Legislature, legislative leadership, seniority of members, experience and leadership of respective chairman and staff, and the potential opposition and support from other parties, including lobbyists and state agency personnel.

2. State Legislator/Agency Meetings: At the request of the CPBN, meet with State officials and/or agencies concerning issues which may have an impact on the CPBN; attend any regulatory hearings on matters of interest to the CPBN.

Strategies 360 is committed to meeting the needs of the CPBN when it is necessary to navigate and manage issues. Our staff has more than 30 years of experience in Nevada state government, and we continue to maintain high-level access to the Office of the Governor, agency directors, deputy directors, and program managers. These relationships are essential to ensuring open communication and working toward positive resolution of issues. Relationship-building is an essential part of what we do for the CPBN, and we take every opportunity to make introductions when we are in settings that allow us to do so.

3. Bill Tracking: Bill tracking on a daily basis of bill draft requests and introduced legislation of specific interest to the CPBN, as identified by the Legislative Consultant in collaboration with the CPBN leadership, and provide timely reports on such legislation to the CPBN.



Performing bill tracking is an essential function during any legislative session. We track bills through electronic means and by having strong relationships with committee chairmen and staff. Our electronic tracking system allows us to track bills in real-time through the legislative process. We get immediate notification when a bill is introduced in either the Senate or the Assembly, when committee actions are reported to the respective Floor of the Legislature, when amendments are ready once they have been drafted by staff of the Legislative Counsel Bureau, and when bills are adopted. We also ensure chairmen and their staff are aware of bills of particular importance to the CPBN, and by doing so, we know when bills will be scheduled before agendas are published. These relationships also enable us to work on amendment language prior to a hearing, if necessary. This would be a collaborative effort with the CPBN leadership.

We also provide regular reports on bills we follow on behalf of the CPBN. We have different reporting periods depending on whether it is a general reporting of bills pending before the Legislature or reporting specifically on measures that have direct interest for the CPBN.

4. Legislative Alerts: As needed, provide email alerts over and above bill tracking reports to the CPBN on developments or trends during the legislative session. A protocol for managing this activity will be developed by the Legislative Consultant and approved by CPBN leadership.

Strategies 360 stands ready to work within the protocol that is established by the CPBN for email alerts on developments or trends during the legislative session. Acting in a timely fashion is a critical factor during the 120-day legislative session, and we welcome having real-time access and established protocols to ensure we can be responsive to questions from legislators, staff, and even other lobbyists as well as issues that come up.

6. Interim Session Activities: There may be interim committees, special task forces, caucuses, or other deliberative bodies which are considering legislative initiatives or policy issues that may lead to legislation, thus the Legislative Consultant may be requested to attend meetings of such bodies and report back to the CPBN on issues affecting their interests.

Strategies 360 will monitor meetings of the Interim Legislature, agency notices for proposed regulations and will attend these forums when there are issues that affect the CPBN. We build and maintain relationships with legislative leadership and legislators state-wide to ensure we are able to communicate effectively when needed.



Our Team



Dan Musgrove

VICE PRESIDENT, NEVADA



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

Prior to S360, he founded his own government affairs practice, Dan Musgrove Advocacy, in 2010. Dan also served as Vice President of Government Affairs for a large Nevada-based law firm and was the chief legislative advocate for Clark County, Nevada; the University of Nevada, Las Vegas (UNLV); and a principal lobbyist for the City of Las Vegas. Throughout his career, Dan has represented the largest hospital system in Nevada, the City of North Las Vegas, the Nevada League of Cities and the Southern Nevada Health District. He also has experience with health insurance and property casualty insurance companies, commercial construction sub-contractors, and large national corporations.

As a native Nevadan, born in Reno and a resident of Las Vegas for over 45 years, Dan loves Nevada and works to make his community better. He was a Governor appointee to the State's Grants Management Advisory Committee and currently serves as the Chair of the Clark County Children's Mental Health Consortium and the Vice-Chair of the Statewide Consortium, both of which are focused on studying the mental health needs of Nevada's children and advocating for service delivery reform.

He has two children and is excited to now be a grandpa. He loves movies, mystery novels, and being near any body of water where he can swim, paddle, or hike nearby.



STRATEGIES360.COM



John Ocegüera

SENIOR VICE PRESIDENT, NEVADA



John runs our Nevada operations, overseeing a diverse mix of clients from corporations and nonprofits to campaigns and candidates. John formerly served as Speaker of the Nevada Assembly and was an elected representative in the Nevada Legislature for 12 years. He held a variety of leadership positions and chaired numerous committees, including Commerce and Labor, and Transportation. As Speaker of the Assembly in 2011, John worked with his colleagues in both houses and parties to ensure the state budget was balanced, while providing additional funding for education and other essential state services.

In addition to his legislative service, John had a 20-year career with the North Las Vegas Fire Department, working as firefighter, paramedic, engineer, captain, battalion chief and retiring as an assistant chief in 2011. As assistant chief, he developed and implemented a comprehensive emergency operations program and managed 220 personnel and a multi-million dollar budget.

John has also served on numerous boards and in many different leadership positions. He was named “Elected Official of the Year” by the American Heart Association and the National Association of Social Workers, Nevada Chapter. John received a “Top 40 Under 40” award from *In Business Las Vegas* and was named “Consumer Advocate of the Year” by the Nevada Trial Lawyers. John’s most cherished honor was having his name placed on the Distinguished Service Wall at the Nevada Firefighters Memorial, joining only 17 other firefighters who have been so honored. Since leaving office, John has built a successful consulting practice.

John has a bachelor’s degree in fire science from Cogswell Polytechnic College, and earned a master’s in public administration and a law degree from the University of Nevada, Las Vegas. A fourth generation Nevadan, John has a busy family life with three young children, and enjoys time in the great outdoors on his ATV.



STRATEGIES360.COM



Marcus Conklin

VICE PRESIDENT, NEVADA



Marcus brings two decades of experience in policy development and business management to S360 clients. Elected to the Nevada Assembly for five terms, Marcus served as Assembly Majority Leader and chaired numerous committees, including Commerce and Labor, and a special committee on critical housing issues.

Marcus has extensive experience in the private sector. Previously, he was associate director of the Lied Institute for Real Estate Studies at the University of Nevada, Las Vegas, overseeing a \$4 million endowment, staffing and key programs in real estate education and research. He also expanded the client base for a construction company as a vice president in business development. As director of corporate marketing at Corestaff Services, Marcus increased market share and growth for the professional staffing services agency.

Outside of work, Marcus enjoys water polo, golf, travel, and wine. A 15-year resident of Las Vegas, Marcus has been very active in the community, most recently as a founding board member of the Economic Club of Las Vegas.

Marcus is a cum laude graduate of the University of Redlands with a B.A. in political science and economics. He has an M.A. in political science from Midwestern State University, and another M.A. in economics from the University of Nevada, Las Vegas.



William Horne, Esq.

VICE PRESIDENT



William Horne brings nearly 20 years of legal and legislative experience to S360.

William served 12 years in the Nevada Assembly and retired as the Majority Leader in 2014. During his legislative career William also served as Chairman of the Correction, Parole & Probation Committee, Judiciary Committee, Majority Whip, Chairman of the Advisory Commission on the Administration of Justice, Chairman of the Law and Criminal Justice Committee of the National Conference of State Legislatures (NCSL), and member of the Nevada Gaming Policy Committee and Nevada Homeland Security Commission.

During his first term, he was voted “Freshman of the Year” in 2003 and “Outstanding Legislator” in 2013. However, in his final term, William also became the first legislator in Nevada to pass a bill and have it signed into law by the Governor in a single day. This was the online gaming bill, and he accomplished this in record fashion, in a single day.

In addition to his legislative career, William is a licensed attorney in the State of Nevada and has practiced criminal defense, workers compensation defense, construction litigation, and family law. He remains involved with his alma mater as a UNLV Alumni Board member and is a previous member of the Boyd School of Law Alumni Board. Prior to joining Strategies 360, William was founder and principal of Horne-Duarte Government & Public Affairs, a lobbying firm with a various business, health, and marijuana clients.



Marla McDade Williams

DIRECTOR, NORTHERN NEVADA



Marla McDade Williams brings more than 25 years of government and policy experience to S360. She maintains a network of strong relationships across interest groups, carries a deep understanding of policy development and analysis, and has the ability to navigate complex levels of government bureaucracy.

Prior to S360, Ms. McDade Williams served as a Deputy Administrator in the Division of Public and Behavioral Health in Nevada's Department of Health and Human Services. Here, she was responsible for the interpretation and enforcement of statutes and regulations governing public health and safety in Nevada, and represented the division before the state legislature. Marla is viewed as a leading policy expert for medical marijuana, having shepherded the successful adoption of regulations governing medical marijuana establishments in Nevada, and has been called upon to provide guidance through the regulatory process for recreational marijuana as well.

Prior to serving as the Deputy, Ms. McDade Williams served as a Bureau Chief in the Division where she regulated health facilities. She also served 8 years on staff in the Nevada State Legislature. She was appointed by the Governor to serve on the Nevada Indian Commission, and is serving her first term in that role.

Ms. McDade Williams earned her bachelor's degree in political science from Washington State University, and served as intern and staff to then Washington State Sen. Patty Murray during that time. Ms. McDade Williams went on to receive a master's degree in public administration from the University of Nevada, Reno.



EDITH GONZALEZ DUARTE

DIRECTOR, NEVADA



Edith brings 10 years of research and legislative experience to Strategies 360. As Nevada Director, she directly applies research, data, and evaluation tools to analyze policy.

In 2009, Edith gained her introduction to the legislative process as a legislative intern for Assembly Leadership. In 2011, she became a member of Perkins Company lobbying firm and in 2013, Edith worked for the State of Nevada Health Division. She founded Horne-Duarte Government and Public Affairs with William Horne in 2015. Together they represented a diverse clientele in Carson City. Additionally, since 2014, Edith has been teaching undergraduate Public Administration and Urban Studies courses at the University of Nevada, Las Vegas.

Edith received her Bachelor's degree from the University of Nevada, Reno and her Master's degree from the University of Nevada, Las Vegas. She is currently completing her Ph.D. in Public Affairs at the School of Public Policy and Leadership at the University of Nevada, Las Vegas.

Edith likes walking her two dogs, practicing yoga, traveling, and watching films.



COST PROPOSAL

| Description | Price |
|---|---------|
| Monthly Retainer for Non- Legislative Session This is for work completed when the Nevada Legislature is <u>not</u> in session | \$2,000 |
| Monthly Retainer for the Legislative Session This is for work completed when the Nevada Legislature is in session | \$4,500 |

Strategies 360 makes no representations or warranties with respect to the outcome or results of any lobbying or advocacy services provided hereunder. Strategies 360 shall use its very best efforts consistent with applicable laws, the direction it receives from the client, and customary industry practices and standards to achieve the desired outcome and results of its services, but makes no guarantees or promises with respect to any such results or outcomes.

Proposal Submitted by Dan Musgrove, Nevada Vice President / 702.860.9900
April 10, 2019

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 7** Discussion and potential action regarding the Application for Re-activation of DC license for Dan Stellavato, 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. Stellavato)

RECOMMENDED MOTION: **No recommendation.**

PRESENTED BY: **Jason O. Jaeger, DC/Morgan Rovetti, DC**

MEETING DATE: **June 13, 2019**

TIME REQUIRED: **15 minutes**

BACKGROUND INFORMATION: **Please see the attached application and supporting documentation.**

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 7

DANIEL FREDERICK STELLAVATO, DC

Doctor of Chiropractic Degree 9/24/1998 Palmer College of Chiropractic West

Examination

Dr. Stellavato passed the National Board of Chiropractic Examiners Examination Parts I-IV and Physiotherapy in March 1992.

Reason for Board Appearance

1. Dr. Stellavato submitted an Application for Re-Activation of his Nevada license, which expired on December 31, 2004. He has not practiced chiropractic since that time.
 - Please see Dr. Stellavato's statement regarding his activities since ceasing the practice of chiropractic.

State Licensure

Dr. Stellavato holds Expired Chiropractic licensure in Nevada with no derogatory information indicated.

The Federation of Chiropractic Licensing Boards and the National Practitioner Data Bank do not reflect any derogatory information.

Chiropractic Physicians' Board of Nevada
June 13, 2019

APPLICATION

ccpm #126/75 3/27/19
CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
MAR 25 2019
RECEIVED
RENO, NEVADA 89502
FPOut:
3/29/19

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
4600 KIETZKE LANE, SUITE M-245, RENO, NEVADA 89502
(775) 688-1921 / 775-688-1920 (FAX)

APPLICATION FOR RE-ACTIVATION OF LICENSE TO PRACTICE CHIROPRACTIC IN
THE STATE OF NEVADA

PLEASE NOTE: FAILURE TO ANSWER ALL QUESTIONS COMPLETELY AND TRUTHFULLY WILL RESULT IN DENIAL OF THIS APPLICATION AND THE FEE IS NOT REFUNDABLE. Fee must accompany the application.

Nevada License No.: B854 Date Granted: 9-24-2000

Name: Dan Stellavato Phone: 702-817-8244

Address: _____ Email: _____

State in which you are currently actively practicing: _____

License No. : _____ Date granted: _____ Expiration: _____

Address of current practice: _____

Date on which you began current active practice: _____

If not currently practicing, give the date on which you ceased practicing: 01/01/2005

State in which you last practiced: Nevada

Other state in which you have been granted a license to practice chiropractic and the current status of that license:

1. Have you ever been denied a license by any other jurisdiction? Yes No If yes, give details:

2. Have you ever surrendered a license? Yes No If yes, give details:

3. Are there any outstanding complaints or disciplinary actions pending against you in any other jurisdiction?

Yes No If yes, give details

4. Have you ever been the subject of disciplinary action in any other jurisdiction? Yes No If yes, give details:

5. Have you ever been named as a defendant in a professional malpractice suit? Yes No If yes, give details:

6. Have you ever been arrested for or charged with any crime other than a traffic violation (include any DUI's)? Note:

Even if you have had records sealed and you have been told that your file has been cleared, you must report this information, including juvenile records. Yes No If yes, give details and final disposition:

7. Have you ever been convicted of a crime other than a traffic violation (Include DUIs)? Note: Even if you have had records sealed and you have been told that your file has been cleared, you must report this information, including juvenile records.
 Yes No If yes, give the details and final disposition:

8. Are you now or have you ever been found in default in the payment of a student loan? Yes No
If yes, give details:

9. Have you ever been drug or alcohol dependent and/or enrolled in a drug or alcohol rehabilitation program?
 Yes No If yes, give details:

Please mark the appropriate response regarding child support (FAILURE TO MARK ONE OF THE THREE WILL RESULT IN DENIAL OF THE APPLICATION:

- I am not subject to a court order for the support of a child or children.
- I am subject to a court order for the support of one or more children and am in compliance with the order or am in compliance with a plan approved by the District Attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.
- I am subject to a court order for the support of one or more children and am NOT in compliance with the order or a plan approved by the District Attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

Continuing Education seminar(s) attended during the past biennium (must total at least 36 hours):

Seminar Title: Management of Common Conditions, Manipulations, Physical Diagnosis, PT

Seminar Sponsor: Chirocredit

Date(s) Attended: 3-14-2019 to 3-19-2019

Number of Hours Attended: 37

NOTE: The \$325.00 fee for restoration from inactive to active status must accompany this application. If restoring from suspended /expired to active, the fee is \$525.00.

AFFIDAVIT:

The undersigned, being duly sworn under penalty of perjury, deposes and says that the statements contained herein are true, complete, and correct to the best of his/her knowledge and belief; that he/she has not suppressed any information which might affect this application; that he/she has not omitted any information relevant to his/her current fitness to practice, that he/she is of good moral character and will conform to the ethical standards and conduct of the profession, that he/she has otherwise met all statutory requirements and believes him/herself eligible for activation of his/her license to practice chiropractic; and that he/she has read and understand this affidavit.

3-22-19
Date

[Signature]
Signature of Applicant

County of Clark

State of _____
Subscribed and sworn to before me
this 22 day of Mar

20 19

Signature: [Signature]
Email: tmnyphots@hotmail.com



**Statement regarding activities
since ceasing the practice of
Chiropractic**

Brett Canad

From: Dan Stellavato <tmnyphots@hotmail.com>
Sent: Tuesday, April 09, 2019 8:50 PM
To: Brett Canady
Subject: Re: Nevada DC Reinstatement Update Letter

When we talked before you had said that I could email you the information regarding my reinstatement. I hope that this email will suffice in that regards.

First let me say that upon reinstatement my plan is to work with another Chiropractor for a year or two just to get acquainted with the nuances with the business aspect of the industry. After that I would like to venture out on my own and establish a new practice.

Addendum 1: After leaving the Chiropractic industry in 2005 I went into restaurant management. At one point I was part of the Peccole group as General Manager of one of their restaurant locations in Las Vegas. I did that for several years, but grew tired of not feeling like I was helping society like I had before. I made a decision to go into teaching. So almost a decade ago I entered into CCSD as a High School Science Teacher. I have been happily teaching Biology and Chemistry since that time. It has truly given me that feeling of value that I get from helping others, but always I felt the pull of Chiropractic. That voice to return has gotten louder over the years and now I feel it is the perfect time to come back.

Addendum 2: Since I began my teaching career I have been a coach. I have coached Track, Wrestling, and Soccer. CCSD requires that each coach complete several courses on concussion protocol, dehydration, abuse, and emergency services. I am also an accredited national youth coach. In addition to those requirements, I have worked as the first on the scene for sport related injuries during various tournaments. As a Wrestling coach I have been on the mat for, unfortunately, a myriad of sprains/strains and fractures. So that has helped in keeping some of the skills sharp as I have performed orthopedic tests and some quick cranial nerve tests trying to get more information to the medical personnel so as to streamline the diagnoses. I have never worried about my adjusting skills. Being a Diversified/Gonstead adjuster I have worked on family and friends consistently and often. Teaching Biology has also kept me in the loop for my anatomy knowledge. I teach several body systems each year during the Anatomy unit (always concentrating on the musculoskeletal and neuro systems). I really look forward, each year, to the units of Anatomy and Genetics I get to teach.

Please let me know if this is enough or if you would like more of a clarification on anything that I have written. This is very important to me so I want to make sure everything is clear for you and the board.

Thank You,

Dr. Dan Stellavato

Steve Sisolak
Governor

Jason O. Jaeger, DC
President
Morgan Rovetti, DC
Vice President
Xavier Martinez, DC
Secretary-Treasurer



Maggie Colucci, DC
Member
Nicole Harmel, DC
Member
Tracy DiFillippo, Esq.
Consumer Member
John Bertoldo, Esq.
Consumer Member
Julie Strandberg
Executive Director

CHIROPRACTIC PHYSICIAN'S BOARD OF NEVADA

4600 Kietzke Lane, M-245 | Reno, Nevada 89502-5000

Phone: (775) 688-1921 | Fax: (775) 688-1920
Website: <http://chirobd.nv.gov> | Email: chirobd@chirobd.nv.gov

May 14, 2019

CERTIFIED NO. 7018 1830 0000 3969 6296

Daniel Frederick Stellavato, DC
11014 Calcedonian Street
Las Vegas, NV 89141

CHIROPRACTIC PHYSICIANS'
BOARD OF NEVADA

JUN 03 2019

RECEIVED
RENO, NEVADA 89502

**VOLUNTARY WAIVER OF STATUTORY NOTICE
OF A MEETING OF THE
CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

I, Daniel F. Stellavato, DC, understand that the Nevada Open Meeting Law (NRS 241.033) grants to me a personal right to prior written notice of the time and place of a meeting whereas the Board will consider any one or more of the following matters: my character, alleged misconduct, professional competence, or physical or mental health. I understand that the Board must consider one or more of the above matters when it reviews the Agreed Settlement of Disciplinary Action and Order.

I know that by law the Board must give me this written notice in one of the two following ways before it is allowed to consider my request at its next scheduled meeting unless I personally choose to give up my right to receive my notice in such a way:

- 1. The Board must send the notice to me by certified mail at least twenty-one (21) working days before its meeting, or
- 2. It must deliver the notice to me personally at least (5) working days before its meeting.

I am aware that the next scheduled meeting will be held at 9:00 AM on Thursday, June 13, 2019 at the Nevada Department of Employment, Training & Rehabilitation (DETR) 2800 E. St. Louis Avenue, Room A, Las Vegas, Nevada 89104, and I want the Board to address my Application for Re-Activation of DC license. This waiver of rights expedites the Board's decision regarding my request, which is my wish in this matter. Therefore, I waive my rights to the notice specified by the Nevada Open Meeting Law with respect to the Board's June 13, 2019 meeting.

Please sign and return this form to the Chiropractic Physicians' Board of Nevada.

Signed on this _____ 29th _____ Day of May, 2019

By: _____

Daniel F. Stellavato, DC

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Daniel Frederick Stellavato, DC
 11014 Calcedonian Street
 Las Vegas, NV 89141

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Handwritten Signature]

- Agent
- Addressee

B. Received by (Printed Name)

Dan Stellavato

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

CHIROPRACTIC PHYSICIANS'
 BOARD OF NEVADA

MAY 28 2019



9590 9402 4623 8323 2917 55

7018 1830 0000 3969 6296

PS Form 3811, July 2015 PSN 7530-02-000-9053

- 3. Service Registered Mail, NEVADA 8950 Priority Mail Express®
- Adult Signature Registered Mail™
- Adult Signature Restricted Delivery Registered Mail Restricted Delivery
- Certified Mail® Return Receipt for Merchandise
- Certified Mail Restricted Delivery Signature Confirmation™
- Collect on Delivery Signature Confirmation Restricted Delivery
- Collect on Delivery Restricted Delivery Signature Confirmation Restricted Delivery

Domestic Return Receipt

U.S. Postal Service™
 CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

OFFICIAL USE

7018 1830 0000 3969 6296

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage

\$

Postmark Here

Daniel Frederick Stellavato, DC
 11014 Calcedonian Street
 Las Vegas, NV 89141

48P-2019-015

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 8 Discussion and potential action regarding the Matter of James Overland Jr., 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. Overland)

RECOMMENDED MOTION: No recommendation.

PRESENTED BY: Jason O. Jaeger, DC/Morgan Rovetti, DC

MEETING DATE: June 13, 2019

TIME REQUIRED: 15 minutes

BACKGROUND INFORMATION: James Overland, Jr. has appeared at the Board's July 19, 2018, October 5, 2018, January 10, 2019, and April 23, 2019 meetings to provide updates on his progress to complete his application for licensure. This appearance is to continue reporting on his progress. In addition, there was a recommendation at the January 10, 2019 Board meeting that the Board provide Dr. Overland with a plan of action considering the passing of the National Board's Part IV exam, which will make his application complete.

REVIEWED BY: X President X Secretary X Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 8

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 9 Board Counsel Report – No action.**

RECOMMENDED MOTION: **No recommendation**

PRESENTED BY: **Louis Ling**

MEETING DATE: **June 13, 2019**

TIME REQUIRED: **15 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 9

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 10 NCA Report – No action**

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

PRESENTED BY: **Marcia Tinberg, DC**

MEETING DATE: **June 13, 2019**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 10

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 11** NCC Report – No action

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

PRESENTED BY: **TBD**

MEETING DATE: **June 13, 2019**

TIME REQUIRED: **15 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 11

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

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

- 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. Rovetti) – For possible action.**

RECOMMENDED MOTION: **No recommendation**

PRESENTED BY: **Jason O. Jaeger, DC/Morgan Rovetti, DC**

MEETING DATE: **June 13, 2019**

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 13** Discussion regarding the chiropractor's assistant program – No action.

RECOMMENDED MOTION: **No recommendation.**

PRESENTED BY: **Morgan Rovetti, DC**

MEETING DATE: **June 13, 2019**

TIME REQUIRED: **15 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** Discussion and potential action regarding the grading of the CA and DC written exams – For possible action.

RECOMMENDED MOTION: **No recommendation**

PRESENTED BY: **Julie Strandberg**

MEETING DATE: **June 13, 2019**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 14

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 15** Discussion and potential action regarding CA applicants who misrepresent response(s) on their application – For possible action.

RECOMMENDED MOTION: **No recommendation**

PRESENTED BY: **Xavier Martinez, DC**

MEETING DATE: **June 13, 2019**

TIME REQUIRED: **15 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15

CHIROPRACTORS ASSISTANTS
Nevada Revised Statutes

NRS 634.123 Chiropractor's assistant: Qualification; certification; supervision.

1. The Board may issue a certificate to a properly qualified applicant to perform ancillary services relating to chiropractic, other than chiropractic adjustment, under the supervision of a chiropractor. The Board shall specify the formal training, including at least 12 months of study or the equivalent, which such an applicant must have completed before the Board awards the applicant a certificate as a chiropractor's assistant.

2. An application for the issuance of a certificate as a chiropractor's assistant must include all information required to complete the application.

(Added to NRS by [1981, 1150](#); A [1997, 2131](#); [2005, 2730, 2807](#))

NRS 634.125 Chiropractor's assistant: Authorized services. A chiropractor's assistant may perform such ancillary services relating to chiropractic as he or she is authorized to perform under the terms of a certificate issued by the Board. Those services must be rendered under the supervision and control of a chiropractor.

(Added to NRS by [1981, 1150](#))

NRS 634.127 Chiropractor's assistant: Limitation on number supervised by chiropractor. No chiropractor may supervise more than four chiropractor's assistants at the same time.

(Added to NRS by [1981, 1150](#); A [1991, 2084](#); [2001, 6](#))

NAC 634.305 Examination for certification as chiropractor's assistant; passing score; failure to pass; failure to appear. ([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 for a closed-book examination or a score of at least 90 percent for an open-book 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 for a closed-book examination or a score of at least 90 percent for an open-book 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 for a closed-book examination or a score of at least 90 percent for an open-book 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 receive a score of at least 75 percent for a closed-book examination or a score of at least 90 percent for an open-book 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 received a score of at least 75 percent for a closed-book examination or a score of at least 90 percent for an open-book 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.

Chiropractor's Assistants Nevada Administrative Code

NAC 634.3475 "Detrimental to the best interests of the public" interpreted. ([NRS 634.030](#))

1. As used in subsection 10 of [NRS 634.018](#), the Board will interpret the phrase "detrimental to the best interests of the public" as applied to a chiropractor's assistant to include, without limitation:

(a) Unlawful disclosure of information about a patient.

(b) Willful or careless disregard for the health, welfare or safety of patients, regardless of whether proof of actual injury is established.

(c) Engaging in any conduct or verbal behavior that is inappropriately sexual with or towards a current patient.

(d) Engaging in any conduct or verbal behavior that is sexually or racially demeaning or offensive with or towards a current patient.

- (e) Engaging in or soliciting sexual misconduct.
 - (f) Engaging with a patient in a romantic or dating relationship unless the patient is the spouse of the chiropractor's assistant.
 - (g) Use of protected or privileged information obtained from a patient to the detriment of the patient.
 - (h) Performing services which the chiropractor's assistant is not authorized to perform under the terms of a certificate issued by the Board as provided by [NRS 634.125](#).
 - (i) Billing or charging a patient for the services of the chiropractor's assistant.
 - (j) Intentionally causing physical or emotional injury to a patient.
 - (k) Aiding, abetting or assisting any person in violating any provision of this chapter or [chapter 634](#) of NRS.
 - (l) Engaging in fraudulent or deceitful conduct in the capacity of a chiropractor's assistant.
 - (m) Obtaining any certificate through fraud, misrepresentation or deceit.
 - (n) Impersonating an applicant or acting as a proxy for the applicant in any examination.
 - (o) Disclosing the contents of an examination given by the Board or soliciting, accepting or compiling information regarding the contents of an examination before, during or after the administration of an examination given by the Board.
 - (p) Failing to provide the Board or its agents with any documents lawfully requested by the Board, whether by subpoena or otherwise.
 - (q) Failing to cooperate fully with the Board during the course of an investigation.
 - (r) Claiming or making representations of the attainment of any academic degree or award not actually received.
 - (s) Disobeying an order of the Board.
 - (t) Splitting fees or giving or receiving a commission in the referral of patients for services.
 - (u) The suspension or revocation of a license or certificate or other disciplinary action taken by another state against the chiropractor's assistant based on a license or certificate issued by that state for an act that would constitute grounds for disciplinary action in this State. A certified copy of the suspension, revocation or other disciplinary action taken by another state against the chiropractor's assistant based on a license or certificate issued by that state is conclusive evidence of that action.
 - (v) Performing a task for which the chiropractor's assistant has not been trained or which the chiropractor's assistant is not clinically competent to perform.
2. A supervising licensee is responsible for all of the acts performed by a chiropractor's assistant whom he or she supervises. A supervising licensee may be subject to disciplinary action for any violations of law or regulation committed by his or her chiropractor's assistant.
3. A supervising licensee shall notify the Board in writing of any dismissal of a chiropractor's assistant for cause within 10 days after the dismissal.
4. A patient's consent to, initiation of or participation in sexual behavior or involvement in a romantic or dating relationship with a chiropractor's assistant does not excuse the conduct of the chiropractor's assistant.
5. As used in this section:
- (a) "Sexual misconduct" means:
 - (1) Sexual relations between a chiropractor's assistant and a patient, regardless of whether the patient initiated or consented to those sexual relations.
 - (2) Conduct by a chiropractor's assistant, in regard to a patient, that is sexual in nature, sexually suggestive or sexually demeaning to the patient.

(3) The commission by a chiropractor's assistant of one or more of the offenses defined in [NRS 200.368](#), [200.730](#), [201.210](#) and [201.220](#).

(4) The use by a chiropractor's assistant of deception, misrepresentation or force for the purpose of engaging in sexual conduct with a patient in:

(I) A clinical setting; or

(II) A setting that is used ordinarily for the provision of chiropractic services.

↪ The term does not include sexual conduct or sexual relations that take place between a chiropractor's assistant and his or her spouse or between a chiropractor's assistant and a person who was a patient after the chiropractor's assistant-patient relationship has been terminated for a reasonable time.

(b) "Sexual relations" means:

(1) Sexual intercourse.

(2) Any touching of sexual or other intimate parts of a person or causing such person to touch the sexual or other intimate parts of the chiropractor's assistant for the purpose of arousing or gratifying the sexual desire of either the chiropractor's assistant or the patient.

(Added to NAC by Chiropractic Physicians' Bd. by R150-13, eff. 3-28-2014)

NAC 634.348 Performance of ancillary services. ([NRS 634.030](#), [634.125](#))

1. A person who desires to perform ancillary services must obtain a certificate as a chiropractor's assistant.

2. A person who holds a certificate as a chiropractor's assistant may perform ancillary services, including, without limitation:

(a) Administering to patients by means of physiotherapeutic equipment;

(b) Taking and developing radiographs;

(c) Assisting with the education of a patient concerning his or her health;

(d) Assisting a patient with exercise or rehabilitation activities;

(e) Taking the history of the health of a patient; and

(f) Assisting the supervising licensee with an examination of a patient.

3. A person who holds a certificate as a chiropractor's assistant may take and develop radiographs only after the supervising licensee has:

(a) Determined that radiographs are appropriate for the patient; and

(b) Ordered the person to take and develop radiographs for the patient.

(Added to NAC by Chiropractic Physicians' Bd. by R030-98, eff. 9-10-98; A by R095-03, 10-22-2003; R101-08, 12-17-2008; R150-13, 3-28-2014)

NAC 634.350 Application for certification: Filing; requirements; expiration; waiver of requirements. ([NRS 634.030](#), [634.123](#))

1. An applicant for a certificate as a chiropractor's assistant must file an application with the Board on a form furnished by the Board and pay the required fee within 15 days after the date on which the applicant has begun performing duties as a chiropractor's assistant. An applicant who has not begun performing duties as a chiropractor's assistant may file an application at any time after completing his or her formal training required pursuant to [NRS 634.123](#).

2. The application must set forth:

(a) The date of the application.

(b) The applicant's date and place of birth and two personal references based upon 5 years' acquaintance.

(c) The applicant's name, age, social security number, sex and current residence.

(d) The name and mailing address of the applicant's current employer, if any.

(e) If applicable, the date on which he or she was hired to perform the duties of a chiropractor's assistant.

(f) Whether or not the applicant has ever applied for certification as a chiropractor's assistant in another state. If the applicant has so applied, he or she must state when and where he or she applied and the result of that application.

(g) If the applicant has been certified in another state, whether any proceeding to discharge, dismiss or discipline him or her or other similar proceeding has ever been instituted against him or her and the disposition of each such proceeding.

3. An application expires after 1 year.

4. For good cause shown, the Board may, at its discretion, waive one or more of the requirements of this section.

(Added to NAC by Bd. of Chiropractic Exam'rs, eff. 5-13-82; A 11-23-93; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R095-03, 10-22-2003; R034-05, 10-31-2005; R101-08, 12-17-2008)

NAC 634.355 Certification: Additional requirements; waiver of requirements. ([NRS 634.030](#), [634.123](#))

1. An applicant for a certificate as a chiropractor's assistant must, in addition to fulfilling the requirements of [NAC 634.350](#), furnish evidence satisfactory to the Board that he or she:

(a) Is 18 years of age or older; and

(b) Has received a score of at least 75 percent for a closed-book examination or a score of at least 90 percent for an open-book examination administered by the Board on the provisions of NRS and NAC that are related to the practice of chiropractic.

2. In addition to the requirements set forth in subsection 1 and [NAC 634.350](#), an applicant for a certificate as a chiropractor's assistant must furnish evidence satisfactory to the Board that he or she:

(a) Satisfies one of the following:

(1) Is certified as a chiropractor's assistant by a program for chiropractor's assistants that is approved by the Board; or

(2) Has had 6 months of full-time, or 12 months of part-time, training and employment as a chiropractor's assistant trainee from a licensee.

(b) Has received a score of at least 75 percent for a closed-book examination or a score of at least 90 percent for an open-book examination for certification required pursuant to [NAC 634.305](#).

3. Evidence of an applicant's completion of approved training pursuant to subparagraph (2) of paragraph (a) of subsection 2 must consist of a certification by each licensee who supervised the work and training of the applicant.

4. The Board may, at its discretion:

(a) Waive one or more of the requirements of this section for good cause shown.

(b) Upon receipt from an applicant of documentation demonstrating that the applicant has received additional formal training, education or experience, grant the applicant credit toward fulfilling the requirements of subparagraph (2) of paragraph (a) of subsection 2.

(Added to NAC by Bd. of Chiropractic Exam'rs, eff. 5-13-82; A 7-29-88; 1-31-94; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R095-03, 10-22-2003; R034-05, 10-31-2005; R101-08, 12-17-2008; R150-13, 3-28-2014; R064

NAC 634.460 Chiropractor's assistant and chiropractor's assistant trainee: Prohibited acts. (NRS 634.030) A chiropractor's assistant or chiropractor's assistant trainee may not:

1. Diagnose a patient or establish a prognosis.
2. Prescribe a program of treatment for any patient.
3. Perform any service that is not specifically authorized by the provisions of [chapter 634](#) of NRS.
4. Perform any service that is not specifically authorized by the terms of his or her certificate.
5. Perform a chiropractic adjustment.
6. Perform any service, except at the direction and under the direct supervision of a licensee.
7. Bill independently of the supervising licensee for any services rendered.

(Added to NAC by Bd. of Chiropractic Exam'rs, eff. 7-29-88; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R095-03, 10-22-2003; R034-05, 10-31-2005; R101-08, 12-17-2008)

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 16** Discussion and potential action regarding additions, deletions and/or amendments to NRS 634 and NAC 634 – For possible action.

A. **NAC 634.385 Continuing Education**

RECOMMENDED MOTION: **No recommendation**

PRESENTED BY: **Jason Jaeger, DC/Morgan Rovetti, DC**

MEETING DATE: **June 13, 2019**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION: **Please see the proposed revisions attached.**

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 16

NAC 634.385 Continuing education of licensees and holders of certificates. ([NRS 634.030, 634.130](#))

1. Except as otherwise provided in subsection 7, the Board may **at its discretion** approve or endorse an educational class or a seminar if it is designed to advance the professional skills and knowledge of the chiropractic physicians licensed, or chiropractors' assistants certified, in this State for the purpose of ensuring an optimum quality of chiropractic health care.

2. The Board may approve or endorse the attendance by licensees or holders of certificates, in person or on-line, of an educational seminar or seminars if:

(a) The syllabus and curriculum of the instructors of the seminar or seminars and the required fee are submitted to the Board;

(b) The seminar or seminars provide instruction in conformity with subsection 3 or 4 of [NRS 634.130](#), as applicable;

(c) The seminar or seminars concern the clinical aspects of a practice or another topic that the Board determines to be in the best interest of the public;

(d) The sponsor of the seminar or seminars ensures that each licensee and holder of a certificate who requests credit for continuing education to satisfy the requirement set forth in subsection 3 or 4 of [NRS 634.130](#), as applicable, attends at least 50 minutes of each hour of instruction;

(e) The seminar or seminars are sponsored by:

(1) A chiropractic college which has been accredited by:

(I) The Council on Chiropractic Education; or

(II) Another educational entity that has been approved by the Board;

(2) A state chiropractic board or association;

(3) The American Chiropractic Association, the International Chiropractors Association or the successor of either;

(4) A major hospital, as defined in [NRS 439B.115](#);

(5) An accredited university or college; or

(6) A regulatory body as defined in [NRS 622.060](#); and

(f) An original or a copy of a certificate of attendance at the seminar or seminars is provided directly to the Board by the sponsor, or licensee or holder of a certificate, as applicable, on or before January 1 of each odd-numbered year before the issuance of a renewal certificate.

3. As an alternative to the method of approval and endorsement provided in subsection 2, the Board will approve and endorse the attendance by licensees or holders of certificates, as applicable, in person or on-line, of an educational seminar or seminars if the seminar or seminars have been granted recognition status by the Providers of Approved Continuing Education of the Federation of Chiropractic Licensing Boards.

4. The sponsor of the seminar or seminars shall ensure that each licensee or holder of a certificate, as applicable, attending that seminar is in attendance in a timely manner at the start of each lecture. If the sponsor fails to maintain the proper monitoring procedure, such failure may constitute grounds for the Board to withdraw its approval of a current or future seminar or seminars hosted or arranged by that sponsor.

5. The sponsor of a seminar shall allow any representative of the Board to attend all or part of the seminar in order to monitor the content of the course or lecture and the procedures for taking attendance. A representative who is taking the seminar to satisfy the requirements of subsection 3 or 4 of [NRS 634.130](#), as applicable, shall pay the full registration fee.

6. The sponsor of a seminar which has received the approval of the Board shall report to the Board all changes in the seminar as soon as possible.

7. Except as otherwise provided in this subsection, the Board will not award credit for continuing education to a licensee or holder of a certificate, as applicable, for an educational class or seminar that is of a nonclinical nature, including, without limitation, an educational class or seminar regarding the building or management of a chiropractic practice. For the purposes of this subsection, an educational class or seminar regarding proper billing procedures shall not be deemed to be an educational class or seminar regarding the building or management of a chiropractic practice.

8. The Board will not award credit for continuing education to an instructor of an educational class or seminar unless the instructor obtained from the Board approval for such credit before teaching the educational class or seminar.

9. Continuing education hours earned through the completion of a specific educational class or seminar may be counted only once during a calendar year toward the hours of continuing education required by subsection 3 or 4 of [NRS 634.130](#), as applicable, even if the licensee or holder of a certificate completes that class or seminar more than once during that calendar year.

10. The Board will award credit for continuing education to a licensee or a holder of a certificate for all educational classes or seminars which are approved and endorsed by the Board pursuant to this section and are attended by the licensee or holder of a certificate.

[Bd. of Chiropractic Exam'rs, eff. 4-15-63; A 3-19-65; 3-12-71] — (NAC A 7-29-88; 1-31-94; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R034-05, 10-31-2005; R101-08, 12-17-2008; R014-10, 5-5-2011; R150-13, 3-28-2014; R010-17, 12-19-2017)

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 17** – Executive Director Reports – No action.

- A. Status of Pending Complaints – No action**
- B. Status of Current Disciplinary Actions – No action**
- C. Legal/Investigatory Costs – No action**

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

PRESENTED BY: **Julie Strandberg**

MEETING DATE: **June 13, 2019**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: X President X Secretary X Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

STATUS OF PENDING COMPLAINTS – June 13, 2019

| Complaint No. | Date Received | Investigator | Nature of Complaint | Current Status | Costs To Date |
|----------------------------|---------------|--------------|--|--|---------------|
| 17-24S | 8/9/2017 | Jaeger | Alleged unprofessional conduct | Under investigation | \$685.00 |
| 17-28S | 9/12/2017 | Colucci | Failure to report malpractice claim | Under investigation | |
| 18-08S | 7/17/2018 | Jaeger | Legality of a non-licensed DC testifying as an expert in Nevada | Pending AG Opinion | |
| 18-11S | 7/5/2017 | Jaeger | Legality of a non-licensed DC performing peer reviews in NV. | Pending AG Opinion | |
| 18-12S | 8/13/2018 | Jaeger | Legality of a non-licensed DC performing peer reviews in NV. | Pending AG Opinion | |
| 18-13S | 8/20/2018 | Rovetti | Allegedly practicing outside the scope of a physical therapist | Under investigation | |
| 18-15S | 9/25/2018 | Jaeger | Allegedly allowing staff to perform duties while absent from the office. | Under Investigation | \$1,293.20 |
| 18-17S | 11/2/2018 | Jaeger | Allegedly acting outside the scope of chiropractic | Under investigation | |
| 18-18N | 12/13/2018 | Martinez | Allegedly advertising outside the scope of chiropractic | Under investigation | \$45.00 |
| 19-01N | 1/11/2019 | Martinez | Alleged unprofessional conduct/malpractice | Under investigation | \$30.00 |
| 19-03S | 4/22/2019 | Jaeger | Allegedly allowing staff to perform duties while absent from the office. | Under investigation | |
| 19-04N | 4/24/2019 | Canada | Alleged unprofessional conduct | Under investigation | |
| 19-05S | 5/6/2019 | Canada | Alleged unprofessional conduct | 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 | |
| 18-03S | 2/20/2018 | | Alleged unlicensed practice | Will be addressed if this individual reappears in Nevada. | |

STATUS OF CURRENT DISCIPLINARY ACTIONS at May 31, 2019**Disciplinary Action with Probation****1. Stephen Alexander, DC, License No. B958**

Dr. Alexander entered into a Settlement Agreement and Order on July 19, 2018 and will be on probation for one year. A practice monitor will meet with Dr. Alexander on a quarterly basis and report to the Board with the findings. Dr. Alexander shall reimburse the Board \$933.40 for costs and fees incurred during the investigation and a fine in the amount of \$500.00 within 90 days of the date of this order. Dr. Alexander shall take and pass the jurisprudence exam and take four hours of continuing education relating to the making and keeping of patient records. **Dr. Alexander has completed all stipulations of the Order with the exception of probation, which terminates on July 19, 2019.**

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. 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.**

4. 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 completed with the People's Autism Foundation. **Dr. Rubin's probation terminates on September 10, 2019. The current balance of the Board costs due is \$1,350.00.**

5. 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 completed all stipulations of the Order with the exception of probation, which terminates on January 31, 2021.**

Disciplinary Actions with No Probation

6. 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 \$15,421.00. Dr. Raines is in compliance with the terms of the Order.**

7. Jarina Kong, DC, License No. B01671

Dr. Kong entered into a Settlement Agreement and Order on January 10, 2019. A practice monitor will randomly meet with Dr. Kong over the period of one year to review patient records for accuracy. Dr. Kong shall reimburse the Board \$318.75 for costs and fees incurred during the investigation within 30 days of the date of this order and take 12 hours of continuing education relating to the making and keeping of records and 12 hours related to patient communication, informed consent, and ethics and boundaries within 150 days of the date of this order. **Dr. Kong has completed the stipulations of her order with the exception of monitoring, which terminates January 10, 2020.**

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 his order and will be released from probation effective February 28, 2020.**

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

QUARTERLY REPORT

April 24, 2019

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 April 23 of 2019 I conducted a quarterly inspection at Dr. Brown's place of employment.

The following changes were made with his staff: Maria Naimba started to work as a back office CA on 1/20/19. Wyatt Kissling, D.C. is no longer employed as an associate doctor effective 4/19/19. Marcos Gomez, PA's last day of employment was on 4/10/19 and his replacement, Delfina Simpson, NP replaced him on 4/23/19.

Dr. Brown has also started working for Thomas Huynh, D.C. on the weekends as a coverage doctor starting on 4/13/19.

Record Keeping

I reviewed a random selection of patient charts (YL, MT, CR, ZZ, TB, KF) to assure their compliance with NAC 634.435. He utilizes electronic medical records (EMR) from ChiroSpring. He records his SOAP notes appropriately into the EMR. Subjective complaints showed areas of complaint describing the severity and quality of pain. A graph of the grade of severity is illustrated on each of the visits. Objective complaints showed that adjustments were performed in certain regions. The assessment section indicated appropriate diagnosis'. The plan section indicated the treatment plan and charges for the treatments rendered. The chiropractic assistants indicated what therapies were applied along with identifying who performed the therapy. Dr. Brown's electronic signature is placed at the end of each SOAP note. Patient intake forms are scanned into the EMR. Reevaluations were being performed and the charges were indicated on the billing ledger appropriately. The billing ledger and services performed indicated on the SOAP notes did not match accordingly. Patient charts YL, CR, and ZZ had two areas of complaints but the CPT code for the adjustments performed indicated a 3-4 area adjustment charge. The complaints were verified by the patient intake form and the evaluation performed. X-ray review indicated that artifacts were not removed on a routine basis. Metal from hair clips, bras, and buttons were viewed on x-rays.

Conclusion

Instructions were given to Dr. Brown to set an office policy where his staff is having the patient remove all artifacts prior to taking x-rays. He was also instructed to choose the appropriate CPT adjustment codes with the appropriate region of complaints. Dr. Brown agreed to make the appropriate corrections.

My next visit will be in August of 2019.

Sincerely,


Ian Yamane, D.C.
CPBN Office
Cc: Brett Brown, D.C.

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

| Costs Incurred | Since Last Report April 2019 | Year-To-Date Fiscal Year 2018/2019 |
|-------------------------|---|---|
| Advantage Group | - | 11,087.35 |
| Attorney General | 185.23 | 13,506.50 |
| Sub-Total | 185.23 | 24,593.85 |
| Staff Attorney | 90.00 | 11,126.00 |
| Total | \$ 275.23 | \$ - \$ 35,719.85 |
| | | |
| Costs Reimbursed | | |
| Mark Rubin, DC | \$ - | \$ 1,150.00 |
| James Overland Jr., DC | \$ 750.00 | \$ 3,670.98 |
| Totals | \$ - | \$ 4,820.98 |
| | | |
| No Activity | | Controller |
| | \$ - | \$ - |
| | \$ - | \$ - |

Other Outstanding Items:

Natalie Stamos, CA

2 hours of CE to obtain her CA Certificate

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

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**CHIROPRACTIC PHYSICIANS' BOARD
BANK BALANCE REPORT
As of April 30, 2019**

AGENDA ITEM 18A

| | |
|-------------------------------|---------------------|
| CHECKING ACCOUNT | 362,869.91 |
| SAVINGS ACCOUNT | 392,870.95 |
| SAVINGS ACCOUNT - Restricted | 19,458.00 |
| Paypal | 653.64 |
| Total Cash Balance @ 01/31/19 | <u>\$775,852.50</u> |

ACCOUNTS RECEIVABLE SUMMARY AS OF April 30, 2019

AGENDA ITEM 18B

| | |
|---------------------|--------------------|
| A/R | |
| Fines | 22,571.00 |
| Cost Reimbursements | 44,556.38 |
| Total A/R | <u>\$67,127.38</u> |

**ACCOUNTS PAYABLE SUMMARY
As of April 30, 2019**

AGENDA ITEM 18C

| | |
|---|---------------------|
| State Treasurer - Fines collected/payable | 14,929.00 |
| Total Accounts Payable | <u>\$ 14,929.00</u> |

Extraordinary Items

AGENDA ITEM 18D

***Employee Accrued Compensation as of 04/30/19**

| | Vacation Hours | Sick-Leave Hours | Comp-Time Hours |
|-----------------|----------------|------------------|-----------------|
| Julie Standberg | 77.11 | 984.28 | - |
| Brett Canady | 6.00 | 5.00 | - |
| | | | |

Chiropractic Physicians' Board of Nevada
Income/Expense Report To Budget - CASH BASIS
For the Period Ending April 30, 2019

AGENDA ITEM 18E

| | Actual July 1, 2018 thru April 30, 2019 | Budget FY 06/30/19 | Variance |
|--|---|-----------------------|----------------------|
| Revenue | | | |
| License & Fees | 501,690.00 | 248,250.00 | (253,440.00) |
| Application & Fees | 30,695.00 | 26,450.00 | (4,245.00) |
| Interest/Gain Loss on Invest | 21,577.84 | 1,000.00 | (20,577.84) |
| Exam Fees | 13,150.00 | 9,375.00 | (3,775.00) |
| Reinstatement Fees | 16,385.00 | 7,500.00 | (8,885.00) |
| Miscellaneous | 21,838.00 | 21,875.00 | 37.00 |
| Reimbursement Income | 3,002.15 | 30,484.00 | 27,481.85 |
| TOTAL REVENUE | \$ 608,337.99 | \$ 344,934.00 | (263,403.99) |
| Expenses | | | |
| Background Checks | 7,562.25 | 7,000.00 | (562.25) |
| Banking Expenses | 11,646.60 | 7,720.00 | (3,926.60) |
| Dues & Registration | 3,867.44 | 4,000.00 | 132.56 |
| Equipment Repair | - | - | - |
| COMPUTER: Equipment/Software/Websites | 13,411.93 | 12,500.00 | (911.93) |
| Insurance | 877.61 | 1,500.00 | 622.39 |
| Legal & Professional | 74,695.86 | 99,800.00 | 25,104.14 |
| Operating Supplies | 2,060.10 | 4,000.00 | 1,939.90 |
| Printing & Copying | 3,080.50 | 3,500.00 | 419.50 |
| Postage | 2,700.02 | 5,000.00 | 2,299.98 |
| Casual Labor - Clerical | - | 4,000.00 | 4,000.00 |
| Personnel | - | - | - |
| Office Salaries | 93,059.96 | 127,000.00 | 33,940.04 |
| Board Salaries | 7,041.05 | 10,000.00 | 2,958.95 |
| Workman's Compensation | 2,013.01 | 6,000.00 | 3,986.99 |
| Retirement - PERS | 17,063.89 | 31,857.00 | 14,793.11 |
| Employee Insurance - PEBP | 16,997.13 | 21,000.00 | 4,002.87 |
| Unemployment | 780.28 | 2,275.00 | 1,494.72 |
| Medicare & Social Security | 1,349.36 | 5,037.00 | 3,687.64 |
| Payroll Processing | 490.00 | 450.00 | (40.00) |
| Rent | 13,463.59 | 14,258.00 | 794.41 |
| Telephone | 1,766.18 | 4,000.00 | 2,233.82 |
| Travel | - | - | - |
| In State | 8,613.30 | 10,000.00 | 1,386.70 |
| Out State | 733.55 | 10,000.00 | 9,266.45 |
| TOTAL EXPENSES | \$ 283,273.61 | \$ 390,897.00 | \$ 107,623.39 |
| NET RESULT | \$ 325,064.38 | \$ (45,963.00) | |
| BEGINNING CASH BALANCE 07/01/18 | 269,959.31 | | |
| NET OPERATING RESULT | 595,023.69 | | |
| Equipment Purchases | | 2,000.00 | |

Beginning Cash reported less \$19,458 Restricted Funds.

**Chiropractic Physicians' Board of Nevada
Income/Expense Report - CASH BASIS
For the Period July 1, 2018 thru April 30, 2019**

AGENDA ITEM 18E

| | Actual July 1, 2018 thru April 30, 2019 | Actual July 1, 2017 thru April 30, 2018 |
|--|---|---|
| Revenue | | |
| License & Fees | 501,690.00 | 38,091.25 |
| Application & Fees | 30,695.00 | 24,952.50 |
| Interest/Gain Loss on Invest | 21,577.84 | 2,179.58 |
| Exam Fees | 13,150.00 | 11,524.24 |
| Reinstatement Fees | 16,385.00 | 3,535.00 |
| Miscellaneous | 21,838.00 | 19,344.50 |
| Reimbursement Income | 3,002.15 | 67,519.13 |
| TOTAL REVENUE | \$ 608,337.99 | \$ 167,146.20 |
| Expenses | | |
| Background Checks | 7,562.25 | 5,863.50 |
| Banking Expenses | 11,646.60 | 4,533.29 |
| Dues & Registration | 3,867.44 | 2,999.69 |
| Equipment Repair | - | - |
| COMPUTER: Equipment/Software/Websites | 13,411.93 | 14,013.13 |
| Insurance | 877.61 | 887.13 |
| Legal & Professional | 74,695.86 | 44,941.30 |
| Operating Supplies | 2,060.10 | 1,312.03 |
| Printing & Copying | 3,080.50 | 2,426.08 |
| Postage | 2,700.02 | 4,093.22 |
| Casual Labor - Clerical | - | - |
| Personnel | - | - |
| Office Salaries | 93,059.96 | 94,079.41 |
| Board Salaries | 7,041.05 | 4,481.26 |
| Workman's Compensation | 2,013.01 | 505.29 |
| Retirement - PERS | 17,063.89 | 16,708.93 |
| Employee Insurance - PEBP | 16,997.13 | 16,921.69 |
| Unemployment | 780.28 | 1,033.16 |
| Medicare & Social Security | 1,349.36 | 1,522.12 |
| Payroll Processing | 490.00 | 438.00 |
| Rent | 13,463.59 | 12,654.16 |
| Telephone | 1,766.18 | 1,818.60 |
| Travel | | |
| In State | 8,613.30 | 3,201.75 |
| Out State | 733.55 | 4,291.84 |
| TOTAL EXPENSES | \$ 283,273.61 | \$ 238,725.58 |
| NET RESULT | \$ 325,064.38 | \$ (71,579.38) |
| BEGINNING CASH BALANCE 07/01/17 | 269,959.31 | |
| NET OPERATING RESULT | 595,023.69 | |

Beginning Cash reported less \$19,458 Restricted Funds.



STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE

209 E. Musser Street, Room 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | <http://gfo.nv.gov> | Fax: (775) 684-0260

POLICY DIRECTIVE #D-2016-02

January 15, 2016

To: All Agencies

From: James R. Wells, Director
Governor's Finance Offi

Subject: Fiscal Year 2016 and 2017 Salary Adjustment Funds

Assembly Bill 489, Section 3 authorized a 1% salary increase in FY 2016 and a 2% increase in FY2017. Sections 4, 5, 6 and 7 appropriated General and Highway Funds to the Board of Examiners (BOE) to meet any deficiencies created between the appropriated money of the respective departments and the amount of money required to pay the salaries of the employees. The amounts available for agencies to request for each budget account are provided in a separate spreadsheet posted on our website.

The authority for salary adjustment funds was not budgeted in individual budget accounts. Therefore, once the Board of Examiners approves a request, a non-IFC work program must be processed to establish the authority before the transfer of cash can be made. Please use the following naming convention for the work program number instead of allowing a default number: [FY SA budget account number]. For example, budget account 1234 would use work program number 16SA1234 in FY16 and 17SA1234 in FY17.

If you have transferred authority from category 01 to another category, you are not eligible for salary adjustment funds. Salary adjustment funds are also not available to cover position reclassifications, overtime, callback, shift differential or accelerated hiring.

If you require salary adjustment funds, please submit your request along with your:

- salary projections which should support the amount being requested;
- projections for the balance of the fiscal year for all categories supported by General Funds and/or Highway Funds; and
- a position fund map.

All allocations from the BOE Salary Adjustment Account must be approved by the Board of Examiners. If you have any questions, please contact your assigned budget analyst.

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 19 Correspondence Report – No action**

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

PREPARED BY: **Julie Strandberg**

MEETING DATE: **June 13, 2019**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION: **See attached.**

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 19



info@fclb.org • [FCLB Home](#) • Contact FCLB: (970) 356-3500

The Federation of Chiropractic Licensing Boards hosted its 93rd Annual Educational Congress May 1-5 in Mission Bay, California. The conference focused on the qualities that make regulators more effective. Approximately 150 attendees from the U.S., Canada, and New Zealand represented chiropractic licensing boards, testing, associations, and chiropractic colleges.

On Thursday, the educational portion of the conference opened with the presentation of a new honor – The Sylva Ashworth Award for Outstanding Women in Chiropractic. Dr. Carl Cleveland, III introduced the award and gave a history of its namesake, a pioneer in chiropractic regulation. Dr. Karen Mathiak (GA) accepted this inaugural award and spoke about the importance of regulation and patient protection.

This year, Dr. Kristin Grace (NZ) delivered the 29th Annual Joseph Janse Lecture. Thursday's presenters also included Dr. Daniel Murphy discussing "Justification of Chiropractic Care: Viewed Through a New Lens," a look at regulatory responses to the opioid epidemic (presented by Drs. George Khoury (PA) and Kirk Shilts (MA), and "What your Board Staff Wants You to Know" from Dr. Brian Zachariah (IL) and Ms. Beth Kidd (OK). Rounding out the morning was an attorney panel focused on regulating CBD products and the Sports Medicine Licensure Clarity Act. Panel members were Mr. Ajay Gohil (DC), Mr. Louis Ling (NV), Mr. Christopher Gerard (WA), and Dr. Jeffery Tucker (CA).

Thursday afternoon workshops included a College Presidents' Panel with Drs. Joseph Brimhall (UWS), Carl Cleveland, III (Cleveland Chiropractic College), and John Scaringe (SCUHS), as well as a look at evaluating international transcripts from Mr. Wade Jewell of Aequo International.

Friday's portion of the conference was hosted by the National Board of Chiropractic Examiners and included a keynote address by Dr. Marianne Jennings who spoke about ethical issues regulators face.

On Saturday, Dr. Maggie Colucci (NV) presented the Arvidson Award for Meritorious Service to Dr. David Brown (VA). Dr. Colucci spoke of Dr. Brown's long and active career in public protection and urged regulators to look towards his leadership example. During his acceptance, Dr. Brown challenged attendees to maintain a focus on regulation and public protection above professional interest.

Other educational sessions at the conference included:

- Deregulation and Top Cases
- Stem Cell Therapy
- A Call to Action for Regulators
- Licensure Exams and Services of the National Board of Chiropractic Examiners

Elections – FCLB Board of Directors

- President: Dr. Karlos Boghosian (CT)

- Vice President: Dr. Carol Winkler (ND)
- Treasurer: Dr. Keita Vanterpool (DC)
- District III Director: Dr. George Khoury (PA)
- District IV Director: Dr. Karen Campion (TX)
- District III Alternate Director: Dr. Robert Frieman (MD)
- District IV Alternate Director: Dr. Cathy Riekeman (MN)

The FCLB Board of Directors named District II Director Dr. Robert Daschner (MN) to serve as Board Chair.

Awards and Recognition

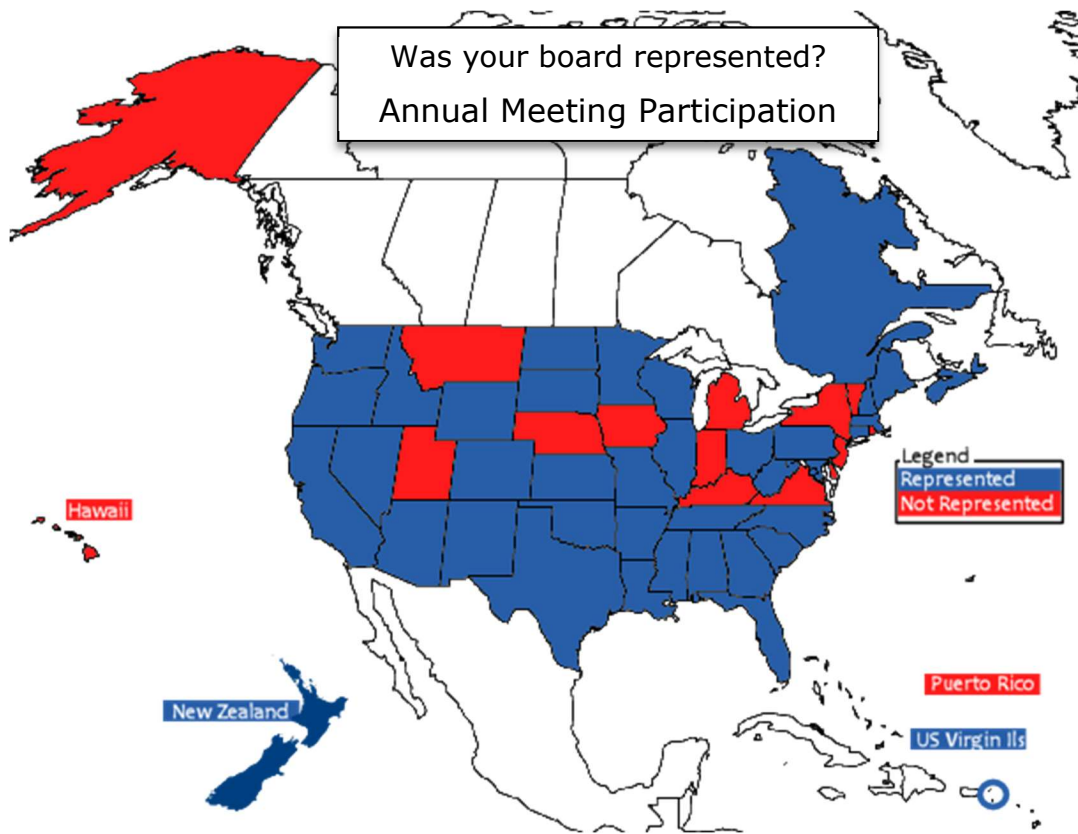
Dr. Colucci presented awards to the following individuals and organizations:

- 2019 Dr. Wayne Wolfson Scholarship Award: Mr. Christopher Netley (Southern California University of Health Sciences) and Ms. Maggie Juarez (Palmer College of Chiropractic West)
- 2019 Donna Liewer-Cohen Regulatory Scholarship: Mr. Zen Mayhugh (CO)
- 2019 NBCE Administrator scholarships: Ms. Lisa Blanchard (ND), Ms. Adrian Price (GA), Dr. Brian Zachariah (IL)
- 2019 Board Legal Advisor Grant: Mr. Kenneth Suter (PA)
- 2019 Pennebaker/Wiley Outstanding Board Award: North Carolina Board of Chiropractic Examiners

A complete agenda, list of faculty, awards presentations and many of the 2019 educational sessions are available on the Federation's website at www.fclb.org.

Next year's meeting is scheduled for April 22-26, 2020, in Denver, Colorado.

program. As more boards look at patient safety and chiropractic assistants, the need for uniform



CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 20 Public Interest Comments – No action**

This portion of the meeting is open to the public to speak on any topic NOT on today's agenda and may be limited to 3 minutes

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

PREPARED BY: **Jason O. Jaeger, DC/Morgan Rovetti, DC**

MEETING DATE: **June 13, 2019**

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

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

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 20

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

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

RECOMMENDED MOTION: **Adjourn the meeting.**

PRESENTED BY: **Jason O. Jaeger, DC/Morgan Rovetti, DC**

MEETING DATE: **June 13, 2019**

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